

H.826

Introduced by Representatives Cina of Burlington, Carris Duncan of

Whitingham, Bos-Lun of Westminster, Burrows of West

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

Burlington, McGill of Bridport, Pouech of Hinesburg, and

Tomlinson of Winooski

Referred to Committee on

Date:

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

special fund

Statement of purpose of bill as introduced: This bill proposes to create the Land Access and Opportunity Fund to be administered by the Land Access and Opportunity Board. The bill also proposes to require an affordable housing tax report from the Department of Taxes and to create the Land Security Working Group.

An act relating to land access and opportunity

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

Sec. 1. INTENT

It is the intent of the Vermont General Assembly to support the human right 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 (3) The Cannabis Control Board’s 2025 Cannabis Control Board
2 Report: Proposal for Fees and Appropriations for Fiscal Year 2027
3 recommends community reinvestment through the Land Access and
4 Opportunity Board (LAOB). The report states that “it is well established that
5 stable housing is a cornerstone of healthy, safe and prosperous communities.
6 Investments in housing access and community reinvestment are thus both
7 economic and preventive public health measures. Investing in community-
8 leadership is an effective policy strategy for enduring benefits such as targeted
9 housing solutions, civic participation, community buy in, and wealth building.”

10 (4) The Cannabis Control Board’s 2025 Report to the General Assembly
11 Pursuant to 7 V.S.A. § 989 recommended allocating a portion of the cannabis
12 excise tax to the LAOB for community reinvestment in the following
13 initiatives:

14 (A) down payment assistance grants to support homeownership and
15 land access for disadvantaged Vermonters, such as:

16 (i) work in partnership to expand and complement existing down
17 payment assistance programs; and

18 (ii) development of Vermont’s first down payment assistance
19 grant to support farmland access for disadvantaged communities;

20 (B) financing and technical advising support for BIPOC and other
21 emerging developers;

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.

9 (3) “Historically marginalized or disadvantaged community” means a
10 community that has historically suffered from discrimination and has not had
11 equal access to public or private economic benefits due to the race, ethnicity,
12 gender, geography, language preference, immigrant or citizen status, sexual
13 orientation, gender identity, socioeconomic status, or disability status of its
14 members.

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 (2) support cooperative management or ownership;

2 (3) integrate community resources;

3 (4) colocate health resources, workforce development opportunities, or
4 food access;

5 (5) provide for circular waste management and energy production and
6 storage within the project or neighborhood; and

7 (6) propose additional incentives for public-private partnerships and
8 coordinated development of the neighborhood surrounding the housing
9 infrastructure.

10 (f)(1) Annually on or before January 31, the Board shall submit a report
11 concerning its activities under this section to the Governor and the General
12 Assembly. The report shall include a list and description of the activities
13 funded by the Board during the preceding year, including commitments made
14 to fund projects, and a full financial report of the Board's activities.

15 (2) The provisions of 2 V.S.A. § 20(d) (expiration of required reports)
16 shall not apply to the report to be made under this section.

17 Sec. 4. PRESERVATION OF AFFORDABLE HOUSING TAX REPORT

18 On or before July 1, 2027, the Department of Taxes in collaboration with
19 the Joint Fiscal Office shall issue a report to the General Assembly evaluating
20 the tax incentives and penalties that purport to preserve affordable housing in
21 Vermont. The report shall:

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.