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H.435

Introduced by Representatives O’Sullivan of Burlington, Connor of Fairfield,  
Christie of Hartford, Burke of Brattleboro, Carr of Brandon,  
Cina of Burlington, Donovan of Burlington, Fields of  
Bennington, Hill of Wolcott, Howard of Rutland City, LaLonde  
of South Burlington, Masland of Thetford, McCullough of  
Williston, Miller of Shaftsbury, Stevens of Waterbury, Stuart of  
Brattleboro, Till of Jericho, Troiano of Stannard, Weed of  
Enosburgh, and Yantachka of Charlotte

Referred to Committee on

Date:

Subject: Municipal government; land planning; substance abuse recovery  
homes

Statement of purpose of bill as introduced: This bill proposes to require a  
municipality to treat a substance abuse recovery home as a single-family  
residential home under its land use bylaws.

An act relating to regulation of substance abuse recovery homes under local  
land use bylaws

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

2 Sec. 1. 24 V.S.A. § 4412 is amended to read:

3 § 4412. REQUIRED PROVISIONS AND PROHIBITED EFFECTS

4 Notwithstanding any existing bylaw, the following land development  
5 provisions shall apply in every municipality:

6 (1) Equal treatment of housing and required provisions for affordable  
7 housing.

8 \* \* \*

9 (G) A residential care home or group home to be operated under ~~state~~  
10 State licensing or registration, serving not more than eight persons who have a  
11 disability as defined in 9 V.S.A. § 4501, shall be considered by right to  
12 constitute a permitted single-family residential use of property, except that no  
13 ~~such~~ home shall be so considered if it is located within 1,000 feet of another  
14 existing or permitted ~~such~~ home.

15 (H) Notwithstanding subdivision (G) of this subdivision (1), a  
16 substance abuse recovery home shall be considered by right to constitute a  
17 permitted single-family residential use of property regardless of its proximity  
18 to another existing or permitted home. As used in this subdivision, “substance  
19 abuse recovery home” means a residence for individuals recovering from a  
20 substance use disorder, operated for profit or otherwise, that provides an

1 alcohol- and drug-free living environment, peer support, and assistance  
2 obtaining addiction and other recovery services.

3 \* \* \*

4 Sec. 2. EFFECTIVE DATE

5 This act shall take effect on July 1, 2017.