

1 TO THE HONORABLE SENATE:

2 The Committee on Economic Development, Housing and General Affairs to
3 which was referred House Bill No. 479 entitled “An act relating to housing”
4 respectfully reports that it has considered the same and recommends that the
5 Senate propose to the House that the bill be amended by striking out all after
6 the enacting clause and inserting in lieu thereof the following:

7 * * * Vermont Rental Housing Improvement Program * * *

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

9 § 699. VERMONT RENTAL HOUSING IMPROVEMENT PROGRAM

10 (a) Creation of Program.

11 * * *

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

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

21 * * *

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

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

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

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

10 * * *

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

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

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

19 (i) exiting homelessness, including any individual under 25 years
20 of age who secures housing through a master lease held by a youth service
21 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 ~~40 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;

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

4 (3) The Department shall coordinate with the local Coordinated Entry

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

12 * * *

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

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 (c) The Department may adopt rules, policies, and guidelines to aid in
2 enacting the Program.

3 * * * Vermont Infrastructure Sustainability Fund * * *

4 Sec. 3. 24 V.S.A. chapter 119, subchapter 6 is amended to read:

5 Subchapter 6. Special Funds

6 * * *

7 § 4686. VERMONT INFRASTRUCTURE SUSTAINABILITY FUND

8 (a) Creation. There is created the Vermont Infrastructure Sustainability
9 Fund within the Vermont Bond Bank.

10 (b) Purpose. The purpose of the Fund is to provide capital to extend and
11 increase capacity of water and sewer service and other public infrastructure in
12 municipalities where lack of extension or capacity is a barrier to housing
13 development.

14 (c) Administration. The Vermont Bond Bank may administer the Fund in
15 coordination with and support from other State agencies, government
16 component parts, and quasi-governmental agencies.

17 (d) Program parameters.

18 (1) The Vermont Bond Bank, in consultation with the Department of
19 Housing and Community Development, shall develop program guidelines to
20 effectively implement the Fund.

1 (2) The program shall provide low-interest loans or purchase bonds
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 and the
8 proximity to a designated area;

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

11 (4) the demonstration of financing for project completion or completion
12 of a project component.

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

16 (1) the maximum loan or bond amount;

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

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

19 (4) the maximum interest rate;

20 (5) whether the loan is eligible for forgiveness and to what percentage or
21 amount;

(7) any additional covenants required to further secure the loan or bond.

(1) Any funds repaid or returned from the Infrastructure Sustainability

(2) The Bank may use the funds in conjunction with other Bank
programs to accomplish the policy objectives outlined in this section.

* * * VHFA Rental Housing Revolving Loan Program * * *

Sec. 4. 2023 Acts and Resolves No. 47, Sec. 38 is amended to read:

(a) Creation; administration. The Vermont Housing Finance Agency shall design and implement a Rental Housing Revolving Loan Program and shall create and administer a revolving loan fund to provide subsidized loans for rental housing developments that serve middle-income households.

(b) Loans; eligibility; criteria.

* * *

(7) The Agency shall use one or more legal mechanisms to ensure that:

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

1 (i) seven years; or

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

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

7 * * *

8 * * * Universal Design Study Committee * * *

9 Sec. 5. RESIDENTIAL UNIVERSAL DESIGN STANDARDS; STUDY
10 COMMITTEE; REPORT

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

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

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

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

20 (3) one member, appointed by the Vermont Builders and Remodelers
21 Association;

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

2 Institute of Architects;

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

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

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

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

7 Board;

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

9 Living;

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

11 Council;

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

13 Development or designee;

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

15 Towns;

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

17 Association;

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

19 (15) the Commissioner of the Department of Disabilities, Aging and

20 Independent Living or designee; and

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

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

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

6 (2) existing federal, state, and international best practices and standards
7 addressing accessibility and adaptability characteristics of single-family and
8 multiunit buildings;

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

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

14 (5) opportunities and challenges with enforcement of identified
15 standards; and

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

17 (d) Assistance. The Committee shall have the administrative, technical,
18 and legal assistance of the Department of Housing and Community
19 Development.

20 (e) Report. On or before November 1, 2025, the Committee shall submit a
21 written report to the House Committee on General and Housing and the Senate

1 Committee on Economic Development, Housing and General Affairs with its
2 findings and any recommendations for legislative action.

3 (f) Meetings.

4 (1) The member of the House of Representatives shall call the first
5 meeting of the Committee to occur on or before July 15, 2025.

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

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

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

10 (g)(1) Compensation and reimbursement. For attendance at meetings
11 during adjournment of the General Assembly, a legislative member of the
12 Committee serving in the member's capacity as a legislator shall be entitled to
13 per diem compensation and reimbursement of expenses pursuant to 2 V.S.A.
14 § 23 for not more than six meetings. These payments shall be made from
15 monies appropriated to the General Assembly.

16 (2) Members of the Committee who are not otherwise compensated for
17 their time shall be entitled to per diem compensation as permitted under
18 32 V.S.A. § 1010 for not more than six meetings. These payments shall be
19 made from monies appropriated to the Department of Housing and Community
20 Development for that purpose.

1 (h) Intent to appropriate. Notwithstanding subsection (g)(2) of this section,
2 per diems for the cost of attending meetings shall only be available in the event
3 an appropriation is made in fiscal year 2026 from the General Fund to the
4 Department of Housing and Community Development for that purpose.

5 * * * Housing and Residential Services Planning Committee * * *

6 Sec. 6. STATE HOUSING AND RESIDENTIAL SERVICES PLANNING
7 COMMITTEE; REPORT

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

11 (b) Membership. The Committee shall be composed of the following
12 members:

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

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

17 (3) the Secretary of Human Services or designee;

18 (4) the Commissioner of Disabilities, Aging, and Independent Living or
19 designee;

20 (5) the Commissioner of Housing and Community Development or
21 designee;

1 (6) the State Treasurer or designee;

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

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

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

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

8 (11) one member, appointed by the Vermont Housing and Conservation
9 Board; and

10 (12) one member, appointed by the Associated General Contractors of
11 Vermont.

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

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

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

21 (3) anticipated funding needs; and

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

4 (d) Assistance.

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

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

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

17 (f) Meetings.

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

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

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

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

3 (g)(1) Compensation and reimbursement. For attendance at meetings
4 during adjournment of the General Assembly, a legislative member of the
5 Committee serving in the member's capacity as a legislator shall be entitled to
6 per diem compensation and reimbursement of expenses pursuant to 2 V.S.A.
7 § 23 for not more than six meetings. These payments shall be made from
8 monies appropriated to the General Assembly.

9 (2) Members of the Committee who are not otherwise compensated for
10 their time shall be entitled to per diem compensation as permitted under
11 32 V.S.A. § 1010 for not more than six meetings. These payments shall be
12 made from monies appropriated to the Department of Housing and Community
13 Development for that purpose.

14 (h) Intent to appropriate. Notwithstanding subsection (g)(2) of this section,
15 per diems for the cost of attending meetings shall only be available in the event
16 an appropriation is made in fiscal year 2026 from the General Fund to the
17 Department of Housing and Community Development for that purpose.

18 * * * Tax Department Housing Data Access * * *

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

20 § 5404. DETERMINATION OF EDUCATION PROPERTY TAX GRAND

21 LIST

* * *

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

* * *

* * * Landlord Certificate * * *

Sec. 8. REPEAL; ACT 181 PROSPECTIVE LANDLORD CERTIFICATE
CHANGES

* * *

(7) the number of ADA-accessible units on the rental property; and

(8) any additional information that the Commissioner determines is appropriate.

* * *

~~(f) Annually on or before October 31, the Department shall prepare and make available to a member of the public upon request a database in the form of a sortable spreadsheet that contains the following information for each rental unit for which the Department received a certificate pursuant to this section:~~

~~(1) name of owner or landlord;~~

~~(2) mailing address of landlord;~~

~~(3) location of rental unit;~~

~~(4) type of rental unit;~~

~~(5) number of units in building; and~~

(6) ~~School Property Account Number.~~ Annually on or before December 15, the Department shall submit a report on the aggregated data collected under this section to the House Committee on General and Housing and the Senate Committee on Economic Development, Housing and General Affairs.

* * * Land Bank Report * * *

Sec. 10. DHCD LAND BANK REPORT

(a) On or before November 1, 2026, the Department of Housing and Community Development shall issue a report to the House Committee on General and Housing and the Senate Committee on Economic Development,

1 Housing and General Affairs outlining a legal framework for implementation
2 of a State land bank. The report shall include proposed legislative language
3 specific to:

4 (1) the creation and ongoing administration of a statewide land bank;
5 (2) the authorization of regional or municipal land banks; and
6 (3) the identification of funding proposals to support the establishment
7 and sustainability of each separate model.

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

11 (c) On or before January 15, 2026, the Department of Housing and
12 Community Development shall provide a written update to the House
13 Committee on General and Housing and the Senate Committee on Economic
14 Development, Housing and General Affairs on progress made, including a
15 preliminary assessment of the information required in the final report.

16 * * * Housing and Public Accommodations Protections * * *

17 Sec. 11. 9 V.S.A. § 4501 is amended to read:

18 § 4501. DEFINITIONS

19 As used in this chapter:

20 * * *

(i) use of a place of public accommodation or any of the accommodations, advantages, facilities, or privileges of a place of public accommodation because of the person's race, creed, color, national origin, citizenship, immigration status, marital status, sex, sexual orientation, gender identity, or disability; or

* * *

§ 4502. PUBLIC ACCOMMODATIONS

VT LEG #383089 v.2

1 sexual orientation, or gender identity of any person, refuse, withhold from, or
2 deny to that person any of the accommodations, advantages, facilities, and
3 privileges of the place of public accommodation.

4 * * *

5 Sec. 13. 9 V.S.A. § 4503 is amended to read:

6 § 4503. UNFAIR HOUSING PRACTICES

7 (a) It shall be unlawful for any person:

8 (1) To refuse to sell or rent, or refuse to negotiate for the sale or rental
9 of, or otherwise make unavailable or deny, a dwelling or other real estate to
10 any person because of the race, sex, sexual orientation, gender identity, age,
11 marital status, religious creed, color, national origin, citizenship, immigration
12 status, or disability of a person, or because a person intends to occupy a
13 dwelling with one or more minor children, or because a person is a recipient of
14 public assistance, or because a person is a victim of abuse, sexual assault, or
15 stalking.

16 (2) To discriminate against, or to harass, any person in the terms,
17 conditions, privileges, and protections of the sale or rental of a dwelling or
18 other real estate, or in the provision of services or facilities in connection with
19 a dwelling or other real estate, because of the race, sex, sexual orientation,
20 gender identity, age, marital status, religious creed, color, national origin,
21 citizenship, immigration status, or disability of a person, or because a person

1 intends to occupy a dwelling with one or more minor children, or because a
2 person is a recipient of public assistance, or because a person is a victim of
3 abuse, sexual assault, or stalking.

4 (3) To make, print, or publish, or cause to be made, printed, or published
5 any notice, statement, or advertisement, with respect to the sale or rental of a
6 dwelling or other real estate that indicates any preference, limitation, or
7 discrimination based on race, sex, sexual orientation, gender identity, age,
8 marital status, religious creed, color, national origin, citizenship, immigration
9 status, or disability of a person, or because a person intends to occupy a
10 dwelling with one or more minor children, or because a person is a recipient of
11 public assistance, or because a person is a victim of abuse, sexual assault, or
12 stalking.

13 (4) To represent to any person because of the race, sex, sexual
14 orientation, gender identity, age, marital status, religious creed, color, national
15 origin, citizenship, immigration status, or disability of a person, or because a
16 person intends to occupy a dwelling with one or more minor children, or
17 because a person is a recipient of public assistance, or because a person is a
18 victim of abuse, sexual assault, or stalking, that any dwelling or other real
19 estate is not available for inspection, sale, or rental when the dwelling or real
20 estate is in fact so available.

21 * * *

1 (6) To discriminate against any person in the making or purchasing of
2 loans or providing other financial assistance for real-estate-related transactions
3 or in the selling, brokering, or appraising of residential real property, because
4 of the race, sex, sexual orientation, gender identity, age, marital status,
5 religious creed, color, national origin, citizenship, immigration status, or
6 disability of a person, or because a person intends to occupy a dwelling with
7 one or more minor children, or because a person is a recipient of public
8 assistance, or because a person is a victim of abuse, sexual assault, or stalking.

9 (7) To engage in blockbusting practices, for profit, which may include
10 inducing or attempting to induce a person to sell or rent a dwelling by
11 representations regarding the entry into the neighborhood of a person or
12 persons of a particular race, sex, sexual orientation, gender identity, age,
13 marital status, religious creed, color, national origin, citizenship, immigration
14 status, or disability of a person, or because a person intends to occupy a
15 dwelling with one or more minor children, or because a person is a recipient of
16 public assistance, or because a person is a victim of abuse, sexual assault, or
17 stalking.

18 (8) To deny any person access to or membership or participation in any
19 multiple listing service, real estate brokers' organization, or other service,
20 organization, or facility relating to the business of selling or renting dwellings,
21 or to discriminate against any person in the terms or conditions of such access,

1 membership, or participation, on account of race, sex, sexual orientation,
2 gender identity, age, marital status, religious creed, color, national origin,
3 citizenship, immigration status, or disability of a person, or because a person is
4 a recipient of public assistance, or because a person is a victim of abuse, sexual
5 assault, or stalking.

6 * * *

7 (12) To discriminate in land use decisions or in the permitting of
8 housing because of race, sex, sexual orientation, gender identity, age, marital
9 status, religious creed, color, national origin, citizenship, immigration status,
10 disability, the presence of one or more minor children, income, or because of
11 the receipt of public assistance, or because a person is a victim of abuse, sexual
12 assault, or stalking, except as otherwise provided by law.

13 * * *

14 (d) If required by federal law, the verification of immigration status or
15 differential treatment on the basis of citizenship or immigration status shall not
16 constitute a violation of subsection (a) of this section with respect to the sale
17 and rental of dwellings.

18 (e) For purposes of subdivision (a)(6) of this section, it shall not constitute
19 unlawful discrimination for a lender to consider a credit applicant's
20 immigration status to the extent such status has bearing on the lender's rights

1 and remedies regarding loan repayment and further provided such
2 consideration is consistent with any applicable federal law or regulation.

3 * * * Housing Appeals * * *

4 Sec. 14. 10 V.S.A. § 8502 is amended to read:

5 § 8502. DEFINITIONS

6 As used in this chapter:

7 * * *

8 (7) “Person aggrieved” means a person who alleges an injury to a
9 particularized interest protected by the provisions of law listed in section 8503
10 of this title, attributable to an act or decision by a district coordinator, District
11 Commission, the Secretary, an appropriate municipal panel, or the
12 Environmental Division that can be redressed by the Environmental Division
13 or the Supreme Court. For purposes of appeals pursuant to 24 V.S.A. chapter
14 117, the injury allegedly shall be to a particularized interest protected by 24
15 V.S.A. § 4302(c).

16 * * *

17 (9) “Appropriate municipal panel” has the same meaning as 24 V.S.A.
18 § 4303(3).

19 Sec. 15. 10 V.S.A. § 8504 is amended to read:

20 § 8504. APPEALS TO THE ENVIRONMENTAL DIVISION

21 * * *

1 (b) Planning and zoning chapter appeals.

2 (1) Within 30 days of the date of the act or decision, an interested
3 person, as defined in 24 V.S.A. § 4465, or a person aggrieved, who has
4 participated as defined in 24 V.S.A. § 4471 in the municipal regulatory
5 proceeding under that chapter may appeal to the Environmental Division an act
6 or decision made under that chapter by ~~a board of adjustment, a planning~~
7 ~~commission, or a development review board~~ the appropriate municipal panel;
8 provided, however, that decisions of a development review board under 24
9 V.S.A. § 4420 with respect to local Act 250 review of municipal impacts are
10 not subject to appeal but shall serve as presumptions under chapter 151 of this
11 title. An aggrieved person may not appeal an act or decision on a permit
12 application filed on or before June 30, 2025.

13 * * *

14 (h) De novo hearing. The Environmental Division, applying the
15 substantive standards that were applicable before the tribunal appealed from,
16 shall hold a de novo hearing on those issues that have been appealed, except in
17 the case of:

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

20 (2) a decision of the Commissioner of Forests, Parks and Recreation
21 under section 2625 of this title being appealed on the record, in which case the

1 court shall affirm the decision, unless it finds that the Commissioner did not
2 have reasonable grounds on which to base the decision.

3 * * *

4 (k) Limitations on appeals. Notwithstanding any other provision of this
5 section:

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

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

13 (3) if a District Commission issues a partial decision under subsection
14 6086(b) of this title, any appeal of that decision must be taken within 30 days
15 following the date of that decision; ~~and~~

16 (4) it shall be the goal of the Environmental Division to issue a decision
17 on a case regarding an appeal of an appropriate municipal panel decision under
18 24 V.S.A. chapter 117 within 90 days following the close of the hearing; and

19 (5) except for cases the court considers of greater importance, appeals of
20 an appropriate municipal panel decision under 24 V.S.A. chapter 117 involving

1 housing development, take precedence on the docket over other cases and shall
2 be assigned for hearing and trial or for argument accordingly.

3 * * *

4 Sec. 16. 24 V.S.A. § 4465 is amended to read:

5 § 4465. APPEALS OF DECISIONS OF THE ADMINISTRATIVE OFFICER

6 (a) An interested person may appeal any decision or act taken by the
7 administrative officer in any municipality by filing a notice of appeal with the
8 secretary of the board of adjustment or development review board of that
9 municipality or with the clerk of that municipality if no such secretary has been
10 elected. This notice of appeal must be filed within 15 days following the date
11 of that decision or act, and a copy of the notice of appeal shall be filed with the
12 administrative officer.

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

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

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

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

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

18 (5) Any department and administrative subdivision of this State owning
19 property or any interest in property within a municipality listed in subdivision
20 (2) of this subsection, and the Agency of Commerce and Community
21 Development of this State.

1 (c) For purposes of an appeal of any act or decision by an appropriate
2 municipal panel pursuant to subchapters 10 and 11, “interested person” shall
3 not include subdivisions (3) and (4) of subsection (b).

4 (d) In the exercise of its functions under this section, a board of adjustment
5 or development review board shall have the following powers, in addition to
6 those specifically provided for elsewhere in this chapter:

7 (1) To hear and decide appeals taken under this section, including where
8 it is alleged that an error has been committed in any order, requirement,
9 decision, or determination made by an administrative officer under this chapter
10 in connection with the administration or enforcement of a bylaw.

11 (2) To hear and grant or deny a request for a variance under section
12 4469 of this title.

13 Sec. 17. 24 V.S.A. § 4441 is amended to read:

14 § 4441. PREPARATION OF BYLAWS AND REGULATORY TOOLS;
15 AMENDMENT OR REPEAL

16 * * *

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

20 * * * LURB Study * * *

21 Sec. 18. 2024 Acts and Resolves No. 181, Sec. 11a is amended to read:

1 Sec. 11a. ACT 250 APPEALS STUDY

2 (a) On or before ~~January 15, 2026~~ November 15, 2025, the Land Use
3 Review Board shall issue a report evaluating whether to transfer appeals of
4 permit decisions and jurisdictional opinions issued pursuant to 10 V.S.A.
5 chapter 151 to the Land Use Review Board or whether they should remain at
6 the Environmental Division of the Superior Court. The Board shall convene a
7 stakeholder group that at a minimum shall be composed of a representative of
8 environmental interests, attorneys that practice environmental and
9 development law in Vermont, the Vermont League of Cities and Towns, the
10 Vermont Association of Planning and Development Agencies, the Vermont
11 Chamber of Commerce, the Land Access and Opportunity Board, the Office of
12 Racial Equity, the Vermont Association of Realtors, a representative of non-
13 profit housing development interests, a representative of for-profit housing
14 development interests, a representative of commercial development interests,
15 an engineer with experience in development, the Agency of Commerce and
16 Community Development, and the Agency of Natural Resources in preparing
17 the report. The Board shall provide notice of the stakeholder meetings on its
18 website and each meeting shall provide time for public comment.

19 (b) The report shall at minimum recommend:

20 (1) whether to allow consolidation of appeals at the Board, or with the
21 Environmental Division of the Superior Court, and how, including what

1 resources the Board would need, if transferred to the Board, appeals of permit
2 decisions issued under 24 V.S.A. chapter 117 and the Agency of Natural
3 Resources can be consolidated with Act 250 appeals;

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

7 (3) procedural rules to govern the Board's administration of Act 250 and
8 the adjudication of appeals of Act 250 decisions. These rules shall include
9 procedures to create a firewall and eliminate any potential for conflicts with
10 the Board managing appeals and issuing permit decisions and jurisdictional
11 opinions; and

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

15 (c) The report shall be submitted to the Senate Committees on Economic
16 Development, Housing and General Affairs and on Natural Resources and
17 Energy and the House Committee on Environment and Energy.

18 * * * Brownfields * * *

19 Sec. 19. 10 V.S.A. § 6604c is amended to read:

20 § 6604c. MANAGEMENT OF DEVELOPMENT SOILS

1 (a) Management of development soils. Notwithstanding any other
2 requirements of this chapter to the contrary, development soils may be
3 managed at a location permitted pursuant to an insignificant waste event
4 approval authorization issued pursuant to the Solid Waste Management Rules
5 that contains, at a minimum, the following:

6 (1) the development soils are generated from a hazardous materials site
7 managed pursuant to a corrective action plan or a soil management plan
8 approved by the Secretary;

9 (2) the development soils have been tested for arsenic, lead, and
10 polyaromatic hydrocarbons pursuant to a monitoring plan approved by the
11 Secretary that ensures that the soils do not leach above groundwater
12 enforcement standards;

13 (3) the location where the soils are managed is appropriate for the
14 amount and type of material being managed;

15 (4) the soils are capped in a manner approved by the Secretary;

16 (5) any activity that may disturb the development soils at the permitted
17 location shall be conducted pursuant to a soil management plan approved by
18 the Secretary; and

19 (6) the permittee files a record notice of where the soils are managed in
20 the land records.

21 * * *

1 Sec. 20. REPORT ON THE STATUS OF MANAGEMENT OF
2 DEVELOPMENT SOILS

3 (a) As part of the biennial report to the House Committee on Environment
4 and the Senate Committee on Natural Resources and Energy under 10 V.S.A.
5 § 6604(c), the Secretary of Natural Resources shall report on the status of the
6 management of development soils in the State under 10 V.S.A. § 6604c. The
7 report shall include:

8 (1) the number of insignificant waste event approval authorizations
9 issued by the Secretary in the previous two years for the management of
10 development soils;

11 (2) the number of certified categorical solid waste facilities operating in
12 the State for the management of development soils;

13 (3) a summary of how the majority of development soils in the State are
14 being managed;

15 (4) an estimate of the cost to manage development soils, depending on
16 management method; and

17 (5) any additional information the Secretary determines relevant to the
18 management of development soils in the State.

19 (b) As used in this section, “development soil” has the same meaning as in
20 10 V.S.A. § 6602(39).

1 Sec. 21. 10 V.S.A. § 6641 is amended to read:

2 § 6641. BROWNFIELD PROPERTY CLEANUP PROGRAM; CREATION;
3 POWERS

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

10 * * *

11 (c) When conducting any review required by this subchapter, the Secretary
12 shall prioritize the review of remediation at a site that contains housing or that
13 is planned for the construction or rehabilitation of single-family or multi-
14 family housing.

15 Sec. 22. BROWNFIELDS PROCESS IMPROVEMENT; REPORT

16 On or before November 1, 2025, the Secretary of Natural Resources shall
17 report to the House Committees on Environment and on General and Housing
18 and the Senate Committees on Economic Development, Housing and General
19 Affairs and on Natural Resources and Energy with proposals to make the
20 Program established pursuant to 10 V.S.A. chapter 159, subchapter 3

1 (brownfields reuse and liability limitation) substantially more efficient. At a
2 minimum, the report shall include both of the following:

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

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

12 Sec. 23. 2023 Acts and Resolves No. 78, Sec. B.1103, as amended by 2024
13 Acts and Resolves No. 87, Sec. 43, is further amended to read:

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

15 ONE-TIME APPROPRIATIONS

16 * * *

17 (h) In fiscal year 2024, the amount of \$2,500,000 General Fund is
18 appropriated to the ~~Department of Environmental Conservation~~ Environmental
19 Contingency Fund established pursuant to 10 V.S.A. § 1283 for the
20 Brownfields Reuse and Environmental Liability Limitation Act as codified in

1 10 V.S.A. chapter 159. Funds shall be used for the assessment ~~and cleanup~~,
2 planning, and cleanup of brownfields sites.

3 * * *

4 * * * Smoke and Carbon Monoxide Alarms * * *

5 Sec. 24. 9 V.S.A. chapter 77 is amended to read:

6 CHAPTER 77. SMOKE ~~DETECTORS~~ ALARMS AND CARBON
7 MONOXIDE ~~DETECTORS~~ ALARMS

8 § 2881. DEFINITIONS

9 As used in this chapter:

10 * * *

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

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

1 § 2882. INSTALLATION

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

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

1 monoxide ~~detectors~~ alarms shall be powered by the electrical service in the
2 building and by battery.

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

6 § 2883. REQUIREMENTS FOR TRANSFER OF DWELLING

7 (a) The seller of a single-family dwelling, including one constructed for
8 first occupancy, whether the transfer is by sale or exchange, shall certify to the
9 buyer at the closing of the transaction that the dwelling is provided with
10 ~~photoelectric-only type~~ photoelectric-type or UL 217 compliant smoke
11 ~~detectors~~ alarms and carbon monoxide ~~detectors~~ alarms in accordance with this
12 chapter. This certification shall be signed and dated by the seller.

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

19 * * *

20 Sec. 25. 20 V.S.A. § 2731 is amended to read:

21 § 2731. RULES; INSPECTIONS; VARIANCES

* * *

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

* * *

* * * Effective Dates * * *

Sec. 26. EFFECTIVE DATES

This act shall take effect on July 1, 2025, except that Sec. 4 (Rental Housing Revolving Loan Program), Sec. 8 (repeal, Act 181 prospective landlord certificate changes), and this section shall take effect on passage.

(Committee vote: _____)

Senator _____

FOR THE COMMITTEE