

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 ~~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 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
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;

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

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

* * *

(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

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. § 4456a is amended to read:

18 § 4456a. RESIDENTIAL RENTAL APPLICATION FEES; PROHIBITED

19 (a) A landlord or a landlord's agent shall not charge an application fee to
20 any individual in order to apply to enter into a rental agreement for a
21 residential dwelling unit. This ~~section~~ subsection shall not be construed to

1 prohibit a person from charging a fee to a person in order to apply to rent
2 commercial or nonresidential property.

3 (b)(1) In order to conduct a background or credit check, a landlord shall
4 accept any of the following:

5 (A) an original or a copy of any unexpired form of government-
6 issued identification;

7 (B) an Individual Taxpayer Identification Number; or

8 (C) a Social Security number.

9 (2) A residential rental application shall inform an applicant that the
10 applicant may provide any of the above forms of identification in order to
11 conduct a background or credit check.

12 **Sec. 12. 9 V.S.A. § 4501 is amended to read:**

13 **§ 4501. DEFINITIONS**

14 As used in this chapter:

15 * * *

16 (12)(A) “Harass” means to engage in unwelcome conduct that detracts
17 from, undermines, or interferes with a person’s:

18 (i) use of a place of public accommodation or any of the
19 accommodations, advantages, facilities, or privileges of a place of public
20 accommodation because of the person’s race, creed, color, national origin,

1 citizenship, immigration status, marital status, sex, sexual orientation, gender
2 identity, or disability; or

3 (ii) terms, conditions, privileges, or protections in the sale or rental
4 of a dwelling or other real estate, or in the provision of services or facilities in
5 connection with a dwelling or other real estate, because of the person’s race,
6 sex, sexual orientation, gender identity, age, marital status, religious creed,
7 color, national origin, citizenship, immigration status, or disability, or because
8 the person intends to occupy a dwelling with one or more minor children, or
9 because the person is a recipient of public assistance, or because the person is a
10 victim of abuse, sexual assault, or stalking.

11 * * *

12 **Sec. 13. 9 V.S.A. § 4502 is amended to read:**

13 **§ 4502. PUBLIC ACCOMMODATIONS**

14 (a) An owner or operator of a place of public accommodation or an agent
15 or employee of such owner or operator shall not, because of the race, creed,
16 color, national origin, citizenship, immigration status, marital status, sex,
17 sexual orientation, or gender identity of any person, refuse, withhold from, or
18 deny to that person any of the accommodations, advantages, facilities, and
19 privileges of the place of public accommodation.

20 * * *

21 **Sec. 14. 9 V.S.A. § 4503 is amended to read:**

1 **§ 4503. UNFAIR HOUSING PRACTICES**

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

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

11 (2) To discriminate against, or to harass, any person in the terms,
12 conditions, privileges, and protections of the sale or rental of a dwelling or
13 other real estate, or in the provision of services or facilities in connection with
14 a dwelling or other real estate, because of the race, sex, sexual orientation,
15 gender identity, age, marital status, religious creed, color, national origin,
16 citizenship, immigration status, or disability of a person, or because a person
17 intends to occupy a dwelling with one or more minor children, or because a
18 person is a recipient of public assistance, or because a person is a victim of
19 abuse, sexual assault, or stalking.

20 (3) To make, print, or publish, or cause to be made, printed, or published
21 any notice, statement, or advertisement, with respect to the sale or rental of a

1 dwelling or other real estate that indicates any preference, limitation, or
2 discrimination based on race, sex, sexual orientation, gender identity, age,
3 marital status, religious creed, color, national origin, citizenship, immigration
4 status, or disability of a person, or because a person intends to occupy a
5 dwelling with one or more minor children, or because a person is a recipient of
6 public assistance, or because a person is a victim of abuse, sexual assault, or
7 stalking.

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

16 * * *

17 (6) To discriminate against any person in the making or purchasing of
18 loans or providing other financial assistance for real-estate-related transactions
19 or in the selling, brokering, or appraising of residential real property, because
20 of the race, sex, sexual orientation, gender identity, age, marital status,
21 religious creed, color, national origin, citizenship, immigration status, or

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

4 (7) To engage in blockbusting practices, for profit, which may include
5 inducing or attempting to induce a person to sell or rent a dwelling by
6 representations regarding the entry into the neighborhood of a person or
7 persons of a particular 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 (8) To deny any person access to or membership or participation in any
14 multiple listing service, real estate brokers' organization, or other service,
15 organization, or facility relating to the business of selling or renting dwellings,
16 or to discriminate against any person in the terms or conditions of such access,
17 membership, or participation, on account of race, sex, sexual orientation,
18 gender identity, age, marital status, religious creed, color, national origin,
19 citizenship, immigration status, or disability of a person, or because a person is
20 a recipient of public assistance, or because a person is a victim of abuse, sexual
21 assault, or stalking.

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21

* * *

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

* * *

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

(e) For purposes of subdivision (a)(6) of this section, it shall not constitute unlawful discrimination for a lender to consider a credit applicant's immigration status to the extent such status has bearing on the lender's rights and remedies regarding loan repayment and further provided such consideration is consistent with any applicable federal law or regulation.

* * * Housing Appeals * * *

Sec. 15. 10 V.S.A. § 8502 is amended to read:

§ 8502. DEFINITIONS

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
21

* * *

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

* * *

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

Sec. 16. 10 V.S.A. § 8504 is amended to read:

§ 8504. APPEALS TO THE ENVIRONMENTAL DIVISION

* * *

(b) Planning and zoning chapter appeals.

(1) Within 30 days of the date of the act or decision, an interested person, as defined in 24 V.S.A. § 4465, or a person aggrieved, who has participated as defined in 24 V.S.A. § 4471 in the municipal regulatory proceeding under that chapter may appeal to the Environmental Division an act or decision made under that chapter by ~~a board of adjustment, a planning~~

1 ~~commission, or a development review board~~ the appropriate municipal panel;
2 provided, however, that decisions of a development review board under 24
3 V.S.A. § 4420 with respect to local Act 250 review of municipal impacts are
4 not subject to appeal but shall serve as presumptions under chapter 151 of this
5 title. An aggrieved person may not appeal an act or decision on a permit
6 application filed on or before June 30, 2025.

7 * * *

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

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

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

18 * * *

19 (k) Limitations on appeals. Notwithstanding any other provision of this
20 section:

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

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

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

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

17 (3) A person owning or occupying property in the immediate
18 neighborhood of a property that is the subject of any decision or act taken
19 under this chapter, who can demonstrate a physical or environmental impact on
20 the person’s interest under the criteria reviewed, and who alleges that the

1 decision or act, if confirmed, will not be in accord with the policies, purposes,
2 or terms of the plan or bylaw of that municipality.

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

14 (5) Any department and administrative subdivision of this State owning
15 property or any interest in property within a municipality listed in subdivision
16 (2) of this subsection, and the Agency of Commerce and Community
17 Development of this State.

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

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

16 (b) The report shall at minimum recommend:

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

1 approval authorization issued pursuant to the Solid Waste Management Rules
2 that contains, at a minimum, the following:

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

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

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

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

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

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

18 * * *

19 Sec. 21. REPORT ON THE STATUS OF MANAGEMENT OF
20 DEVELOPMENT SOILS

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

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

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

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

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

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

17 (b) As used in this section, “development soil” has the same meaning as in
18 10 V.S.A. § 6602(39).

19 Sec. 22. 10 V.S.A. § 6641 is amended to read:

20 § 6641. BROWNFIELD PROPERTY CLEANUP PROGRAM; CREATION;

21 POWERS

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

7 * * *

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

12 Sec. 23. BROWNFIELDS PROCESS IMPROVEMENT; REPORT

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

20 (1) A survey of stakeholders in the brownfields program to identify
21 areas that present challenges to the redevelopment of contaminated properties,

1 with a focus on redevelopment for housing. The Secretary shall provide
2 recommendations to resolve these challenges.

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

8 **Sec. 24. 2023 Acts and Resolves No. 78, Sec. B.1103, as amended by 2024**
9 **Acts and Resolves No. 87, Sec. 43, is further amended to read:**

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

11 ONE-TIME APPROPRIATIONS

12 * * *

13 (h) In fiscal year 2024, the amount of \$2,500,000 General Fund is
14 appropriated to the ~~Department of Environmental Conservation~~ Environmental
15 Contingency Fund established pursuant to 10 V.S.A. § 1283 for the
16 Brownfields Reuse and Environmental Liability Limitation Act as codified in
17 10 V.S.A. chapter 159. Funds shall be used for the assessment and cleanup,
18 planning, and cleanup of brownfields sites.

19 * * *

20 * * * Smoke and Carbon Monoxide Alarms * * *

1 Sec. 25. 9 V.S.A. chapter 77 is amended to read:

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

3 MONOXIDE ~~DETECTORS~~ ALARMS

4 § 2881. DEFINITIONS

5 As used in this chapter:

6 * * *

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

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

18 § 2882. INSTALLATION

19 (a) A person who constructs a single-family dwelling shall install
20 ~~photoelectric-only type~~ photoelectric-type or UL 217 compliant smoke
21 ~~detectors~~ alarms in the vicinity of any bedrooms and on each level of the

1 dwelling, and one or more carbon monoxide ~~detectors~~ alarms in the vicinity of
2 any bedrooms in the dwelling in accordance with the manufacturer's
3 instructions. In a dwelling provided with electrical power, ~~detectors~~ alarms
4 shall be powered by the electrical service in the building and by battery.

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

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

1 § 2883. REQUIREMENTS FOR TRANSFER OF DWELLING

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

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

14 * * *

15 Sec. 26. 20 V.S.A. § 2731 is amended to read:

16 § 2731. RULES; INSPECTIONS; VARIANCES

17 * * *

18 (j) ~~Detectors~~ Alarms. Rules adopted under this section shall require that
19 information written, approved, and distributed by the Commissioner on the
20 type, placement, and installation of ~~photoelectric~~ photoelectric-type or UL 217
21 compliant smoke ~~detectors~~ alarms and carbon monoxide ~~detectors~~ alarms be

1 conspicuously posted in the retail sales area where the ~~detectors~~ alarms are
2 sold.

3 * * *

4 * * * Positive Rental Payment Pilot Program * * *

5 Sec. 27. POSITIVE RENTAL PAYMENT CREDIT REPORTING PILOT

6 (a) Definitions. As used in this section:

7 (1) “Contractor” means the third-party vendor that the State Treasurer’s
8 Office contracts with to administer the pilot program described in this section.

9 (2) “Dwelling unit” has the same meaning as in 9 V.S.A. § 4451(3).

10 (3) “Participant property owner” means a landlord that has agreed in
11 writing to participate in the pilot program and has satisfied the requirements
12 described in subsection (c) of this section.

13 (4) “Participant tenant” means a tenant that has elected to participate in
14 the pilot program and whose landlord is a participant property owner.

15 (5) “Rental payment information” means information concerning a
16 participating tenant’s timely payment of rent. “Rent payment information”
17 does not include information concerning a participating tenant’s payment or
18 nonpayment of fees.

19 (b) Pilot program creation.

20 (1) The State Treasurer shall create and implement a two-year positive
21 rental payment reporting pilot program to facilitate the reporting of rent

1 payment information from participating tenants to consumer reporting
2 agencies.

3 (2) On or before May 1, 2026, the State Treasurer shall contract with a
4 third party to administer a positive rental payment pilot program and facilitate
5 the transmission of rent reporting information from a participant property
6 owner to a consumer reporting agency. The third-party administrator shall be
7 required to:

8 (A) enter into an agreement with one or more participant property
9 owners in the State in accordance with the requirements of this section for
10 participation in the pilot program;

11 (B) ensure that information to a credit reporting agency includes only
12 rent payment information after the date on which the participant tenant elected
13 to participate in the pilot program;

14 (C) develop and implement a process for removal of participant
15 tenants for failure to comply with program requirements, including failure
16 make timely rental payments;

17 (D) establish a standard form for a participant tenant to use to elect to
18 participate or cease participation in the pilot program, which shall include a
19 statement that the tenant’s participation is voluntary and that a participant may
20 cease participating in the pilot program at any time and for any reason by
21 providing notice to the participant’s landlord and that the tenant may be

1 removed from the program for failure to comply with program requirements,
2 including failure to make timely rental payments; and

3 (E) offer an optional financial education course for participant
4 tenants.

5 (c) Program agreements. A participant property owner shall agree in
6 writing:

7 (1) to participate in the pilot program for the duration of the program;

8 (2) not to charge a participant tenant for participation in the pilot
9 program;

10 (3) to comply with the requirements of the program;

11 (4) to provide information as required by the State Treasurer concerning
12 the implementation of the pilot program; and

13 (5) to assist in the recruitment of tenants to participate in the pilot
14 program.

15 (d) Program participants. On or before June 1, 2026, the Contractor shall,
16 in coordination with the State Treasurer, recruit no more than 10 participant
17 property owners and, to the extent practicable, not less than 100 participant
18 tenants, to participate in the pilot program. The Contractor shall seek to select
19 participant tenants from populations that are under-served and under-
20 represented in home ownership. The Contractor shall also seek to recruit
21 participant landlords who offer:

1 (1) a variety of types of dwelling units for rent, including dwelling units
2 of various sizes;

3 (2) dwelling units for rent that are located in geographically diverse
4 areas of the State; and

5 (3) at least five dwelling units for rent.

6 (e) Termination. The State Treasurer may terminate the pilot program at
7 any time in the Treasurer’s sole discretion or terminate participation of a
8 participant property owner for failure to comply with the requirements of the
9 program.

10 (f) Reports.

11 (1) On or before November 1, 2027, the State Treasurer shall submit an
12 interim report to the Senate Committee on Economic Development, Housing
13 and General Affairs and the House Committee on General and Housing
14 regarding the findings of the pilot program. The report shall include:

15 (A) the number of participant tenants, including information
16 regarding the demographic makeup of participant tenants, such as race,
17 ethnicity, gender, income, and age, as voluntarily provided by the participant;

18 (B) the number of participant tenants who ceased participating in the
19 program voluntarily;

20 (C) the number of participant tenants who were removed from the
21 program and for what purpose;

1

2

Senator _____

3

FOR THE COMMITTEE