

1 Introduced by Committee on Ways and Means

2 Date:

3 Subject: Taxation; property valuation; education property tax; municipal  
4 property tax

5 Statement of purpose of bill as introduced: This bill proposes to create a  
6 system for statewide property assessments. Newly created regional assessment  
7 districts would conduct the work currently done by listers and assessors,  
8 including grand list maintenance, data collection, and property reappraisals.

9 An act relating to a statewide property assessment system

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

11 \* \* \* Establishment of Regional Assessment Districts \* \* \*

12 Sec. 1. 32 V.S.A. chapter 121, subchapter 1A is added to read:

13 Subchapter 1A. Statewide Property Assessment

14 § 3415. LEGISLATIVE INTENT

15 It is the intent of the General Assembly in adopting this subchapter to create  
16 regional assessment districts so that:

17 (1) property values on municipal grand lists are kept up-to-date and  
18 accurate;

19 (2) property data collection is consistent and standardized across the  
20 State; and

1           (3) property valuation is conducted by professional staff.

2           § 3416. REGIONAL ASSESSMENT DISTRICTS; ESTABLISHMENT

3           (a) There are hereby established 12 regional assessment districts charged  
4           with maintaining the grand lists of the municipalities in their jurisdictions and  
5           other duties as required by the laws of this State.

6           (b) There shall be one regional assessment district in each county, except  
7           that Franklin and Grand Isle counties shall constitute one district and Essex  
8           and Orleans counties shall constitute one district.

9           (c) Each regional assessment district shall have an Assessment Supervisor  
10          appointed by the Commissioner of Taxes. Each Assessment Supervisor shall  
11          be a full-time State employee, shall be exempt from the State classified system,  
12          and shall serve at the pleasure of the Commissioner. An Assessment  
13          Supervisor shall be responsible for:

14               (1) supervising and administering the operation and implementation of  
15               all duties of the regional assessment district under Vermont law;

16               (2) assisting the Director of Property Valuation and Review with the  
17               Director’s duties relating to property valuation, data collection, and grand list  
18               maintenance;

19               (3) employing such staff as required to carry out the functions of the  
20               Assessment Supervisor’s assigned regional assessment district; and

1           (4) preparing a budget for the Assessment Supervisor’s assigned  
2           regional assessment district.

3           (d) A regional assessment district may contract with third parties to  
4           conduct reappraisals in their jurisdiction.

5           § 3417. STANDARD GUIDELINES AND PROCEDURES

6           (a) The Director of Property Valuation and Review shall establish standard  
7           guidelines and procedures for regional assessment districts to follow in  
8           fulfilling their duties, including:

9                   (1) rules for contracting with third parties to conduct or assist with  
10                  reappraisals, including standard reappraisal contract terms;

11                   (2) standards for the collection and recordation of parcel data; and

12                   (3) requirements relating to information technology, including standards  
13                  for data software contracts and computer assisted mass appraisal systems.

14           (b) The Director of Property Valuation and Review shall establish a  
15           schedule for each regional assessment district so that it will conduct a full  
16           reappraisal every six years for each municipality in its jurisdiction. The  
17           Director may alter a regional assessment district’s reappraisal schedule at the  
18           Director’s discretion.

19           (c) On or before February 1 of each year, the Division of Property  
20           Valuation and Review of the Department of Taxes shall furnish the regional  
21           assessment districts for each municipality with the valuation of all taxable

1 property of any public utility in the district’s jurisdiction as reported by that  
2 utility to the Division.

3 (1) Each public utility shall furnish to the Division not later than  
4 December 31 in each year a sworn inventory of all its taxable property in such  
5 form as will show the valuation of its property in each town, city, or other  
6 municipality.

7 (2) The Division shall prescribe the form of the report and the officer or  
8 officers who shall attest to the accuracy of the information reported.

9 (3) The valuations furnished under this section shall be considered along  
10 with any other information as may reasonably be required by a regional  
11 assessment district in determining and fixing the valuations of property for the  
12 purposes of property taxation. The Division may require that a district use  
13 certain valuations furnished under this section. The valuations provided by the  
14 Division for property used for the transmission and distribution of electricity  
15 shall be used by a district as the valuations of that property for purposes of  
16 property taxation.

17 § 3418. APPROPRIATIONS

18 Regional assessment districts may apply for, receive, and expend monies  
19 from any source, public or private, including grants, loans, and funds made  
20 available by the municipalities in the district’s jurisdiction, and by an agency  
21 or department of the State of Vermont, out of State funds appropriated to that

1 agency or department for this purpose. Notwithstanding the provisions of any  
2 municipal charter, any municipality may appropriate and expend funds to and  
3 for regional assessment districts either by the authorization of its voters or by  
4 incorporating such amount as a line item in their administrative budget.

5 § 3419. APPEALS TO ASSESSMENT SUPERVISOR

6 (a) Within 30 days following the date of notice, a person aggrieved by the  
7 decision of a regional assessment district under the provisions of section 4221  
8 of this title may appeal in writing to the district's Assessment Supervisor.

9 (1) The Assessment Supervisor shall schedule meetings to hear and  
10 determine appeals made under this subsection not later than 14 days after the  
11 last date allowed for notice of appeal. Notice of the time and place of the  
12 hearing shall be given by posting a warning in three or more public places in  
13 each municipality in the district's jurisdiction and by mailing a copy of such  
14 warning to the legislative bodies of such municipalities and to all appellants.

15 (2) When conducting a hearing under this subsection, the Assessment  
16 Supervisor shall issue a written determination addressing all questions and  
17 objections heard. The property subject to appeal shall be inspected internally  
18 and externally by the Assessment Supervisor, or a representative with expertise  
19 in property appraisal, and an inspection report shall be issued within 30 days  
20 following the hearing on appeal and before a final determination is issued.

1           (A) The appellant shall be provided notice of the inspection and the  
2           appeal shall be deemed withdrawn if the appellant refuses to allow an  
3           inspection under this subdivision (2).

4           (B) During a declared state of emergency under 20 V.S.A. chapter 1,  
5           a regional assessment district working within a municipality affected by an all-  
6           hazards event shall not be required to physically inspect any property that is  
7           the subject of an appeal. If the appellant requests in writing that the property  
8           be inspected for purposes of the appeal, district staff shall conduct the  
9           inspection through electronic means. If the appellant does not facilitate the  
10           inspection through electronic means, the appeal shall be deemed withdrawn.  
11           As used in this subdivision (B), “electronic means” means the transmittal of  
12           video or photographic evidence by the appellant at the direction of the staff  
13           conducting the inspection.

14           (3) The Assessment Supervisor shall, within 15 days from the time of  
15           the inspection report, issue the written determination and shall file it with the  
16           clerk of the municipality in which the underlying property is located and the  
17           Director of Property Valuation and Review. At the same time, the Assessment  
18           Supervisor shall send a copy of the determination by certified mail to the  
19           appellant. Thereupon the grand list shall be amended pursuant to the written  
20           determination.

1           (4) Notwithstanding any provision of law to the contrary, if the  
2           Assessment Supervisor does not substantially comply with the requirements of  
3           this subsection, and if the appeal is not withdrawn by filing written notice of  
4           withdrawal with the Assessment Supervisor, or deemed withdrawn as provided  
5           in subdivision (2) of this subsection, the grand list value of the property subject  
6           to appeal shall remain at the amount set before the appealed change was made  
7           by the regional assessment district; except, if there has been a complete  
8           reappraisal, the grand list value of the property shall be set at a value that will  
9           produce a tax liability equal to the tax liability for the preceding year.

10           (b) For an appraisal made other than January 1, within 30 days after the  
11           date of mailing of notice required under section 4046 of this title, a person  
12           aggrieved by a decision of the regional assessment district under the provisions  
13           of section 4046 of this title may appeal pursuant to subsection (c) of this  
14           section.

15           (c) Within 14 days after the date of notice thereof, a person aggrieved by  
16           the final decision of a regional assessment district under the provisions of  
17           sections 4112–4116 and 4222–4224 of this title may appeal therefrom and  
18           shall file objections in writing with the Assessment Supervisor, who shall call  
19           hold a hearing not later than 14 days after the last date allowed for notice of  
20           appeal. Notices in writing of such appeal and of the time and place of such  
21           hearing shall be sent by certified mail to the appellant.

1           (1) The Assessment Supervisor shall hear such appellants as appear in  
2           person or by agents or attorneys until all such objections have been heard and  
3           considered. All objections filed in writing with the Assessment Supervisor at  
4           or prior to the time fixed for hearing appeals shall be determined by the  
5           Assessment Supervisor, notwithstanding that the person filing the objections  
6           fails to appear in person or by agent or attorney.

7           (2) The Assessment Supervisor may increase, reduce, or sustain an  
8           appraisal made by the regional assessment district. The Assessment  
9           Supervisor shall issue a written determination pursuant to this subdivision and  
10          shall file it with the clerk of the municipality in which the underlying property  
11          is located and the Director of Property Valuation and Review. At the same  
12          time, the Assessment Supervisor shall send a copy of the determination by  
13          certified mail to the appellant. Thereupon, the grand list shall be amended  
14          pursuant to the written determination.

15          (3) When all section 4407 appeals have been determined pursuant to this  
16          subsection, regional assessment district staff shall amend or correct the grand  
17          list to conform to such abstracts, shall complete the grand list for the  
18          municipality, shall attest to the best of their knowledge that the grand list  
19          contains a true statement of the listed value of all taxable property within the  
20          municipality under the pains and penalties of perjury, and shall affix thereto a



1 certificate setting forth their doings in respect thereof and the date whereon  
2 such grand list was so amended.

3 (4) If an appeal is pending and undetermined at the time the grand list is  
4 required to be complete pursuant to section 4151 of this title, the appeal shall  
5 be determined as soon as possible thereafter. The Assessment Supervisor  
6 determining the appeal shall file the determination with the clerk of the  
7 municipality in which the underlying property is located and the Director of  
8 Property Valuation and Review. Thereupon, the grand list shall be amended  
9 pursuant to the written determination.

10 § 3420. APPEALS TO DIRECTOR OR TO SUPERIOR COURT

11 (a) A taxpayer or the selectboard members of a municipality aggrieved by a  
12 written determination of the Assessment Supervisor under section 3419 of this  
13 chapter may appeal the determination of the Assessment Supervisor to either  
14 the Director or the Superior Court of the county in which the property is  
15 located. The appeal to the Superior Court shall be heard without a jury. The  
16 appeal to either the Director or the Superior Court shall be commenced by  
17 filing a notice of appeal pursuant to Rule 74 of the Vermont Rules of Civil  
18 Procedure within 30 days after entry of the decision of the Assessment  
19 Supervisor. The date of mailing of notice of the Supervisor's determination to  
20 the taxpayer shall be deemed the date of entry of the Supervisor's  
21 determination. The regional assessment district shall transmit a copy of the

1 notice to the Director or to the Superior Court as indicated in the notice and  
2 shall forward the notice to the applicable municipal clerk, who shall record or  
3 attach a copy of the notice in the grand list book. The entry fee for an appeal  
4 to the Director is \$70.00; provided, however, that the Director may waive,  
5 reduce, or refund the entry fee in cases of hardship or to join appeals regarding  
6 the same parcel. If, in the opinion of the Commissioner, an appeal under this  
7 subsection involves a complex or unique property or valuation that would be  
8 best adjudicated by the Superior Court, the Commissioner may decline to hear  
9 the appeal and shall forward the appeal to the Superior Court where it shall be  
10 heard. An appeal forwarded by the Commissioner under this subsection shall  
11 be considered timely filed in the Superior Court if it was timely appealed to the  
12 Director.

13 (b) On or before the last day on which appeals may be taken from the  
14 determination of the Assessment Supervisor, an agent designated by the  
15 legislative body of the municipality, in the name of the municipality, on  
16 written application of one or more taxpayers of the municipality whose  
17 combined grand list represents at least three percent of the grand list of the  
18 municipality for the preceding year, shall appeal to the Superior Court from  
19 any action of the Assessment Supervisor not involving appeals of the applying  
20 taxpayers. However, the agent designated by the legislative body shall, in any  
21 event, have at least six business days after receipt of such taxpayers’

1 application for appeal in which to take the appeal, and the date for the taking of  
2 such appeal shall accordingly be extended, if necessary, until the six business  
3 days shall have elapsed. The \$70.00 entry fee shall be paid by the applicants  
4 with respect to each individual property thus being appealed that is separately  
5 listed in the grand list. Fees collected under subsection (a) of this section or  
6 this subsection shall be credited to a special fund established and managed  
7 pursuant to chapter 7, subchapter 5 of this title and shall be available to the  
8 Department of Taxes to offset the costs of providing those services.

9 (c) When a taxpayer, an agent designated by the legislative body of the  
10 town, or selectboard claims that an appeal to the Director is in any manner  
11 defective or was not lawfully taken, on or before 14 days after mailing of the  
12 notice of appeal by the regional assessment district under Rule 74(b) of the  
13 Vermont Rules of Civil Procedure, the taxpayer, agent, or selectboard shall file  
14 objections in writing with the Director and furnish the appellant or appellant's  
15 attorney with a copy of the objections. When the taxpayer, agent, or  
16 selectboard so requests, the Director shall thereupon fix a time and place for  
17 hearing the objections and shall notify all parties thereof, by mail or otherwise.  
18 Upon hearing or otherwise, the Director shall pass upon the objections and  
19 make such order in relation thereto as is required by law. The order shall be  
20 recorded or attached in the municipal clerk's office in the book wherein the  
21 appeal is recorded.

1       (d) On application to the Director, an appellant may request leave to  
2       withdraw the appellant’s appeal at any time before it is heard. When an appeal  
3       is withdrawn, the Director shall certify the withdrawal to the clerk of the  
4       municipality in which the underlying property is located, and the clerk shall  
5       record the certificate of withdrawal of the appeal. At the same time, the  
6       Director shall notify the Assessment Supervisor of the applicable regional  
7       assessment district. The appraisal from which the appeal was taken shall then  
8       become a part of the appraisal or grand list of the taxpayer.

9       (e) When an appeal to the Director is not withdrawn or forwarded by the  
10       Director to Superior Court pursuant to subsection (a) of this section, the  
11       Commissioner of Taxes shall conduct a hearing in accordance with 3 V.S.A.  
12       chapter 25.

13       (f) Upon appeal to the Director or the court, the Department or court shall  
14       proceed de novo and determine the correct valuation of the property as  
15       promptly as practicable and to determine a homestead and a housesite value if  
16       a homestead has been declared with respect to the property for the year in  
17       which the appeal is taken. The Department or court shall take into account the  
18       requirements of law as to valuation and the provisions of Chapter I, Article 9  
19       of the Constitution of Vermont and the 14th Amendment to the U.S.  
20       Constitution.

1           (1) If the Commissioner or court finds that the listed value of the  
2           property subject to appeal does not correspond to the listed value of  
3           comparable properties within the town, the Commissioner or court shall set the  
4           property in the list at a corresponding value. The findings and determinations  
5           of the Commissioner shall be made in writing and shall be available to the  
6           appellant.

7           (2) If the appeal is taken to the Director, the Commissioner may order  
8           an inspection of the property prior to making a determination. If one of the  
9           parties requests an inspection, the Commissioner shall order an inspection of  
10           the property prior to making a determination. Within 10 days following the  
11           appeal being filed with the Director, the Commissioner shall notify the  
12           property owner in writing of the Commissioner’s option to request an  
13           inspection under this section.

14           (3) During a declared state of emergency under 20 V.S.A. chapter 1, the  
15           Commissioner shall not be required to have any property subject to appeal to  
16           be physically inspected. If the appellant requests in writing that the property  
17           be inspected for purposes of the appeal, the Commissioner shall conduct the  
18           inspection through electronic means. If the appellant does not facilitate the  
19           inspection through electronic means, then the appeal shall be deemed  
20           withdrawn. As used in this subdivision, “electronic means” means the

1 transmittal of video or photographic evidence by the appellant at the direction  
2 of the person conducting the inspection.

3 (g) The Director or clerk of the court shall forward by certified mail one  
4 copy of the determination to the taxpayer, one copy to the applicable  
5 Assessment Supervisor, and one copy to the town clerk, who shall record the  
6 same in the book in which the appeal was recorded under subsection (a) of this  
7 section. The appraisal so fixed by the Commissioner or court shall become the  
8 basis for the grand list of the taxpayer for the year in which the appeal is taken  
9 and, if the appraisal relates to real property, for the two next ensuing years,  
10 except that if the real property is enrolled in use value appraisal under chapter  
11 124 of this title, the value of enrolled land, prior to its being equalized, shall be  
12 the per-acre value set annually by the Current Use Advisory Board multiplied  
13 by the number of acres enrolled. The appraisal, however, may be changed in  
14 the ensuing two years if the taxpayer's property is materially altered, changed,  
15 damaged, or if the municipality, city, or town in which it is located has  
16 undergone a complete revaluation of all taxable real estate.

17 \* \* \* Regional Assessment District Funding and Grand List Date \* \* \*

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

19 § 4041a. REAPPRAISAL

20 (a) A ~~municipality~~ regional assessment district shall be paid \$8.50 per  
21 grand list parcel in the municipalities in its jurisdiction per year from the

1 General Fund to be used ~~only~~ for reappraisal ~~and~~, costs related to reappraisal of  
2 its grand list properties, and for maintenance of the grand list.

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

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

18 (d) ~~Each municipality shall commence a full reappraisal not later than six~~  
19 ~~years after the commencement of the municipality's most recent full~~  
20 ~~reappraisal unless a longer period of time is approved by the Director.~~  
21 [Repealed.]

1 (e) ~~The Director shall adopt rules necessary for administration of this~~  
2 ~~section.~~ [Repealed.] [make effective after January 1, 2025]

3 Sec. 3. 32 V.S.A. § 5405 is amended to read:

4 § 5405. DETERMINATION OF EQUALIZED EDUCATION PROPERTY  
5 TAX GRAND LIST AND COEFFICIENT OF DISPERSION

6 (a) Annually, on or before ~~April~~ January 1, the Commissioner shall  
7 determine the equalized education property tax grand list and coefficient of  
8 dispersion for each municipality in the State; provided, however, that for  
9 purposes of equalizing grand lists pursuant to this section, the equalized  
10 education property tax grand list of a municipality that establishes a tax  
11 increment financing district shall include the fair market value of the property  
12 in the district and not the original taxable value of the property, and further  
13 provided that the unified towns and gores of Essex County may be treated as  
14 one municipality for the purpose of determining an equalized education  
15 property grand list and a coefficient of dispersion, if the Director determines  
16 that all such entities have a uniform appraisal schedule and uniform appraisal  
17 practices.

18 (b) The sum of all municipal equalized education property tax grand lists  
19 shall be the equalized education property tax grand list for the State.

20 (c) In determining the fair market value of property that is required to be  
21 listed at fair market value, the Commissioner shall take into consideration



1 those factors required by section 3481 of this title. The Commissioner shall  
2 value property as of ~~April~~ January 1 preceding the determination and shall take  
3 account of all homestead declaration information available before October 1  
4 each year.

5 (d) Any determination of fair market value made by the Commissioner  
6 under this section shall be based upon such methods as, in the judgment of the  
7 Commissioner and in view of the resources available for that purpose, shall be  
8 appropriate to support that determination. If the common level of appraisal is  
9 calculated using the weighted mean of ratios, any outlier shall be carefully  
10 reviewed and deleted if it will significantly affect the weighted mean,  
11 particularly if the outlier is a high-value property.

12 (e) Individual appraisals performed by the Division of Property Valuation  
13 and Review may be used to supplement actual sales when necessary to obtain a  
14 representative sample.

15 (f) Within the limits of the resources available for that purpose, the  
16 Commissioner may employ such individuals, whether on a permanent,  
17 temporary, or contractual basis, as shall be necessary, in the judgment of the  
18 Commissioner, to aid in the performance of duties under this section. The  
19 Commissioner shall pay each ~~municipality~~ regional assessment district the sum  
20 of \$1.00 per grand list parcel in the municipality for services provided to the  
21 Commissioner in connection with the performance of duties under this section.

1 ~~Each municipality shall deposit payments received under this subsection into a~~  
2 ~~special fund that shall be used to support the preparation of the education~~  
3 ~~property tax grand list.~~

4 (g) The Commissioner shall provide to municipalities for the front of  
5 property tax bills the district homestead property tax rate before equalization,  
6 the nonresidential tax rate before equalization, and the calculation process that  
7 creates the equalized homestead and nonhomestead tax rates. The  
8 Commissioner shall further provide to municipalities for the back of property  
9 tax bills an explanation of the common level of appraisal, including its origin  
10 and purpose.

11 \* \* \* Grievances \* \* \*

12 Sec. 4. 32 V.S.A. § 4221 is amended to read:

13 § 4221. TIME AND NOTICE OF HEARINGS; TAXPAYER GRIEVANCES  
14 TO REGIONAL ASSESSMENT DISTRICT

15 On or before ~~May 20~~ March 1, ~~the listers~~ the Assessment Supervisor of  
16 each regional assessment district shall meet at the place so designated by them  
17 ~~and on that day and from day to day thereafter shall hear~~ designate times and  
18 places in each municipality in the district's jurisdiction to meet with persons  
19 aggrieved by their the assessment district's appraisals or by any of their its acts  
20 until all questions and objections are heard and decided ~~Listers shall add to the~~  
21 ~~aforesaid abstract certificates setting forth.~~ Staff from the assessment district

1 shall be available at the designated times and places for a minimum of four  
2 hours per day for a minimum of five days. Assessment district staff shall make  
3 such corrections ~~therein~~ as they shall determine and shall forward to each  
4 taxpayer a copy of any ~~certificate~~ modification relating to ~~his or her~~ the  
5 taxpayer's list. Such hearings shall not be held later than ~~June 2~~ March 14.

6 \* \* \* Repeals \* \* \*

7 Sec. 5. REPEALS EFFECTIVE ON PASSAGE

8 2023 Acts and Resolves No. 68, Secs. 8 (32 V.S.A. § 4052) and 10(3) are  
9 repealed.

10 Sec. 6. REPEALS EFFECTIVE 2027

11 (a) 32 V.S.A. chapter 131 (appeals) is repealed.

12 (b) 32 V.S.A. § 3431 (lister's oath) is repealed.

13 (c) 24 V.S.A. § 1168 (names of listers) is repealed.

14 \* \* \* Transition to Regional Assessment Districts \* \* \*

15 Sec. 7. TRANSITION

16 (a) On or before **X**, every clerk of a municipality holding unexpended  
17 funds received under 32 V.S.A. § 4041a shall transfer those funds to the  
18 regional assessment district in which the municipality belongs.

19 (b) Notwithstanding 32 V.S.A. § 4041a or any other provision of law to the  
20 contrary:



- 1        This act shall take effect on January 1, 2027, except that Secs. (X) and this
- 2        section shall take effect on passage.