1	H.887
2	Senator Brock moves that the Senate proposal of amendment be amended as
3	follows:
4	First: By adding a new Sec. 20a to read as follows:
5	Sec. 20a. ALLOWABLE EDUCATION SPENDING FOR
6	FISCAL YEARS 2026 AND 2027
7	(a) Notwithstanding any other provision of law, for fiscal years 2026 and
8	2027 only, in addition to the definition under 32 V.S.A. § 5401(12), "excess
9	spending" also means the per pupil education spending, as defined in
10	16 V.S.A. § 4001(14), adjusted to include any amount required to be added to
11	education spending from a Capital Construction Reserve Fund under 24 V.S.A.
12	§ 2804(b), that is in excess of the district's per pupil education spending in the
13	prior fiscal year, plus the district's allowable spending. In the event that a
14	district has excess spending under both this section and the statutory definition
15	in 32 V.S.A. § 5401(12), this section shall not apply.
16	(b) For fiscal years 2026 and 2027, the "allowable spending" for any
17	individual school district is an amount equal to the actual amount of per pupil
18	education spending in the district in the prior fiscal year, multiplied by the
19	district's "allowable spending percentage." A district's "allowable spending
20	percentage" means the greater of:

1	(1) a percentage that results from the following equation: the highest
2	per pupil education spending in any operating district in the State, excluding
3	gores, in the prior fiscal year, divided by the actual amount of per pupil
4	education spending in the district in the prior fiscal year, minus one, multiplied
5	by five and one-half percent; or
6	(2) the percentage change in the New England Economic Project
7	Cumulative Price Index, as of November 15, for state and local government
8	purchases of goods and services between the prior fiscal year and the current
9	fiscal year.
10	(c) For the purpose of the calculations made under this section, the term
11	"per pupil education spending" shall exclude all the adjustments under 16
12	<u>V.S.A. § 4001(6)(B).</u>
13	(d) Notwithstanding any provision of law to the contrary, for fiscal years
14	2026 and 2027, the school budget language required under 16 V.S.A.
15	§ 563(11)(D) shall be replaced with the following:
16	Article #1 (School Budget):
17	Shall the voters of the school district approve the school
18	board to expend \$, which is the amount the school board has
19	determined to be necessary for the ensuing fiscal year?
20	The District estimates that this proposed budget, if
21	approved, will result in per pupil education spending of \$, which is

1	% higher/lower than per pupil education spending for the current year.
2	This proposed per pupil education spending is \$ over the amount
3	designated for the district's allowable spending under Vermont law."
4	Second: By adding new Secs. 24a–24m to read as follows:
5	Sec. 24a. 16 V.S.A. § 4019 is added to read:
6	<u>§ 4019. EDUCATIONAL OPPORTUNITY PAYMENTS</u>
7	(a) A school district shall annually receive an educational opportunity
8	payment, which shall be an amount set by the General Assembly in fiscal year
9	2026, increased by the most recent New England Economic Project
10	Cumulative Price Index, as of November 15, for state and local government
11	purchases of goods and services from fiscal year 2025 through the fiscal year
12	for which the amount is being determined, multiplied by a district's weighted
13	long-term membership as determined under section 4010 of this chapter.
14	(b) Educational opportunity payments under this section shall be paid from
15	the Education Fund and shall be added to education spending payment receipts
16	under section 4011 of this title.
17	Sec. 24b. 16 V.S.A. § 4001 is amended to read:
18	§ 4001. DEFINITIONS
19	As used in this chapter:
20	* * *

1	(6) "Education Excess spending" means the amount of the school
2	district budget, any assessment for a joint contract school, career technical
3	center payments made on behalf of the district under subsection 1561(b) of this
4	title, and any amount added to pay a deficit pursuant to 24 V.S.A. § 1523(b)
5	that is paid for by the school district, but excluding any portion of the school
6	budget paid for from any other sources such as endowments, parental
7	fundraising, federal funds, nongovernmental grants, or other State funds such
8	as special education funds paid under chapter 101 of this title, and educational
9	opportunity payments under section 4019 of this chapter.
10	(A) [Repealed.]
11	(B) For purposes of calculating excess spending pursuant to 32
12	V.S.A. § 5401(12), "education spending" shall not include:
13	(i) Spending during the budget year for:
14	(I) approved school capital construction for a project that
15	received preliminary approval under section 3448 of this title, including
16	interest paid on the debt, provided the district shall not be reimbursed or
17	otherwise receive State construction aid for the approved school capital
18	construction; or
19	(II) spending on eligible school capital project costs pursuant to
20	the State Board of Education's Rule 6134 for a project that received
21	preliminary approval under section 3448 of this title.

1	(ii) For a project that received final approval for State construction
2	aid under chapter 123 of this title:
3	(I) spending for approved school capital construction during the
4	budget year that represents the district's share of the project, including interest
5	paid on the debt; or
6	(II) payment during the budget year of interest on funds
7	borrowed under subdivision 563(21) of this title in anticipation of receiving
8	State aid for the project.
9	(iii) Spending that is approved school capital construction
10	spending or deposited into a reserve fund under 24 V.S.A. § 2804 to pay future
11	approved school capital construction costs, including that portion of tuition
12	paid to an independent school designated as the public high school of the
13	school district pursuant to section 827 of this title for capital construction costs
14	by the independent school that has received approval from the State Board of
15	Education, using the processes for preliminary approval of public school
16	construction costs pursuant to subdivision 3448(a)(2) of this title.
17	(iv) Spending attributable to the cost of planning the merger of a
18	small school, which for purposes of this subdivision means a school with an
19	average grade size of 20 or fewer students, with one or more other schools.
20	(v) Spending attributable to the district's share of special
21	education spending that is not reimbursed as an extraordinary reimbursement

1	under section 2962 of this title for any student in the fiscal year occurring two
2	years prior.
3	(vi) A budget deficit in a district that pays tuition to a public
4	school or an approved independent school, or both, for all of its resident
5	students in any year in which the deficit is solely attributable to tuition paid for
6	one or more new students who moved into the district after the budget for the
7	year creating the deficit was passed.
8	(vii) For a district that pays tuition for all of its resident students
9	and into which additional students move after the end of the census period
10	defined in subdivision (1)(A) of this section, the number of students that
11	exceeds the district's most recent average daily membership and for whom the
12	district will pay tuition in the subsequent year multiplied by the district's
13	average rate of tuition paid in that year.
14	(viii) Tuition paid by a district that does not operate a school and
15	pays tuition for all resident students in kindergarten through grade 12, except
16	in a district in which the electorate has authorized payment of an amount
17	higher than the statutory rate pursuant to subsection 823(b) or 824(c) of this
18	title.
19	(ix) The assessment paid by the employer of teachers who become
20	members of the State Teachers' Retirement System of Vermont on or after July
21	1, 2015, pursuant to section 1944d of this title.

1	(x) School district costs associated with dual enrollment and early
2	college programs.
3	(xi) Costs incurred by a school district or supervisory union when
4	sampling drinking water outlets, implementing lead remediation, or retesting
5	drinking water outlets as required under 18 V.S.A. chapter 24A. [Repealed.]
6	* * *
7	Sec. 24c. 16 V.S.A. § 4032 is added to read
8	§ 4032. EXCESS SPENDING RESERVE
9	(a) There is hereby created an Excess Spending Reserve within the
10	Education Fund. At the close of a fiscal year, any undesignated Education
11	Fund surplus and accrued interest remaining after the Education Fund budget
12	stabilization reserve has been brought to the maximum authorized level
13	pursuant to section 4026 of this chapter shall be reserved within the Excess
14	Spending Reserve.
15	(b) In any fiscal year, if the Education Fund is found to have an
16	undesignated fund deficit, the Excess Spending Reserve shall be used by the
17	Commissioner of Finance and Management to the extent necessary to offset
18	the undesignated fund deficit as determined by generally accepted accounting
19	principles.
20	(c) If the funds in the Excess Spending Reserve exceed \$25,000,000.00 at
21	the close of the fiscal year, after accounting for all obligations on the

1	Education Fund, for two consecutive years, the total funds in excess of
2	\$25,000.000.00 shall be deposited into the State Aid to School Construction
3	Special Fund pursuant to section 3441 of this title.
4	Sec. 24d. 16 V.S.A. § 3441 is added to read:
5	§ 3441. STATE AID TO SCHOOL CONSTRUCTION SPECIAL FUND
6	There is created the State Aid to School Construction Special Fund to
7	provide grants to supervisory unions and independent career and technical
8	education districts to assist in funding school construction projects that are
9	approved through the State Aid to School Construction Program. The excess
10	funds from the Education Spending Reserve under subsection 4032(c) shall be
11	deposited into the State Aid to School Construction Special Fund, which shall
12	be administered by the Agency of Education.
13	Sec. 24e. 16 V.S.A. § 511 is amended to read:
14	§ 511. BUDGET EXCESS SPENDING VOTE
15	(a) At a meeting legally warned for that purpose, the electorate within an
16	incorporated school district shall vote such sums of money as it deems
17	necessary for the support of schools on the district's excess spending, as
18	defined in subdivision 4001(6) of this title. If the sums are district's excess
19	spending is not approved or acted upon at the annual meeting, the electorate
20	shall vote the questions at a duly warned special school district meeting. A

1	district may vote on excess spending for money necessary for the support of
2	schools to the end of the full school year next ensuing.
3	* * *
4	Sec. 24f. 16 V.S.A. § 563 is amended to read:
5	§ 563. POWERS OF SCHOOL BOARDS; FORM OF VOTE
6	The school board of a school district, in addition to other duties and
7	authority specifically assigned by law:
8	* * *
9	(11)(A) Shall prepare and distribute annually a proposed budget for the
10	next school year according to such major categories as may from time to time
11	be prescribed by the Secretary.
12	(B) [Repealed.]
13	(C) At a school district's annual or special meeting, the electorate
14	may vote to provide notice of availability of the school budget required by this
15	subdivision to the electorate in lieu of distributing the budget. If the electorate
16	of the school district votes to provide notice of availability, it must specify how
17	notice of availability shall be given, and such notice of availability shall be
18	provided to the electorate at least 30 days before the district's annual meeting.
19	The proposed budget shall be prepared and distributed at least ten days before
20	a sum of money is voted on by the electorate. Any proposed budget shall show
21	the following information in a format prescribed by the Secretary:

1	(i) all revenues from all sources, and expenses, including as
2	separate items any assessment for a supervisory union of which it is a member
3	and any tuition to be paid to a career technical center; and including the report
4	required in subdivision 242(4)(D) of this title itemizing the component costs of
5	the supervisory union assessment;
6	(ii) the specific amount of any deficit incurred in the most recently
7	closed fiscal year and how the deficit was or will be remedied;
8	(iii) the anticipated homestead tax rate and the percentage of
9	household income used to determine income sensitivity in the district as a
10	result of passage of the budget, including those portions of the tax rate
11	attributable to supervisory union assessments; and
12	(iv) the definition of "education excess spending," the number of
13	pupils and number of equalized weighted pupils in the school district, and the
14	district's education spending per equalized weighted pupil in the proposed
15	budget and in each of the prior three years.
16	(D) The board shall present the budget to the voters by means of a
17	ballot in the following form:
18	Article #1 (School Budget):
19	Shall the voters of the school district approve the board to
20	expend \$ in excess spending as defined in 16 V.S.A. § 4001(6),
21	which is the amount the school board has determined to be necessary for the

1	ensuing fiscal year beyond the amount the district shall receive from other
2	State funds, such as educational opportunity payments under 16 V.S.A.
3	<u>§ 4019</u> ? The District estimates that this proposed budget excess
4	spending, if approved, will result in per pupil education spending of
5	\$, which is% higher/lower than per pupil education spending
6	for the current year. The District estimates that this education excess spending
7	will lead to a homestead property tax rate of \$, which is%
8	higher/lower than the homestead property tax rate for the current year. This
9	proposed education spending is \$ over the excess spending threshold,
10	which is estimated to increase the homestead tax rate by \$ for the
11	ensuing fiscal year.
12	* * *
13	Sec. 24g. REPEAL
14	16 V.S.A. § 566 (authority to borrow) is repealed.
15	Sec. 24h. REPORT AND RECOMMENDATIONS; EDUCATIONAL
16	OPPORTUNITY PAYMENTS; AGENCY OF EDUCATION
17	On or before December 15, 2024, the Agency of Education, in consultation
18	with the Department of Taxes, the Vermont Association of School Business
19	Officials, the Vermont School Boards Association, the Vermont
20	Superintendents Association, and the Vermont Principal's Association, shall
21	submit a written report to the House Committees on Education and on Ways

1	and Means and the Senate Committees on Education and on Finance with
2	recommendations for educational opportunity payments for fiscal year 2026.
3	Sec. 24i. CONTINGENT EFFECTIVE DATE OF EDUCATIONAL
4	OPPORTUNITY PAYMENTS
5	Secs. 24a–24h and 24j–m of this act shall not take effect unless, on or
6	before July 1, 2026, the General Assembly enacts legislation establishing all of
7	the following:
8	(1) an excess spending reserve within the Education Fund;
9	(2) the process for setting the yields prior to the December 1 letter, once
10	the Educational Opportunity Payment is established under 16 V.S.A. § 4019;
11	and
12	(3) the process for determining and applying the excess spending
13	adjustment.
14	Sec. 24j. 32 V.S.A. § 5401 is amended to read:
15	§ 5401. DEFINITIONS
16	As used in this chapter:
17	* * *
18	(5) "Education property tax grand list" means the list of property
19	determined pursuant to section 5404 of this title. When the listed value of real
20	property for school tax purposes is credited by a board of civil authority or a

1	court, that board or court shall make a corresponding credit to the listed value
2	for purposes of taxation under this chapter.
3	(6) "Equalized education property tax grand list" means one percent of
4	the aggregate fair market value of all nonhomestead and homestead property
5	that is required to be listed at fair market value as certified during that year by
6	the Director of Property Valuation and Review under section 5406 of this title,
7	plus one percent of the aggregate value of property required to be listed at a
8	value established under a stabilization agreement described under section
9	5404a of this title, plus one percent of the aggregate use value established
10	under chapter 124 of this title of all nonhomestead property that is enrolled in
11	the use value appraisal program.
12	* * *
13	(8) "Education spending" means "education spending" as defined in 16
14	V.S.A. § 4001(6). [Repealed.]
15	* * *
16	(11) "Education property value" means the aggregate fair market value
17	of all nonhomestead and homestead real property that is required to be listed at
18	fair market value as certified during that year by the Director of Property
19	Valuation and Review under section 5406 of this title, plus the aggregate value
20	of property required to be listed at a value established under a stabilization
21	agreement described under section 5404a of this title, plus the aggregate use

1	value established under chapter 124 of this title of all nonhomestead real
2	property that is enrolled in the use value appraisal program.
3	(12) "Excess spending <u>adjustment</u> " means: <u>a district's excess spending</u> ,
4	as defined under 16 V.S.A. § 4001(6), divided by the district's long-term
5	membership, as defined under 16 V.S.A. § 4001(7), further divided by the
6	property dollar equivalent yield.
7	(A) The per-equalized-pupil amount of the district's education
8	spending, as defined in 16 V.S.A. § 4001(6), plus any amount required to be
9	added from a capital construction reserve fund under 24 V.S.A. § 2804(b).
10	(B) In excess of 121 percent of the statewide average district
11	education spending per equalized pupil increased by inflation, as determined
12	by the Secretary of Education on or before November 15 of each year based on
13	the passed budgets to date. As used in this subdivision, "increased by inflation"
14	means increasing the statewide average district education spending per
15	equalized pupil for fiscal year 2015 by the most recent New England
16	Economic Project cumulative price index, as of November 15, for state and
17	local government purchases of goods and services, from fiscal year 2015
18	through the fiscal year for which the amount is being determined.
19	(13)(A) "Education property tax spending adjustment" means the
20	greater of one or a fraction in which the numerator is the district's per pupil
21	education spending plus excess spending for the school year, and the

1	denominator is the property dollar equivalent yield for the school year, as
2	defined in subdivision (15) of this section.
3	(B) "Education income tax spending adjustment" means the greater
4	of one or a fraction in which the numerator is the district's per pupil education
5	spending plus excess spending for the school year, and the denominator is the
6	income dollar equivalent yield for the school year, as defined in subdivision
7	(16) of this section.
8	* * *
9	(15) "Property dollar equivalent yield" means the amount of per pupil
10	education spending that would result if the homestead tax rate were \$1.00 per
11	\$100.00 of equalized education property value and the statutory reserves under
12	16 V.S.A. § 4026 and section 5402b of this title were maintained.
13	(16) "Income dollar equivalent yield" means the amount of per pupil
14	education spending that would result if the income percentage in subdivision
15	6066(a)(2) of this title were 2.0 percent and the statutory reserves under 16
16	V.S.A. § 4026 and section 5402b of this title were maintained.
17	Sec. 24k. 32 V.S.A. § 5402b is amended to read:
18	§ 5402b. STATEWIDE EDUCATION TAX YIELDS;
19	RECOMMENDATION OF THE COMMISSIONER
20	(a) Annually, no later than December 1, the Commissioner of Taxes, after
21	consultation with the Secretary of Education, the Secretary of Administration,

1	and the Joint Fiscal Office, shall calculate and recommend a property dollar
2	equivalent yield, an income dollar equivalent yield, and a nonhomestead
3	property tax rate for the following fiscal year. In making these calculations,
4	the Commissioner shall assume:
5	(1) the homestead base tax rate in subdivision $5402(a)(2)$ of this title is
6	\$1.00 per \$100.00 of equalized education property value;
7	(2) the applicable percentage in subdivision $6066(a)(2)$ of this title is
8	2.0;
9	(3) the statutory reserves under 16 V.S.A. § 4026 and this section were
10	maintained at five percent; and
11	(4) the percentage change in the average education tax bill applied to
12	nonhomestead property and the percentage change in the average education tax
13	bill of homestead property and the percentage change in the average education
14	tax bill for taxpayers who claim a credit under subsection 6066(a) of this title
15	are equal.
16	(b) For each fiscal year, the property dollar equivalent yield and the income
17	dollar equivalent yield shall be the same as in the prior fiscal year, unless set
18	otherwise by the General Assembly.
19	(c) Annually, on or before December 1, the Joint Fiscal Office shall prepare
20	and publish an official, annotated copy of the Education Fund Outlook. The
21	Emergency Board shall review the Outlook at its meetings. As used in this

1	section, "Education Fund Outlook" means the projected revenues and expenses
2	associated with the Education Fund for the following fiscal year, including
3	projections of different categories of educational expenses and costs.
4	(d) Along with the recommendations made under this section, the
5	Commissioner shall include the range of per pupil spending between all
6	districts in the State for the previous year.
7	Sec. 241. 32 V.S.A. § 5402 is amended to read:
8	§ 5402. EDUCATION PROPERTY TAX LIABILITY
9	(a) A statewide education tax is imposed on all nonhomestead and
10	homestead property at the following rates:
11	(1) The Except as otherwise provided in this subsection, the uniform tax
12	rate for nonhomestead property shall be \$1.59 per \$100.00 set at a rate
13	sufficient to fund educational opportunity payments for the fiscal year, as
14	determined pursuant to 16 V.S.A. § 4019, and all other obligations on the
15	Education Fund, but after reducing that amount by the revenue projected for
16	the fiscal year from revenues deposited under 16 V.S.A. § 4025(a)(3)-(11).
17	(2) The Except as otherwise provided in this subsection, the uniform tax
18	rate for homestead property shall be \$1.00 multiplied by the education property
19	tax spending adjustment for the municipality per \$100.00 of equalized
20	education property value as most recently determined under section 5405 of
21	this title. The homestead property tax rate for each municipality that is a

1	member of a union or unified union school district shall be calculated as
2	required under subsection (e) of this section set at a rate sufficient to fund
3	educational opportunity payments for the fiscal year, as determined pursuant to
4	16 V.S.A. § 4019, and all other obligations on the Education Fund, but after
5	reducing that amount by the revenue projected for the fiscal year from
6	revenues deposited under 16 V.S.A. § 4025(a)(3)-(11).
7	(3) For a district with excess spending, as defined by 16 V.S.A.
8	§ 4001(6), the homestead and nonhomestead rates shall be the uniform rates
9	for the fiscal year plus a rate equal to the excess spending adjustment.
10	(b) The statewide education tax shall be calculated as follows:
11	(1) The Commissioner of Taxes shall determine for each municipality
12	the education tax rates under subsection (a) of this section, divided by the
13	municipality's most recent common level of appraisal. The legislative body in
14	each municipality shall then bill each property taxpayer at the homestead or
15	nonhomestead rate determined by the Commissioner under this subdivision,
16	multiplied by the education property tax grand list value of the property,
17	properly classified as homestead or nonhomestead property and without regard
18	to any other tax classification of the property. Statewide education property
19	tax bills shall show the tax due and the calculation of the rate determined under
20	subsection (a) of this section, divided by the municipality's most recent
21	common level of appraisal, multiplied by the current grand list value of the

1 property to be taxed. Statewide education property tax bills shall also include 2 language provided by the Commissioner pursuant to subsection 5405(g) of this 3 title. 4 (2) Taxes assessed under this section shall be assessed and collected in 5 the same manner as taxes assessed under chapter 133 of this title with no tax 6 classification other than as homestead or nonhomestead property; provided, 7 however, that the tax levied under this chapter shall be billed to each taxpayer 8 by the municipality in a manner that clearly indicates the tax is separate from 9 any other tax assessed and collected under chapter 133, including an 10 itemization of the separate taxes due. The bill may be on a single sheet of 11 paper with the statewide education tax and other taxes presented separately and 12 side by side. 13 (3) If a district has not voted a budget by June 30, an interim homestead 14 education tax shall be imposed at the base rate determined under subdivision 15 (a)(2) of this section, divided by the municipality's most recent common level 16 of appraisal, but without regard to any spending adjustment under subdivision 17 5401(13) of this title. Within 30 days after a budget is adopted and the 18 deadline for reconsideration has passed, the Commissioner shall determine the 19 municipality's homestead tax rate as required under subdivision (1) of this 20 subsection.

1	(c)(1) The treasurer of each municipality shall by December 1 of the year in
2	which the tax is levied and on June 1 of the following year pay to the State
3	Treasurer for deposit in the Education Fund one-half of the municipality's
4	statewide nonhomestead tax and one-half of the municipality's homestead
5	education tax, as determined under subdivision (b)(1) of this section.
6	(2) The Secretary of Education shall determine each municipality's net
7	nonhomestead education tax payment and its net homestead education tax
8	payment to the State based on grand list information received by the Secretary
9	not later than the March 15 prior to the June 1 net payment. Payment shall be
10	accompanied by a return prescribed by the Secretary of Education. Each
11	municipality may retain 0.225 of one percent of the total education tax
12	collected, only upon timely remittance of net payment to the State Treasurer or
13	to the applicable school district or districts. Each municipality may also retain
14	\$15.00 for each late property tax credit claim filed after April 15 and before
15	September 2, as notified by the Department of Taxes, for the cost of issuing a
16	new property tax bill.
17	(d) [Repealed.]
18	(e) The Commissioner of Taxes shall determine a homestead education tax
19	rate for each municipality that is a member of a union or unified union school
20	district as follows:

1	(1) For a municipality that is a member of a unified union school
2	district, use the base rate determined under subdivision (a)(2) of this section
3	and a the excess spending adjustment under subdivision 5401(13) 5401(12) of
4	this title and subdivision (a)(3) of this section based upon the per pupil
5	education excess spending of the unified union.
6	(2) For a municipality that is a member of a union school district:
7	(A) Determine the municipal district homestead tax rate using the
8	base rate determined under subdivision (a)(2) of this section and $\frac{1}{2}$ the excess
9	spending adjustment under subdivision $\frac{5401(13)}{5401(12)}$ of this title and
10	subdivision (a)(3) of this section based on the per pupil education excess
11	spending in the municipality who attends a school other than the union school.
12	(B) Determine the union district homestead tax rate using the base
13	rate determined under subdivision (a)(2) of this section and $\frac{1}{2}$ the excess
14	spending adjustment under subdivision $\frac{5401(13)}{5401(12)}$ of this title and
15	subdivision (a)(3) of this section based on the per pupil education excess
16	spending of the union school district.
17	(C) Determine a combined homestead tax rate by calculating the
18	weighted average of the rates determined under subdivisions (A) and (B) of
19	this subdivision (2), with weighting based upon the ratio of union school long-
20	term membership, as defined in 16 V.S.A. § 4001(7), from the member
21	municipality to total long-term membership of the member municipality; and

1	the ratio of long-term membership attending a school other than the union
2	school to total long-term membership of the member municipality. Total long-
3	term membership of the member municipality is based on the number of pupils
4	who are legal residents of the municipality and attending school at public
5	expense. If necessary, the Commissioner may adopt a rule to clarify and
6	facilitate implementation of this subsection (e).
7	Sec. 24m. 32 V.S.A. § 5405 is amended to read:
8	§ 5405. DETERMINATION OF EQUALIZED EDUCATION PROPERTY
9	TAX GRAND LIST AND COEFFICIENT OF DISPERSION
10	(a) Annually, on or before April 1, the Commissioner shall determine the
11	equalized education property tax grand list and coefficient of dispersion for
12	each municipality in the State; provided, however, that for purposes of
13	equalizing grand lists pursuant to this section, the equalized education property
14	tax grand list of a municipality that establishes a tax increment financing
15	district shall include the fair market value of the property in the district and not
16	the original taxable value of the property, and further provided that the unified
17	towns and gores of Essex County may be treated as one municipality for the
18	purpose of determining an equalized education property grand list and a
19	coefficient of dispersion, if the Director determines that all such entities have a
20	uniform appraisal schedule and uniform appraisal practices.

1	(b) The sum of all municipal equalized education property tax grand lists
2	shall be the equalized education property tax grand list for the State.
3	(c)(1) In determining the fair market value of property that is required to be
4	listed at fair market value, the Commissioner shall take into consideration
5	those factors required by section 3481 of this title. The Commissioner shall
6	value property as of April 1 preceding the determination and shall take account
7	of all homestead declaration information available before October 1 each year.
8	(2) When using sales comparisons to determine fair market value, the
9	Commissioner may use sales within the previous five years.
10	* * *
11	Third: By striking out Sec. 25, effective dates, and inserting in lieu thereof
12	the following:
13	Sec. 25. EFFECTIVE DATES
14	(a) This section and the following sections shall take effect on passage:
15	(1) Sec. 1 (Commission on the Future of Public Education);
16	(2) Sec. 2 (property tax rates and yields);
17	(3) Sec. 13 (State outreach; statewide adjustments);
18	(4) Sec. 17 (Act 84 application to district mergers, withdrawals, and
19	dissolutions); and
20	

1	(b) Secs. 13a-16 (CLA effect on tax rates and statewide adjustment) and
2	19 (repeal of excess spending suspension) shall take effect July 1, 2025.
3	(c) Sec. 9 (16 V.S.A. § 563; powers of school boards; form of vote) shall
4	take effect July 1, 2024, provided, however, that 16 V.S.A. § 563(11)(D) shall
5	not apply to ballots used for fiscal year 2025 budgets.
6	(d) Sec. 5 (32 V.S.A. chapter 225, subchapter 4) shall take effect August 1,
7	<u>2024.</u>
8	(e) Secs. 24a–24h and 24j–24m (educational opportunity payments) shall
9	take effect July 1, 2026.
10	(f) All other sections shall take effect on July 1, 2024.
11	
12	