

1 H.826

2 Introduced by Representatives Cina of Burlington, Carris Duncan of

3 Whitingham, Bos-Lun of Westminster, Burrows of West

4 Windsor, Cole of Hartford, LaMont of Morristown, Logan of

5 Burlington, McGill of Bridport, Pouech of Hinesburg, and

6 Tomlinson of Winooski

7 Referred to Committee on

8 Date:

9 Subject: Conservation and development; Land Access and Opportunity Board;

10 special fund

11 Statement of purpose of bill as introduced: This bill proposes to create the

12 Land Access and Opportunity Fund to be administered by the Land Access and

13 Opportunity Board. The bill also proposes to require an affordable housing tax

14 report from the Department of Taxes and to create the Land Security Working

15 Group.

16 An act relating to land access and opportunity

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

18 Sec. 1. INTENT

19 It is the intent of the Vermont General Assembly to support the human right

20 to housing and to promote public health and community safety by preserving

1       affordable housing and creating new social and economic opportunities for the  
2       development and maintenance of sustainable, resilient, and affordable housing  
3       infrastructure. It is the intent of this act to focus State, municipal, and private  
4       resources on ensuring that Vermonters have an adequate supply of safe, secure  
5       housing, including more opportunities for access to and ownership of land and  
6       community resources.

7       Sec. 2. FINDINGS

8       The General Assembly finds that:

9            (1) According to the Vermont Department of Health's 2025 *Vermont*  
10       *State Health Improvement Plan 2025–2030*, a five-year roadmap for ensuring  
11       that all people and communities in Vermont have fair and sustainable access to  
12       opportunities for health and well-being, “a comprehensive and coordinated  
13       approach to programs, policies, and resources to increase affordable,  
14       accessible, and safe housing is vital.” The first goal of the plan is to improve  
15       the availability of affordable, accessible, and safe housing.

16            (2) The report's findings show that Vermont's statewide housing crisis  
17       is deepening, and housing costs are stretching Vermonters' budgets thin. The  
18       report estimates that the pace of home building will need to increase to create  
19       the 24,000–36,000 additional year-round homes needed in 2025–2029 to meet  
20       demand, normalize vacancy rates, house the homeless, and replace homes lost  
21       from the stock through flooding and other causes.



1                   (C) seed and implementation grants for community-led affordable  
2                   housing and community development projects, including land trusts and land  
3                   banks; and

4                   (D) strengthening community leadership of disadvantaged  
5                   communities through advisory powers and community engagement, such as:

6                   (i) allocating resources to strengthen and sustain community-led  
7                   initiatives;

8                   (ii) supporting underrepresented community members'  
9                   participation in public policy processes with stipends, child care, travel costs,  
10                   and language access; and

11                   (iii) advising regarding public policies and programming on how  
12                   to dismantle ongoing barriers that prevent the participation and benefit of  
13                   disadvantaged communities.

14                   (5) 2025 Acts and Resolves No. 69, Sec. 5 required the State Housing  
15                   and Residential Services Planning Committee to "create an actionable plan to  
16                   develop housing for individuals with developmental disabilities that reflects  
17                   the diversity of needs expressed by those individuals and their families,  
18                   including individuals with high-support needs who require 24-hour care and  
19                   those with specific communication needs." The State Housing and Residential  
20                   Services Planning Committee's 2025 report *The Road Home: A Plan for*  
21                   *Creating Permanent, Affordable, and Service-Supported Housing for*

1       Vermonters Who Participate in Developmental Disabilities Services describes  
2       that “as the LAOB has built out its programs, it has taken a broad view of their  
3       charge, recognizing that ownership starts with basic access. The LAOB Co-  
4       Directors have partnered with the parent-led Developmental Disabilities  
5       Housing Initiative to understand the significant barriers that stand between  
6       people with [intellectual and developmental disabilities] and the safe,  
7       affordable and service-supported homes where they want to live. The LAOB  
8       is in the process of developing three positions for housing navigators. Each  
9       navigator will be assigned to a specific population that lacks equitable access  
10       to housing and housing programs. The navigator’s role will include both  
11       individual client assistance and systems change work.”

12       (6) According to the Vermont Sustainable Jobs Fund’s 2024 *Food*  
13       *Security in Vermont: Roadmap to 2035*, a 10-year plan to achieve food  
14       security in Vermont by 2035, it is necessary to integrate food access into town  
15       plans across Vermont. The report states, “municipal and regional planning  
16       tools can integrate food access with other socioeconomic issues, such as  
17       housing and transportation, that influence food security for communities and  
18       individuals.” The report also recommends that “conservation objectives must  
19       be guided by the findings of the Vermont Truth and Reconciliation  
20       Commission, and the recommendations of the Land Access and Opportunity  
21       Board (LAOB). … Strategies to remove barriers to farm ownership, provide

1 direct payments to farmers, and update our food supply chain infrastructure  
2 must go together with land conservation.”

3 Sec. 3. 10 V.S.A. chapter 15, subchapter 5 is amended to read:

## 4 Subchapter 5. Land Access and Opportunity Board

## 5        § 325t. DEFINITIONS

6 As used in this subchapter:

7 (1) "Board" means the Vermont Land Access and Opportunity Board.

8 (2) “Fund” means the Land Access and Opportunity Fund.

15                   ~~(3)(4)~~ “LGBTQ” means an individual who identifies as lesbian, gay,  
16                   bisexual, transgender, queer, or questioning.

17 (4)(5) "VHCB" means the Vermont Housing and Conservation Board.

18 \* \* \*

1       § 325w. LAND ACCESS AND OPPORTUNITY FUND; REPORT

2       (a) There is created a special fund in the State Treasury to be known as the  
3       “Land Access and Opportunity Fund.” The Fund shall be administered by the  
4       Board.

5       (b) Expenditures from the Fund shall only be made to implement and  
6       effectuate the purposes of this subchapter. Unexpended balances and any  
7       earnings shall remain in the Fund for use in accord with the purposes of this  
8       subchapter.

9       (c) Upon application from an eligible applicant in a form prescribed by the  
10       Board, the Board may provide funding in the form of grants or loans for the  
11       following eligible activities:

12       (1) the purchase of buildings and land by current tenants to expand  
13       access to owner-occupied housing;

14       (2) the renovation of owner-occupied multiunit housing to expand  
15       access to housing;

16       (3) the development of housing infrastructure for land owned through a  
17       residential cooperative or other form of collective ownership; and

18       (4) the development of transitional housing.

19       (d) The Board shall prioritize funding for projects that:

1                   (1) create self-sufficient neighborhoods and communities that use  
2                   intersectional and circular design, such as localized waste management,  
3                   regenerative agricultural practices, and independent energy generation;  
4                   (2) develop sustainable social and physical infrastructure that expands  
5                   access to community resources, such as tool banks, labor pools, workforce  
6                   training programs, disaster relief, and other resilience strategies; and  
7                   (3) support members from historically marginalized or disadvantaged  
8                   communities, including individuals who experience homelessness, substance  
9                   use disorder, or mental or physical disabilities; individuals who have a history  
10                   of incarceration or involvement in the justice system; youth with a history of  
11                   interaction with the Department for Children and Families; the elderly; or the  
12                   agricultural workforce.

13                   (e) The Board shall work with the Vermont Housing and Finance Agency,  
14                   the VHCB, the Agency of Human Services, the Department of Housing and  
15                   Community Development, the Vermont Economic Progress Council, and  
16                   others to identify and propose pilot projects to be awarded funding under this  
17                   section that:

18                   (1) identify public land and buildings in areas designated for the  
19                   development of housing to integrate housing for members from historically  
20                   marginalized or disadvantaged communities into neighborhoods and  
21                   communities;



1                   (1) consider various definitions and measurements of affordability for  
2                   tenants, including the basic needs budget;  
3                   (2) consider variables impacting the price of rent for property owners,  
4                   including the cost and benefits of rent pricing;  
5                   (3) project how tax incentives for affordable rent might amplify existing  
6                   tax benefits for owners;  
7                   (4) project how tax penalties on rent prices would deter owners from  
8                   charging excessive rent prices;  
9                   (5) project how tax incentives for property owners giving tenants the  
10                   right of first refusal to purchase property under rent or allowing rent-to-own  
11                   could encourage homeownership for tenants;  
12                   (6) recommend options and opportunities to provide advantageous tax  
13                   treatment to properties owned by Vermonters from historically marginalized or  
14                   disadvantaged communities; and  
15                   (7) project the fiscal impact of these various tax incentives and penalties  
16                   on the revenues of the State.

17                   Sec. 5. LAND SECURITY WORKING GROUP; REPORT

18                   (a) Creation. There is created the Land Security Working Group.  
19                   (b) Membership. The Working Group shall be composed of the following  
20                   members:

1                   (1) one member, appointed by the Vermont Land Access and  
2                   Opportunity Board;  
3                   (2) one member, appointed by the Land Use Review Board;  
4                   (3) one member, appointed by the Vermont Association of Planning and  
5                   Development Agencies;  
6                   (4) the Director of Racial Equity or designee;  
7                   (5) the Commissioner of Housing and Community Development or  
8                   designee;  
9                   (6) one member with knowledge of Act 250 and its impacts on  
10                   marginalized communities, appointed by the Housing and Homelessness  
11                   Alliance of Vermont;  
12                   (7) one member from the Farm to Plate Network with knowledge about  
13                   food security and agricultural lands, appointed by the Vermont Sustainable  
14                   Jobs Fund;  
15                   (8) the Secretary of Agriculture, Food and Markets or designee;  
16                   (9) one member with knowledge of affordable housing and marginalized  
17                   communities, appointed by the Vermont Housing and Conservation Board;  
18                   (10) one member with knowledge about housing development funding,  
19                   appointed by the Vermont Housing Finance Agency;

1                   (11) one member with knowledge about the housing experiences and  
2                   needs of marginalized communities, appointed by the Vermont Racial Justice  
3                   Alliance;

4                   (12) one member with knowledge about the housing experiences and  
5                   needs of marginalized communities, appointed by the Vermont Professionals  
6                   of Color Network;

7                   (13) one member with knowledge about the housing experiences and  
8                   needs of marginalized communities, appointed by Migrant Justice;

9                   (14) one member, appointed by the Developmental Disabilities Housing  
10                   Initiative;

11                   (15) one member with knowledge of and experience with housing-  
12                   related matters, appointed by Vermont Legal Aid;

13                   (16) one member with knowledge and experience about land-based  
14                   community development, appointed by the Vermont Association of  
15                   Conservation Districts;

16                   (17) one member, appointed by Vermont Community Action  
17                   Partnership; and

18                   (18) one member with knowledge and experience about the impacts of  
19                   zoning and land access laws on marginalized communities from the Civil  
20                   Rights and Environmental Justice Unit, appointed by the Secretary of Natural  
21                   Resources.

1        (c) Powers and duties. The Working Group shall provide an assessment  
2        and recommendations regarding:

3            (1) disparate economic and environmental justice impacts of Vermont's  
4        land use and conservation policies and regulations, including Act 250, 2024  
5        Acts and Resolves No. 181, and other relevant policies; and

6            (2) identification and protection of agricultural land for community food  
7        security purposes.

8        (d) Report. On or before December 15, 2026, the Working Group shall  
9        submit a written report to the General Assembly with its findings and any  
10        recommendations for legislative action.

11        (e) Meetings.

12            (1) The Director of Racial Equity, or designee, shall call the first  
13        meeting of the Working Group to occur on or before July 15, 2026.

14            (2) The Working Group shall select a chair from among its members at  
15        the first meeting.

16            (3) A majority of the membership shall constitute a quorum.

17            (4) The Working Group shall cease to exist on January 20, 2027.

18        (f) Compensation. Members of the Working Group not otherwise  
19        compensated for participation in the Working Group shall be eligible to per  
20        diem compensation as permitted under 32 V.S.A. § 1010 for not more than 10

1        meetings. These payments shall be made from monies appropriated to the  
2        Land Access and Opportunity Board.

3        Sec. 6. EFFECTIVE DATE

4        This act shall take effect on passage.