

1 TO THE HOUSE OF REPRESENTATIVES:

2 The Committee on General and Housing to which was referred Senate Bill
3 No. 127 entitled “An act relating to housing and housing development”
4 respectfully reports that it has considered the same and recommends that the
5 House propose to the Senate that the bill be amended by striking out all after
6 the enacting clause and inserting in lieu thereof the following:

7 Sec. 1. 10 V.S.A. § 699 is amended to read:

8 § 699. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM

9 (a) Creation of Program.

10 * * *

11 (5)(A) The Department may cooperate with and subgrant funds to State
12 agencies and governmental subdivisions and public and private organizations
13 in order to carry out the purposes of this **subsection (a).**

14 (B) Solely with regards to actions undertaken pursuant to this
15 subdivision (5), **entities carrying out the provisions of this section,** including
16 grantees, subgrantees, and contractors of the State, shall be exempt from the
17 provisions of 8 V.S.A. chapter 73 (licensed lenders, mortgage brokers,
18 mortgage loan originators, sales finance companies, and loan solicitation
19 companies).

20 * * *

21 (d) Program requirements applicable to grants and forgivable loans.

1 (1)(A) A grant or loan shall not exceed:

2 (i) ~~\$70,000.00 per unit, for rehabilitation or creation of an eligible~~
3 ~~rental housing unit meeting the applicable building accessibility requirements~~
4 ~~under the Vermont Access Rules; or~~

5 (ii) \$50,000.00 per unit, for rehabilitation or creation of any other
6 eligible rental housing unit. Up to an additional \$20,000.00 per unit may be
7 made available for specific elements that collectively bring the unit to the
8 visitable standard outlined in the rules adopted by the Vermont Access Board.

9 * * *

10 (e) Program requirements applicable to grants and **five-year forgivable**
11 **loans**. For a grant or five-year forgivable loan awarded through the Program,
12 the following requirements apply for a minimum period of five years:

13 (1) A landlord shall coordinate with nonprofit housing partners and local
14 ~~coordinated entry~~ homelessness service organizations approved by the
15 Department to identify potential tenants.

16 (2)(A) Except as provided in subdivision ~~(2)~~(B) of this ~~subsection~~
17 subdivision (e)~~(2)~~, a landlord shall lease the unit to a household that is:

18 (i) exiting homelessness, including any individual under 25 years
19 of age who secures housing through a master lease held by a youth service
20 provider on behalf of individuals under 25 years of age;

1 (ii) actively working with an immigrant or refugee resettlement
2 program; ~~or~~

3 (iii) composed of at least one individual with a disability who
4 receives or is eligible approved to receive Medicaid-funded home and
5 community-based home- and community-based services or Social Security
6 Disability Insurance;

7 (iv) displaced due to a natural disaster; or

8 (v) with approval from the Department in writing, an organization
9 that will hold a master lease that explicitly states the unit will be used in
10 service of the populations described in this subsection (e).

11 * * *

12 (4)(A) A landlord may convert a grant to a forgivable loan upon
13 approval of the Department and the housing organization that approved the
14 grant.

15 (B) A landlord who converts a grant to a forgivable loan shall receive
16 a ~~10 percent~~ prorated credit for loan forgiveness for each year in which the
17 landlord participates in the Program.

18 (f) Requirements applicable to 10-year forgivable loans. For a 10-year
19 forgivable loan awarded through the Program, the following requirements
20 apply for a minimum period of 10 years:

1 ~~(1) A landlord shall coordinate with nonprofit housing partners and local~~
2 ~~coordinated entry organizations to identify potential tenants~~ The total cost of
3 ~~rent for the unit, including utilities not covered by rent payments, shall not~~
4 ~~exceed the applicable fair market rent established by the Department of~~
5 ~~Housing and Urban Development, except that a landlord may accept a housing~~
6 ~~voucher that exceeds fair market rent, if available.~~

7 ~~(2)(A) Except as provided in subdivision (2)(B) of this subsection (f), a~~
8 ~~landlord shall lease the unit to a household that is:~~

9 ~~(i) exiting homelessness, including any individual under 25 years~~
10 ~~of age who secures housing through a master lease held by a youth service~~
11 ~~provider on behalf of individuals under 25 years of age;~~

12 ~~(ii) actively working with an immigrant or refugee resettlement~~
13 ~~program; or~~

14 ~~(iii) composed of at least one individual with a disability who is~~
15 ~~eligible to receive Medicaid-funded home and community based services.~~

16 ~~(B) If, upon petition of the landlord, the Department or the housing~~
17 ~~organization that issued the grant determines that a household under~~
18 ~~subdivision (2)(A) of this subsection (f) is not available to lease the unit, then~~
19 ~~the landlord shall lease the unit:~~

20 ~~(i) to a household with an income equal to or less than 80 percent~~
21 ~~of area median income; or~~

1 (ii) ~~if such a household is unavailable, to another household with~~
2 ~~the approval of the Department or housing organization.~~

3 (3)(A) A landlord shall accept any housing vouchers that are available to
4 pay all, or a portion of, the tenant's rent and utilities.

5 (B) ~~If no housing voucher or federal or State subsidy is available, the~~
6 ~~cost of rent for the unit, including utilities not covered by rent payments, shall~~
7 ~~not exceed the applicable fair market rent established by the Department of~~
8 ~~Housing and Urban Development.~~

9 (4)(3) The Department shall forgive ~~10 percent of the~~ a prorated amount
10 of a forgivable loan for each year a landlord participates in the loan program.

11 (g) Minimum funding for grants and five-year forgivable loans.

12 (1) Annually, the Department shall establish a minimum allocation of
13 funding set aside to be used for five-year grants or forgivable loans to serve
14 eligible households pursuant to subsection (e) of this section. Remaining funds
15 may be used for either five-year grants or forgivable loans or 10-year
16 forgivable loans pursuant to subsection (f) of this section. The set aside shall
17 be a minimum of 30 percent of funds disbursed annually.

18 (2) The Department shall consult with the Agency of Human Services to
19 evaluate factors in establishing the amount of the set aside, including:

20 (A) the availability of housing vouchers;

21 (B) the current need for housing for eligible households;

1 (C) the ability and desire of landlords to house eligible households;

2 (D) the support services available for landlords; and

3 (E) the prior uptake and success rates for participating landlords.

4 (3) The Department shall coordinate with the local Coordinated Entry
5 Lead Agencies and HomeOwnership Centers to direct referrals for those
6 individuals or families prioritized to be housed pursuant to the five-year grants
7 or forgivable loans.

8 (4) Funds from the set aside not utilized after one year shall become
9 available for 10-year forgivable loans.

10 (5) The Department shall annually publish the amount of the set aside
11 on its website.

12 * * *

13 (i) Creation of the Vermont Rental Housing Improvement Program
14 Revolving Fund. Funds repaid or returned to the Department from forgivable
15 loans or grants funded by the Program shall return to the Vermont Rental
16 Housing Improvement Revolving Fund to be used for Program expenditures
17 and administrative costs at the discretion of the Department.

18 (j) Annually, the Department shall submit a report to the House
19 Committees on Human Services and on General and Housing and the Senate
20 Committee on Economic Development, Housing and General Affairs regarding
21 the following:

1 (1) separately, the number of units funded and the number of units
2 rehabilitated through grants, through a five-year forgivable loan, and through a
3 10-year forgivable loan;

4 (2) for grants and five-year forgivable loans, for the first year after the
5 expiration of the lease requirements outlined in subdivision (e)(2)(A) of this
6 section, whether the unit is still occupied by a tenant who meets the
7 qualifications of that subdivision;

8 (3) for each program, for the first year after the expiration of the
9 applicable lease requirements outlined in this section, the amount of rent
10 charged by the landlord and how that rent compares to fair market rent
11 established by the Department of Housing and Urban Development; and

12 (4) the rate of turnover for tenants housed utilizing grants or five-year
13 forgivable loans and 10-year forgivable loans separately.

14 * * * MHIR * * *

15 Sec. 2. 10 V.S.A. § 700 is added to read:

16 § 700. VERMONT MANUFACTURED HOME IMPROVEMENT AND
17 REPAIR PROGRAM

18 (a) There is created within the Department of Housing and Community
19 Development the Manufactured Home Improvement and Repair Program. The
20 Department shall design and implement the Program to award funding to
21 statewide or regional nonprofit housing organizations, or both, to provide

1 financial assistance or awards to manufactured homeowners and manufactured
2 home park owners to improve existing homes, incentivize new slab placement
3 for prospective homeowners, and incentivize park improvements for infill of
4 more homes.

5 (b) The following projects are eligible for funding through the Program:

6 (1) The Department may award up to \$20,000.00 to owners of
7 manufactured housing communities to complete small-scale capital needs to
8 help infill vacant lots with homes, including disposal of abandoned homes, lot
9 grading and preparation, the siting and upgrading of electrical boxes,
10 enhancing E-911 safety issues, transporting homes out of flood zones, and
11 improving individual septic systems. Costs awarded under this subdivision
12 may also cover legal fees and marketing to help make it easier for home-
13 seekers to find vacant lots around the State.

14 (2) The Department may award funding to manufactured homeowners
15 for which the home is their primary residence to address habitability and
16 accessibility issues to bring the home into compliance with safe living
17 conditions.

18 (3) The Department may award up to \$15,000.00 per grant to a
19 homeowner to pay for a foundation or federal Department of Housing and
20 Urban Development-approved slab, site preparation, skirting, tie-downs, and
21 utility connections on vacant lots within a manufactured home community.

- 1 (2) The program shall provide low-interest loans or purchase bonds to
2 from municipalities to expand infrastructure capacity. Eligible activities
3 include:
- 4 (A) preliminary engineering and planning;
5 (B) engineering design and bid specifications;
6 (C) construction for municipal water and wastewater systems;
7 (D) transportation investments, including those required by municipal
8 regulation, the municipality’s official map, designation requirements, or other
9 planning or engineering identifying complete streets and transportation and
10 transit related improvements, including improvements to existing streets; and
11 (E) other eligible activities as determined by the guidelines produced
12 by the Vermont Bond Bank in consultation with the Department of Housing
13 and Community Development.
- 14 (e) Application requirements. Eligible project applications shall
15 demonstrate:
- 16 (1) the project will create reserve capacity necessary for new housing
17 unit development;
18 (2) the project has a direct link to housing unit production; and
19 (3) the municipality has a commitment to own and operate the project
20 throughout its useful life.

1 (f) Application criteria. In addition to any criteria developed in the
2 program guidelines, project applications shall be evaluated using the following
3 criteria:

4 (1) whether there is a direct connection to proposed or in-progress
5 housing development with demonstrable progress toward regional housing
6 targets;

7 (2) whether the project is an expansion of an existing system;

8 (3) the proximity to a designated area;

9 (4) the project readiness and estimated time until the need for financing;

10 (5) the demonstration of financing for project completion or completion
11 of a project component; and

12 (6) the ranking of the community on the Vermont Department of
13 Finance and Management, Vermont Community Index.

14 (g) Award terms. The Vermont Bond Bank, in consultation with the
15 Department of Housing and Community Development, shall establish award
16 terms that may include:

17 (1) the maximum loan or bond amount;

18 (2) the maximum term of the loan or bond amount;

19 (3) the time by which amortization shall commence;

20 (4) the maximum interest rate;

1 (A) a subsidized unit remains affordable to a household earning the
2 applicable percent of area median income for the longer of:

3 (i) seven years; or

4 (ii) full repayment of the loan plus three years; and

5 (B) during the affordability period determined pursuant to
6 subdivision (A) of this subdivision (7), the annual increase in rent for a
7 subsidized unit does not exceed three percent or an amount otherwise
8 authorized by the Agency.

9 * * *

10 * * * Universal Design Study Committee * * *

11 Sec. 5. RESIDENTIAL UNIVERSAL DESIGN STANDARDS; STUDY
12 COMMITTEE; REPORT

13 (a) Creation. There is created the Residential Universal Design Study
14 Committee to explore implementation of statewide universal design standards
15 for all residential buildings.

16 (b) Membership. The Committee shall be composed of the following
17 members:

18 (1) one member of the House of Representatives, who shall be
19 appointed by the Speaker of the House;

20 (2) one member of the Senate, who shall be appointed by the Committee
21 on Committees;

1 (3) one member, appointed by the Vermont Builders and Remodelers

2 Association;

3 (4) one member, appointed by the Vermont Chapter of the American

4 Institute of Architects;

5 (5) the Director of Fire Safety or designee;

6 (6) one member of the Vermont Access Board, appointed by the Chair;

7 (7) one member, appointed by the Vermont Housing Finance Agency;

8 (8) one member, appointed by the Vermont Housing and Conservation

9 Board;

10 (9) one member, appointed by the Vermont Center for Independent

11 Living;

12 (10) one member, appointed by the Vermont Developmental Disabilities

13 Council;

14 (11) the Commissioner of the Department of Housing and Community

15 Development or designee;

16 (12) one member, appointed by the Vermont Leagues of Cities and

17 Towns;

18 (13) one member, appointed by the Vermont Assessors and Listers

19 Association;

20 (14) one member, appointed by the Vermont Association of Realtors;

1 (15) the Commissioner of the Department of Disabilities, Aging and
2 Independent Living or designee; and

3 (16) one member, appointed by ADA Inspections Nationwide, LLC.

4 (c) Powers and duties. The Committee shall study the development and
5 implementation of statewide universal design standards for residential
6 buildings, including identification and analysis of the following issues:

7 (1) existing federal and state laws regarding the Americans with
8 Disabilities Act, 42 U.S.C. §§ 12101–12213, standards and building codes;

9 (2) existing federal, state, and international best practices and standards
10 addressing accessibility and adaptability characteristics of single-family and
11 multiunit buildings;

12 (3) opportunities and challenges for supporting the residential building
13 industry in meeting universal design standards, including considerations of
14 workforce education and training;

15 (4) cost benefits and impacts of adopting a universal design standard for
16 residential buildings;

17 (5) opportunities and challenges with enforcement of identified
18 standards; and

19 (6) impacts to the valuation and financing of impacted buildings.

1 (d) Assistance. The Committee shall have the administrative, technical,
2 and legal assistance of the Department of Housing and Community
3 Development.

4 (e) Report. On or before November 1, 2025, the Committee shall submit a
5 written report to the House Committee on General and Housing and the Senate
6 Committee on Economic Development, Housing and General Affairs with its
7 findings and any recommendations for legislative action.

8 (f) Meetings.

9 (1) The member of the House of Representatives shall call the first
10 meeting of the Committee to occur on or before June 1, 2025.

11 (2) The Committee shall select a chair from among its members at the
12 first meeting.

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

14 (4) The Committee shall cease to exist on December 1, 2025.

15 (g)(1) Compensation and reimbursement. For attendance at meetings
16 during adjournment of the General Assembly, a legislative member of the
17 Committee serving in the member's capacity as a legislator shall be entitled to
18 per diem compensation and reimbursement of expenses pursuant to 2 V.S.A.
19 § 23 for not more than six meetings.

1 (2) Members of the Committee who are not otherwise compensated for
2 their time shall be entitled to per diem compensation as permitted under
3 32 V.S.A. § 1010 for not more than six meetings.

4 (h) Intent to appropriate. Notwithstanding subsection (g) of this section,
5 per diems for the cost of attending meetings shall only be available in the event
6 an appropriation is made in fiscal year 2026 from the General Fund to the
7 Department of Housing and Community Development for that purpose.

8 * * * Housing and Residential Services Planning Committee * * *

9 Sec. 6. STATE HOUSING AND RESIDENTIAL SERVICES PLANNING

10 COMMITTEE; REPORT

11 (a) Creation. There is created the State Housing and Residential Services
12 Planning Committee to generate a State plan to develop housing for individuals
13 with developmental disabilities.

14 (b) Membership. The Committee shall be composed of the following
15 members:

16 (1) one current member of the House of Representatives, who shall be
17 appointed by the Speaker of the House;

18 (2) one current member of the Senate, who shall be appointed by the
19 Committee on Committees;

20 (3) the Secretary of the Agency of Human Services or designee;

1 (4) the Commissioner of the Department of Disabilities, Aging, and

2 Independent Living or designee;

3 (5) the Commissioner of the Department of Housing and Community
4 Development or designee;

5 (6) the State Treasurer or designee;

6 (7) one member, appointed by the Developmental Disabilities Housing
7 Initiative;

8 (8) the Executive Director of the Vermont Developmental Disabilities
9 Council;

10 (9) one member, appointed by Green Mountain Self-Advocates;

11 (10) one member, appointed by Vermont Care Partners; and

12 (11) one member, appointed by the Vermont Housing and Conservation
13 Board.

14 (c) Powers and duties. The Committee shall create an actionable plan to
15 develop housing for individuals with developmental disabilities that reflects
16 the diversity of needs expressed by those individuals and their families,
17 including individuals with high-support needs who require 24-hour care and
18 those with specific communication needs. The plan shall include:

19 (1) a schedule for the creation of at least 600 additional units of service-
20 supported housing;

1 (2) the number and description of the support needs of individuals with
2 developmental disabilities anticipated to be served annually;

3 (3) anticipated funding needs; and

4 (4) recommendations for changes in State laws or policies that are
5 obstacles to the development of housing needed by individuals with Medicaid-
6 funded home-and community-based services.

7 (d) Assistance.

8 (1) The Committee shall have the administrative, technical, and legal
9 assistance of the Department of Housing and Community Development.

10 (2) Upon request of the Committee, the Department of Aging and
11 Independent Living shall provide an analysis of the current state of housing in
12 Vermont for individuals with development disabilities and, to the extent
13 available, an analysis of the level of community support needed for these
14 individuals.

15 (e) Report. On or before November 15, 2025, the Committee shall submit
16 a written report to the House Committees on General and Housing and on
17 Human Services and the Senate Committees on Economic Development,
18 Housing and General Affairs and on Health and Welfare with its findings and
19 any recommendations for legislative action.

20 (f) Meetings.

1 (1) The Secretary of Human Services shall call the first meeting of the
2 Committee to occur on or before July 15, 2025.

3 (2) The Committee shall select a chair from among its members at the
4 first meeting.

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

6 (4) The Committee shall cease to exist on November 30, 2025.

7 (g)(1) Compensation and reimbursement. For attendance at meetings
8 during adjournment of the General Assembly, a legislative member of the
9 Committee serving in the member’s capacity as a legislator shall be entitled to
10 per diem compensation and reimbursement of expenses pursuant to 2 V.S.A.
11 § 23 for not more than six meetings.

12 (2) Members of the Committee who are not otherwise compensated for
13 their time shall be entitled to per diem compensation as permitted under
14 32 V.S.A. § 1010 for not more than six meetings.

15 (h) Intent to appropriate. Notwithstanding subsection (g) of this section,
16 per diems for the cost of attending meetings shall only be available in the event
17 an appropriation is made in fiscal year 2026 from the General Fund to the
18 Department of Housing and Community Development for that purpose.

19 * * * Tax Department Housing Data Access * * *

20 Sec. 7. 32 V.S.A. § 5404 is amended to read:

21 § 5404. DETERMINATION OF EDUCATION PROPERTY TAX GRAND

1 LIST

2 * * *

3 (b) Annually, on or before August 15, the clerk of a municipality, or the
4 supervisor of an unorganized town or gore, shall transmit to the Director in an
5 electronic or other format as prescribed by the Director: education and
6 municipal grand list data, including exemption information and grand list
7 abstracts; tax rates; an extract of the assessor database also referred to as a
8 Computer Assisted Mass Appraisal (CAMA) system or Computer Assisted
9 Mass Appraisal database; and the total amount of taxes assessed in the town or
10 unorganized town or gore. The data transmitted shall identify each parcel by a
11 parcel identification number assigned under a numbering system prescribed by
12 the Director. Municipalities may continue to use existing numbering systems
13 in addition to, but not in substitution for, the parcel identification system
14 prescribed by the Director. If changes or additions to the grand list are made
15 by the listers or other officials authorized to do so after such abstract has been
16 so transmitted, such clerks shall forthwith certify the same to the Director.

17 * * *

18 * * * Landlord Certificate * * *

1 General and Housing and the Senate Committee on Economic Development,
2 Housing and General Affairs outlining a legal framework for implementation
3 of a State land bank. The report shall include proposed legislative language
4 specific to:

5 (1) the creation of a statewide land bank;

6 (2) the authorization of regional or municipal land banks; and

7 (3) the identification of funding proposals to support the sustainability
8 of each separate model.

9 (b) The report shall include an analysis on which option, the creation of a
10 statewide land bank or the authorization of regional or municipal land banks,
11 best serves the interest of Vermont communities, including rural communities.

12 * * * Housing Appeals * * *

13 Sec. 11. 10 V.S.A. § 8502 is amended to read:

14 § 8502. DEFINITIONS

15 As used in this chapter:

16 * * *

17 (7) “Person aggrieved” means a person who alleges an injury to a
18 particularized interest protected by the provisions of law listed in section 8503
19 of this title, attributable to an act or decision by a district coordinator, District
20 Commission, the Secretary, an appropriate municipal panel, or the

1 Environmental Division that can be redressed by the Environmental Division
2 or the Supreme Court.

3 * * *

4 Sec. 12. 10 V.S.A. § 8504 is amended to read:

5 § 8504. APPEALS TO THE ENVIRONMENTAL DIVISION

6 * * *

7 (b) Planning and zoning chapter appeals.

8 (1) Within 30 days of the date of the act or decision, an interested
9 person, as defined in 24 V.S.A. § 4465, or a person aggrieved, who has
10 participated as defined in 24 V.S.A. § 4471 in the municipal regulatory
11 proceeding under that chapter may appeal to the Environmental Division an act
12 or decision made under that chapter by a board of adjustment, a planning
13 commission, or a development review board; provided, however, that decisions
14 of a development review board under 24 V.S.A. § 4420 with respect to local
15 Act 250 review of municipal impacts are not subject to appeal but shall serve
16 as presumptions under chapter 151 of this title.

17 * * *

18 (h) De novo hearing. The Environmental Division, applying the
19 substantive standards that were applicable before the tribunal appealed from,
20 shall hold a de novo hearing on those issues that have been appealed, ~~except~~
21 For a municipal land use permit application for a housing development, if the

1 appeal is of a denial, the Environmental Division shall determine if the
2 application is consistent with the municipal bylaw or land use regulation that
3 directly affects the property or if the appeal is of an approval, if the application
4 is inconsistent with the municipal bylaw or land use regulation that directly
5 affects the property. It shall not be de novo in the case of:

6 (1) a decision being appealed on the record pursuant to 24 V.S.A.
7 chapter 117; or

8 (2) a decision of the Commissioner of Forests, Parks and Recreation
9 under section 2625 of this title being appealed on the record, in which case the
10 court shall affirm the decision, unless it finds that the Commissioner did not
11 have reasonable grounds on which to base the decision.

12 * * *

13 (k) Limitations on appeals. Notwithstanding any other provision of this
14 section:

15 (1) there shall be no appeal from a District Commission decision when
16 the Commission has issued a permit and no hearing was requested or held, or
17 no motion to alter was filed following the issuance of an administrative
18 amendment;

19 (2) a municipal decision regarding whether a particular application
20 qualifies for a recorded hearing under 24 V.S.A. § 4471(b) shall not be subject
21 to appeal;

1 (3) if a District Commission issues a partial decision under subsection
2 6086(b) of this title, any appeal of that decision must be taken within 30 days
3 following the date of that decision; ~~and~~

4 (4) it shall be the goal of the Environmental Division to issue a decision
5 on a case regarding an appeal of an appropriate municipal panel decision under
6 24 V.S.A. chapter 117 within 90 days following the close of the hearing; and

7 (5) except for cases the court considers of greater importance, appeals of
8 an appropriate municipal panel decision under 24 V.S.A. chapter 117 involving
9 housing development, take precedence on the docket over other cases and shall
10 be assigned for hearing and trial or for argument accordingly.

11 * * *

12 Sec. 13. 24 V.S.A. § 4465 is amended to read:

13 § 4465. APPEALS OF DECISIONS OF THE ADMINISTRATIVE OFFICER

14 * * *

15 (b) As used in this chapter, an “interested person” means any one of the
16 following:

17 (1) A person owning title to property, or a municipality or solid waste
18 management district empowered to condemn it or an interest in it, affected by a
19 bylaw, who alleges that the bylaw imposes on the property unreasonable or
20 inappropriate restrictions of present or potential use under the particular
21 circumstances of the case.

1 (2) The municipality that has a plan or a bylaw at issue in an appeal
2 brought under this chapter or any municipality that adjoins that municipality.

3 (3) ~~A person owning or occupying property in the immediate~~
4 ~~neighborhood of a property that is the subject of any decision or act taken~~
5 ~~under this chapter, who can demonstrate a physical or environmental impact on~~
6 ~~the person's interest under the criteria reviewed, and who alleges that the~~
7 ~~decision or act, if confirmed, will not be in accord with the policies, purposes,~~
8 ~~or terms of the plan or bylaw of that municipality.~~

9 (4) ~~Any 20 persons who may be any combination of voters, residents, or~~
10 ~~real property owners within a municipality listed in subdivision (2) of this~~
11 ~~subsection who, by signed petition to the appropriate municipal panel of a~~
12 ~~municipality, the plan or a bylaw of which is at issue in any appeal brought~~
13 ~~under this title, allege that any relief requested by a person under this title, if~~
14 ~~granted, will not be in accord with the policies, purposes, or terms of the plan~~
15 ~~or bylaw of that municipality. This petition to the appropriate municipal panel~~
16 ~~must designate one person to serve as the representative of the petitioners~~
17 ~~regarding all matters related to the appeal. For purposes of this subdivision, an~~
18 ~~appeal shall not include the character of the area affected if the project has a~~
19 ~~residential component that includes affordable housing.~~

20 (5) ~~Any department and administrative subdivision of this State owning~~
21 ~~property or any interest in property within a municipality listed in subdivision~~

1 (2) of this subsection, and the Agency of Commerce and Community
2 Development of this State.

3 * * *

4 Sec. 14. 24 V.S.A. § 4441 is amended to read:

5 § 4441. PREPARATION OF BYLAWS AND REGULATORY TOOLS;
6 AMENDMENT OR REPEAL

7 * * *

8 (i) Notwithstanding this section and any other law to the contrary, for
9 bylaw amendments that are required to comply with amendments to this
10 chapter, no hearings are required to be held on the bylaw amendments.

11 * * * LURB Study * * *

12 Sec. 15. 2024 Acts and Resolves No. 181, Sec. 11a is amended to read:

13 Sec. 11a. ACT 250 APPEALS STUDY

14 (a) On or before ~~January 15, 2026~~ November 15, 2025, the Land Use
15 Review Board shall issue a report evaluating whether to transfer appeals of
16 permit decisions and jurisdictional opinions issued pursuant to 10 V.S.A.
17 chapter 151 to the Land Use Review Board or whether they should remain at
18 the Environmental Division of the Superior Court. The Board shall convene a
19 stakeholder group that at a minimum shall be composed of a representative of
20 environmental interests, attorneys that practice environmental and
21 development law in Vermont, the Vermont League of Cities and Towns, the

1 Vermont Association of Planning and Development Agencies, the Vermont
2 Chamber of Commerce, the Land Access and Opportunity Board, the Office of
3 Racial Equity, the Vermont Association of Realtors, a representative of non-
4 profit housing development interests, a representative of for-profit housing
5 development interests, a representative of commercial development interests,
6 an engineer with experience in development, the Agency of Commerce and
7 Community Development, and the Agency of Natural Resources in preparing
8 the report. The Board shall provide notice of the stakeholder meetings on its
9 website and each meeting shall provide time for public comment.

10 (b) The report shall at minimum recommend:

11 (1) whether to allow consolidation of appeals at the Board, or with the
12 Environmental Division of the Superior Court, and how, including what
13 resources the Board would need, if transferred to the Board, appeals of permit
14 decisions issued under 24 V.S.A. chapter 117 and the Agency of Natural
15 Resources can be consolidated with Act 250 appeals;

16 (2) how to prioritize and expedite the adjudication of appeals related to
17 housing projects, including the use of hearing officers to expedite appeals and
18 the setting of timelines for processing of housing appeals;

19 (3) procedural rules to govern the Board's administration of Act 250 and
20 the adjudication of appeals of Act 250 decisions. These rules shall include
21 procedures to create a firewall and eliminate any potential for conflicts with

1 the Board managing appeals and issuing permit decisions and jurisdictional
2 opinions; and

3 (4) other actions the Board should take to promote the efficient and
4 effective adjudication of appeals, including any procedural improvements to
5 the Act 250 permitting process and jurisdictional opinion appeals.

6 (c) The report shall be submitted to the Senate Committees on Economic
7 Development, Housing and General Affairs and on Natural Resources and
8 Energy and the House Committee on Environment ~~and Energy~~.

9 * * * Brownfields * * *

10 Sec. 16. 10 V.S.A. § 6641 is amended to read:

11 § 6641. BROWNFIELD PROPERTY CLEANUP PROGRAM; CREATION;
12 POWERS

13 (a) There is created the Brownfield Property Cleanup Program to enable
14 certain interested parties to request the assistance of the Secretary to review
15 and oversee work plans for investigating, abating, removing, remediating, and
16 monitoring a property in exchange for protection from certain liabilities under
17 section 6615 of this title. The Program shall be administered by the Secretary
18 who shall:

19 * * *

20 (c) When conducting any review required by this subchapter, the Secretary
21 shall prioritize the review of remediation at a site that contains housing or that

1 is planned for the construction or rehabilitation of single-family or multi-
2 family housing.

3 Sec. 17. BROWNFIELDS PROCESS IMPROVEMENT; REPORT

4 On or before November 1, 2025, the Secretary of Natural Resources shall
5 report to the House Committees on Environment and on General and Housing
6 and the Senate Committees on Economic Development, Housing and General
7 Affairs and on Natural Resources and Energy with proposals to make the
8 Program established pursuant to 10 V.S.A. chapter 159, subchapter 3
9 (brownfields reuse and liability limitation) substantially more efficient. At a
10 minimum, the report shall include both of the following:

11 (1) A survey of stakeholders in the brownfields program to identify
12 areas that present challenges to the redevelopment of contaminated properties,
13 with a focus on redevelopment for housing. The Secretary shall provide
14 recommendations to resolve these challenges.

15 (2) An analysis of strengths and weaknesses of implementing a licensed
16 site professional program within the State. The Secretary shall make a
17 recommendation on whether such a program should be implemented. If the
18 Secretary recommends implementation, the report shall include any changes to
19 statute or budget needed to implement this program.

20 Sec. 18. 2023 Acts and Resolves No. 78, Sec. B.1103, as amended by 2024

21 Acts and Resolves No. 87, Sec. 43, is further amended to read:

1 Sec. B.1103 CLIMATE AND ENVIRONMENT – FISCAL YEAR 2024

2 ONE-TIME APPROPRIATIONS

3 * * *

4 (h) In fiscal year 2024, the amount of \$2,500,000 General Fund is
5 appropriated to the ~~Department of Environmental Conservation~~ Environmental
6 Contingency Fund established pursuant to 10 V.S.A. § 1283 for the
7 Brownfields Reuse and Environmental Liability Limitation Act as codified in
8 10 V.S.A. chapter 159. Funds shall be used for the assessment and cleanup,
9 planning, and cleanup of brownfields sites.

10 * * *

11 Sec. 19. [Reserved]

12 Sec. 20. [Reserved]

13 * * * Tax Increment Financing * * *

14 Sec. 21. [Reserved]

15 Sec. 22. [Reserved]

16 * * * Smoke and Carbon Monoxide Alarms * * *

17 Sec. 23. 9 V.S.A. chapter 77 is amended to read:

18 CHAPTER 77. SMOKE ~~DETECTORS~~ ALARMS AND CARBON

19 MONOXIDE ~~DETECTORS~~ ALARMS

20 § 2881. DEFINITIONS

21 As used in this chapter:

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20

* * *

(2) “Smoke ~~detector~~ alarm” means a device that detects visible or invisible particles of combustion and sounds a warning alarm, is operated from a power supply within the unit or wired to it from an outside source, and is approved or listed for the purpose by Underwriters Laboratory or by another nationally recognized independent testing laboratory.

(3) “Carbon monoxide ~~detector~~ alarm” means a device with an assembly that incorporates a sensor control component and an alarm notification that detects elevations in carbon monoxide levels and sounds a warning alarm, is operated from a power supply within the unit or wired to it from an outside source, and is approved or listed for the purpose by Underwriters Laboratory or by another nationally recognized independent testing laboratory.

§ 2882. INSTALLATION

(a) A person who constructs a single-family dwelling shall install ~~photoelectric-only type~~ photoelectric-type or UL 217 compliant smoke ~~detectors~~ alarms in the vicinity of any bedrooms and on each level of the dwelling, and one or more carbon monoxide ~~detectors~~ alarms in the vicinity of any bedrooms in the dwelling in accordance with the manufacturer’s instructions. In a dwelling provided with electrical power, ~~detectors~~ alarms shall be powered by the electrical service in the building and by battery.

1 (b) Any single-family dwelling when transferred by sale or exchange shall
2 contain ~~photoelectric-only-type~~ photoelectric-type or UL 217 compliant smoke
3 ~~detectors~~ alarms in the vicinity of any bedrooms and on each level of the
4 dwelling installed in accordance with the manufacturer's instructions and one
5 or more carbon monoxide ~~detectors~~ alarms installed in accordance with the
6 manufacturer's instructions. A single-family dwelling constructed before
7 January 1, 1994 may contain smoke ~~detectors~~ alarms powered by the electrical
8 service in the building or by battery, or by a combination of both. In a single-
9 family dwelling newly constructed after January 1, 1994 that is provided with
10 electrical power, smoke ~~detectors~~ alarms shall be powered by the electrical
11 service in the building and by battery. In a single-family dwelling newly
12 constructed after July 1, 2005 that is provided with electrical power, carbon
13 monoxide ~~detectors~~ alarms shall be powered by the electrical service in the
14 building and by battery.

15 (c) Nothing in this section shall require an owner or occupant of a single-
16 family dwelling to maintain or use a smoke ~~detector~~ alarm or a carbon
17 monoxide ~~detector~~ alarm after installation.

18 § 2883. REQUIREMENTS FOR TRANSFER OF DWELLING

19 (a) The seller of a single-family dwelling, including one constructed for
20 first occupancy, whether the transfer is by sale or exchange, shall certify to the
21 buyer at the closing of the transaction that the dwelling is provided with

1 ~~photoelectric-only-type~~ photoelectric-type or UL 217 compliant smoke
2 ~~detectors~~ alarms and carbon monoxide ~~detectors~~ alarms in accordance with this
3 chapter. This certification shall be signed and dated by the seller.

4 (b) If the buyer notifies the seller within 10 days by certified mail from the
5 date of conveyance of the dwelling that the dwelling lacks any ~~photoelectric-~~
6 ~~only-type~~ photoelectric-type or UL 217 compliant smoke ~~detectors~~ alarms, or
7 any carbon monoxide ~~detectors~~ alarms, or that any ~~detector~~ alarm is not
8 operable, the seller shall comply with this chapter within 10 days after
9 notification.

10 * * *

11 Sec. 24. 20 V.S.A. § 2731 is amended to read:

12 § 2731. RULES; INSPECTIONS; VARIANCES

13 * * *

14 (j) ~~Detectors~~ Alarms. Rules adopted under this section shall require that
15 information written, approved, and distributed by the Commissioner on the
16 type, placement, and installation of ~~photoelectric~~ photoelectric-type or UL 217
17 compliant smoke ~~detectors~~ alarms and carbon monoxide ~~detectors~~ alarms be
18 conspicuously posted in the retail sales area where the ~~detectors~~ alarms are
19 sold.

20 * * *

21 * * * VHFA Off-Site Construction * * *

1 (Committee vote: _____)

2

3

Representative _____

4

FOR THE COMMITTEE

DRAFT