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H.480

An act relating to property valuation and reappraisals

It is hereby enacted by the General Assembly of the State of Vermont:

\* \* \* Findings \* \* \*

Sec. 1. FINDINGS

The General Assembly finds that:

(1) In Vermont, according to the Vermont Department of Taxes, Division of Property Valuation and Review, as of January 1, 2023, when not accounting for the municipalities undergoing a reappraisal, the most recent year of reappraisal for municipalities was on average 2014. The grand lists of 50 percent of municipalities were reappraised in 2014 or prior. 107 municipalities have not performed a reappraisal in more than 10 years. For comparison, technical standard 4.8 of the International Association of Assessing Officers (IAAO) recommends conducting reappraisals every four to six years. According to the Property Valuation and Review 2023 Annual Report, in 2021, Property Valuation and Review issued reappraisal orders pursuant to 32 V.S.A. § 4041a(b) to 42 municipalities. Of the 42 municipalities, 36 were ordered to reappraise for the first time and six had received an order in the prior year and had not yet completed a reappraisal.

(2) In the U.S., property owners of color are statistically more likely to have their properties overvalued during appraisals conducted for taxation

1 purposes, according to numerous studies and reports, including Perry, et. al,  
2 “The Devaluation of Assets in Black Neighborhoods in the U.S.” (November  
3 2018) Brookings Institute; Perry, Christopher, “Reassessing the Property Tax”  
4 University of Chicago, Harris School of Public Policy (March 1, 2021); Yun,  
5 et. al, “Snapshot of Race and Home Buying in America” (February 2022),  
6 National Association of REALTORS; and Federal Home Loan Mortgage  
7 Corporation (Freddie Mac), “Racial and Ethnic Valuation Gaps in Home  
8 Purchase Appraisals” (September 20, 2021). A University of Chicago, Harris  
9 School of Public Policy study found that, based on data from 2,600 U.S.  
10 counties, on average, more than 90 percent of counties appraised the least  
11 expensive homes higher, relative to the market price, than the most expensive.  
12 In 24 percent of counties, the lowest-valued homes were appraised more than  
13 twice as high in relative terms as the most expensive homes.

14 (3) Simultaneously, property owners of color in the U.S. are statistically  
15 more likely to have their properties undervalued during appraisals conducted  
16 for resale or financing purposes. Despite federal prohibitions on racial  
17 discrimination in the finance and housing industries, notably in the Fair  
18 Housing Act, 42 U.S.C. chapter 45, Black property owners seeking to sell their  
19 properties are routinely advised to “whitewash” their homes when seeking  
20 appraisals to remove evidence that the property is owned by an owner of color  
21 in an effort to avoid or reduce racial discrimination in the appraisal process, as

1 detailed in news articles and recent lawsuits, including the Austin v. Miller and  
2 Perotti complaint filed in the U.S. District Court of Northern California (Case  
3 3:21-cv-09319-JCS); Kamin, Debra, “Black Homeowners Face Discrimination  
4 in Appraisals” (August 25, 2020), New York Times; and CST Editorial Board,  
5 “Race-based appraisals threaten American Dream for Black and Brown home  
6 sellers” (December 10, 2021), Chicago Sun Times. Rates of property  
7 overvaluation or undervaluation for property owners of color is consistent  
8 regardless of the socioeconomic status of the property owner. Furthermore, the  
9 steepest and most disparate rates of property overvaluation and undervaluation  
10 are observed for properties owned by Black owners.

11 \* \* \* Statewide Reappraisals \* \* \*

12 Sec. 2. 32 V.S.A. § 4041a is amended to read:

13 § 4041a. REAPPRAISAL

14 (a) A municipality shall be paid \$8.50 per grand list parcel per year from  
15 the Education Fund to be used only for reappraisal and costs related to  
16 reappraisal of its grand list properties and for maintenance of the grand list.

17 (b) If the Director of Property Valuation and Review determines that a  
18 municipality’s ~~education grand list is at a common level of appraisal below 85~~  
19 ~~percent or above 115 percent, or~~ has a coefficient of dispersion greater than 20,  
20 the municipality shall reappraise its ~~education~~ grand list properties. If the  
21 Director orders a reappraisal, the Director shall send the municipality written

1 notice of the decision. The municipality shall be given 30 days to contest the  
2 finding under procedural rules adopted by the Director, to develop a  
3 compliance plan, or both. If the Director accepts a proposed compliance plan  
4 submitted by the municipality, the Director shall not order commencement of  
5 the reappraisal until the municipality has had one year to carry out that plan.

6 (c) If a municipality fails to submit an acceptable plan or fails to carry out  
7 the plan, pursuant to subsection (b) of this section, the State shall withhold the  
8 education, transportation, and other funds from the municipality until the  
9 Director certifies that the town has carried out that plan.

10 ~~(d) A sum not to exceed \$100,000.00 each year shall be paid from the~~  
11 ~~Education Fund to the Division of Property Valuation and Review for the~~  
12 ~~purpose of providing assessment education for municipal assessing officials.~~  
13 ~~The Director is authorized to establish guidelines and requirements for~~  
14 ~~education programs to be provided using the funds described in this section.~~  
15 ~~Education programs provided using funds described in this section shall be~~  
16 ~~provided at no cost or minimal cost to the municipal assessing officials. In~~  
17 ~~addition to providing the annual education programs as described in this~~  
18 ~~section, up to 20 percent of the amount available for education programs may~~  
19 ~~be reserved as a scholarship fund to permit municipal assessing officials to~~  
20 ~~attend national programs providing education opportunities on advanced~~

1 ~~assessment topics. All applications for scholarships shall be submitted to and~~  
2 ~~approved by the Director.~~

3 (e) The Director shall adopt rules necessary for administration of this  
4 section.

5 Sec. 3. 32 V.S.A. § 4041a(a) is amended to read:

6 (a) ~~A municipality shall be paid \$8.50 per grand list parcel per year from~~  
7 ~~the Education Fund to be used only for reappraisal and costs related to~~  
8 ~~reappraisal of its grand list properties and for maintenance of the grand list.~~

9 [Repealed.]

10 Sec. 4. ONE-TIME APPROPRIATIONS; DEPARTMENT OF TAXES

11 (a) In fiscal year 2024, \$50,000.00 shall be appropriated from the General  
12 Fund to the Department of Taxes to contract with one or more consultants with  
13 expertise in statewide reappraisal systems to assist the Department in preparing  
14 the implementation plan required under this act.

15 (b) It is the intent of the Generally Assembly to appropriate a sufficient  
16 sum in fiscal year 2026 from the General Fund to the Department of Taxes to  
17 fund the implementation costs of creating and operating an office of statewide  
18 reappraisals pursuant to this act. The amount of the appropriation authorized  
19 under this section shall be based on the recommendation of the Department in  
20 the implementation plan required under this act on or before December 15,  
21 2024.

1 Sec. 5. 32 V.S.A. § 4041a is amended to read:

2 § 4041a. REAPPRAISAL

3 ~~(a) [Repealed.]~~

4 ~~(b)~~(a) If the Director of Property Valuation and Review determines that a  
5 municipality's grand list has a coefficient of dispersion greater than 20, the  
6 ~~shall reappraise its~~ Director shall order a State reappraisal of the grand list  
7 ~~properties. If the Director orders a reappraisal, pursuant to subsection 5413(e)~~  
8 of this title and the Director shall send the municipality written notice of the  
9 ~~decision order. The municipality shall be given 30 days to contest the finding~~  
10 ~~under procedural rules adopted by the Director, to develop a compliance plan,~~  
11 ~~or both. If the Director accepts a proposed compliance plan submitted by the~~  
12 ~~municipality, the Director shall not order commencement of the reappraisal~~  
13 ~~until the municipality has had one year to carry out that plan.~~

14 ~~(c) If a municipality fails to submit an acceptable plan or fails to carry out~~  
15 ~~the plan, pursuant to subsection (b) of this section, the State shall withhold the~~  
16 ~~education, transportation, and other funds from the municipality until the~~  
17 ~~Director certifies that the town has carried out that plan.~~

18 ~~(d)~~(b) The Director shall adopt rules necessary for administration of this  
19 section.

1 Sec. 6. 32 V.S.A. § 5413 is amended to read:

2 § 5413. STATE APPRAISAL, REAPPRAISAL, AND LITIGATION  
3 ASSISTANCE PROGRAM

4 (a)(1) A State appraisal, reappraisal, and litigation assistance program shall  
5 be created within the Division of Property Valuation and Review of the  
6 Department of Taxes ~~to assist municipalities with~~ for the following purposes:

7 (A) ~~valuation~~ assisting municipalities with the appraisal of complex  
8 commercial or other unique properties within a municipality's jurisdiction and  
9 ~~to assist with any appeals arising from those valuations~~ appraisals; and

10 (B) conducting full and statistical reappraisals of each municipality's  
11 grand list properties for purposes of the municipal and statewide education  
12 grand lists as required under subsection (c) of this section.

13 (2) The Commissioner of Taxes may contract with one or more  
14 ~~commercial~~ appraisers to provide State appraisal and litigation assistance to  
15 municipalities and to conduct full and statistical reappraisals under this section.

16 The Commissioner may adopt rules to administer ~~the provisions of~~ this section.

17 (b) ~~The Commissioner shall~~ For complex commercial or other unique  
18 properties:

19 (1) the Commissioner shall determine the conditions for a property to be  
20 eligible for State appraisal and litigation assistance, including the grand list

1 value or category of the property or other relevant factors as determined by the  
2 Commissioner; ~~and~~

3 (2) the Commissioner shall provide a process by which a municipality  
4 may apply for appraisal and litigation assistance under this section subsection  
5 for one or more complex commercial or other unique properties; and

6 (3) any municipality assisted under this subsection shall be considered  
7 to have followed best practices pursuant to subdivision 5412(a)(1)(D) of this  
8 title.

9 (c)(1) ~~Any municipality assisted under this section shall be considered to~~  
10 ~~have followed best practices pursuant to subdivision 5412(a)(1)(D) of this title~~  
11 For purposes of reappraising the municipal and statewide education grand lists  
12 in this State, the Commissioner shall:

13 (A) determine a reappraisal schedule for each municipality's grand  
14 list and shall publish the schedule annually;

15 (B) conduct or contract with one or more appraisers to conduct  
16 statistical reappraisals for each municipality, provided that a statistical  
17 reappraisal shall not be required in the same year as a full reappraisal in the  
18 same municipality; and

19 (C) conduct or contract with one or more appraisers to conduct full  
20 reappraisals for each municipality that shall commence not later than six years  
21 after the commencement of the most recent full reappraisal.



1           (2) Upon completion of a reappraisal pursuant to this subsection, the  
2           property values set by the Commissioner shall be binding on the municipality  
3           and the municipality's municipal and statewide education grand lists.

4           (3) Annually, on January 1, \$2,540,000.00 shall be paid from the  
5           General Fund to the Division of Property Valuation and Review for the  
6           purpose of funding statewide reappraisals pursuant to this subsection.

7           Sec. 7. 32 V.S.A. § 5405(f) is amended to read:

8           (f) Within the limits of the resources available for that purpose, the  
9           Commissioner may employ such individuals, whether on a permanent,  
10           temporary, or contractual basis, as shall be necessary, in the judgment of the  
11           Commissioner, to aid in the performance of duties under this section. The  
12           Commissioner shall pay each municipality the sum of ~~\$1.00~~ \$2.00 per grand  
13           list parcel in the municipality for services provided to the Commissioner in  
14           connection with the performance of duties under this section and for costs  
15           related to the maintenance of the grand list. Each municipality shall deposit  
16           payments received under this subsection into a special fund that shall be used  
17           to support the preparation of the education property tax grand list.

18           Sec. 8. IMPLEMENTATION PLAN AND PROGRESS REPORT;

19                   STATEWIDE REAPPRAISALS; PROPERTY GRAND LIST

20                   CATEGORIES; DEPARTMENT OF TAXES

1       (a) On or before December 15, 2023, the Department of Taxes shall submit  
2       in writing to the House Committee on Ways and Means and the Senate  
3       Committee on Finance a progress report on the first six months of:

4             (1) implementation of the office of statewide reappraisals; and  
5             (2) defining new categories of homestead and nonhomestead property  
6       that apply to both municipal and statewide education grand lists and property  
7       taxes, including a preliminary proposal for statutory definitions.

8       (b)(1) On or before December 15, 2024, the Department of Taxes shall  
9       submit in writing to the House Committee on Ways and Means and the Senate  
10       Committee on Finance:

11            (A) a detailed implementation plan and progress report on the first  
12       18 months of implementation of the statewide system to conduct reappraisals  
13       of both municipal and statewide education grand lists administered by the State  
14       appraisal, reappraisal, and litigation assistance program within the Division of  
15       Property Valuation and Review of the Department of Taxes pursuant to  
16       32 V.S.A. § 5413; and

17            (B) recommended legislative language to define new categories of  
18       homestead and nonhomestead property that apply to both municipal and  
19       statewide education grand lists and property taxes and a detailed plan for  
20       certifying or designating new property categories and integrating them into  
21       both municipal and statewide education grand lists in 2025.

1           (2) The written submission required under this subsection shall identify  
2           and recommend the means to achieve consistency in property valuation and  
3           taxation across the State in order to prioritize the elimination of racial and  
4           other implicit bias.

5           (3) The report required under subdivision (1)(A) of this subsection  
6           regarding the implementation of the statewide office of reappraisals shall make  
7           recommendations and propose legislative language regarding the following:

8                   (A) Adequate funding, including cost saving measures and  
9                   reallocating the revenues from the per parcel fee under 32 V.S.A. § 4041a(a),  
10                  repealed pursuant to this act, to operate the office of statewide reappraisals.  
11                  The report shall address staffing costs for hiring or contracting with trained  
12                  assessors, or both, to carry out reappraisals and hearing officers to hold appeals  
13                  at locations across the State.

14                  (B)(i) Administration of full and statistical reappraisals of each  
15                  municipality's municipal and statewide education grand list, including:

16                           (I) selection and prioritization criteria;  
17                           (II) any proposed adjustments to the coefficient of dispersion  
18                           threshold that causes a reappraisal order pursuant to 32 V.S.A. § 4041a;  
19                           (III) any proposed adjustments to the frequency and efficacy of  
20                           conducting statistical reappraisals; and

1                   (IV) any other recommendations for establishing a reappraisal  
2 schedule.

3                   (ii) The report shall list the municipalities that, at the time of  
4 passage of this act, have been ordered to reappraise pursuant to 32 V.S.A. §  
5 4041a for the longest duration of time and propose the means to prioritize a  
6 first State-level reappraisal for those municipalities' grand lists, provided no  
7 municipality shall be required to reappraise in fewer than five years after  
8 completion of the most recent full reappraisal. The report shall further list the  
9 municipalities that have recently undergone or are currently undergoing a  
10 reappraisal and propose the means to ensure that those municipalities' grand  
11 lists are not scheduled for a first State-level reappraisal in fewer than five years  
12 after completion of the most recent full reappraisal.

13                   (C) Creation of a reappraisal appeal structure that:

14                   (i) ensures impartiality and installs procedural safeguards against  
15 conflicts of interest;

16                   (ii) ensures all communities have convenient and reasonable  
17 access to State appeal hearings, regardless of the geographical location of the  
18 appellant;

19                   (iii) based on a study of other State administrative appeal  
20 structures, incorporates the strengths and advantages of those appeal structures;  
21 and

1           (iv) takes into consideration any other matters identified by the  
2           Department relating to appeals, including a recommendation on potentially  
3           narrowing or eliminating the role of Boards of Civil Authority within the  
4           appraisal appeal process.

5           (D) Streamlining, integrating, and updating State and municipal  
6           software vendor agreements relating to reappraisals and maintaining both  
7           municipal and statewide education grand lists, including the integration of new  
8           property categories as required in subdivision (1)(B) of this subsection (b)  
9           beginning in 2025. The report shall further estimate costs and analyze any  
10          other considerations regarding software vendor agreements.

11          (E) Distinguishing between contiguous parcels for purposes of  
12          property valuation and the payment of the per parcel fee under 32 V.S.A.  
13          § 5405(f).

14          (F) Incentivizing municipalities to submit grand list parcel map data  
15          to the Vermont Center for Geographic Information, including conditioning  
16          payment of higher per grand list parcel fees on the submission of data.

17          (G) Incorporating the principles of a high-quality tax system into the  
18          statewide reappraisal system as enumerated by the National Conference of  
19          State Legislatures, “Tax Policy Handbook for State Legislators” (February  
20          2010), 3rd ed., including sustainability, reliability, fairness, simplicity,  
21          economic competitiveness, tax neutrality, and accountability.

1           (4) The recommendations and detailed plan required under subdivision  
2           (1)(B) of this subsection regarding new property categories that apply to both  
3           municipal and statewide education grand lists and property taxes and the State  
4           homestead and nonhomestead property classifications shall include the  
5           following:

6           (A) Legislative language that distinguishes between different  
7           property types and uses in a way that reconfigures and consolidates existing  
8           municipal and statewide education grand list property categories in order to  
9           obtain detailed, accurate, and consistent data on all properties throughout the  
10           State. The plan shall include discrete categories for different types of rental  
11           housing properties, including affordable housing.

12           (B) Creation of a certification or other designation process for  
13           categorizing property in a detailed, accurate, and consistent way that takes into  
14           consideration the compliance and administrative burdens placed on both  
15           property owners and municipal and State administrators. The plan shall  
16           provide clear and actionable guidance on the new property categories and the  
17           certification or other designation process for both property owners and  
18           municipal listers and assessors.

19           (C) Assistance during the transition period for municipal listers and  
20           assessors with conducting the initial categorization of properties under any  
21           new statutory definitions.

1                   (D) Integration of new categories into the statewide reappraisal  
2                   system.

3                   Sec. 9. 2022 Acts and Resolves No. 163, Sec. 8(2) is amended to read:

4                   (2) Sec. 3 (State appraisal and litigation assistance program) shall take  
5                   effect on July 1, 2023, ~~provided the General Assembly has, on or before July 1,~~  
6                   ~~2023, appropriated funding to cover the Department of Taxes' operating costs~~  
7                   ~~required to create, implement, and maintain a new State appraisal and litigation~~  
8                   ~~assistance program.~~

9   \* \* \* Lister and Appraiser Education \* \* \*

10                   Sec. 10. 32 V.S.A. § 3436 is amended to read:

11                   § 3436. ASSESSMENT EDUCATION

12                   (a) The Director shall certify assessment education programs for municipal  
13                   listers and assessors at convenient times and places during the year and is  
14                   authorized to contract with one or more persons to provide part or all of the  
15                   assessment instruction. Certified programs may include instruction in lister  
16                   duties, property inspection, data collection, valuation methods, mass appraisal  
17                   techniques, property tax administration, or such other subjects as the Director  
18                   deems beneficial to listers and may be presented by Property Valuation and  
19                   Review or a person pursuant to a contract with Property Valuation and Review,  
20                   the International Association of Assessing Officials, the Vermont Assessors  
21                   and Listers Association, or the Vermont League of Cities and Towns.

1 (b) The Director shall establish designations recognizing levels of  
2 achievement and the necessary course work or evaluation of equivalent  
3 experience required to attain each designation. Designation for any one level  
4 shall be for a period of three years.

5 (c) Designation obtained under subsection (b) of this section may be  
6 renewed for three-year periods upon completion of requirements as determined  
7 by the ~~director~~ Director.

8 (d) The Director shall also notify all towns annually of any new approaches  
9 that the Division of Property Valuation and Review is aware of for ~~obtaining or~~  
10 ~~performing mass reappraisals and for~~ grand list maintenance.

11 (e) A sum not to exceed \$100,000.00 each year shall be paid from the  
12 Education Fund to the Division of Property Valuation and Review for the  
13 purpose of providing assessment education for municipal listers and assessors.  
14 The Director is authorized to establish guidelines and requirements for  
15 education programs to be provided using the funds described in this section.  
16 Education programs provided using funds described in this section shall be  
17 provided at no cost or minimal cost to the municipal listers and assessors. In  
18 addition to providing the annual education programs described in this section,  
19 up to 20 percent of the amount available for education programs may be  
20 reserved as a scholarship fund to permit municipal listers and assessors to  
21 attend national programs providing education opportunities on advanced



1 assessment topics. All applications for scholarships shall be submitted to and  
2 approved by the Director.

3 Sec. 11. 32 V.S.A. § 4052 is amended to read:

4 § 4052. CONTRACT APPRAISALS; ~~CERTIFICATION~~ ASSESSOR  
5 AND LISTER QUALIFICATIONS

6 (a) No municipality shall employ or contract a person, firm, or corporation  
7 shall be employed by a municipality to perform and no elected lister or board  
8 of listers shall perform appraisals of real property for the purpose of property  
9 taxation unless approved by the Director of Property Valuation and Review as  
10 qualified under this section.

11 (b) No person shall conduct the work of an elected lister, board of listers, or  
12 assessor employed or contracted by a municipality pursuant to 17 V.S.A.  
13 § 2651c(b) unless the person meets the training requirements established by the  
14 Director of Property Valuation and Review under this section.

15 (c) The Director shall establish by rule reasonable qualifications for  
16 approval and training requirements, which shall include successful completion  
17 of educational and training courses approved by the Director and, in the case of  
18 an appraiser hired to do ~~a townwide reappraisal~~ reappraisals, at least one year's  
19 experience with an appraiser who has satisfactorily completed ~~townwide~~  
20 reappraisals.

1       ~~(e)~~(d) This section shall not apply to elected or appointed officials of any  
2 town except elected listers or boards of listers.

3       Sec. 12. 17 V.S.A. § 2651c is amended to read:

4       § 2651c. LACK OF ELECTED LISTER; APPOINTMENT OF LISTER;  
5                                   ELIMINATION OF OFFICE; HIRING ASSESSORS

6       (a)(1) Notwithstanding any other provisions of law to the contrary and  
7 except as provided in subsection (b) of this section, in the event the board of  
8 listers of a town falls below a majority and the selectboard is unable to find a  
9 person or persons to appoint as a lister or listers under the provisions of 24  
10 V.S.A. § 963, the selectboard may appoint an assessor to perform the duties of  
11 a lister as set forth in Title 32 until the next annual meeting.

12               (2) The appointed person need not be a resident of the town and shall  
13 have the same powers and be subject to the same duties and penalties as a duly  
14 elected lister for the town.

15       (b)(1) A town may vote by ballot at an annual meeting to eliminate the  
16 office of lister.

17               (2)(A) If a town votes to eliminate the office of lister, the selectboard  
18 shall ~~contract with or employ~~ notify the Director of Property Valuation and  
19 Review within 14 days and employ or contract a professionally qualified  
20 assessor, who, prior to conducting any work, shall meet the training

1 requirements established by the Director under 32 V.S.A. § 4052 and need not  
2 be a resident of the town.

3 (B) The assessor shall have the same powers, discharge the same  
4 duties, proceed in the discharge thereof in the same manner, and be subject to  
5 the same liabilities as are prescribed for listers or the board of listers under the  
6 provisions of Title 32.

7 (3) A vote to eliminate the office of lister shall remain in effect until  
8 rescinded by majority vote of the registered voters present and voting at an  
9 annual or special meeting warned for that purpose.

10 (c) The term of office of any lister in office on the date a town votes to  
11 eliminate that office shall expire on the 45th day after the vote or on the date  
12 upon which the selectboard ~~appoints~~ employs or contracts an assessor under  
13 this subsection, whichever occurs first.

14 (d) The authority to vote to eliminate the office of lister as provided in this  
15 section shall extend to all towns except those towns that have a charter that  
16 specifically provides for the election or appointment of the office of lister.

17 (e) If an assessor is employed or contracted to assist an elected board of  
18 listers, the board of listers shall retain the same powers and duties, discharge  
19 those powers and duties in the same manner, and be subject to the same  
20 liabilities as those imposed on listers or the board of listers under the  
21 provisions of Title 32.



1           (3) Secs. 5, 32 V.S.A. § 4041a, (repeal of municipal requirement to  
2           conduct reappraisals), 6, 32 V.S.A. § 5413, (State appraisal, reappraisal, and  
3           litigation assistance program), and 7, 32 V.S.A. § 5405(f), (per parcel fee) shall  
4           take effect on July 1, 2026.