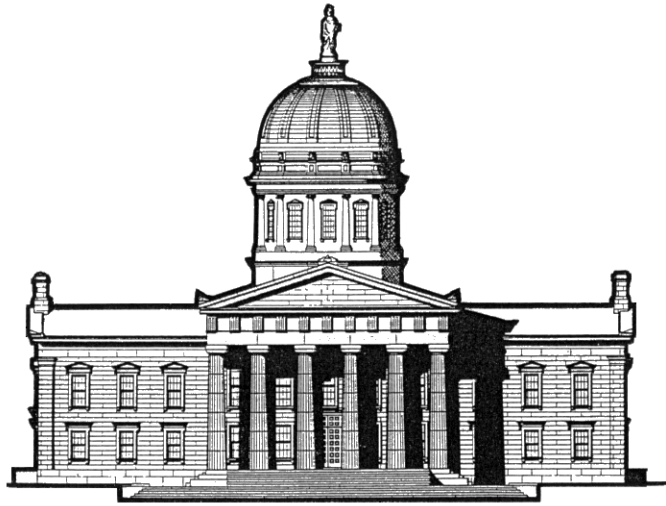


STATE OF VERMONT



SUMMARY OF THE ACTS of the 2022 VERMONT GENERAL ASSEMBLY

Prepared by the
Office of Legislative Counsel

These act summaries are provided for the convenience of the public and members of the General Assembly. They are intended to provide a general summary of the acts and may not be exhaustive. They have been prepared by the staff of the Office of Legislative Counsel without input from members of the General Assembly. They are not intended to aid in the interpretation of legislation or to serve as a source of legislative intent.

Act No. 77 (S.172). Elections; local elections; annual municipal meetings; alternative procedures; COVID-19

An act relating to authorizing alternative procedures for 2022 annual municipal meetings in response to COVID-19

This act provides temporary authority for municipalities to apply, by vote of the municipal legislative body, the Australian ballot system to an annual municipal meeting held in the year 2022. This act also provides temporary authority for municipalities to hold the informational meetings that precede the annual municipal meeting through electronic means, provided that the municipalities comply with certain requirements for accessibility, notice, and recording of the meetings. Finally, this act provides temporary authority for municipalities to move the date of the annual meeting and for the Town of Brattleboro to hold its representative annual Town meeting through electronic means.

Effective Date: January 14, 2022

Act No. 78 (S.222). General provisions; public information; Open Meeting Law; temporary provisions

An act relating to authorizing temporary Open Meeting Law procedures in response to COVID-19

This act provides temporary authority for public agencies to hold meetings through electronic means without designating or staffing a physical meeting location. A public agency that uses this temporary authority must use technology that allows the public to directly access the meeting by electronic means and by telephone. A municipal legislative body or school board that uses the temporary authority provided by this act must record its meetings held by electronic means.

This act also permits a public body to extend the deadline for the posting of minutes, provided that the public agency has a staffing shortage due to COVID-19. Finally, this act permits a public agency to post meeting notices and agendas in electronic locations.

Effective Date: January 18, 2022

Act No. 79 (S.223). Elections; local elections; temporary procedures for 2022 annual municipal meetings

An act relating to authorizing temporary elections procedures for annual meetings in the year 2022

This act provides temporary authority in the year 2022 that:

- suspends the petition signature requirements for candidates in local elections held at the 2022 annual municipal meetings
- for 2022 annual school district meetings, authorizes the legislative body of a school district to vote to not commingle ballots received by the member towns within the district

Effective Date: January 18, 2022

Act No. 80 (H.589). Elections; reapportionment; redistricting; initial districts; House of Representatives

An act relating to reapportioning the initial districts of the House of Representatives

This act describes the initial reapportionment plan for the House of Representatives as a starting point to receive testimony and feedback on the reapportionment of the House of Representatives in 2022.

Sec. 1 states the legislative intent of the act, including an explanation of the timing challenges in the 2022 redistricting process (a result of the delayed release of the 2020 U.S. Census dataset).

Sec. 2(a) requires that the House Committee on Government Operations send the multi-member districts reapportionment proposal submitted by the Legislative Apportionment Board to the Clerk of the House on January 6, 2022, and the all single-member districts reapportionment proposal submitted by the Legislative Apportionment Board to the Clerk of the House on November 30, 2021, to cities, towns, and boards of civil authority for purposes of taking testimony and requesting feedback on the reapportionment of the House of Representatives prior to the enactment of final districts. Sec. 2(b) outlines an initial district plan for purposes of receiving proposals for subdivisions of districts from boards of civil authority.

Sec. 3 requires that the boards of civil authority shall submit any district subdivision proposals to the House Committee on Government Operations on or before February 15, 2022.

Sec. 4 states that this act shall take effect upon passage.

Effective Date: February 2, 2022

*This act was repealed by 2022 Acts and Resolves No. 89.

Act No. 81 (S.78). Executive Branch; Judiciary Employees Labor Relations Act; binding interest arbitration

An act relating to binding interest arbitration for employees of the Vermont Judiciary

This act permits an impasse in collective bargaining negotiations between the Vermont Judiciary and its employees to be resolved by an arbitrator when requested by either party as an alternative to requiring such an impasse to be submitted to the Vermont Labor Relations Board. This act also repeals the

existing law requiring the Vermont Judiciary and its employees' collective bargaining representative to agree in advance to a mediation and arbitration process in lieu of the default dispute resolution process. The other aspects of the dispute resolution process for these contract negotiations remain the same as in current law.

Effective Date: July 1, 2022

Act No. 82 (H.717). Appropriations; Ukraine; humanitarian assistance

An act relating to providing humanitarian assistance to the people of Ukraine

This act appropriates \$644,826.00 for grants to provide humanitarian assistance to the people of Ukraine.

Effective Date: March 15, 2022

Act No. 83 (H.679). Budget adjustments; fiscal year 2022

An act relating to fiscal year 2022 budget adjustments

This act is the fiscal year 2022 budget adjustment. For more information, please see the website of the Joint Fiscal Office at:

<https://ljfo.vermont.gov/subjects/appropriations-and-budget/fy-2022>

Multiple effective dates, beginning on July 1, 2020

Act No. 84 (H.367). Health; cemeteries; general provisions; investment of funds

An act relating to the management of perpetual care funds by cemetery associations

This act authorizes cemetery associations to invest perpetual care funds in the same manner as town cemeteries pursuant to 18 V.S.A. § 5384. This act also makes technical corrections to the enumerated list of investment options for town cemeteries in 18 V.S.A. § 5384.

Effective Date: July 1, 2022

Act No. 85 (H.654). Health; COVID-19; health care providers; regulatory flexibility; telehealth

An act relating to extending COVID-19 health care regulatory flexibility

This act extends through March 31, 2023, certain COVID-19-related health care regulatory flexibility provisions originally enacted in 2020 Acts and Resolves No. 91 and previously extended by 2020 Acts and Resolves No. 140, 2021 Acts and Resolves No. 6, and other 2020 and 2021 acts. The act also extends for an additional year, through March 31, 2023, provisions allowing for variations from the usual statutory witnessing requirements for advance directives executed during the COVID-19 pandemic. And the act creates a registration process to allow out-of-state licensed health care professionals to deliver health care services

to patients in Vermont using telehealth during the period from April 1, 2022, through June 30, 2023.

Effective Date: March 22, 2022

Act No. 86 (H.701). Taxation and fees; cannabis

An act relating to cannabis license fees and the regulation of the medical cannabis registry

This act sets fees for cannabis establishments (which the Cannabis Control Board may waive and reduce pursuant to adopted rule or policy for social equity applicants, as defined by the Cannabis Control Board), participants in the medical cannabis registry, and medical cannabis dispensaries and gives the Cannabis Control Board the authority to collect those fees and deposit them in the Cannabis Regulation Fund. The cannabis establishment fees set in this act include a local licensing fee that will be collected by the Cannabis Control Board for the municipality where the cannabis establishment is located, and the act also adds clarifying language to statute prohibiting the municipality from also assessing a fee through a local cannabis control commission.

This act expands the allowed functions of certain cannabis establishments to permit cultivators to sell cannabis seeds and clones to another licensed cultivator, and retailers to transport, possess, and sell cannabis to the public for cultivation.

This act also makes technical corrections to laws related to cannabis establishments, including correcting a citation error, correcting the structure of definitions, adding integrated licensee to the list of cannabis license holders that are covered under the definition of cannabis establishment, and repealing obsolete language from 2022 Acts and Resolves No. 83 (Budget Adjustment Act) that would have delayed the repeal of statutes related to medical cannabis in Title 18 and the corresponding codification of statutes related to medical cannabis in Title 7 by four months if the Budget Adjustment Act had been enacted prior to March 1, 2022. Related to the repeal of statutes in Title 18 and the codification of statutes in Title 7, this act also states that certain emergency rules shall be deemed to meet the standard for the adoption of emergency rules pursuant to the Administrative Procedure Act.

Effective Date: March 25, 2022

Act No. 87 (S.4). Criminal procedures; firearms

An act relating to procedures involving firearms

This act prohibits the possession of firearms in hospital buildings; extends the default proceed period established by Federal firearms background check law so that a firearm transfer may proceed without a response from the National Instant Criminal Background Check System after seven business days; clarifies that health care providers may provide relevant information to law enforcement officers about potentially dangerous patients without violating the privacy provisions of HIPAA, the Health Insurance Portability and Accountability Act of

1996, when the health care provider reasonably believes that the patient poses an extreme risk of causing harm to themselves or another person by purchasing, possessing, or receiving a dangerous weapon or by having a dangerous weapon; permits out-of-state residents to bring large capacity magazines into Vermont for the exclusive use at organized shooting competitions; and permits a court issuing a relief from abuse order to include a requirement that that the defendant immediately relinquish, until the expiration of the order, all firearms that are in the defendant's possession, ownership, or control and refrain from acquiring or possessing any firearms while the order is in effect.

Effective Date: July 1, 2022

Act No. 88 (H.628). Health; birth records; issuance of new birth certificate; change of sex

An act relating to amending a birth certificate to reflect gender identity

This act requires the Department of Health to adopt rules to allow an individual to amend the gender marker on the individual's birth certificate through means such as self-attestation. This act also permits the Department of Health to adopt rules that add gender pronouns to the list of authorized markers on a birth certificate.

Effective Date: July 1, 2022

Act No. 89 (H.722). Elections; reapportionment; redistricting; final districts; Senate; House of Representatives

An act relating to reapportioning the final representative districts of the House of Representatives and the senatorial districts of the Senate

This act establishes the representative districts of the Vermont House of Representatives and the senatorial districts of the Vermont Senate for the 2022 primary and general elections and thereafter.

Sec. 1 repeals the 2012 initial House districts and subdivision of initial House districts within Title 17, chapter 34, and repeals 2022 Acts and Resolves No. 80 (session law that proposed initial House districts for the 2022 redistricting process).

Sec. 2 adds a new section (section 1893b) to Title 17, chapter 34, that outlines the new district lines for the Vermont House of Representatives for the 2022 election and thereafter. This section specifies the district name, district description, and number of representative members for each of the 109 House districts.

Sec. 3 amends 17 V.S.A. § 1881 to revise the district lines for the senatorial districts for the Vermont Senate for the 2022 election and thereafter.

Sec. 4 states that the act shall take effect on passage and shall apply to representative and senatorial districts for the 2022 election cycle and thereafter.

Effective Date: April 6, 2022

Act No. 90 (H.556). Taxation; property tax; exemption; Vermont-recognized Native American tribes**An act relating to exempting property owned by Vermont-recognized Native American tribes from property tax**

This act creates a statewide education property tax and municipal property tax exemption for real and personal property that is owned by a Vermont-recognized Native American tribe or owned by a nonprofit organization. To be eligible for the exemption, the nonprofit organization that owns the property must be organized for the tribe's benefit and controlled by the tribe, and the property must be used for purposes of the tribe and cannot be leased or rented for profit.

Effective Date: July 1, 2022

Act No. 91 (H.627). Commerce and trade**An act relating to the Vermont Economic Development Authority**

This act amends the enabling statute for the Vermont Economic Development Authority to allow the Authority to make loans for certain housing projects and to service-oriented businesses, and to increase the amount of its lending authority for mortgage-funded projects.

Effective Date: April 20, 2022

Act No. 92 (H.680). Health; vital records; authorized issuers of marriage licenses**An act relating to obtaining a marriage license in any town in Vermont**

This act authorizes the clerk of any town in Vermont to issue a civil marriage license to a person pursuant to 18 V.S.A. § 5131.

Effective Date: July 1, 2022

Act No. 93 (S.113). Judiciary; cause of action; toxic substances; medical monitoring; manufacturer liability**An act relating to establishing a cause of action for medical monitoring expenses**

This act authorizes a cause of action by a person without a present injury for medical monitoring against the owner or operator of a large facility from which a toxic substance is released. All of the following are required to be demonstrated by a preponderance of the evidence for a court to award medical monitoring: the person was exposed to a toxic substance as a result of tortious conduct by the large facility owner or operator who released the toxic substance; as a proximate result of the tortious exposure, the person exposed has a greater risk of contracting a latent disease; diagnostic testing is reasonably necessary; and medical tests or procedures exist to detect the latent disease.

The act requires an award of attorney's fees if medical monitoring is awarded. The ability to pursue a cause of action for medical monitoring does not preclude the pursuit of any other civil or injunctive remedy available under statute or

common law. The act exempts from the cause of action municipal facilities; lawfully applied pesticides; and lead ammunition discharged, used, or stored by a sport shooting range implementing a lead management plan.

The act adds persons who manufactured a hazardous material for commercial sale to the list of persons who are strictly liable for the costs of responding to or remediating a release of a hazardous material. A manufacturer would not be strictly liable for a hazardous materials release if the manufacturer provided an adequate warning of the harm posed by the hazardous material when the harm was known or should have been known at the time the material was manufactured. A manufacturer of a hazardous material found strictly liable for a release is prohibited from impleading other potentially liable parties for the purposes of contribution. The liability of a manufacturer of a hazardous material applies retroactively.

Effective Date: July 1, 2022

Act No. 94 (S.183). Corrections; Probation; Midpoint Review

An act relating to midpoint probation review

This act clarifies that the midpoint probation review program is retroactive and that a probationer who is subject to a pending criminal charge is not automatically able to participate in the midpoint probation review process. Instead, the Commissioner is provided with discretion and may file the motion to dismiss the probationer from probation but is not required to.

Effective Date: April 21, 2022

Act No. 95 (S.184). Criminal procedures; self-defense; justifiable homicide

An act relating to defense of others and justifiable homicide

This act clarifies the law of self-defense by providing that a person who claims to have acted in self-defense or defense of others is not guilty of murder if the person had a reasonable belief that the person or any other person was in imminent peril and that defensive force was necessary to repel that peril.

Effective Date: April 21, 2022

Act No. 96 (H.461). Taxation; education property tax; property tax credit; household; asylum seekers, asylees, refugees, and humanitarian parolees

An act relating to excluding the income of asylum seekers and refugees from household income

This act amends the definition of household for the purposes of the homestead property tax credit in order to exclude the income of asylum seekers, asylees, refugees, and humanitarian parolees from household income.

Effective Date: Act 96 is effective retroactively on January 1, 2021, and applies to determinations of household members for the purpose of declaring household income on and after January 1, 2022.

Act No. 97 (S.74). Health; patient choice at end of life; immunity**An act relating to modifications to Vermont's patient choice at end of life laws**

This act allows a physician to use telemedicine to interact with a terminally ill patient who is requesting a prescription for medication to be self-administered to hasten the patient's own death if the physician determines the use of telemedicine to be clinically appropriate. The act continues to require that the physician's determination that the patient was suffering a terminal condition be based on a physical examination of the patient and review of the patient's relevant medical records, but it allows the physical examination to have been conducted by a physician other than the prescribing physician. The act eliminates a 48-hour waiting requirement after the last to occur of the patient's written request for medication to be self-administered to hasten the patient's own death, the patient's second oral request for the medication, and the physician's offering the patient an opportunity to rescind the request, before the physician can write a prescription for the medication. The act also specifies that no health care professional will be subject to civil or criminal liability or professional disciplinary action for acting in good faith compliance with the statutes regarding patient choice at end of life.

Effective Date: April 27, 2022

Act No. 98 (S. 163). Judiciary; guardianship; juveniles; immigration status**An act relating to State court petitions for vulnerable noncitizen youth**

This act expands the jurisdiction of a State court that can, upon a petition, issue special findings to a noncitizen child who is dependent on the court or under the custody and care of a State agency or department; has suffered abandonment, abuse, neglect, or similar circumstances; and may not be viably reunified with one or both parents due to abuse, neglect, abandonment, or a similar circumstance. The definition of "court" is amended to include any court that has jurisdiction over a noncitizen child, including the Probate Division and the Family Division of the Superior Court. The act also permits a child who is less than 21 years of age to consent to an appointment or continuation of a guardianship after 18 years of age to petition for special findings. Finally, the act also authorizes the Family Division to retain jurisdiction over a noncitizen child who is at least 18 years of age but has not yet attained 21 years of age for the sole purpose of adjudicating a petition for special findings.

This act also makes various amendments to the procedure for vulnerable noncitizen youth to petition for special findings to State courts with jurisdiction over the custody and care of children, including: (1) directing the court to take the child's health, safety, and welfare into consideration; (2) allowing the court to waive the notice requirement for the petition; (3) requiring the court to adjudicate and issue findings on any petition expeditiously when it is in the best interests of the child; and (4) authorizing the noncitizen child who is the subject to be voluntarily referred to other services or protection.

Effective Date: July 1, 2022

Act No. 99 (S.239). Health; health insurance; Medicare supplemental insurance; Medicare Advantage plans**An act relating to enrollment in Medicare supplemental insurance policies**

This act requires the Department of Financial Regulation to collaborate with health insurers, advocates for older Vermonters and other Medicare-eligible adults, and the Office of the Health Care Advocate to educate the public about the benefits and limitations of Medicare supplemental insurance policies and Medicare Advantage plans. It also directs the Department to convene a group of interested stakeholders to consider issues relating to Medicare Advantage plans and Medicare supplemental coverage and to report to the legislative committees of jurisdiction by January 15, 2023.

Effective Date: April 27, 2022

Act No. 100 (H.629). Adoption; vital records**An act relating to access to adoption records**

This act permits an adopted person who is 18 years of age or older to obtain a certified copy of the person's original birth certificate regardless of whether the adoptee's former parent has consented to such disclosure. The act directs the Department for Children and Families to undertake a campaign to notify the public about the change in the law prior to the new policy's effective date of July 1, 2023. The act also requires the Vermont State Archives and Records Administration, in consultation with the Department for Children and Families and other interested parties, to report to various legislative committees on the various laws governing records related to children who were placed by a child-placing agency in foster homes or residential child care facilities and who are not adopted and a recommendation for legislation to ensure that these children have access to records concerning their background, medical history, and other pertinent information relating to their time under the care and supervision of an agency.

Multiple effective dates, beginning on May 3, 2022

Act No. 101 (S.72). Human Services; child welfare**An act relating to the Interstate Compact on the Placement of Children**

This act replaces the existing Compact, adopted in 1971, and sets forth procedures for the placement, across state lines, for children who have been abused or neglected, adjudicated delinquent or unmanageable, or who are in the preliminary stages of adoption. The purpose of this act is to:

- (1) provide a process through which children subject to the Compact are placed in safe and suitable homes in a timely manner;
- (2) facilitate ongoing supervision of a placement, the delivery of services, and communication between the states;

- (3) provide operating procedures that will ensure that children are placed in safe and suitable homes in a timely manner;
- (4) provide for the promulgation and enforcement of administrative rules implementing the provisions of the Compact and regulating the covered activities of the member states;
- (5) provide for uniform data collection and information sharing between member states under the Compact;
- (6) promote coordination between the Compact, the Interstate Compact for Juveniles, the Interstate Compact on Adoption and Medical Assistance, and other compacts affecting the placement of and that provide services to children otherwise subject to the Compact;
- (7) provide for a state’s continuing legal jurisdiction and responsibility for placement and care of a child that it would have had if the placement were intrastate; and
- (8) provide for the promulgation of guidelines, in collaboration with Indian tribes, for interstate cases involving Indian children as is or may be permitted by federal law.

Effective Date: 18 months after the Compact is adopted into law by 35 states

Act No. 102 (S.171). State Code of Ethics; State Ethics Commission

An act relating to adoption of a State code of ethics

This act amends 3 V.S.A. chapter 31 (Governmental Ethics) to adopt a State code of ethics.

Sec. 1 amends and adds definitions in 3 V.S.A. § 1201 and places a code of ethics into statute by adding the following new statutory sections:

- § 1202 – Applicability of the State Code of Ethics
- § 1203 – Conflict of interest; appearance of conflict of interest
- § 1203a – Directing unethical conduct
- § 1203b – Appearance of unethical conduct
- § 1203c – Preferential treatment
- § 1203d – Misuse of position
- § 1203e – Misuse of information
- § 1203f – Misuse of government resources
- § 1203g – Gift limitations and exceptions
- § 1203h – Unauthorized commitments
- § 1203i – Employment restrictions
- § 1203j – Compliance with laws, rules, and policies
- § 1204 – Whistleblower protections for ethics complaints
- § 1205 – Mandatory code of ethics education and training

Sec. 2 repeals 3 V.S.A. § 1211(e); this repeal removes two definitions from later in the Governmental Ethics chapter in order to consolidate the definitions in section 1201. The definitions are for “domestic partner” and “lobbyist/lobbying

firm”; this repeal does not change the meaning of either of the definitions as they apply to the Governmental Ethics chapter.

Sec. 2a adds a new training reporting requirement for the State Ethics Commission as part of its annual report to the General Assembly pursuant to 3 V.S.A. § 1226.

Sec. 3 states that this act will take effect on July 1, 2022.

Effective Date: July 1, 2022

Act No. 103 (S.265). Crimes; criminal threatening; threats to third persons

An act relating to expanding criminal threatening to include threats to third persons

This act expands Vermont’s criminal threatening statute by criminalizing true threats made to a group of particular persons, a person within a particular group, or someone other than the person receiving the threat. The types of threats that can be criminalized now include threats of sexual assault. The act also removes a person’s inability to carry out a threat as a statutory affirmative defense and changes the age to be charged as a juvenile to reflect Vermont’s “Raise the Age” initiative.

The act enhances penalties for threats to be carried out in enumerated locations, against specific individuals, or to prevent certain types of government action. All enhanced penalties subject a defendant to imprisonment of not more than two years or fines not more than \$2,000.00, or both. The enhanced penalty locations include a public or private school, postsecondary institution, place of worship, polling place during election activities, the Vermont State House, or any federal, State, or municipal building. Intentional threats designed to terrify, intimidate, or unlawfully influence candidates for public office, public servants, election officials, and public employees also subject the defendant to the enhanced penalty. Additionally, threats made with the intent to terrify, intimidate, or unlawfully influence a person to prevent compliance with State laws or rules, State court or administrative orders, or State executive orders subject a defendant to the enhanced penalty.

Effective Date: May 3, 2022

Act No. 104 (H.399). Criminal procedure; sentencing alternatives; family circumstances

An act relating to incarceration terms for criminal defendants who are primary caretakers of dependent children

This act is aimed to prevent unnecessary harm and ensure fair and compassionate treatment of children whose parents, guardians, caretakers, or family members are subject to sentencing for conviction of a crime. The statutory changes to sentencing require criminal courts to consider a defendant’s family circumstances, relationships, and the impact of any sentence upon the defendant’s

minor children. Any presentence investigation report must also contain information concerning these circumstances and relationships.

Effective Date: July 1, 2022

Act No. 105 (H.731). Legislature; judiciary; transportation; agriculture; banking; insurance; public safety; taxation; finance; juvenile justice

An act relating to technical corrections for the 2022 legislative session

This act makes technical corrections to numerous sections of the Vermont Statutes Annotated, including statutes related to the judiciary, aeronautics and surface transportation, agriculture, banking, insurance, highways, public safety, motor vehicles, taxation, finance, and juvenile justice.

Multiple effective dates, beginning on July 1, 2021

Act No. 106 (H.635). Motor vehicles; law enforcement

An act relating to secondary enforcement of minor traffic offenses

This act requires the Executive Director of Racial Equity, the Commissioner of Motor Vehicles, and the Commissioner of Public Safety to jointly examine all motor vehicle violations for the purpose of making recommendations on whether or not statutes should be repealed, modified, or limited to secondary enforcement. The Executive Director and Commissioners jointly shall provide an interim report to the House and Senate Committees on Judiciary and on Transportation on or before January 15, 2023, and a final written report to the committees on or before October 1, 2023.

Effective Date: May 9, 2022

Act No. 107 (H.655). Health; professions and occupations; health care professionals; telehealth; licensure; registration; provisional licensure

An act relating to telehealth licensure and registration and to provisional licensure for professions regulated by the Office of Professional Regulation

This act creates a telehealth licensure and registration system that allows a health care professional who is not otherwise licensed, certified, or registered to practice in Vermont but is licensed, certified, or registered in good standing in any other U.S. jurisdiction to obtain a telehealth license or registration from the Office of Professional Regulation (OPR) or Board of Medical Practice to provide health care services to a patient in Vermont using telehealth. A telehealth license allows the health care professional to deliver services by telehealth to not more than 20 unique patients located in Vermont during the two-year term of the license, which is renewable, and the telehealth license fee is 75 percent of the renewal fee for a full license to practice the profession. A telehealth registration allows the health care professional to deliver services by telehealth to not more than 10 unique patients located in Vermont during the 120-day term of the registration, which is not renewable; a health care professional may only obtain a telehealth registration once during a three-year period. The telehealth registration fee is the lesser of the

application fee for a full license to practice the profession or 50 percent of the renewal fee for a full license to practice the profession.

The act specifies that a health care professional who wants to provide services to patients in Vermont using telehealth also continues to have the option to pursue a full license to practice the profession. If a health care professional holding a telehealth registration applies for a telehealth license or full license within three years following the effective date of the professional's telehealth registration, the amount paid for the telehealth registration will be credited and applied toward the amount of the fee for a telehealth license or a full license, as applicable. Similarly, if a health care professional holding a telehealth license applies for a full license while the professional's telehealth license is in effect, the amount paid for the telehealth license will be credited and applied toward the amount of the fee for a full license. The act appropriates \$360,000 to OPR to develop and implement the telehealth licensure and registration system.

The act also allows the Director of OPR to issue a 90-day provisional license in any field to individual who has completed an application for full licensure and whose eligibility for licensure is contingent upon acceptable verification of licensure from another jurisdiction, whose eligibility for licensure is contingent upon completion of a background check, or who is an active-duty member of the U.S. Armed Forces assigned to duty in Vermont or the member's spouse. The provisional license is based on a voluntary agreement between the applicant and OPR to expedite the applicant's entry into the workforce in exchange for the applicant forgoing the regular procedural rights; the applicant's only remedy if aggrieved by a denial or withdrawal of a provisional license is to apply for a regular license through the usual process. The act allows the OPR Director to extend a provisional license beyond 90 days if the reason for issuing it has not been resolved.

Multiple effective dates, beginning on May 9, 2022

Act No. 108 (H.266). Health; health insurance; Medicaid; hearing aids

An act relating to health insurance coverage for hearing aids

This act requires large group health insurance plans to cover hearing aids and related services beginning in plan year 2024. It also codifies the requirement that Vermont Medicaid cover hearing aids and related services and requires the Departments of Vermont Health Access and of Financial Regulation to report by November 1, 2022 on the status of the State's application to the federal government to modify the essential health benefits in Vermont's benchmark plan to include coverage of hearing aids and related services in individual and small group health insurance plans beginning in plan year 2024.

Multiple effective dates, beginning on May 11, 2022

Act No. 109 (H.293). State Youth Council; boards and commissions**An act relating to creating the State Youth Council**

This act creates the State Youth Council.

Sec. 1 outlines the findings, purpose, and intent of establishing the State Youth Council.

Sec. 2 creates the State Youth Council within the Department of Health, with a membership of not more than 28 Vermont resident youths between 11 and 18 years of age at the time of appointment. Members shall serve three-year staggered terms and advise the Governor and the General Assembly on issues affecting youths in Vermont. The Council may meet monthly and may hold up to four public hearings annually to take testimony on issues affecting youths in Vermont. The Department of Health and the Youth Services Advisory Council shall assist the Council. Members of the Council are entitled to per diem compensation and reimbursement of expenses.

Sec. 3 outlines the initial provisions for establishing the Council, including initial appointments and training support.

Sec. 4 states that the State Youth Council shall sunset on February 1, 2026.

Sec. 5 states that this act shall take effect on passage.

Effective Date: May 11, 2022

Act No. 110 (H.411). Fish and wildlife; hunting; retrieval and disposal of wildlife**An act relating to the retrieval and use of covered wild animals**

This act establishes requirements for the retrieval and use of certain covered wild animals when a wild animal is intentionally or knowingly killed by a person. The term “covered wild animal” is defined as an animal that is a big game animal, game quadruped, game bird, fur-bearing animal, or crow. The act provides that a person shall not intentionally or knowingly kill a covered wild animal and intentionally or knowingly fail to make a reasonable effort to retrieve the covered wild animal and use the covered wild animal. The act requires a person who retrieves a lawfully taken covered wild animal, or a person to whom the lawfully taken covered wild animal is transferred, to retain the animal in the person’s possession until it is processed as food; processed for its fur, hide, or feathers; or used for taxidermy. The inedible or unusable parts or portions of a covered wild animal from processing of the covered wild animal shall be disposed of as provided under requirements established by the act. The act provides that a person shall not place, leave, dump, or abandon the carcass or parts of a covered wild animal along or upon a public right-of-way or highway; upon a private, posted property without permission of the owner or the owner’s agent; or where prohibited by State or municipal law.

The act provides that the requirements to use the animal do not apply when a covered wild animal is unfit for consumption or use or to coyote taken by a lawful means other than trapping. The act also provides that the requirements for

retrieval of a covered animal and the requirements for use of a covered animal do not apply when the failure to retrieve, the failure to salvage, or the failure to retain the covered wild animal is beyond the control of the person due to theft of the covered wild animal by another person; unavoidable loss in the field to a wild animal; lack of legal access to property where a wounded or dead covered wild animal is located; or other circumstances that prevent salvage, retrieval, or retention. The requirements to retrieve and use a covered wild animal also do not apply when the animal is taken in order to defend a person or property, when the covered wild animal is sick or diseased, to a law enforcement officer or employee acting within the course of the officer's or employee's employment, or when following generally accepted hunting or trapping practices set forth in statute or rules or as approved as a best practice by the Commissioner of Fish and Wildlife.

Effective Date: May 11, 2022

Act No. 111 (S.162). Education; teachers; collective bargaining rights;

An act relating to the collective bargaining rights of teachers.

This act:

- amends 16 V.S.A. § 1752 (grounds and procedures for suspension and dismissal) to disapply statutory due process procedures for the nonrenewal of a teacher's contract or the suspension or dismissal of a teacher if the teacher is employed under the terms of a collective bargaining agreement that provides the teacher just cause rights;
- amends 16 V.S.A. § 1752 to clarify that a nonjudicial process, such as arbitration, is not foreclosed if the statutory due process procedures are not followed; and
- adds 16 V.S.A. § 1986 to prohibit a school district or supervisory union from disciplining a teacher, administrator, or other employee for testifying before the General Assembly or a committee of the General Assembly or before the State Board of Education.

Effective Date: May 11, 2022

Act No. 112 (S.197). Education; mental health

An act relating to the provision of mental health supports

Sec. 1 of this act requires the Department of Mental Health, in consultation with the Agencies of Education and of Human services, to submit its federally required Mobile Crisis Needs Assessment to the House Committee on Health Care and to the Senate Committee on Health and Welfare by January 15, 2023.

Sec. 2 directs the Agency of Education, in consultation with the Department of Mental Health, to contract with one or more organizations to provide COVID-19 recovery supports for educators and school staff in fiscal year 2023. The recovery supports shall be provided by mental health clinicians.

Sec. 3 requires the Agency of Education to work with the Department of Mental Health in establishing and administering a two-year program utilizing a

tiered-support approach to ensure continuous support to children and youth in a variety of settings, including supervisory union and district-wide, in-school, community technical education centers, and afterschool settings. Grants issued pursuant to this section shall seek to expand existing school-based counseling services in the State or develop either school-based or community-based afterschool programs that support the mental health and wellness needs of students, families, and staff. On or before January 15, 2025, the Agency shall submit a report to various committees of the General Assembly summarizing the programs to which grants were awarded and recommending a model for the integration of mental health and in-school and afterschool programming.

Sec. 4 specifies that funding for the initiatives in Secs. 2 and 3 shall be allocated from among the ESSER III funds previously appropriated pursuant to 2021 Acts and Resolves No. 74, Sec. E.501.3.

Lastly, Sec. 5 directs the existing Vermont Interagency Afterschool Youth Task Force to submit its bimonthly reports to the House Committees on Education and on Human Services and to the Senate Committees on Education and on Health and Welfare. It further requires the Task Force to provide advice and recommendations to the General Assembly upon request.

Effective Date: July 1, 2022

Act No. 113 (S.206). Health; Alzheimer’s Disease and related disorders

An act relating to planning and support for individuals and families impacted by Alzheimer’s Disease and related disorders

This act adds the Executive Director of the Blueprint for Health or designee to the Commission on Alzheimer’s Disease and Related Disorders (Commission). It also replaces the member of the Commission representing the business community with a member representing hospitals. The act specifies that members appointed to the Commission by the Governor must “have direct expertise or experience working with or caring for individuals impacted by Alzheimer’s disease and related disorders, expertise in clinical and medical research on Alzheimer’s disease and related disorders, or knowledge of health systems and policies to equitably address Alzheimer’s disease and related disorders.” It further requires the Commission to submit a report containing recommendations to achieve a dementia-capable workforce and to improve provider response to Alzheimer’s Disease and other related disorders.

This act requires the Department of Disabilities, Aging, and Independent Living to include individuals with Alzheimer’s disease and related disorders in the State Plan on Aging and specifically address:

- home-based care or placements and hospital and long-term care placements and transitions to and from care in home, hospital, and long-term care settings;
- support and education for families and caregivers; and

- strategies to promote affordable and accessible long-term care and home- and community-based services to individuals with Alzheimer’s disease and related disorders.

This act requires the Departments of Health and of Disabilities, Aging, and Independent Living to develop and maintain public education materials on Alzheimer’s Disease and related disorders for patients, families, caregivers, and health care providers. It also requires the Agency of Human Services to submit a plan to the General Assembly on funding a permanent Alzheimer’s Disease Coordinator position to be shared between the Departments.

Lastly, this act requires the Department of Public Safety to submit a report to the General Assembly containing recommendations regarding broadcasting information on missing persons with Alzheimer’s Disease or related disorders or cognitive disabilities to aid in locating those individuals.

Multiple effective dates, beginning on July 1, 2022

Act No. 114 (S.286). Executive; education; Vermont State Employees’ Retirement System; Vermont Teachers’ Retirement System; pensions

An act relating to amending various public pension and other postemployment benefits

This act makes various amendments to public pension benefits and other postemployment benefits, including:

- For the Vermont State Employees’ Retirement System (VSERS):
 - Beginning in FY 2023, increasing the contribution rates of active employees.
 - Modifying the cost-of-living-adjustment (COLA) formula.
 - Adding a Group G plan that includes facility employees of the Department of Corrections, Department of Corrections employees who provide direct security and treatment services to offenders under the supervision in the community, employees of a facility for justice-involved youth, and Vermont State Hospital employees or employees of its successor.
 - Increasing the normal retirement age and adding a longevity incentive for Group C members.
 - Increasing the normal retirement age and the retirement allowance formula for certain Group D members.
 - Modifying the cost-of-living adjustment structure.
 - In FY 2022, making a one-time payment of \$75 million in general funds towards the unfunded liability using 50 percent of the \$150 million reserved in general funds in the FY 2021 Budget.
 - Beginning in FY 2024, annually funding an additional payment to the actuarially determined employer contribution (ADEC) that grows to \$15 million in FY 2026 and remains at that level until the fund reaches 90 percent funded.

- Amending the General Fund year-end surplus construct to reallocate 25 percent to the unfunded liability.
- Creating a schedule to prefund other postemployment benefits (OPEB).
- For the Teachers' Retirement System:
 - In FY 2023 and FY 2024, increasing the contribution rates for all active members according to a rate calculated by income bracket and in FY 2025 and annually thereafter, implementing a marginal rate schedule.
 - Requiring the Secretary of Digital Services and the State Treasurer to report back on the implementation of a marginal contribution rate schedule for active members beginning in FY 2025.
 - Modifying the COLA formula, including the creation of a postretirement adjustment account to receive 25 percent from the General Fund end-of-year surplus, which may be used for COLA increases as approved by the General Assembly upon recommendation by the Board, after the System is 80 percent funded and the account has sufficient assets to pay for the increase.
 - In FY 2022, making a one-time payment of \$75 million in general funds towards the unfunded liability using 50 percent of the \$150 million reserved in general funds in the FY 2021 Budget, plus an additional \$50 million in general funds towards the unfunded liability.
 - Beginning in FY 2024, annually funding an additional payment to the ADEC that grows to \$15 million in FY 2026 and remains at that level until the fund reaches 90 percent funded.
 - In FY 2023, unreserving \$13.3 million of Education Fund to begin prefunding other postemployment benefits by making a one-time appropriation into the Retired Teachers' Health and Medical Benefits Fund.
 - Creating a prefunding schedule that charges the OPEB normal cost to the Education Fund.

Multiple effective dates, beginning on May 9, 2022

Act No. 115 (H.462). Human services; professional regulation

An act relating to miscellaneous Department of Health programs

This act contains multiple Department of Health program amendments, including:

- renaming the existing "Alcohol and Drug Abuse Programs" to be "the Division of Substance Use Programs";
- requiring pharmacies that operate 10 or more establishments in the United States and concurrently conduct business in Vermont to enroll in a drug disposal kiosk program or provide a mail-back option if a kiosk program is physically impossible;

- permitting the Department of Health to share deidentified data acquired or produced by the Child Fatality Review Team with other states that have similar panels if access is consistent with Vermont’s privacy, security, and disclosure protections;
- directing the Chief Medical Examiner to submit a report of a death to a federal prosecutor or a prosecutor in another state upon request;
- requiring the Office of Professional Regulation to notify the Commissioner of Health and any relevant professional regulatory board or boards if an assessment under 26 V.S.A. § 3108 addresses activities within the “practice of medicine”; and
- creating the Working Group on Services for Individuals with Eating Disorders.

Effective Date: July 1, 2022

Act No. 116 (H.482). Conservation and development; Petroleum Cleanup Fund; administrative costs

An act relating to the Petroleum Cleanup Fund

This act increases from six percent to ten percent the maximum amount of annual receipts of the Petroleum Cleanup Fund that the Agency of Natural Resources may use for administrative and field costs incurred administering the Petroleum Cleanup Program.

Effective Date: July 1, 2022

Act No. 117 (H.661). Mental health professionals; professional regulation; licensure

An act relating to licensure of mental health professionals

This act makes miscellaneous changes to the licensure and regulation of mental health professionals.

Secs. 1–7 amend continuing education unit requirements for the following mental health professions regulated by the Office of Professional Regulation in Title 26: psychologists, social workers, alcohol and drug abuse counselors, clinical mental health counselors, marriage and family therapists, psychoanalysts, and applied behavior analysts.

Sec. 8 requires the Office of Professional Regulation to complete a study relating to streamlining the licensure of mental health professionals and other topics relating to the licensure and regulation of mental health professions.

Sec. 9 requires the Office of Professional Regulation to maintain a registry of mental health professionals who are available to serve as supervisors for mental health professionals in training.

Sec. 10 creates one new classified Licensing Board Administrator position in the Office of Professional Regulation.

Sec. 11 states that the effective date for the act shall be July 1, 2022, except that Secs. 1–7 (continuing education units) shall take effect on July 1, 2023.

Multiple effective dates, beginning on July 1, 2022

Act No. 118 (H.711). Human Services; substance use

An act relating to the creation of the Opioid Settlement Advisory Committee and the Opioid Abatement Special Fund

This act establishes the Opioid Settlement Advisory Committee and the Opioid Abatement Special Fund (Special Fund) to comply with any opioid litigation settlements to which the State or municipalities of the State are a party regarding the management and expenditure of monies received by the State. The Opioid Settlement Advisory Committee is directed to identify spending priorities from the Special Fund to the Governor, the Department of Health (Department), and the General Assembly.

This act designates the Department as the lead State agency and single point of contact for submitting requests for funding to the national settlement fund administrator. It directs that approved requests be disbursed to the Department for deposit into the Special Fund. This act specifies that the Special Fund shall consist of all abatement account fund monies disbursed to the Department from the national abatement account fund, the national opioid abatement trust, the supplemental opioid abatement fund, or any other settlement funds that are required to be used exclusively for opioid prevention, intervention, treatment, recovery, and harm reduction services.

Effective Date: May 16, 2022

Act No. 119 (H.287). Health; hospitals; health care providers; health care facilities; patients; financial assistance policies; medical debt

An act relating to patient financial assistance policies and medical debt protection

This act establishes minimum standards for financial assistance policies at Vermont hospitals, hospital-affiliated outpatient clinics and facilities, and ambulatory surgical centers, which these facilities must meet not later than July 1, 2024. It sets forth processes for the facilities' implementation of their financial assistance policies, specifies the steps the facilities must take to publicize and notify patients about their policies, and prohibits the facilities from selling their medical debt. The act also requires hospitals to submit a plain language summary of their financial assistance policies to the Green Mountain Care Board as part of the hospital fiscal year 2025 hospital budget review process.

Effective Date: July 1, 2022

Act No. 120 (H.500). Conservation and development; mercury management; mercury lamps**An act relating to prohibiting the sale of mercury lamps in the State**

This act would prohibit the sale or distribution in the State of four-foot linear fluorescent lamps beginning on January 1, 2024. The act defines “four-foot linear fluorescent lamp” as a general purpose, low-pressure, mercury-containing, electric-discharge light source in which a fluorescing coating transforms some of the ultraviolet energy generated by the mercury discharge into visible light and includes all of the following characteristics: two bases or endcaps of any type, including single-pin, two-pin, or recessed double contact; light emission between a correlated color temperature of 1700K and 24000K and a Duv of +0.024 and -0.024 in the International Commission on Illumination (CIE) Uniform Color Space (CAM02-UCS); all tube diameters, including T2, T5, T8, T10, and T12; and four feet in length. Several categories of lamps are excluded from the prohibition, including lamps used for image capture and projection and lamps that have high proportions of ultraviolet light emission. Notwithstanding the prohibition on the sale and distribution of four-foot linear fluorescent lamps, the act requires manufacturers of mercury containing lamps to continue implementation of an approved product stewardship collection plan for collection of mercury containing lamps previously sold in the State.

Effective Date: July 1, 2022.

Act No. 121 (H.523). Conservation and development; air pollution; hydrofluorocarbons**An act relating to reducing hydrofluorocarbon emissions**

This act amends the existing statute that regulates the phase down of hydrofluorocarbons (HFCs), which creates deadlines by which new products containing banned HFCs are prohibited from being sold in Vermont. This bill adds two new prohibitions to it. First, beginning on July 1, 2022, ice skating rink refrigeration systems cannot use banned HFCs. Next, beginning on January 1, 2023, containers designed for consumer recharge of motor vehicle air conditioners that use substitutes prohibited under 10 V.S.A. § 586 may not be sold.

It also directs the Secretary of Administration to update Administrative Bulletin 3.5 to clarify that State procurement contracts shall not include products that contain hydrofluorocarbons, as prohibited in this section.

It adds language stating that no person shall repair motor vehicle air conditioning without the use of equipment for the extraction and reclamation of hydrofluorocarbons from the air conditioners.

It amends the statute on building codes to add language that says that no rule or other requirement may prohibit refrigerants that have been approved by the EPA under the federal Clean Air Act.

Effective Date: July 1, 2022

Act No. 122 (H.553). Crime victims; compensation program**An act relating to eligibility of domestic partners for reimbursement from the Victims Compensation Program**

This act makes domestic partners of crime victims eligible for compensation from the Victims Compensation Program for loss of support.

Effective Date: May 19, 2022

Act No. 123 (S.122). Presidential electors**An act relating to the required votes of presidential electors**

This act relates to the State's enactment of the "Agreement Among The States To Elect The President By National Popular Vote" codified in Title 17, chapter 58 (enacted in 2011 Acts and Resolves No. 10). The "national popular vote" requirements in chapter 58 will only become effective if a certain number of states also enact the agreement into law.

The changes to 17 V.S.A. § 2731 in this act update the election canvassing committee's statutory processes in recognition of the possibility that the State may one day be bound to the "national popular vote" requirements of chapter 58. These changes are designed to align the statutory text between the two chapters and eliminate that potential future conflict; they will not affect the current processes.

The changes to 17 V.S.A. § 2732 in this act amend the processes for counting elector votes in a presidential election. The changes to subsection (c) of this section 2732:

- require the elector to cast the elector's vote for the elector's party's nominees for President and Vice President;
- require an elector to present the elector's ballot to the Secretary of State and the Secretary to examine that ballot;
- require that the Secretary of State shall not count the vote of an elector who is not casting the elector's vote for the elector's party's nominees for President and Vice President; and
- require the Secretary of State to declare a vacancy for any elector's office where the elector refuses to present a ballot to the Secretary, presents an unmarked ballot, or presents a ballot marked in violation of subdivision (c)(1).

Effective Date: July 1, 2022

Act No. 124 (S.127). Corrections; administration; community supervision furlough; revocation or suspension appeals**An act relating to clarifying community supervision furlough appeals and the powers of the Corrections Monitoring Commission**

This act streamlines the court procedures and standards concerning appeals of community supervision furlough revocations or suspensions. Specifically, the

statutory changes outline procedures concerning subject matter jurisdiction certification, additional evidence presented on appeal, the scope of appellate review, and court venue. The procedural changes apply retroactively to pending appeals filed prior to the effective date of the act.

The act also clarifies the powers and duties of the Corrections Monitoring Commission by reaffirming its power to review and monitor Department policy compliance, creating confidentiality requirements relating to misconduct or disciplinary records produced to the Commission, and outsourcing legal assistance to the Office of the Attorney General.

Effective Date: May 23, 2022

Act No. 125 (S.220). Executive; State Employees Labor Relations Act; State-paid deputy sheriffs

An act relating to State-paid deputy sheriffs

This act permits the State-paid deputy sheriffs to collectively bargain on a statewide basis under the State Employees Labor Relations Act and designates the Department of State's Attorney and Sheriffs as the deputies' employer for purposes of collective bargaining. This act also permits the Executive Director of the Department of State's Attorney and Sheriffs to designate one State-paid deputy assigned to the central office as a confidential employee who is not part of the bargaining unit. This act also dissolves the existing collective bargaining unit for the State-paid deputies in Chittenden county in order to permit those deputies to collectively bargain under the State Employees Labor Relations Act.

Effective Date: July 1, 2022

Act No. 126 (S.254). Law enforcement; case disposition records; qualified immunity; report

An act relating to maintaining records of judgments and settlements paid by law enforcement agencies and a legal analysis of qualified immunity

This act mandates each law enforcement agency to maintain a record of all final judgments and settlements paid for claims related to violations of Vermont constitutional rights. The records are subject to disclosure pursuant to the Vermont Public Records Act, and any disclosed record must include the name of the law enforcement agency and the amount paid.

The act also requires that, on or before November 15, 2022, the Office of Legislative Counsel submit a written legal analysis on qualified immunity to the Senate and House Committees on Judiciary and the Joint Legislative Justice Oversight Committee. The submission will analyze various topics concerning the impact of the doctrine of qualified immunity on access to civil justice remedies in Vermont and the U.S. Court of Appeals for the Second Circuit.

Effective Date: July 1, 2022

Act No. 127 (S.287). Education; funding; weighting factors; student equity**An act relating to improving student equity by adjusting the school funding formula and providing education quality and funding oversight**

This act:

- updates pupil weights and limits the degree to which homestead property tax rates can increase over fiscal years 2025–2029;
- suspends the excess spending penalty during fiscal years 2024–2029 and the hold harmless provision and ballot language requirements during fiscal years 2025–2029;
- requires the Agency of Education to implement the universal income declaration form for the 2023–24 school year;
- sets out required English learner services to be offered by school districts and provides categorical aid for English learner services to districts with 25 or fewer English learners;
- creates new positions at the Agency of Education;
- amends the education quality standards;
- requires an evaluation of the act in achieving the act’s goals;
- requires the Joint Fiscal Office to contract for services to review CTE funding and governance structures; and
- requires the Department of Taxes to make recommendations regarding the implementation of an income-based education tax system to replace the homestead property tax system.

Multiple effective dates, beginning on July 1, 2022

Act No. 128 (H.96). Discrimination; Truth and Reconciliation Commission**An act relating to creating the Truth and Reconciliation Commission**

This act establishes the Vermont Truth and Reconciliation Commission as an independent State body to examine institutional, structural, and systemic discrimination caused or permitted by State laws and policies that has been experienced by individuals who identify as Native American or Indigenous; individuals with a physical, psychiatric, or mental condition or disability and the families of individuals with a physical, psychiatric, or mental condition or disability; Black individuals and other individuals of color; and individuals with French Canadian, French-Indian, or other mixed ethnic or racial heritage. The Commission will consist of three full-time commissioners, staff, and committee members appointed by the commissioners to assist in examining discrimination caused or permitted by State laws and policies. The Commission will produce, on or before June 15, 2026, a final report regarding its findings and recommendations for actions that can be taken to eliminate ongoing instances of institutional, structural, and systemic discrimination and to address the harm caused by historic instances of institutional, structural, and systemic discrimination.

Effective Date: May 24, 2022

Act No. 129 (H.265). Human services; child protection**An act relating to the Office of the Child, Youth, and Family Advocate**

This act establishes the Office of the Child, Youth, and Family Advocate (Office), which shall act independently of any State agency in the performance of its duties. The Office is charged with:

- advocating for the welfare of children and youths receiving services from the Department for Children and Families (Department) directly, or through funds provided by the Department, and those involved in the child protection and juvenile justice systems; and
- promoting reforms necessary to better serve Vermont's children, youths, and families in a manner that addresses racial and social equity.

This act specifies that the Office is directed by the Child, Youth, and Family Advocate (Advocate). Qualified candidates to serve as Advocate are recommended by the Oversight Commission on Children, Youths, and Families to the Governor, who in turn is required to appoint an Advocate, subject to Senate confirmation, to a four-year term.

This act provides the Advocate with an Advisory Council composed of stakeholders who have been impacted by child welfare services provided by the Department for the purpose of providing advice and guidance to the Office. It also specifies the information to which the Advocate has access and the Office's responsibility to maintain confidentiality over certain records and prohibits employees of the Office from having any conflicts of interest that would interfere with their duties.

Multiple effective dates, beginning on July 1, 2022

Act No. 130 (H.279). Health; Department of Vermont Health Access; Medicaid**An act relating to miscellaneous changes affecting the duties of the Department of Vermont Health Access**

This act eliminates a two-visit-per-year limitation on Medicaid coverage of preventive dental services for adults. It also updates and consolidates provisions relating to the Pharmacy Best Practices and Cost Control Program in the Department of Vermont Health Access.

Effective Date: May 24, 2022

Act No. 131 (H.353). Health; health insurance; prescription drugs; pharmacies; pharmacy benefit managers**An act relating to pharmacy benefit management**

This act expresses legislative intent to make prescription drugs more affordable and accessible by increasing State regulation of pharmacy benefit managers (PBMs) and to stabilize and safeguard against the loss of more independent and community pharmacies. The act directs the Department of Financial Regulation (DFR) to monitor the cost impacts of PBM regulation and recommend changes as

needed to promote health care affordability. The act specifies that PBMs owe a fiduciary duty to their health insurer clients, prohibits certain provisions in PBM contracts with health insurers, and limits the amount a PBM can require a covered person to pay for a drug. It expands prohibitions on “gag clauses” in PBM contracts with pharmacies and pharmacists, in which pharmacists are restricted from providing information to patients about costs, treatments, insurance practices, and other matters, and prohibits PBM contracts from restricting the information that pharmacies and pharmacists can provide to DFR, law enforcement, or State or federal government officials. The act requires PBMs to allow pharmacies certain appeal rights, prohibits PBMs from discriminating against 340B covered entities, and extends until April 1, 2024, an existing prohibition on PBMs imposing certain requirements on pharmacies related to 340B drugs. The act also prohibits PBMs from reimbursing pharmacies and pharmacists in Vermont less than they would reimburse PBM affiliates for the same services, prohibits PBMs from imposing limitations or requirements on a licensed pharmacy that exceed those from the Vermont Board of Pharmacy or in other State or federal law, and requires a PBM to provide notice to participating pharmacies before changing its prescription drug formulary.

The act provides additional rights to pharmacies during a PBM audit and requires PBMs to allow participating network pharmacies to perform all pharmacy services within the statutory scope of practice for pharmacy. It prohibits PBMs from requiring covered persons to use mail-order pharmacies or PBM affiliates or from increasing out-of-pocket costs when a covered person does not use mail-order pharmacy or PBM affiliate. The act prohibits PBMs from having network requirements that are more restrictive than or inconsistent with State or federal law, Board of Pharmacy rules, or guidance from the Board of Pharmacy or drug manufacturers or that would limit or prohibit a pharmacy or pharmacist from dispensing or prescribing drugs. The act also prohibits health insurers and PBMs from requiring that a pharmacy that they designate dispense a medication directly to a patient for the patient to bring to the provider’s office to be administered there, or that a pharmacy that they designate dispense a medication directly to a provider’s office to be administered to the patient in the provider’s office.

The act requires DFR, in consultation with interested stakeholders, to consider issues including PBM licensure, spread pricing, pharmacist dispensing fees, and, with the Board of Pharmacy, issues regarding pharmacist scope of practice. DFR’s findings and recommendations are due to the legislative committees of jurisdiction by January 15, 2023.

Multiple effective dates, beginning on May 24, 2022

Act No. 132 (H.410). Executive Branch; technology; Agency of Digital Services; artificial intelligence**An act relating to the use and oversight of artificial intelligence in State government**

This act creates the Division of Artificial Intelligence within the Agency of Digital Services to review all aspects of artificial intelligence developed, employed, or procured by State government. This act also creates the position of the Director of Artificial Intelligence to administer the Division and the Artificial Intelligence Advisory Council to provide advice and counsel to the Director. This act requires the Division of Artificial Intelligence to, among other things, propose a State code of ethics on the use of artificial intelligence in State government and make recommendations to the General Assembly on policies, laws, and regulations of artificial intelligence in State government. The Division is also responsible for making various annual recommendations and reporting requirements to the General Assembly on the use of artificial intelligence in State government.

This act also requires the Agency of Digital Services to conduct an inventory of all the automated decision systems developed, employed, or procured by State government.

Effective Date: July 1, 2022

Act No. 133 (H.464) Human services; benefit program**An act relating to miscellaneous changes to the Reach Up Program**

This act makes a variety of changes to the Reach Up program. First, it amends the definition of “dependent child” to mean an individual 18 years of age or older who is a full-time student and expected to complete an educational program before reaching 22 years of age (versus 19 years of age) or who is not expected to complete a program before reaching 22 years of age (versus 19 years of age) due to a documented disability.

This act increases the amount of income disregarded for Reach Up participants from \$250.00 to \$350.00 and increases the monthly amount of child support payments that a participating family may receive from \$50.00 to \$100.00.

This act requires case managers to utilize a universal engagement model and amends existing law to employ a collaborative and empowering tone with regard to family development and engagement. It replaces work requirements with requirements on employment preparation, readiness, and participation.

This act removes the requirement that a deferral or modification of the work requirement due to the existence of illness or disability be confirmed through an independent medical review.

It amends the postsecondary education program to enable both parents in a two-parent family to simultaneously participate in the program.

Lastly, this act appropriates \$500,000.00 to the Department for Children and Families in fiscal year 2023 to make improvements to the Department's information technology systems that are necessary to perform the Department's duties under the act.

Multiple effective dates, beginning on July 1, 2022

Act No. 134 (H.465). Boards and commissions; per diem compensation

An act relating to boards and commissions

This act makes miscellaneous changes relating to State boards and commissions.

Sec. 1 repeals the Vermont Educational Health Benefits Commission established in 2017 Acts and Resolves No. 85, Sec. H.7.

Sec. 2 repeals the Study Committee on Sales and Use Tax established in 2012 Acts and Resolves No. 143, Sec. 53.

Sec. 3 repeals the Committee on Enhancing Vermont's Software and Information Technology Economy established in 2012 Acts and Resolves No. 143, Sec. 53a.

Sec. 4 repeals the Youth in Agriculture, Natural Resources, and Food Production Consortium established in 21 V.S.A. chapter 14.

Sec. 5 repeals the Department of Labor Advisory Council established in 21 V.S.A. § 1306.

Sec. 6 repeals the Working Group on State Workforce Development established in 2017 Acts and Resolves No. 69, Sec. E.1.

Sec. 7 repeals the Council Advisory Committee established in 20 V.S.A. § 2410.

Sec. 7a adds a member of the National Ski Patrol to the Emergency Service Provider Wellness Commission established in 18 V.S.A. § 7257b.

Sec. 8 amends 32 V.S.A. § 1010 to change the per diem compensation amount for boards and commissions from \$50 to a minimum of \$50, then adds a process for the Governor to request that per diem compensation for boards and commissions be set at a certain dollar amount, to be approved by the General Assembly as part of the budget process.

Sec. 9 requires that the Administration include any per diem increase information for fiscal year 2024 in its fiscal year 2024 budget submission materials and requires the Sunset Advisory Commission to make a recommendation to the General Assembly on whether to establish a maximum per diem compensation rate and any legislative actions necessary to increase uniformity and equality of per diem rates across State government.

Sec. 10 states that this act will take effect on passage, except that Sec. 8 (per diem compensation) shall take effect on July 1, 2023.

Multiple effective dates, beginning on May 24, 2022

Act No. 135 (H.466). Conservation and development; surface water withdrawals; agricultural withdrawals; registration; reporting; permitting

An act relating to surface water withdrawals and interbasin transfers

This act establishes a program at the Agency of Natural Resources (ANR) for the registration, reporting, and future permitting of surface water withdrawals in the State. Beginning on January 1, 2023, a person withdrawing 10,000 gallons or more of surface water in a 24-hour period or 150,000 gallons of surface water or more in a 30-day period shall register with ANR. The registration shall provide information such as the location, frequency, and rate of the withdrawal. Beginning on January 1, 2023, a person registering a surface water withdrawal shall file an annual report with ANR. The report shall provide the total amount of water withdrawn each month, the location of each withdrawal, the daily maximum withdrawal for each month, and the date of daily maximum withdrawal. Certain surface water withdrawals would be exempt from registration and reporting, including withdrawals for fire suppression or public emergency; currently reporting snowmaking withdrawals; withdrawals for public drinking water supply; and withdrawals for irrigation for farming, livestock watering, or other farming uses.

ANR shall adopt rules to implement a surface water withdrawal permit. In developing the rules, ANR shall require a permit based on potential impacts to surface waters or other factors and shall establish conditions of operation necessary to ensure compliance with the Vermont Water Quality Standards (VWQS). The rules shall also consider submitted surface water withdrawal registration and reporting information in establishing thresholds and permit requirements. In addition, the rules would require efficient use and conservation of surface water, establish withdrawal limits based on low-flow or drought, and require assessment of reasonable and feasible alternatives to proposed withdrawals. ANR may issue general permits for withdrawals and shall issue a general permit for withdrawals for State or municipal infrastructure projects. Certain existing withdrawals will be granted additional time to obtain a permit. A permit shall not be required for withdrawals for fire suppression; for emergency response; or for irrigation for farming, livestock watering, or other farming uses.

Beginning on January 15, 2023 and annually thereafter, the act requires any person who withdrew 10,000 gallons or more of surface water within a 24-hour period in the preceding calendar year or 150,000 gallons or more of surface water over any 30-day period in the preceding calendar year for irrigation, livestock watering, or other farming use to file a report with the Secretary of Agriculture, Food and Markets. The report shall include an estimate of water withdrawn, the location of the withdrawal, and daily maximum withdrawal for each month. The Secretary of Agriculture, Food and Markets annually shall submit the information

it collects to ANR, and ANR annually shall submit all information on surface water withdrawals to the General Assembly.

The act also requires ANR to review any transfer of surface water between surface water basins in the State pursuant to the VWQS and other State water quality laws. ANR also may review any other surface water withdrawal that includes the transfer of surface water from one watershed to another watershed to determine if the activity is likely to result in a violation of the VWQS. The act also adds surface water withdrawal requirements to the list of State laws that ANR must review when issuing a Clean Water Act section 401 certification for activities that require federal permits and that may involve a discharge to waters.

Effective Date: July 1, 2022

Act No. 136 (H.477). Labor; employment practices; leave; alleged crime victims

An act relating to leave for crime victims

This act corrects an error in the language of Vermont's crime victim's leave statute that made some alleged victims of a crime ineligible for job-protected leave to attend a related criminal proceeding. This act also permits the immediate family members of an alleged victim of a violent crime to attend a related criminal proceeding.

Effective Date: May 24, 2022

Act No. 137 (H.489). Health; health insurance; Department of Financial Regulation; No Surprises Act

An act relating to miscellaneous provisions affecting health insurance regulation

This act requires health insurers and health care providers to comply with the requirements of the federal No Surprises Act and directs the Department of Financial Regulation (DFR) to enforce those requirements and to collaborate with other stakeholders to inform health care providers of their responsibilities under the federal Act. DFR may also refer cases of noncompliance to the federal government or to the Office of the Vermont Attorney General. The act updates and further delineates the requirements for an association or trust to be eligible to purchase a group health insurance policy for its members. The act eliminates DFR's role in annual reporting on the use of the Green Mountain Care Board's bill-back authority and clarifies the scope of DFR's rulemaking regarding entities that administer tax-advantaged accounts for health-related expenses. The act specifies that consent to receiving out-of-network services is a health care decision for purposes of the laws governing advance directives.

The act creates the Insurance Parity in Residential Care for Children and Youth Working Group to increase access to appropriate mental health treatment for children and youth who are enrolled in commercial health insurance, with the Working Group's findings and any recommendations for legislative action due to the legislative committees of jurisdiction on or before December 15, 2022. The

act also separates the individual and small group health insurance markets for plan year 2023 and requires DFR to convene a working group to look into maintaining separate markets in future plan years in a manner that reduces premiums in the small group market without increasing costs in the individual market. The working group's findings and recommendations are due to the legislative committees of jurisdiction on or before January 15, 2023.

Multiple effective dates, beginning on May 24, 2022

Act No. 138 (H.510). Taxation; income tax; appropriations; fees

An act relating to tax reductions and other aid for Vermonters

This act does the following:

- Creates a refundable Vermont child tax credit of \$1,000.00 for qualifying children who are five years of age and under. The credit phases out for taxpayers whose adjusted gross income exceeds \$125,000.00, irrespective of the individual's filing status.
- Amends the Vermont child and dependent care credit to provide a fully refundable credit that is 72 percent of the federal child and dependent care credit allowed to the taxpayer.
- Increases the Vermont earned income tax credit to 38 percent of the federal earned income tax credit granted to the taxpayer.
- Creates a new deduction from taxable income for the amount of interest paid by a qualified resident taxpayer during the taxable year on a qualified education loan for the costs of attendance at an eligible educational institution. To be eligible for the deduction, a taxpayer must have adjusted gross income equal to or less than \$120,000.00 (if the taxpayer is a single filer) or \$200,000.00 (if the taxpayer is joint filer).
- Increases the income thresholds for the Social Security income exemption by \$5,000.00.
- Creates new \$10,000.00 exemptions for retirement income from the federal Civil Service Retirement System, other noncontributory government retirement systems, and the U.S. military. The new exemptions are subject to the same income thresholds as the Social Security income exemption. Only one new exemption or the Social Security exemption may be claimed by a taxpayer each taxable year.
- Increases the annual amount of first-year affordable housing tax credits by \$250,000.00 per year. Dedicates that amount to credits used for purchasing and restoring manufactured homes.
- Appropriates \$750,000.00 in Global Commitment funds in fiscal year 2023 to increase the payments to eligible individuals in the Aid for the Aged, Blind, and Disabled program.
- Appropriates \$1,000,000.00 in fiscal year 2023 from the General Fund to the Department for Children and Families for the early childhood staff and home-based provider retention grant program.

- Increases the annual renewal fee paid by investment companies from \$1,500.00 to \$1,650.00.

Effective Dates:

- Secs. 1–8 (income tax credits, deduction and exclusions) are effective retroactively on January 1, 2022 and apply to taxable years beginning on and after January 1, 2022.
- Secs. 9–12 (affordable housing tax credit, appropriations, and fees) are effective on July 1, 2022.

Act No. 139 (H.515). Banking; insurance; captive insurance; securities

An act relating to banking, insurance, and securities

This act makes various technical amendments to Vermont’s banking, insurance, and securities laws. In addition, the act makes several substantive changes to Vermont law, as follows. First, the act requires licensees to register virtual currency kiosks with the State and imposes on them disclosure requirements similar to those applied to ATMs under current law. Second, the act allows certain insurers to offer rebates to consumers if those rebates constitute “value-added products and services” that relate to the insurance coverage and also benefit both the consumer and the insurer. Third, it reduces the minimum statutory interest rate to 0.15 percent under the standard nonforfeiture law that applies to deferred annuities. Fourth, it enacts a regulatory scheme specific to travel insurance. Fifth, it makes several changes to captive insurance law relating to the following topics: the reporting of premium tax reconciliations, delinquency proceedings against protected cells within a sponsored captive insurance company, insurance of unaffiliated entities within a protected cell, reporting requirements specific to sponsored captive insurance companies, and authority to enter into parametric contracts. Sixth, it enacts the Vermont Insurance Data Security Law. Seventh, it enacts the Vermont Whistleblower Award and Protection Act. Eighth, it authorizes the Commissioner of Financial Regulation to update its credit for reinsurance rules to comply with federal and NAIC accreditation standards. Finally, the act requires the Department of Financial Regulation, in consultation with the Public Utility Commission, to develop a guidance document that includes recommendations related to standard insurance requirements and measures applicable to Internet service providers that ensure adequate coverage is in force for the duration of broadband construction projects in Vermont.

Effective Date: May 27, 2022

Act No. 140 (H.517). Education; educational benefits; military families; eligibility to serve as Adjutant and Inspector General

An act relating to educational benefits for members of the military and their families and eligibility for election to serve as Adjutant and Inspector General

This act:

- amends 16 V.S.A. § 2857 (Vermont National Guard Tuition Benefit Program) to change the amount of the tuition benefits and to clarify that the benefits can be used to obtain multiple certificates under the Program;
- creates a three-year pilot program to allow tuition benefits under the Vermont National Guard Tuition Benefit Program to be used for a second baccalaureate degree and for a master’s degree;
- amends 16 V.S.A. § 1073 (“legal pupil” defined; access to school) to add a subsection (d) that allows remote school registration of students if one or both of the student’s parents or guardians are being relocated to Vermont under military orders;
- amends 16 V.S.A. §§ 2185 and 2282a (determination of residency for tuition purposes at the Vermont State Colleges and the University of Vermont and State Agricultural College) to add a subsection (c) that provides in-state tuition benefits for the spouse and dependent child of any person who is a member of the U.S. Armed Forces and stationed in this State pursuant to military orders;
- adds 16 V.S.A. § 568 (Purple Star School Programs) to require the Agency of Education to designate a school district as a Purple Star Campus if the school district applies and qualifies for the designation;
- amends 2 V.S.A. § 10 (election of State and judicial officers) to move the election of the Adjutant and Inspector General from the first year of each biennium to the second;
- amends 20 V.S.A. § 363 (officers generally) to require that for an individual to be eligible to serve as the Adjutant and Inspector General of the Vermont National Guard the individual must satisfy specified qualification criteria; and
- extends the current term of the Adjutant General through the end of February 2024 to correspond to the new election date in the second year of the biennium.

Effective Date: May 27, 2022

Act No. 141 (H.533). Possession and control of regulated drugs; seizure and forfeiture of property; procedure; report

An act relating to forfeited property disposition and a study assessing civil and criminal seizure and forfeiture of property in drug-related offenses

This act creates the Property Seizure and Forfeiture Working Group to study various topics concerning Vermont’s use of State and federal processes for the seizure and forfeiture of property in drug-related offenses since 2015. On or before December 15, 2022, the Working Group is required to submit a report on the study in the form of proposed legislation.

The act updates the statutory cross-reference contained in 18 V.S.A. § 4247(a) so that the public sale of forfeited property is no longer governed by a repealed statute. 18 V.S.A. § 4247(b)(1)(B) is also updated to replace the now-defunct

Governor's Criminal Justice and Substance Abuse Cabinet with the Agency of Administration as the entity that determines how proceeds from the sale of forfeited property are allocated to law enforcement. The act prospectively repeals 18 V.S.A. § 4247(b)(1)(B) on July 1, 2024.

Effective Date: July 1, 2022

Act No. 142 (H.546). Executive Branch; racial equity; Division of Racial Justice Statistics

An act relating to racial justice statistics

This act creates the Division of Racial Justice Statistics within the Office of Racial Equity to collect and analyze data related to systemic racial bias and disparities within the criminal and juvenile justice systems. The act also creates the Racial Justice Statistics Advisory Council within the Office of Racial Equity to serve in an advisory capacity to the Division of Racial Justice Statistics, evaluate the data and analyses received from the Division, and make recommendations to the Division as a result of the evaluations.

Effective Date: July 1, 2022

Act No. 143 (H.551). Property; restrictive covenants

An act relating to prohibiting racially and religiously restrictive covenants in deeds

This act prohibits a deed, mortgage, plat, or other recorded device recorded on or after July 1, 2022, from containing a covenant or other property interest purporting to restrict the ownership or use of real property on the basis of race or religion. The act also declares void and unenforceable any existing covenant or other property interest purporting to restrict the ownership or use of real property on the basis of race or religion.

Effective Date: July 1, 2022

Act No. 144 (H.559). Labor; workers' compensation; Workers' Compensation Administrative Fund; rate of contribution

An act relating to workers' compensation

This act establishes the rate of contribution to the Workers' Compensation Administrative Fund for direct calendar year premiums for workers' compensation in fiscal year 2023.

Effective Date: July 1, 2022

Act No. 145 (H.626). Agriculture; pesticides; pollinator health; neonicotinoid treated seed

An act relating to the sale, use, or application of neonicotinoid pesticides

This act requires the Secretary of Agriculture, Food and Markets (Secretary), after consultation with the Agricultural Innovation Board, to adopt by rule best

management practices (BMPs) for the use of neonicotinoid treated article seeds in the State. “Neonicotinoid treated article seeds” are defined by the act as treated article seeds that are treated or coated with a neonicotinoid pesticide. In developing the rules, the Secretary is required to address specific issues, including establishment of threshold levels of pest pressure required prior to use of neonicotinoid treated article seeds, availability of nontreated article seeds, economic impact from crop loss as compared to crop yield when neonicotinoid treated article seeds are used, relative toxicities of different neonicotinoid treated article seeds, and the effects of neonicotinoid treated article seeds on human health and the environment. The act requires the Secretary to submit a copy of the proposed rules to the General Assembly prior to the final filing of the rules under the Administrative Procedure Act.

The act also requires the Agricultural Innovation Board to submit to the General Assembly a report regarding whether BMPs should be adopted for the use of treated article seeds that are not neonicotinoid treated article seeds. In addition, the act requires the Secretary to monitor managed pollinator health to establish pollinator health benchmarks for Vermont, including presence of pesticides in hives, mite pressure, disease pressure, mite control methods, genetic influence on survival, winter survival rate, and forage availability. The act authorizes the creation of two new positions at the Agency of Agriculture, Food and Markets to staff the Agency’s Residuals Management Program.

Effective Date: July 1, 2022

Act No. 146 (H.697). Taxation; use value appraisal; reserve forestland

An act relating to eligibility of reserve forestland for enrollment in the Use Value Appraisal Program

This act amends the Use Value Appraisal (UVA) Program to authorize enrollment of reserve forestland and to clarify existing authority for enrollment of ecologically significant treatment areas (ESTAs). The act amends the definition of “managed forestland” to include eligible ESTAs or reserve forestland as managed forestland eligible for enrollment in UVA. ESTAs are defined as lands within a parcel of managed forestland that will be managed using protective or conservation management strategies and are not required to be managed for timber, including old forests; State-significant natural communities; rare, threatened, and endangered species; riparian areas; forested wetlands; and vernal pools. Reserve forestland is defined as land that is managed for the purpose of attaining old forest values and functions in accordance with minimum acceptable standards for forest management as approved by the Commissioner of Forests, Parks and Recreation. On parcels of up to 100 acres, 50 percent or more of the enrolled parcel acres shall be composed of significant and sensitive conditions in accordance with the minimum acceptable standards established by the Commissioner. On parcels of 100 acres or more, 30 percent of the enrolled parcel acres shall be composed of significant and sensitive conditions in accordance with the minimum acceptable standards established by the Commissioner. Beginning

on July 1, 2023, managed forestland shall be eligible for enrollment in the Use Value Appraisal Program as reserve forestland.

The act requires the Commissioner of Forests, Parks and Recreation to submit to the General Assembly the standards for the management of reserve forestland eligible for participation in UVA. The standards established by the Commissioner of Forests, Parks and Recreation shall be the same or substantially similar to the standards set forth in the Commissioner's report on Considerations for a Reserve Forestland Subcategory in Vermont's Use Value Appraisal Program. The act also requires the Commissioner of Forests, Parks and Recreation to report to the General Assembly by January 15, 2026 regarding enrollment of managed forestland under the UVA Program since reserve forestland became eligible for enrollment. In addition, the act requires the Division of Property Valuation and Review as part of the Division's annual report to the General Assembly to assess how enrollment of managed forestland in UVA has changed since reserve forestland became eligible for enrollment.

Multiple effective dates, beginning on May 27, 2022

Act No. 147 (H.729). Judiciary; civil and criminal court procedures

An act relating to miscellaneous judiciary procedures

This act makes a number of changes to court and Judiciary procedures, including permitting a victim seeking a relief from abuse order during regular court hours to affirm the affidavit over the telephone; requiring the Restitution Unit to receive notice when the court issues an order to seal criminal records; making it a civil offense, subject to a penalty of not more than \$1,000, if sealed criminal history records are knowingly disclosed without authorization by a State or municipal employee or contractor or by any agent of the court; clarifying that a filing fee is only charged for petitions to seal adult criminal history DUI records and not for juvenile DUI records; updating the statutes to reflect that the Administrative Judge now has the title of Chief Superior Judge; directing the Chief Superior Judge to report to the House and Senate Committees on Judiciary by December 1, 2022, on practices for the collection of racial demographic data in court filings; extending the sunset for the Vermont Sentencing Commission from July 1, 2022, to July 1, 2023; extending the sunset for the regulations governing advanced license plate readers from July 1, 2022, to July 1, 2024; increasing the fees for service of process and obtaining fingerprints; and making the statute of limitations six years for all claims related to employment or housing discrimination.

Effective Date: May 31, 2022

Act No. 148 (S.53). Taxation; corporate income tax; conformity to federal tax laws

An act relating to changes to Vermont corporate income tax and conformity to federal tax laws

This act does the following:

- amends the apportionment factors for taxable C corporations with activity both inside and outside Vermont so that the only apportionment factor is the sales factor (also known as the “single sales factor”)
- requires taxable C corporations with activity both inside and outside Vermont to continue to report their property and payroll to the Commissioner of Taxes when Vermont moves to a single sales factor
- moves Vermont to the Finnigan method of applying jurisdiction to the income of member-corporations within a unitary combined filing group
- supersedes the 80/20 rule and requires the income and apportionment factors of all taxable corporations incorporated in the United States that are part of a unitary combined filing group to be included in that group’s return
- repeals the “throwback” rule, so that “nowhere income” from sales of tangible personal property made from Vermont into another state that are not taxed in that other state are not included in the Vermont sales apportionment factor
- changes the minimum corporate income tax brackets and amounts
- requires the Department of Taxes to adopt rules relating to the updated unitary combined reporting requirements, including the transition from the Joyce to the Finnigan method of applying jurisdiction to unitary filing groups
- requires the Department of Taxes, on or before January 15, 2024, to report to the House Committee on Ways and Means and the Senate Committee on Finance on the Department’s proposed rules and any recommendations for legislation with respect to unitary combined reporting
- updates the date of conformity to federal income tax and estate tax laws for taxable years 2021 and after, to December 31, 2021

Effective Dates:

- Secs. 1–6 (corporate income tax) are effective on January 1, 2023 and apply to taxable years beginning on and after January 1, 2023.
- Secs. 7 and 8 (annual link to federal statutes) are effective retroactively on January 1, 2022 and apply to taxable years beginning on and after January 1, 2021.

Act No. 149 (S.90). Health; public health

An act relating to establishing an amyotrophic lateral sclerosis registry

This act directs the Commissioner of Health to establish, maintain, and operate a statewide amyotrophic lateral sclerosis (ALS) incidence registry. It further requires a health care provider that screens for, diagnoses, or provides therapeutic services to patients with ALS to report to the Department of Health all individuals diagnosed as having ALS within six months following the date of diagnosis. Each year, the Department is required to submit a report to the Governor and General Assembly containing the statewide prevalence and incidence estimates of ALS.

This act directs the Commissioner of Health to develop written materials that provide information about the National Amyotrophic Lateral Sclerosis Registry, which shall be made available to all licensed health care providers in Vermont.

This act also directs the Department of Health to seek and apply for grants to fund the statewide ALS registry and, as part of its fiscal year 2024 presentation, to describe any grants applied for or awarded for this purpose or other identified funding sources.

Multiple effective dates, beginning on July 1, 2022

Act No. 150 (S.91). Human services; children and families

An act relating to the Parent Child Center Network

This act establishes the Parent Child Center Network, which is defined as “an Agency of Human Services’ community partner composed of authorized parent child centers that ensures accountability and collaboration among authorized parent child centers.” It amends the criteria that the Secretary of Human Services (Secretary) must use to determine whether a new parent child center shall be authorized and whether an existing parent child center shall be reauthorized. This act also requires the Secretary to conduct a reauthorization review of each parent child center at least every six years.

This act directs the Secretary to disperse a joint allocation for all parent child center services to the Parent Child Center Network, which in turn is required to distribute funding to each authorized parent child center. It further requires the Parent Child Center Network and authorized parent child centers to provide any previously agreed upon information to enable the Secretary to evaluate the services provided through grant funds, the effect of services on consumers, and an accounting of the expenditure of grant funds.

Multiple effective dates, beginning on July 1, 2022

Act No. 151 (S.100). Education; school food programs

An act relating to universal school meals

This act creates a one-year universal school meals program that provides free breakfast and lunch to all public school students. Approved independent schools physically located in Vermont may also participate in the one-year universal school meals program for those students who attend on public tuition. Schools that participate in the universal meals program are required to maximize access to federal funds. This act also creates a one-year moratorium on the ability of a school district to ask for an exemption from participation in a school meals program under 16 V.S.A. § 1265.

This act requires the Agency of Education to report to the Senate and House Committees on Education and on Appropriations, the House Committee on Ways and Means, and the Senate Committee on Finance on the impact and status of this

act. This act also requires the Joint Fiscal Office to prepare a report examining possible revenue sources not ordinarily used for General Fund purposes.

Effective Date: July 1, 2022

Act No. 152 (S.139). Education; school branding

An act relating to nondiscriminatory school branding

This act defines school branding and requires the Secretary of Education to develop a model nondiscriminatory school branding policy for public schools and approved independent schools on or before August 1, 2022. The policy shall prohibit school branding that directly or indirectly references or stereotypes the likeness, features, symbols, traditions, or other characteristics that are specific to either the race, creed, color, national origin, sexual orientation, or gender identity of any person or group of persons or any person, group of persons, or organization associated with the repression of others. The policy shall provide a process for complaints regarding school branding that violates the policy, with school boards determining complaints first and appeals of school board decisions going to the Secretary of Education. This act requires each school board to adopt and ensure implementation of a nondiscriminatory school branding policy that is at least as comprehensive as the model policy on or before January 1, 2023. This act allows schools to use materials that feature school branding that does not comply with the policy under certain circumstances.

Effective Date: July 1, 2022

Act No. 153 (S.140). Court procedure; prohibition on civil arrest at courthouses

An act relating to prohibiting civil arrests at courthouses

This act prohibits a person from being subject to civil arrest while traveling to, entering, remaining at, or returning from a court proceeding. As used in the act, “civil arrest” means an arrest for purposes of obtaining a person’s presence or attendance at a civil proceeding, including an immigration proceeding.

Effective Date: May 31, 2022

Act No. 154 (S.148). Conservation and development; government; environmental justice

An act relating to environmental justice in Vermont

This act establishes an environmental justice policy for the State of Vermont and requires the State agencies to incorporate environmental justice into their work, rules, and procedures. It establishes the Environmental Justice Advisory Council and the Interagency Environmental Justice Committee to advise the State on environmental justice issues. It also requires the creation of an environmental justice mapping tool.

Effective Date: May 31, 2022

Act No. 155 (S.161). Public service; renewable energy programs; baseload renewable power portfolio requirement**An act relating to extending the baseload renewable power portfolio requirement**

This act extends the obligation for Vermont's retail electricity providers to purchase the power from the baseload renewable power portfolio plant to November 1, 2032, unless the obligation is terminated earlier. It requires the plant owner to increase the overall plant efficiency by 50 percent. If the owner fails to meet the deadlines establishes in the act, the obligation to purchase the power will be terminated.

The act also requires three reports back to the General Assembly related to the extension of the obligation. The first is an assessment of the Ryegate power plant decommissioning fund. It also requires the Commissioner of Forests, Parks and Recreation to conduct an analysis and calculate a minimum fair market price for wood fuel to be paid by Ryegate. It also requires the Secretary of Natural Resources to report back on whether the harvesting practices required in the Ryegate certificate of public good need to be updated.

Effective Date: May 31, 2022

Act No. 156 (S.173). Legislative; State House; Legislative Advisory Committee on the State House; art**An act relating to the State House art collections**

This act makes various amendments to the membership and duties of the Legislative Advisory Committee on the State House, including the following:

- decreasing the legislative membership of the Committee to three Senate and three House members
- adding the State Curator as a member of the Committee
- amending the meeting provisions of the Committee by requiring that the Committee and any subcommittees meet at least one time when the Legislature is not in session, but not more than six times per year without approval of the Speaker of the House and the Pro Tempore of the Senate
- adding a conflict of interest provision for members of the Committee
- requiring the Committee to approve a collections policy for the State House that is developed by the State Curator

This act also clarifies the roles and responsibilities of the Sergeant at Arms and the State Curator, including that:

- the Sergeant at Arms is not responsible for curating the historic State House and its collections
- the State Curator develops the collections policy for the State House in coordination with experts.

In addition, this act requires the Legislative Advisory Committee on the State House to review the roles and responsibilities of the State Curator, the Sergeant at Arms, and the Friends of the State House and submit a report to the House Committee on Corrections and Institutions and the Senate Committee on Institutions with any recommendations for legislative action to clarify these roles and responsibilities by December 15, 2022.

Effective Date: May 31, 2022, except that all members of the General Assembly serving on the Committee as of the date of enactment shall remain on the Committee through the end of the 2021–2022 biennium.

Act No. 157 (S.181). Municipal government; regulatory provisions; police power of municipalities; miscellaneous regulatory powers

An act relating to authorizing miscellaneous regulatory authority for municipal governments

This act:

- Amends the enumerated list of municipal regulatory powers in 24 V.S.A. § 2291 to allow municipalities to adopt ordinances governing the installation of sidewalks, the implementation of traffic-calming devices, and the location and installation of storm drains and to establish health and safety standards for premises within the municipality.
- Authorizes municipalities to vote to:
 - suspend a charter provision for not more than three years and to use general law authority in lieu of the suspended charter provision;
 - allow nonresidents to be elected or appointed as certain town officers;
 - eliminate the office of constable and assign any existing duties to another town officer;
 - reduce or expand the number of members on an appropriate municipal panel (development review board or zoning board of adjustment) or planning commission; and
 - use cemetery funds for the improvement of cemetery grounds.
- Establishes procedures for:
 - Electronic meetings of a public body that is affected by an “all-hazard” during a declared state of emergency.
 - Boards of civil authority and Department of Taxes hearing officers to conduct electronic property inspections pursuant to a grand list appeal during a declared state of emergency.
 - Temporary moratoria on water and sewer disconnections during a state of emergency that causes financial hardship and the inability of ratepayers to pay for services.
 - Municipal corporations to extend deadlines applicable to municipal corporations, provided that the deadlines do not relate to a State license, permit, or plan. This procedure also allows

municipal corporations to extend deadlines applicable to permits and plans issued by the municipality.

- Amends the Public Records Act to clarify that a public agency may provide records in a nonstandard format if requested by the requestor.
- Repeals 19 V.S.A. § 312 related to the segregation of town highway funds.

Effective Date: July 1, 2022

Act No. 158 (S.188). Cannabis

An act relating to regulating licensed small cannabis cultivation as farming

This act makes numerous changes to the regulatory system for the adult-use cannabis market, as follows:

- Licensed small cultivators who grow cannabis outdoors on land already subject to Required Agricultural Practices will be afforded farming exemptions regarding land use requirements and permitting under Act 250 and local zoning and will be able to keep the parcel enrolled in the Use Value Appraisal Program, provided the parcel was already enrolled prior to cultivation of cannabis.
- Requires the Cannabis Control Board to submit to the House Committees on Agriculture and Forestry and on Ways and Means and the Senate Committees on Agriculture and on Finance written recommendations on how the Cannabis Control Board would regulate hemp products, as that term is defined in 7 V.S.A. § 861; hemp processors; and hemp product manufacturers.
- Establishes Cannabis Control Quality Program within the Cannabis Control Board and repeals the Agency of Agriculture, Food and Markets Cannabis Control Program.
- Establishes the same statutory standard for cultivation of cannabis for both “home grow” and commercial use: on property lawfully in possession of the cultivator or with the written consent of the person in lawful possession of the property and in an area that is screened from public view and access is limited to the cultivator and persons 21 years of age or older who have permission from the cultivator.
- Grants the Cannabis Control Board the authority to regulate synthetic cannabinoids and hemp-derived cannabinoids, including delta-8 and delta-10 tetrahydrocannabinol.
- Allows solid and liquid concentrates to be manufactured and sold to other licensees but not to the public.
- Requires the Cannabis Control Board to report to the General Assembly with a summary of the regulated market share for solid concentrates above 60 percent THC and the status of the illicit market for those products in other states with a regulated adult-use cannabis market.

- Allows the Board to accept third-party criminal background checks submitted by an applicant for a cannabis establishment license or renewal in lieu of obtaining from the Vermont Crime Information Center a copy of the person's Vermont fingerprint-based criminal history records, out-of-state criminal history records, and criminal history records from the Federal Bureau of Investigation.
- Permits a person who has obtained a cannabis employee ID card from the Board to work for any cannabis establishment.
- Allows an applicant to obtain multiple cannabis laboratory testing licenses.
- Clarifies that no applicant or its affiliates that control a dispensary shall hold more than one integrated license.
- Requires that all cannabis establishments licensed by the Board be assessed an annual product licensing fee of \$50.00 for every type of cannabis and cannabis product that is sold.

Effective Date: May 31, 2022

Act No. 159 (S.201). Fish and wildlife; trapping; best management practices

An act relating to best management practices for trapping

This act requires the Commissioner of Fish and Wildlife to submit to the General Assembly recommended best management practices (BMPs) for trapping that propose criteria and equipment designed to modernize trapping and improve the welfare of animals subject to trapping programs. The BMPs shall be based on investigation and research conducted by the Department of Fish and Wildlife and shall use the "Best Management Practices for Trapping in the United States" issued by the Association of Fish and Wildlife Agencies as the minimum standards for BMP development. After submission of the BMPs, the act requires the Fish and Wildlife Board to revise the rules regulating the trapping of furbearing animals in the State so that the rules are at least as stringent as the BMPs for trapping recommended by the Commissioner of Fish and Wildlife.

Effective Date: June 1, 2022

Act No. 160 (S.224). Judiciary; family procedures; juvenile proceedings

An act relating to juvenile proceedings

This act makes a number of changes to the law governing procedures for justice-involved youths, including extending from July 1, 2022, to July 1, 2023, the final implementation of the Raise the Age initiative that raises the age of the upper limit for juvenile jurisdiction; making clarifications to ensure that victims of juvenile offenses can obtain the compensation and restitution they are entitled to under current law permitting crime victims to discuss their personal experiences as victims of a juvenile offense without violating juvenile confidentiality requirements; permitting the victim in a juvenile or youthful offender proceeding to be accompanied by a victim's advocate at any court proceeding where the victim is ordered to attend or has a right to attend; making

rights of victims consistent in juvenile and youthful offender proceedings; establishing criteria for the court to consider when making the existing statutory finding that public safety will be protected before granting a motion for treatment as a youthful offender; permitting the court to order a psychosexual evaluation in certain types of cases to help determine appropriate conditions of probation in a juvenile case plan; and requiring DCF to report to the Senate Committees on Judiciary and on Institutions and the House Committees on Judiciary and on Corrections and Institutions by December 1, 2022, on the availability of secure placements and transitional housing for 18- and 19-year-olds subject to juvenile and youthful offender proceedings.

Effective Date: June 1, 2022

Act No. 161 (S.250). Law enforcement; certification; data collection; interrogation; reports

An act relating to law enforcement data collection and interrogation

This act creates, clarifies, and directs law enforcement's reporting of data collection concerning roadside stops and encounters with members of the public. Specifically, statutory requirements specify the contents of an annual roadside data report and direct its submission to the House and Senate Committees on Government Operations and on Judiciary in addition to the Executive Director of Racial Equity. The act also requires the Department of Public Safety, on or before November 1, 2023, to submit a report concerning the ability of law enforcement agencies to collect data during law enforcement encounters and specific recommendations that should be considered by the General Assembly for codification into law during the 2024 legislative session.

The act also creates the Giglio Database Study Committee that is directed to study the creation and administration of a law enforcement officer information database designed to facilitate the disclosure of potential impeachment information by prosecutors pursuant to legal obligations. The Study Committee is required to submit a report with legislative recommendations on or before December 1, 2022.

The act expands the statutory requirements to electronically record custodial interrogations occurring in a place of detention to now include all felony and misdemeanor investigations in addition to, unless impracticable, the recording of all felony and misdemeanor investigations occurring outside of a place of detention. The Joint Legislative Oversight Committee is directed to study Vermont law enforcement's use of deceptive and coercive interrogation tactics and submit a report on any proposed legislation on or before December 1, 2022.

The act also adds U.S. Department of Veterans Affairs' special agents, inspectors, and police force members to the list of "certified federal law enforcement officers" authorized to arrest individuals for alleged Vermont crimes.

Effective Date: July 1, 2022

Act No. 162 (S.258). Agriculture; water quality; agricultural waste; financial assistance; Right to Farm**An act relating to agricultural water quality, enforcement, and dairy farming**

The act amends or enacts multiple provisions related to agricultural subjects. The act requires an applicant for an Agency of Agriculture, Food and Markets (AAFM) grant to be in good standing with all AAFM programs. The act clarifies that “agricultural waste” can be waste that is imported onto a farm rather than material that originates or emanates from a farm. The act also clarifies that if a waste storage facility is a threat to human health or the environment, AAFM may require modifications to the facility. In addition, the act provides that if AAFM suspects a facility may be contaminating groundwater, the Agency shall pay for the initial monitoring to determine if the facility is a threat to human health or the environment and then notify the Department of Health within 21 days if a threat is determined due to an apparent violation of the groundwater protection standards. The act allows AAFM to require approval to transport non-sewage waste to a farm and to report the composition and volume of the waste.

The act repeals the statute authorizing nutrient management planning incentive grants as the program is no longer active. The act amended the allowable forms of Capital Equipment Assistance grants to allow for grants to address the priorities of the program, including improving water quality, reducing odors, and decreasing greenhouse gas emissions. The act also repealed obsolete practices from the list of practices eligible for assistance under the Farm Agronomic Practices Program and granted AAFM additional authority to approve grants for soil-based practices that improve the health of and services from soil.

The act also clarifies what constitutes an agricultural activity entitled to nuisance protection under the State Right to Farm Law. In addition, the act amends the State Right to Farm Law to clarify that “farming” and “agricultural activities” as defined under agricultural statutes are eligible for the rebuttable presumption that they do not cause a nuisance under the Right to Farm law. The act also extends the duration and authority of the Task Force to Revitalize the Vermont Dairy Industry.

Effective Date: June 1, 2022

Act No. 163 (S.261). Taxation; property tax; municipal retention of property tax collections; valuation for purposes of the education property tax**An act relating to municipal retention of property tax collections and valuation for purposes of the education property tax**

This act does the following:

- Clarifies that all municipalities are allowed to retain 0.225 of one percent of the property tax collected when making timely education property tax payments either directly to school districts or to the State Treasurer for deposit into the Education Fund.

- Increases the annual statewide cap on Education Fund reimbursements to towns whose grand list values are reduced after a final appeal, court order, or settlement from \$100,000.00 to \$1,000,000.00. Retains the statewide proration of total reimbursements allowed to eligible towns.
- Creates a new program at the Department of Taxes, Division of Property Valuation and Review to assist municipalities with the valuation of complex commercial or other unique properties within a municipality's jurisdiction and to assist with appeals arising from those valuations.
- Requires the Commissioner of Taxes, on or before January 15, 2023, to submit an estimate of the costs of creating a State appraisal and litigation assistance program for municipalities to the House Committees on Appropriations and on Ways and Means and the Senate Committees on Appropriations and on Finance.
- Grants the Director of Property Valuation and Review the discretion to decline to assign a property valuation hearing officer to an appeal and instead forward the appeal to Superior Court if, in the Director's opinion, the appeal involves a complex or unique property or valuation that would be best adjudicated by Superior Court. Forwarded appeals are considered timely filed in Superior Court if the appeals were timely appealed to Director.
- Adds an exception to the general rule that the Director of Property Valuation and Review must refer complex or unique property or valuation appeals to a property valuation hearing officer. The new exception is that the Director may forward appeals to Superior Court.
- Requires the Commissioner of Taxes, on or before January 15, 2023, to submit a report on time-share project valuations to the House Committee on Ways and Means and the Senate Committee on Finance.

Effective Date: June 1, 2022, except for:

- Sec. 2 (refund for reduction in grand list value), which takes effect on January 1, 2023 and applies to municipal requests for reduction submitted on or after January 1, 2023 for a final appeal or court action resolved within the previous calendar year, beginning with the 2022 calendar year; and
- Sec. 3 (State appraisal and litigation assistance program), which takes effect on July 1, 2023, contingent on the General Assembly, on or before July 1, 2023, appropriating funding to cover the Department of Taxes' operating costs required to create, implement, and maintain a new State appraisal and litigation assistance program.

Act No. 164 (S.269). Public service; energy; self-managed energy efficiency programs**An act relating to extending the Energy Savings Account Partnership Pilot Program**

This act extends the Energy Savings Account Partnership Pilot Program. It allows the current participants to accrue additional funds and gives participants additional time to spend the funds on efficiency projects. It also requires the stakeholders to report back to the General Assembly on recommendations to change the Energy Savings Account Partnership Pilot Program.

This act also amends the State Home Weatherization Assistance Program so that the annual increase in the assistance amount is based on the inflation of materials and labor.

This act also reauthorizes and extends the Vermont Employment Growth Incentive program to January 1, 2024.

Multiple effective dates, beginning on December 31, 2020

Act No. 165 (S.281). Fish and wildlife; hunting; hunting coyote with dogs; use of gun suppressors to take game**An act relating to hunting coyote with dogs**

This act establishes a moratorium on the pursuit of coyote with the aid of dogs until the Fish and Wildlife Board adopts rules regulating the pursuit of coyote with dogs. During the moratorium, a person may only pursue coyote with the aid of dogs in defense of a person or property if the person is the landowner or has obtained a courtesy permission card from the landowner.

The act provides that the intent of the Fish and Wildlife Board Rules is to reduce conflicts between landowners and persons pursuing coyote with dogs. The rules shall address a limit on the number of dogs used to pursue coyote; a prohibition on substituting a new dog for another dog during pursuit of a coyote; the legal method of taking coyote pursued with the aid of dogs; a definition of control to minimize the risk that dogs pursuing coyote enter onto posted land, enter land where pursuit of coyote is not allowed, or harass or harm people or domestic animals; provisions to encourage persons pursuing coyote with the aid of dogs to seek landowner permission before entering or releasing dogs onto land that is not posted; and required reporting of every coyote killed during pursuit with the aid of dogs.

Once the rules are adopted, the moratorium is repealed, and no person may pursue coyote with the aid of dogs unless permitted by the Commissioner of Fish and Wildlife. The Commissioner shall not issue more than 100 permits a year. The number of permits that the Commissioner issues to nonresidents in any given year shall not exceed 10 percent of the number of permits issued to residents in the preceding year. The Commissioner shall issue permits to a resident for a fee of \$50.00. The application fee for a nonresident permit shall be \$10.00, and the

fee for a nonresident permit issued under this section shall be \$200.00 for a successful applicant.

In addition, once the moratorium is repealed, a person shall not release a dog onto posted land for the purpose of pursuing coyote with the aid of dogs unless the dog owner or handler has obtained a courtesy permission card from the landowner allowing the pursuit of coyote with the aid of dogs on the land. A person also shall not release onto land a dog for the purpose of pursuing coyote with the aid of dogs if in the previous 365 days a dog had been previously found on the land, and the dog owner, a handler of the dog, or a person participating in the hunt has been informed by law enforcement that hunting dogs are not permitted on the property.

The act also authorizes a person under both criminal and fish and game law to possess, carry, or use a gun suppressor in the act of taking game. The authority to use gun suppressors to take game is repealed on July 1, 2024.

Multiple effective dates, beginning on June 1, 2022

Act No. 166 (S.283). Education; Community College of Vermont; suspension and expulsion; kindergarten entrance age; school calendar; remote learning; polychlorinated biphenyl and radon testing; interstate school district; prekindergarten

An act relating to miscellaneous changes to education laws

This act makes several miscellaneous changes to Vermont education laws. Specifically, this act:

- Allows a person who lives in Vermont and who qualifies as a refugee, is granted parole to enter the United States, or is issued a special immigrant visa pursuant to the Afghan Allies Protection Act of 2009 to be considered a resident for in-state tuition purposes for the Community College of Vermont. This act also allows such a person to not be ineligible for the Vermont incentive grant program solely on account of that person's residence status.
- Applies 16 V.S.A. § 1162(d), which prohibits the suspension or expulsion of students under eight years of age, to approved independent schools and prequalified private kindergarten programs.
- Requires the Building Bright Futures Council to submit a report on or before January 15, 2023, to the Senate and House Committees on Education, the Senate Committee on Health and Welfare, and the House Committee on Human Services regarding suspension, expulsion, and exclusionary practices in early childhood education.
- Requires the Agency of Education to report to the Senate and House Committees on Education on or before December 15, 2022, on the impact of standardizing the entrance age threshold for public school kindergarten.

- Requires the Agency of Education to report to the Senate and House Committees on Education on or before January 15, 2024, with a proposed statewide uniform school calendar.
- Requires the Agency of Education to report to the Senate and House Committees on Education on or before January 15, 2023, with recommendations for a statewide remote learning policy.
- Extends the date by which schools need to test for polychlorinated biphenyls (PCBs) and radon to the year 2025.
- Requires the Secretary of Natural Resources, in consultation with the Secretary of Education and Commissioner of Health, to submit to the House Committees on Education and on Natural Resources, Fish, and Wildlife, and the Senate Committees on Education and on Natural Resources and Energy information on PCB testing process, results, costs, schedules, and response proposals on or before January 15, 2023.
- Allows an incorporated school district to provide crime insurance coverage for the positions of collector and treasurer in lieu of taking a personal bond.
- Allows a Vermont resident who is on an individualized education program (IEP) and enrolled in an interstate school district and not entitled to special education services in the interstate school district due to an age limitation to enroll in a Vermont public high school and receive special education services through 21 years of age. This section does not take effect if New Hampshire enacts legislation that extends the age through which a child is eligible to receive special education services to 21 years of age.
- Changes the responsibility for notifying and reviewing an approved independent school believed to lack financial capacity to meet its stated objectives from the State Board of Education to the Agency of Education.
- Eliminates the requirement for a prequalified program of prekindergarten education to have a plan to get to at least two points in each of the five arenas or at least two points in each of the five arenas in not more than three years and meet intermediate milestones in the Department for Children and Families' STARS system.
- Allows the Agency of Education to contract for the position created to implement 2021 Acts and Resolves No. 72 if the required expertise is not available through position recruitment.

Multiple effective dates, beginning on June 1, 2022

Act No. 167 (S.285). Health; health care reform; All-Payer Model; hospitals; health care data; Blueprint for Health; home- and community-based services

An act relating to health care reform initiatives, data collection, and access to home- and community-based services

This act requires the Director of Health Care Reform in the Agency of Human Services (AHS), in collaboration with the Green Mountain Care Board (GMCB),

to develop a proposal for a subsequent All-Payer Model agreement with the federal government to secure Medicare's continued participation in multipayer alternative payment models in Vermont. The act also directs the GMCB, in collaboration with AHS, to develop value-based payments for hospitals and to develop and conduct a stakeholder engagement process for Vermont's hospitals that will reduce inefficiencies, lower costs, improve population health outcomes, reduce health inequities, and increase access to essential services. The act appropriates \$900,000.00 to AHS and \$4,100,000.00 to the GMCB for these duties and calls on AHS and the GMCB to report to the legislative committees of jurisdiction on their activities and stakeholder engagement processes in January and March 2023.

The act directs the Health Information Exchange (HIE) Steering Committee to include a data integration strategy in its 2023 HIE Strategic Plan and to continue its efforts to create a single, integrated health record for each individual. The act repeals a prohibition on filing information that is required by law to be kept confidential with the GMCB for the Vermont Health Care Uniform Reporting and Evaluation System (VHCURES) in a manner that discloses the patient's identity, but the act retains other protections regarding access to and use of the information consistent with the federal Health Insurance Portability and Accountability Act (HIPAA).

The act specifies that Vermont's Blueprint for Health initiatives must include quality improvement facilitation and other means to support quality improvement initiatives. The act requires the Director of Health Care Reform in AHS to recommend to the legislative committees of jurisdiction on or before January 15, 2023, the amounts by which health insurers and Vermont Medicaid should increase their monthly per-person, per-month payments toward the shared costs of the Blueprint's community health teams and quality improvement facilitation and provide an estimate of the necessary State funding for Medicaid's share of the increase.

The act directs the Department of Disabilities, Aging, and Independent Living (DAIL), as part of developing the Vermont Action Plan for Aging Well, to convene a working group of interested stakeholders to make recommendations on extending access to long-term home- and community-based services to a broader cohort of Vermonters and family caregivers. The working group must also provide recommendations on changes to service delivery for individuals who are dually eligible for Medicaid and Medicare. The act directs DAIL to report the working group's findings and recommendations to the legislative committees of jurisdiction on or before January 15, 2024, and, if so directed by the General Assembly, to collaborate with others in AHS to incorporate the relevant recommendations into Vermont's Global Commitment to Health Section 1115 demonstration.

The act requires the GMCB to summarize and synthesize the key findings and recommendations in its reports and post them on its website. The act expresses legislative intent to reimburse Medicaid participating providers at 100 percent of Medicare rates, with first priority for primary care providers, and directs the

Department of Vermont Health Access either to include this level of reimbursement for primary care services in its fiscal year 2024 budget proposal or to provide information on the additional sums necessary to achieve reimbursement parity with Medicare's primary care rates. The act also directs the Department of Financial Regulation (DFR) to explore the feasibility of requiring health insurers to access clinical data from the HIE to support prior authorization requests, requires DFR to direct health insurers to provide prior authorization information to DFR in a standardized format so that DFR can look at opportunities for aligning and streamlining prior authorization request processes, and tasks DFR and the GMCB with recommending to the legislative committees of jurisdiction on or before January 15, 2023, the statutory changes needed to align and streamline prior authorization processes and requirements across health insurers.

Multiple effective dates, beginning on June 1, 2022

Act No. 168 (H.74) Commerce and trade; consumer protection

An act relating to making miscellaneous changes concerning self-storage businesses

This act implements both substantive and stylistic changes to 9 V.S.A. chapter 98, which creates statutory standards governing storage units in Vermont. The act adds and modifies certain definitions; addresses required disclosures in contracts; and modifies the notice requirements and process for enforcing a lien, including sale of property.

Effective Date: July 1, 2022

Act No. 169 (H.244). Health; disposition of human remains

An act relating to authorizing the natural organic reduction of human remains

This act authorizes the use of natural organic reduction (NOR) for the disposition of human remains in Vermont. It defines NOR as "the contained, accelerated conversion of human remains to soil." With few exceptions, this act creates parity between the rights and responsibilities of NOR operators and operators of crematory establishments.

This act uses the term "disposition facility" to refer to facilities providing either NOR services or crematory services, or both. As a result, the Office of Professional Regulation will license these facilities under the same license type, and the same licensure fees are applicable to facilities and personnel offering either NOR services or crematory services, or both.

Multiple effective dates, beginning on January 1, 2023

Act No. 170 (H.446). Conservation and development; water quality; solid waste; brownfields; permitting**An act relating to miscellaneous natural resources and development subjects**

This act makes multiple miscellaneous amendments to natural resources and development subjects. The act changes the reporting period for the Clean Water Investment Report from the calendar year to the fiscal year. The act amends the Agency of Natural Resources' (ANR's) required report on implementation of the Lake Champlain Total Maximum Daily Load (TMDL) to require that it address the State's status in meeting the federal accountability measures for implementation of the TMDL. The act also consolidates ANR reporting on federal funding available for water quality projects.

The act increases from 17 percent to 20 percent the amount of the Solid Waste Management Account that is annually allocated to local solid waste management entities, and the act authorizes ANR to transfer funds from the Account to the Environmental Contingency Fund but only after an additional 10 percent of funds in the Account is allocated for local solid waste management entities. The act amends the definition of "solid waste hauler" for consistency with other statutes. The act also amends an exemption from commercial hauler permitting to clarify that a person transporting four cubic yards or less of solid waste incidental to other services does not require a commercial hauler permit.

The act strikes the requirement that a municipality must acquire a brownfield property through its sovereign authority in order to qualify for an exemption from hazardous materials release liability. The act clarifies that a purchaser of a property will not be held liable for cleanup of a brownfields property solely because they are the property owner if the purchaser is working in good faith toward meeting the obligations of the brownfields program. The act also provides that a contribution claim cannot be brought against a prospective purchaser of a brownfield when the purchaser would only be liable as an owner and ANR approved a corrective action plan for the property.

The act clarifies that when ANR authorizes a transfer of a permit from one person to another under a rule, that transfer is an administrative amendment not subject to ANR's standard notice and comment procedures. The act also provides that an ANR wetlands determination shall be subject to Type 4 notice and comment instead of the current Type 2 requirements. The act also provides that a minor permit amendment shall be subject to Type 4 notice and comment.

The act repeals the 10-day wait period for the effectiveness of shoreland encroachment permits. The act repeals the requirement that salvage yard operators complete annual environmental training. The act amends the fee that septage haulers pay for septage pumped from septic tanks and other systems to \$0.01 per gallon. The act changes the number of days of notice for several Act 250 requirements.

The act also prohibits the Secretary of Natural Resources from issuing a new solid waste facility certification for a food depackaging facility or amending an

existing solid waste facility certification that results in an increase of capacity at a currently certified food depackaging facility until the Agency of Natural Resources adopts by rule requirements for the operation of food waste management facilities in the State. The act requires ANR to convene a collaborative stakeholder process to make recommendations on the proper management of packaged organic materials and to report those recommendations to the General Assembly. In addition, the act requires ANR to submit to the General Assembly a report regarding the prevalence of microplastics and per- and polyfluoroalkyl substances (PFAS) in food waste and food packaging in Vermont. Multiple effective dates, beginning on June 2, 2022

Act No. 171 (H.512). Land records; notarial acts; property

An act relating to modernizing land records and notarial acts law

This act adopts the Uniform Real Property Electronic Recording Act (URPERA), amends Vermont's notarial acts laws, and enacts temporary authority related to the Vermont State Archives and Records Administration (VSARA) to:

- authorize recorders to commence the practice of electronic recording of records related to real property transactions, provided that the recorder complies with Vermont's URPERA statutes and the standards and best practices adopted by VSARA
- require VSARA to conduct a study and prepare an interim and final report between 2022 and 2024 concerning the fiscal, governance, and operational sustainability of uniform approaches to the modernization of the recording of property records, regardless of format
- create a new position within VSARA that will assist recorders with compliance with VSARA's standards and best practices for electronic recording of real property records
- authorize notaries public to perform notarial acts for remotely located individuals, provided that the notary acquires a special commission endorsement from the Office of Professional Regulation and complies with the requirements of 26 V.S.A. chapter 103

Multiple effective dates, beginning on June 2, 2022

Act No. 172 (H.518). Municipalities; municipal buildings; energy efficiency; grant program; loan fund

An act relating to municipal energy resilience initiatives

This act requires the Department of Buildings and General Services (BGS) to issue a request for proposal by September 1, 2022, and contract with an independent third party to conduct a comprehensive energy resilience assessment of covered municipal buildings and facilities, which shall include a scope of work, timeline for completion, recommendations for improvements, and estimated costs. The act also directs BGS to develop guidelines for municipalities to receive an assessment and requires that the assessments are completed on or before January

15, 2024. The act appropriates \$5,000,000.00 in American Rescue Plan Act (ARPA) State and Local Fiscal Recovery Funds to hire a contractor to conduct the assessment, and \$1,000,000.00 in ARPA State and Local Fiscal Recovery Funds for BGS to hire two full-time, limited-service positions for three fiscal years to administer the assessments.

This act also establishes a grant program in FY 2023 for municipalities to receive recommendations on the use of more efficient heating systems and to make necessary improvements to reduce fossil fuel usage and increase efficiency in municipally owned buildings. The grant program is administered by BGS, which shall award grants of not more than \$500,000.00 for approved projects and not more than \$4,000.00 for facilitation of community meetings and communication about municipal energy resilience. A municipality is authorized to receive technical assistance from a regional planning commission for its grant application. The act appropriates \$36,600,000.00 to BGS in ARPA State and Local Fiscal Recovery Funds for the grant program and \$1,000,000.00 in ARPA State and Local Fiscal Recovery Funds for BGS to hire two full-time, limited-service positions for three fiscal years to administer the program.

This act also establishes the Municipal Energy Loan Program, administered by BGS, to provide financing to municipalities for equipment replacement, studies, weatherization, construction of improvements affecting the use of energy resources, the implementation of energy efficiency and conservation measures, and the use of renewable resources. The act establishes the Municipal Energy Revolving Fund to provide financing for the Loan Program. In FY 2023, the act transfers \$2,800,000.00 from the Infrastructure Investment and Jobs Act to seed the Revolving Fund. Finally, this act directs the Commissioner of Buildings and General Services to submit a recommendation for a fee amount to be charged to pay for administrative costs associated with the Revolving Fund on or before January 15, 2023.

In addition, this act extends the relationship between BGS and Efficiency Vermont to implement the State Energy Management Program until 2027.

Effective Date: July 1, 2022

Act No. 173 (H.572). Retirement; education; Vermont State Teachers' Retirement System

An act relating to the retirement allowance for interim educators

This act creates a one-year program in fiscal year 2023 authorizing a retired teacher who returns to service as an interim school educator to continue to receive the teacher's retirement allowance during the period that work is resumed, provided that certain eligibility criteria are met by both the teacher and the employer. This act gives the State Treasurer discretion to extend the program for two additional fiscal years and requires the State Treasurer to notify the House and Senate Committees on Government Operations of the renewal decision. This act requires that if the program is renewed, a teacher may only resume service for

another year if that service is not in the same position as the previous year. This act also repeals this program on June 30, 2026.

This act also makes a technical change to clarify the eligibility of vested deferred members of the State Teachers' Retirement System to receive a cost-of-living adjustment and the cost-of-living adjustment amount for Group C members of the State Teachers' Retirement System.

Effective Date: July 1, 2022

Act No. 174 (H.709). Agriculture; accessory on-farm business; water quality; enforcement; hemp; mosquito control

An act relating to miscellaneous agricultural subjects

This act makes multiple miscellaneous amendments to agricultural subjects. The act amends the requirements for accessory on-farm businesses to clarify that a business can qualify as an accessory on-farm business under Act 250 if more than 50 percent of the total sales from that business are from qualifying products produced on the farm where the business is located. The act authorizes the Agency of Agriculture, Food and Markets (AAFM) to serve persons during enforcement actions using electronic service instead of personal service or certified mail, provided that AAFM proves the person received service or the person subject to service agrees to electronic service. The act allows AAFM to consider an applicant's pending violations or past history of compliance with AAFM requirements as part of a permit application.

The act amends the AAFM's authority to inspect produce and produce farms in order to conform with the U.S. Food and Drug Administration's Food Safety Modernization Act. The act further provides that the in-kind services of application of mosquito adulticide no longer qualifies as a mosquito control district's match for purposes of State grants for application of mosquito larvicides. The act amends the statutes authorizing the State hemp program in order to conform with the U.S. Department of Agriculture's rules for the cultivation of hemp.

The act eliminates a requirement that AAFM visit a medium farm operation upon renewal of the farm's coverage under the medium farm general permit. AAFM will only be required to visit a medium farm operation when the farm first applies for coverage under the medium farm general permit. All farms under the general permit will continue to be inspected every three years. The act strikes the requirement that small farms notify AAFM of a change of ownership. The act also clarifies that the type of small farms that qualify for the Act 250 small farm food residual exemption includes certified small farms or other small farms subject to the Required Agricultural Practices.

Effective Date: July 1, 2022

Act No. 175 (H.716). Education; special education; funding; Holocaust education; income-based education tax**An act relating to making miscellaneous changes in education law**

This act allows a supervisory union to choose whether to use fiscal years 2018–2020 or fiscal years 2019–2021 in calculating its special education census grant funding for fiscal year 2023.

This act requires the Agency of Education to submit a report in January 2023 to the Senate and House Committees on Education on the status of Holocaust education in public schools.

This act delays the implementation of rules 2362 and 2362.2.5 of the State Board of Education special education 2360 rule series until July 1, 2023.

This act creates an income-based education tax legislative study committee to study and make recommendations regarding the creation and implementation of an income-based education tax system to replace the homestead property tax system for education funding.

Effective Date: July 1, 2022

Act No. 176 (H.727). Education; union school districts; union school district withdrawal; school closures**An act relating to the exploration, formation, and organization of union school districts and unified union school districts**

This act makes changes to the processes of union school district governance and other related processes.

16 V.S.A. chapter 11 governs the processes involved in union school district governance. This act redesignates the statutes governing joint schools from 16 V.S.A. chapter 11 to 16 V.S.A. chapter 9 and repeals chapter 11 entirely and replaces it with a new chapter 11. This act updates the processes involved in union school district governance, from the process to explore formation of a union school district through the routine processes involved in governing a union school district once formed. This act also updates the process to withdraw from a union school district. It requires the use of a study committee to initiate the withdrawal process, a detailed analysis of and plan for the withdrawal, review of the analysis and plan by the State Board of Education, and a vote of the electorate within the union school district to make the final determination of whether withdrawal will occur.

This act also creates four distinct, temporary processes to govern the withdrawal process for communities that began but did not complete the withdrawal process prior to the passage of this act. It requires certain information to be reported to the State Board of Education and allows the withdrawal process in these specific communities to stop and the union district to remain intact under certain circumstances.

This act creates a two-year moratorium on the closure of a school building located within a union school district and requires the Agency of Education to report back to the Senate and House Committees on Education with an examination of such school building closures, or attempted closures, and recommendations for school building closure standards and processes and any recommended legislative action.

This act also requires the Agency of Education to make an annual report to the Senate and House Committees on Education regarding recent union school district withdrawal actions.

This act also adds a new section to 16 V.S.A. chapter 53 that creates a process for the transition of employment contracts when a new school district is created upon withdrawal from a union school district.

Effective Date: June 7, 2022

Act No. 177 (H.730). Alcoholic beverages; Department of Liquor and Lottery; miscellaneous amendments

An act relating to alcoholic beverages and the Department of Liquor and Lottery

This act amends various sections within Titles 7, 10, and 31 to:

- Define “ready-to-drink spirits beverage” as an alcoholic beverage containing not more than 12 percent alcohol by volume, created by distillation, chemical synthesis, or concentration through freezing, and packaged in containers less than 24 fluid ounces in volume.
- Amend the provisions of Title 7 related to the distribution and sale of alcoholic beverages to allow ready-to-drink spirits beverages to be distributed and sold in the same manner as malt and vinous beverages.
- Establish a tax rate of \$1.10 per gallon of ready-to-drink spirits beverages sold by manufacturers to retailers within the State.
- Define “cider” as a vinous beverage made a majority from the fermented natural sugar content of apples or pears.
- Amend the volume limitations for ciders that are served in flights or at festivals.
- Establish a \$0.265-per-gallon tax for ciders that contain less than seven percent alcohol by volume. This tax shall be effective July 1, 2023.
- Expressly authorize the Department of Liquor and Lottery to obtain criminal background checks for applicants for liquor, tobacco, and lottery licenses.
- Establish a single Deputy Commissioner of Liquor and Lottery in lieu of two separate Deputy Commissioners that supervise the Division of Liquor Control and the Division of Lottery.
- Expressly authorize third-class licensees to purchase tickets for the Department’s rare spirits raffle.

This act also contains temporary provisions that:

- Establish transfers from the Liquor Control Enterprise Fund to the General Fund for fiscal years 2023 and 2024.
- Authorize the Department to stagger the issuance and renewal of permits, licenses, and certificates for the years 2023 and 2024.
- Require the Agency of Administration to submit a report on or before January 15, 2024, concerning the potential privatization of Vermont's alcoholic beverage market. The Agency is required to contract with an independent third-party consultant to conduct the study.

Multiple effective dates, beginning on June 7, 2022

Act No. 178 (H.737). Taxation; education property tax; yields and rate; Education Fund; reserves; PCBs

An act relating to setting the homestead property tax yields and the nonhomestead property tax rate

This act sets the fiscal year 2023 homestead property tax yields and the nonhomestead property tax rate. This act also sets aside certain reserves within the Education Fund for the investigation, testing, assessment, remediation, and removal of PCBs detected in schools, subject to certain conditions for disbursement:

- funds reserved under this act may be used for the investigation, testing, and assessment of PCBs in schools; and
- funds reserved under this act may not be used for the remediation and removal of PCBs in schools until the General Assembly approves a plan for disbursing reserved monies, except in the case of significant health threats between July 1, 2022 and January 15, 2023, whereupon the Agencies of Education and Natural Resources and the Department of Health may request disbursement of up to \$2,500,000.00 of funds from the Emergency Board.

This act authorizes the State to recover from a manufacturer of PCBs monies expended from the reserves for the investigation, testing, assessment, remediation, and removal of PCBs detected in a school above the relevant action level.

This act also requires a written plan, on or before January 15, 2023, from the Agencies of Education and of Natural Resources and the Department of Health to the General Assembly, setting out a process for the disbursement of monies reserved under this act in the Education Fund for the investigation, testing, assessment, remediation, and removal of PCBs in schools.

Effective Date: June 7, 2022

Act No. 179 (H.738). Taxation; income taxes; property transfer tax; sales and use tax; property valuation; tax increment financing; administration of taxes; miscellaneous

An act relating to technical and administrative changes to Vermont's tax laws

This act makes numerous technical and administrative changes to Vermont's tax laws, including:

- clarifies that property transfer tax applies to enhanced life estate deeds in the same way as to conventional life estates, and defines the value of life estate or enhanced life estate deeds to which the property transfer tax applies;
- aligns corporate income tax estimated payment and filing deadlines for purposes of penalties and interest on underpayments;
- replaces all references to the Children's Trust Fund with the Vermont Children's Trust Foundation for purposes of administering the income tax return checkoff box for individuals to elect to donate a portion of their income tax refund;
- authorizes Vermont to require reporting or to assess tax on partnerships following federal audits and adjustments, when federal tax is assessed to and paid by the partnership or by individual partners, and allows partnerships to elect either to pay the adjusted Vermont tax or to allow individual partners to pay;
- amends uniform capacity tax section cross-reference to property tax system with regard to valuation of land underlying a solar energy plant or an energy storage facility;
- amends mileage reimbursement for legislators during any session of the General Assembly so that only actual mileage traveled will be reimbursed;
- expands the list of allowable uses of funds withdrawn from a Vermont Higher Education Investment Plan account (529 plan account) that will not trigger recapture of the 10 percent Vermont tax credit, to include the new allowable use of repayment of student loans for higher education only;
- authorizes the City of Montpelier, with Vermont Economic Progress Council's approval, to reset the original taxable value in its tax increment financing (TIF) district to April 1, 2023 grand list values, provided certain conditions are met;
- expands the sales and use tax exemption for manufacturing machinery and equipment so that manufacturing machinery and equipment that is part of an integrated production process will be exempt; and
- replaces the description of menstrual products exempt from the sales and use tax with more respectful language.

This act also makes numerous miscellaneous changes to Vermont statutes, including:

- clarifies that fishing, hunting, or trapping licenses for a certified citizen of a State-recognized Native American Indian tribe will be received free of charge;
- strikes requirement that ownership of grant-funded network assets of a grantee of the Broadband Construction Grant Program be automatically transferred “to the State” if the grantee materially fails to comply with the grant conditions;
- requires a communications union district (CUD) to notify the Vermont Community Broadband Board if it is at risk of defaulting on a loan payment, and the Board, in turn, must notify the General Assembly (or the Joint Fiscal Committee if the General Assembly is not in session); and
- allows certain town officers and employees and school directors to have crime insurance coverage instead of requiring the individuals to give a bond conditioned for the faithful performance of the individual’s duties.

Multiple effective dates, beginning on July 1, 2021

Act No. 180 (H. 739). Appropriations and finance; bonding; capital construction; budget adjustment; State buildings

An act relating to capital construction and State bonding budget adjustment

This act adjusts the second year of the State’s biennial capital budget for fiscal years 2022 and 2023, reallocates \$7,737,808.64 from prior capital appropriations, and authorizes the State to issue \$12,840,163.00 of additional general obligation bonds that were authorized but not issued in fiscal year 2022.

This act also:

Appropriations

Appropriates capital funds in the amount of \$143,757,972.00 over two years for capital construction projects, including the following appropriations:

- Increases the FY 2023 appropriation for the State House HVAC renovation from \$2,535,000.00 to \$6,800,000.00.
- Appropriates \$2,000,000.00 in FY 2023 for parking garage repairs for 108 Cherry Street in Burlington.
- Appropriates \$750,000.00 in FY 2023 for the door control system replacement at the Southern State Correctional Facility.
- Appropriates \$400,000.00 in FY 2023 for the demolition, salvage, dismantling, and improvements to the former Southeast State Correctional Facility property in Windsor.
- Appropriates \$1,400,000.00 in FY 2023 for renovations to the Office of Legislative IT and shared common space at 133 State Street.

- Appropriates \$3,200,000.00 in FY 2023 for design and construction for a secure residential recovery facility.
- Appropriates \$1,200,000.00 in FY 2023 for Statewide correctional facilities for ADA improvements.
- Appropriates \$500,000.00 in FY 2023 for Statewide correctional facilities for HVAC programming, schematic design, and design documents.
- Appropriates \$800,000.00 in FY 2023 to the Vermont State Colleges for renovations of nursing simulation laboratories and \$200,000.00 in FY 2023 to Norwich University for the construction of nursing simulation laboratories.
- Appropriates \$3,115,000.00 in FY 2023 for improvements to the High and Significant Hazard Dam and appropriates \$190,000.00 in FY 2023 for rehabilitation of the Little Hosmer Dam.
- Appropriates \$2,833,980.00 in FY 2023 as a State match from the Infrastructure Investment and Jobs Act funds for drinking and clean water revolving funds, requiring that these funds are not released until the federal grant has been received by the State.
- Increases appropriation to the Department of Forests, Parks and Reaction for the Rustic Cabin Construction Program from \$500,000.00 to \$700,000.00, requiring that the Department use not more than \$200,000.00 from this appropriation to work with CTEs for assistance with the Program.
- Appropriates \$200,000.00 in FY 2023 to the Agency of Agriculture, Food and Markets for water quality grants and contracts.
- Appropriates \$1,548,219.00 in FY 2023 to the Department of Environmental Conservation for the Clean Water State Revolving Fund.
- Appropriates \$2,715,000.00 in FY 2023 to the Department of Environmental Conservation for municipal pollution control grants.
- Appropriates in FY 2023 \$200,000.00 for agricultural water quality projects and \$2,000,000.00 for land conservation and water quality projects to the Vermont Housing and Conservation Board.
- Appropriates \$3,500,000.00 in FY 2023 for construction of the Williston Public Safety Field Station.
- Appropriates \$1,400,000.00 FY 2023 to the Agency of Agriculture, Food and Markets for the maintenance, modernization planning and design of the Vermont Building at the Eastern States Exposition
- Appropriates \$185,000.00 in FY 2023 to the Sergeant at Arms for upgrades to 2 Aiken Street.

This act also does the following:

American Rescue Plan Act – Federal Funding

- Adds findings regarding the use of ARPA state and local fiscal recovery funds to offset capital projects funded in FY 2022 and FY 2023.
- Adds intent that certain capital projects that are eligible for ARPA funds receive the authorization in the capital bill but are appropriated funds in the FY 2023 Appropriations Act.
- Authorizes certain capital projects in FY 2022 and FY 2023 to be undertaken with funds appropriated in the FY 2023 Appropriations Act.

Buildings and General Services (BGS)

- Directs the Commissioner of BGS to submit heat source options for a system to dehumidify the State House in the summer months that are consistent with the State Agency Energy Plan to the House Committee on Corrections and Institutions and the Senate Committee on Institutions by January 15, 2023.
- Amends the sunset date to move the funding of engineering costs from the capital bill to the Big Bill to June 30, 2022.
- Directs BGS to transfer up to \$300,000.00 from the proceeds of the sale of 13 Baldwin Street to FY 2023 major maintenance.
- Authorizes BGS to sell the property at 14-16 Baldwin Street, and also authorizes BGS to sell the property at 9 Baldwin Street contingent upon the completed relocation of the Office of Legislative Information Technology to 133 State Street.
- Sets forth intent that BGS implement strategies to reduce carbon intensity in buildings under its jurisdiction, including use of non-fossil-fuel alternatives when installing or replacing any space conditioning or water-heating systems and use of carbon-storing and least-embodied-carbon materials.
- Also sets forth intent that the Department of Forests, Parks and Recreation and the Agency of Transportation use the State Energy Management Program.

Commerce and Community Development

- Directs the Division of Historic Preservation to conduct a facilities condition assessment on all the buildings and structures of the State Historic Sites within the next five years, with a cyclical plan update, prioritizing buildings and structures open to the public.
- Encourages the Lake Champlain Maritime Museum to explore all options for the ongoing use of the Schooner Lois McClure.

Legislative Branch

- Authorizes the Legislature to have exclusive use of rooms 264, 267, 268, and 270 on the second floor of 109 State Street from January 1, 2023, to June 30, 2023.

Nursing Programs

- Directs the Vermont State Colleges, Norwich University, and the University of Vermont to each submit a report detailing the infrastructure and programming needs, estimated costs, and timeline to renovate or construct nursing simulation laboratories.

Effective Date: June 7, 2022

Act No. 181 (S.210). Housing**An act relating to rental housing health and safety and affordable housing**

Secs. 1–4 of this act govern the transition of authority for rental housing health and safety to the Department of Public Safety. Secs. 5–7 relate to the creation of a Vermont Rental Housing Improvement Program. Sec. 8 appropriates funding for these purposes.

Effective Date: June 7, 2022

Act No. 182 (S.226). Housing; land use; municipal zoning; Act 250**An act relating to expanding access to safe and affordable housing**

This act includes program changes and funding to promote access to safe and affordable housing, including:

- authorization and funding for VHFA to provide grants to first-generation homebuyers (Secs. 1–2);
- funding for manufactured home repair and replacement (Sec. 3);
- funding for a Community Partnership for Neighborhood Development (Sec. 4);
- funding for a Missing Middle-Income Homeownership Development Pilot Program (Sec. 11);
- registration of residential construction contractors (Secs. 12–18); and
- prohibition on tax sale of a residence while a Vermont Homeowner Assistance Program application is pending (Sec. 21).

This act amends the Downtown and Village Center Tax Credit Program by creating a new type of tax credit for flood mitigation projects and to allow tax credits to be awarded to projects in neighborhood development areas. (Secs. 5–10)

This act amends provisions of the Vermont Fair Housing and Public Accommodations Act to provide general legislative intent and statutory direction on the interpretation of the fair housing laws with regard to harassment and discrimination of members of protected classes. (Secs. 19–20)

This act establishes the Vermont Land Access and Opportunity Board to promote improvements in access to woodlands, farmland, and land and home ownership for Vermonters from historically marginalized or disadvantaged communities. (Secs. 22–22c)

This act makes multiple amendments to the State land use and development law, Act 250, and municipal zoning laws (Secs. 23–41), including:

- Changing the neighborhood development area designation requirements.
- Changing one of the new town center designation requirements.
- Prohibiting municipal land use permits for a site plan or conditional use from expiring in less than two years.
- Prohibiting towns from requiring more than one parking space per bedroom for accessory dwelling units.
- Providing grants to municipalities to assist them in updating their bylaws.
- Raising the cap on the number of priority housing projects that can be exempt from Act 250.
- Amending multiple definitions under Act 250.
- Streamlining the Act 250 exemption for priority housing projects.
- Updating criterion 1(D) of Act 250.
- Requiring municipalities to respond to Act 250 requests within 90 days.
- Clarifying permit conditions for wood product manufacturers.
- Clarifying Act 250 jurisdiction in one-acre towns.
- Requiring a report on Act 250 Jurisdiction Over Agricultural Businesses due by Jan 1, 2023 from the Natural Resources Board (NRB).
- Appropriating \$150,000 to the Department of Housing and Community Development to hire a consultant to review the Designated Area Program. Report due July 1, 2023.
- Requiring a report from NRB to the General Assembly on various Act 250 topics, including how to transition to location-based jurisdiction, how to use the Capability and Development Plan, the effectiveness of the current fee structure, and assessment of current staff levels.

Multiple effective dates, beginning on June 7, 2022

Act No. 183 (S.11). Commerce and trade; economic development; workforce development

An act relating to economic and workforce development

This act adopts various provisions across a multitude of subject areas to promote workforce development and economic development. The act provides funding and creates program language for a forgivable loan program to retain recent college graduates, a skilled meat cutter training facility at VTC, recruiting and retaining recent immigrants, business coaching for BIPOC-owned businesses,

an assessment of the workforce development system and a regional workforce expansion pilot project to provide additional regional workforce support services; a workforce development pilot project for incarcerated individuals, studies on correctional officer recruiting, a work-based learning and training program at DOL for internships and returnships, a secondary-student industry-recognized pilot project to allow students to take an adult CTE course, a Vermont trades scholarship program to increase workers in the trades, and a CTE construction and rehabilitation experiential learning program to allow CTE students to work on community construction and rehabilitation projects.

This act requires the Agency of Human Services to report on conditions that pose an obstacle to the successful recruitment and retention of correctional officers and to create a plan to improve the recruitment and retention of correctional officers. It also requires the Agency of Human Services to submit a report assessing the effectiveness of certain appropriations in 2022 Acts and Resolves No. 83 with respect to employee recruitment and retention.

The act appropriates funds to support nurse educators and to encourage nurses at critical access hospitals to serve as preceptors for nursing school students. It provides for grants to health care employers to establish or expand partnerships with Vermont nursing schools to create nursing pipeline or apprenticeship programs to train members of their existing staff to become higher-level nursing professionals. The act establishes, codifies, and funds forgivable loan incentive programs for nurses, nurse faculty, and mental health professionals, as well as loan repayment programs for nurse faculty and for certain other health care professionals. The act provides funding to the designated and specialized service agencies for loan repayment and tuition assistance to assist in recruiting and retaining mental health and substance use disorder treatment professionals. The act directs the Green Mountain Care Board, as part of its annual hospital budget review process, to look at hospitals' investments in workforce development initiatives and at the salaries of hospitals' leadership teams and allows the Board to exclude investments in nursing workforce development initiatives from hospitals' fiscal year 2023 budget limits. The act establishes a statewide Health Care Workforce Data Center in the Agency of Human Services, Office of Health Care Reform and creates a Health Care Workforce Coordinator position in that Office. It also calls for a report on creating the capacity to perform health care supply and demand modeling based on information from the Health Care Workforce Data Center and requires the Department of Financial Regulation to take additional steps to reduce the administrative burden of prior authorization requirements on health care providers.

The act expands eligibility for student loan repayment assistance for Head Start employees; provides funding to promote the attainment of credentials of value; provides funding for the Vermont Serve, Learn, and Earn Program; creates language and provides funding for a forest future strategic roadmap; creates a Community Recovery and Revitalization Program to provide COVID-related grant relief to businesses and municipalities; creates a VEDA Short-Term Forgivable Loan Program to provide COVID-related relief to businesses; provides

additional funding for relocating employee incentives; transfers authority for the administration of funds through the Entergy Windham County Economic Development Special Fund to the Brattleboro Development Credit Corporation; and creates a Vermont Film and Media Industry Task Force.

This act establishes the COVID-19-Related Paid Leave Grant Program to provide grants to employers for certain costs related to providing paid leave to an employee for a COVID-19-related reason during the period from July 1, 2022 through June 30, 2023.

The act temporarily increases the unemployment insurance maximum weekly benefit by \$60.00 over the amount provided by the existing statutory formula. Subsequent to that, the act replaces the increase in the unemployment insurance maximum weekly benefit with a temporary \$25.00 increase in both the unemployment insurance weekly benefit formula and the maximum weekly benefit. It also extends the ability of the Department of Labor to access tax return information for purposes of reviewing claimant's income information in relation to the federal Pandemic Unemployment Assistance program.

The act provides additional appropriations for creative economy grants through the Vermont Arts Council, provides funding for the Everyone Eats program, and provides additional funding for the Vermont Downtown and Village Center Tax Credit Program.

The act creates a sports betting study committee to review legalization of sports betting in Vermont.

The act creates a State prohibition on robocalls that is co-extensive with protections afforded under federal law and directs the Attorney General to report to the General Assembly on any necessary changes to Vermont law.

Multiple effective dates, beginning on October 7, 2021

Act No. 184 (H.736). Transportation; motor vehicles; natural resources and energy; Burlington International Airport; Transportation Board; signs; permits; weight, length, and height restrictions; sustainable building components; transportation network companies

An act relating to the Transportation Program and miscellaneous changes to laws related to transportation

This act:

- Transportation Program. Adopts the Agency of Transportation's (Agency) Proposed Fiscal Year 2023 Transportation Program except as amended in the act (Transportation Program) and defines terms used throughout the act.
- Fiscal Year 2023 Transportation Investments Intended to Reduce Transportation-Related Greenhouse Gas Emissions, Reduce Fossil Fuel Use, and Save Vermont Households Money. Summarizes certain transportation investments.

- Electric Vehicle Supply Equipment (EVSE) Along the State Highway Network. Authorizes \$6,250,000.00 in investments in level 3 electric vehicle supply equipment (EVSE) along the State highway network and updates the State's goals for level 3 EVSE along the State highway network to have a level 3 EVSE within one driving mile of every exit of the Dwight D. Eisenhower National System of Interstate and Defense Highways and 25 driving miles of another level 3 EVSE along the State highway.
- Vehicle Incentive Programs. Authorizes the following for the existing vehicle incentive programs and the existing public-private partnership with Drive Electric Vermont:
 - \$12,000,000.00 for the Incentive Program for New PEVs;
 - \$3,000,000.00 for MileageSmart;
 - \$3,000,000.00 for Replace Your Ride;
 - \$50,000.00 for an incentive program for electric bicycles; and
 - \$2,000,000.00 for the public-private partnership with Drive Electric Vermont.
- Base MSRP for the Incentive Program for New PEVs. Increases the Base Manufacturer's Suggested Retail Price (MSRP) for battery electric vehicles (BEV) that are eligible for an incentive through the Incentive Program for New PEVs from \$40,000.00 to \$45,000.00 and eliminates the Base MSRP cap if the plug-in electric vehicle (PEV) will be issued a special registration plate or predominately used to provide accessible transportation to the incentive recipient or a member of the incentive recipient's household. Maintains the \$40,000.00 Base MSRP cap for plug-in hybrid electric vehicles (PHEV).
- Vermont Association of Snow Travelers (VAST) Authorizations. Authorizes the Agency of Transportation to spend \$50,000.00 in one-time General Fund monies in grants to the Vermont Association of Snow Travelers (VAST) to support the Law Enforcement and Safety Program and \$750,000.00 in one-time General Fund monies in grants to VAST to support the Equipment Grant-in-Aid Program, with certain parameters on awards.
- Bridge Formula Program for Off-System Bridges. Establishes the policy for how increased federal funds, available because of the Infrastructure Investment and Jobs Act (IIJA), for off-system bridges will be used to fully cover construction—but with engineering (PE) and right-of-way (ROW) staying at 80% federal, 10% State, and 10% municipal—for:
 - all off-system bridges in the Fiscal Year 2023 Transportation Program for Town Highway Bridges that: (1) were not authorized for federal funds for the construction phase prior to

the Fiscal Year 2023 Transportation Program and (2) are either listed as a front-of-book project or a development and evaluation (D&E) project; and

- all off-system covered bridges and historic truss bridges in fiscal years 2023 through 2029 based on the statutory prioritization

with the balance of available federal funds going to town highway bridges advanced based on the statutory prioritization. Also amends the Fiscal Year 2023 Transportation Program to swap \$689,082.00 in Transportation Fund monies and \$589,082.00 in municipal monies for \$1,278,164.00 in federal monies and adds covered bridges and historic truss bridges to the candidate list in Town Highway Bridges.

- Program Development and Town Highway Aid. Reduces the Program Development (operating expenses) authorization by \$54,211.00 in Transportation Fund monies and increases the Town Highway Aid authorization by \$54,211.00 in Transportation Fund monies to fund Town Highway Aid at the statutorily required amount.
- Town Highway Structures and Class 2 Roadway Grant Programs and Maintenance. Increases the authorization for the Town Highway Structures Grant Program by \$866,500.00 in Transportation Fund monies, increases the authorization for the Class 2 Roadway Grant Program by \$951,250.00 in Transportation Fund monies, reduces the Maintenance authorization by \$1,817,750.00 in Transportation Fund monies, and establishes a process for reappropriating up to \$1,817,750.00 in unencumbered base Transportation Fund monies appropriated for fiscal year 2022 for Maintenance in fiscal year 2023.
- Mobility and Transportation Innovation (MTI) Grant Program. Funds the Mobility and Transportation Innovation (MTI) Grant Program with \$500,000.00 in Transportation Fund monies and \$1,000,000.00 in General Fund monies, with not less than \$1,250,000.00 going to support microtransit projects.
- One-Time Public Transit Monies. Authorizes \$1,200,000.00 in General Fund monies to the Agency to distribute to public transit providers to, as practicable and in the sole discretion of the public transit provider, provide zero-fare public transit on routes other than commuter and LINK Express and restore service to pre-COVID-19 levels. Also requires a report to the House and Senate Committees on Transportation not later than January 15, 2023 on (1) changes in public transit ridership and (2) what is needed to fund zero-fare public transit going forward.
- Burlington International Airport Working Group. Authorizes \$150,000.00 (\$15,000.00 in Transportation Fund monies and \$135,000.00 in federal monies) for a newly created, working group to, with the assistance of an independent third-party consultant with

expertise in airport governance, discuss current issues of regional concern regarding the Burlington International Airport (Airport), explore opportunities for regional collaboration regarding the Airport, analyze what actions could address any issues of regional concern at the Airport, and make recommendations on actions, including a change in the governance structure of the Airport, that could address issues of regional concern regarding the Airport. Also establishes the membership of the working group, what needs to be reviewed, the timeline, and other administrative matters.

- Carbon Reduction Program Monies. Requires the Agency to consult with the Vermont Climate Council and ensure that within the Agency's proposed Transportation Programs for fiscal years 2024, 2025, and 2026 all federal monies that are proposed by the State for expenditure under the Carbon Reduction Program are allocated toward projects that align with the recommendations of the Climate Action Plan (CAP) issued under 10 V.S.A. § 592.
- Vermont State Standards. Requires the Agency to develop a plan for updating the Vermont State Standards for the Design of Transportation Construction, Reconstruction and Rehabilitation on Freeways, Roads, and Streets (Vermont State Standards) and related documents to create context sensitive, multimodal projects that support smart growth as recommended in the Revising the Vermont State Standards (VSS) M2D2: Multimodal Development and Delivery Work Plan, March 2015 and budget for the plan to update the Vermont State Standards and related documents in the Agency's proposed Transportation Program for fiscal year 2024 Transportation Program. Also requires the Agency to make staff available to the House and Senate Committees on Transportation for an oral presentation on the plan beginning on January 15, 2023.
- Transportation Alternatives Grant Program. Repeals obsolete language (prior fiscal years) and requires that, starting in fiscal year 2024 and in most instances, 50 percent of Transportation Alternative Grant Program funds be reserved for municipalities for environmental mitigation projects related to stormwater and highways.
- Amendments to Fiscal Year 2022 Transportation Program. Eliminates the requirement that electric bicycle incentives funded for fiscal year 2022 be \$200.00, which will give the Agency flexibility in administration; allows up to \$5,000.00 from administrative cost allowances for Replace Your Ride to be used to administer the electric bicycle incentives; and clarifies that level 1 and 2 EVSE are eligible for grant awards under the EVSE Grant Program that was funded for fiscal year 2022.
- Bicycle and Pedestrian Planning Integration Program. Establishes the Bicycle and Pedestrian Planning Integration Program to support the

continued development and buildout of bicycle and pedestrian infrastructure and requires consultation between the Agency and the regional planning commissions (RPCs).

- Transportation Board. Makes conforming revisions to Titles 5 and 9 in response to an amendment to 19 V.S.A. § 5(c), made by 2016 Acts and Resolves No. 167, Sec. 6, to provide that in virtually all instances appeals from the Transportation Board go to the Supreme Court and adds clarifying language, including subsection headings, to 19 V.S.A. § 5.
- Common Carrier Assessments. Repeals Title 5 chapter 5, which is now obsolete because the common carrier assessment that was formerly in 5 V.S.A. § 63 was repealed by 1988 Acts and Resolves No. 160, Sec. 1, but the balance of the chapter containing administrative provisions (5 V.S.A. §§ 64–67) was not repealed.
- On-Premises Signs. Amends 10 V.S.A. § 493(1), and the allowance for on-premises signs, to measure the distance from the on-premises sign to a main entrance based on a straight line, and not a line measured along the centerline of the highway, if the change in elevation from the sign to the main entrance is more than 100 feet.
- Right-of-Way (1111) Permit Fees. Amends 19 V.S.A. § 1112 to only assess the right-of-way (1111) permit fee for stormwater utility connections that are subsurface, and only for the collective-direct connection to the State highway subsurface stormwater system, as opposed to each direct connection individually.
- Site Plan Review. Amends 24 V.S.A. § 4416(b) to change “shall” (mandatory) to “may” (permissive) and strike “any” to eliminate the requirement that the Agency include all permit conditions in the site plan review process letter (would still be included in the right-of-way (1111) permit itself).
- Smugglers’ Notch Restrictions. Amends 23 V.S.A. § 1006b to have the civil penalty for violating the Smugglers’ Notch restrictions be assessed against the employer of the operator of the vehicle, if operating in the scope of employment, or the operator of the vehicle, if operating for personal purposes, for violations and have the vehicle prohibition to be based on length of vehicle and not type of vehicle.
- Restrictions on the Use of Covered Bridges; Other Limits; Liability for Damages; Recovery of Expenses.
 - Repeals 19 V.S.A. § 313, municipal authority to restrict the use of covered bridges, but adds the authority back (in updated form) as 23 V.S.A. § 1397a.
 - Repeals 19 V.S.A. § 315, fines for violating covered bridge restrictions, but adds increased civil penalties (\$1,000.00 for a

first violation, \$2,000.00 for a first violation that substantially impedes the flow of traffic, and doubled for a second or subsequent conviction within a three-year period) for violating covered bridge restrictions as 23 V.S.A. § 1434(c).

- Amends 23 V.S.A. § 1399(b), exceptions to weight limits, to expand the exclusion for municipal and volunteer fire apparatus that can be operated in excess of weight limitations to also include law enforcement motor vehicles.
- Amends 23 V.S.A. § 1400d, agricultural service vehicle exemptions, to exempt agricultural service vehicles from the prohibition on operating in excess of covered bridges limits.
- Amends 23 V.S.A. § 1492, liability for damages, to update very outdated internal citations and adds subsection 1434(c) to the list of violations that trigger liability for damages to the public highway or bridge.
- Repeals 23 V.S.A. § 1112, recovery for expenses for emergency services from operating on a closed highway, but adds broader language that allows a municipal, county, or State entity that deploys rescue services to aid stranded operators or move disabled vehicles in certain instances to recover from the operator or operator's employer, provided that the operator was acting during or incidental to the operator's scope of employment, the costs of providing rescue services as 24 V.S.A. § 2296a.
- Amends 23 V.S.A. § 1400b, filing of weight restrictions, to eliminate the requirement that municipalities file a complete copy of the list of special weight limits for town highways in the municipality by February 10 of each year.
- Makes other technical and conforming revisions.
- Statement of Policy on Sustainable Building Components. Adds 19 V.S.A. § 10m to address the Agency's statement of policy on the use of sustainable building components in all maintenance, construction, and improvement projects within the State's Transportation Program.
- Authority for State to Collect Fees for Use of State EVSE. Amends 32 V.S.A. § 604 to require the Agency and the Department of Buildings and General Services to make staff available to standing committees beginning on January 15 each year to give an oral presentation on the State's efforts to collect fees at State owned/controlled EVSE and any significant national trends with regards to the pricing of EVSE. Also extends the sunset on 32 V.S.A. § 604 to July 1, 2025.
- Authority for Secretary of Transportation to Relinquish Portions of the State Highway and State Highway Right-of-Way to the Town of St. Albans. Extends the Secretary of Transportation's authority to enter

into an agreement with the Town of St. Albans to relinquish a segment of the State highway right-of-way for what was to be known as the Vermont Route 207 Extension until June 30, 2032, and authorizes the Secretary of Transportation to, until June 30, 2032, enter into an agreement with the Town of St. Albans to relinquish a segment of Vermont Route 36.

- Regulation of Transportation Network Companies (TNC). Extends the sunset of the local regulation preemption savings clause so that municipalities with a population of more than 35,000 residents based on the 2010 census will not have their ordinances, resolutions, or bylaws regulating transportation network companies (TNC) that were in effect on July 1, 2017, be preempted, to the extent they are inconsistent with the provisions of 23 V.S.A. chapter 10, until July 1, 2025, and requires the Commissioner of Motor Vehicles, in consultation with the City of Burlington, the Vermont League of Cities and Towns, and TNCs doing business in Vermont, to file a written report by March 15, 2024, that makes recommendations on how, if at all, to amend 23 V.S.A. § 754 (preemption/savings clause) and, as applicable, 23 V.S.A. chapter 10 (TNC chapter).

Multiple effective dates, beginning retroactively on July 1, 2021

H.736 - FY 2023 Transportation Program				
Line #	All funding sources	FY22 As Passed	FY23 As Passed	FY23 vs FY22
1	Administration-finance-planning			
2	Central Admin & Finance	16,115,124	19,890,141	3,775,017
3	Policy & Planning	11,458,898	12,337,610	878,712
4	Transportation Board	186,611	190,962	4,351
5	Department of Motor Vehicles	35,973,988	39,741,834	3,767,846
6	Sub-total	63,734,621	72,160,547	8,425,926
7	Facilities			
8	Rest Areas	1,460,000	418,416	(1,041,584)
9	AOT Buildings	850,000	2,050,000	1,200,000
10	Sub-total	2,310,000	2,468,416	158,416
11	Alternate modes			
12	Public Transit	42,821,522	44,539,278	1,717,756
13	Aviation	10,451,646	9,498,994	(952,652)
14	Pedestrian & Bike Facilities	16,789,554	19,793,776	3,004,222
15	Park & Ride	5,220,233	4,043,060	(1,177,173)
16	Multi-Modal Facilities	0	0	0
17	Rail infrastructure	27,630,019	26,613,183	(1,016,836)
18	Amtrak	8,750,000	8,750,000	0
19	Sub-total	111,662,974	113,238,291	1,575,317

20	State Highway Infrastructure			
21	Maintenance	104,278,647	104,446,031	167,384
22	Paving	120,459,399	158,820,094	38,360,695
23	Roadway	37,334,563	51,346,705	14,012,142
24	State bridges	49,252,858	57,838,207	8,585,349
25	Interstate bridges	22,595,374	36,731,681	14,136,307
26	Traffic & Safety	33,343,610	45,645,895	12,302,285
27	PD Admin & Tech Services	24,422,265	33,024,893	8,602,628
28	Sub-total	391,686,716	487,853,506	96,166,790
29	Town programs			
30	Town Highway Aid (Formula)	27,105,769	27,837,624	731,855
31	Town Highway Aid (One-Time)	3,000,000	0	(3,000,000)
32	Town Bridges	15,408,394	30,314,187	14,905,793
33	TH Class 2	15,297,500	8,600,000	(6,697,500)
34	TH Structures	12,667,000	7,200,000	(5,467,000)
35	TH Class 1 supplemental grants	128,750	128,750	0
36	Trans. Alternatives/Enhancements	4,454,294	5,665,880	1,211,586
37	TH State aid nonfederal disasters	1,150,000	1,150,000	0
38	TH State aid federal disasters	180,000	180,000	0
39	FEMA grant program	1,250,000	1,250,000	0
40	TH VT Local Roads	411,689	414,481	2,792
41	Municipal mitigation grants	8,785,150	6,450,498	(2,334,652)
42	Sub-total	89,838,546	89,191,420	(647,126)
43	One-Time and Other Investments			
44	EV Purchase Incentives Program	3,250,000	12,000,000	8,750,000
45	EV Charging Infrastructure (one-time)	1,000,000	2,000,000	1,000,000
46	EV Charging Infrastructure (formula)	–	4,250,000	4,250,000
47	E-Bike Incentives	50,000	50,000	–
48	Replace Your Ride	1,500,000	3,000,000	1,500,000
49	MileageSmart	1,250,000	3,000,000	1,750,000
50	Drive Electric VT	–	2,000,000	2,000,000
51	Public Transit and MTI Grants	–	2,700,000	2,700,000
52	DMV IT System	24,500,000	20,250,000	(4,250,000)
53	Grants to VAST	–	800,000	800,000
54	Emission Repair Program	375,000	–	(375,000)
55	Clean Water/Phosphorus Control	3,000,000	–	(3,000,000)
56	New Haven Train Station	400,000	–	(400,000)
57	Sub-total	35,325,000	50,050,000	14,725,000

58	Total All Programs	694,557,857	814,962,180	120,404,323
59	Central Garage Internal Service Funds	22,202,720	22,754,095	551,375
60	Total Authorizations	716,760,577	837,716,275	120,955,698

FY22 Includes BAA Adjustments

Act No. 185 (H.740). Appropriations; Big Bill; fiscal year 2023 budget

An act relating to making appropriations for the support of government

This is the budget bill. For more information, see the website of the Joint Fiscal Office at: <https://ljfo.vermont.gov/subjects/appropriations-and-budget/fy-2023>

Multiple effective dates, beginning on July 1, 2021

Act No. 186 (H.720). Human services; developmental disabilities

An act relating to the system of care for individuals with developmental disabilities

This act specifies that it is the intent of the General Assembly that:

- individuals who qualify for developmental services and who meet a funding priority as outlined in the State system of care plan for developmental services receive full and complete information in plain language regarding their options and services; and
- individuals with developmental disabilities, their family members, allies, and advocates be respected and active participants in systems change activities, including payment reform, development of resources to comply with the federal home- and community-based services regulations, and development of additional residential service options.

This act amends the existing system of care plan by removing the requirement that a portion of the plan go through rulemaking. It further sets forth a process for the Department of Disabilities, Aging, and Independent Living (Department) to request an extension for the completion of subsequent system of care plans.

Sec. 3 of this act requires the Department to submit a report to the General Assembly by November 15, 2022, regarding the oversight of services for individuals with developmental disabilities. It also requires that the Department submit a report to the General Assembly on January 15, 2023, that includes an implementation plan addressing the fiscal and workforce requirements needed to conduct a minimum of at least one annual on-site quality assurance and improvement visit by the Department to the designated and specialized service agencies and other providers serving individuals with developmental disabilities.

This act creates a limited-service position of the Residential Program Developer within the Department and allocates funds for this purpose. It also directs the Department to develop housing and residential service pilot planning

grants in at least three regions of the State, in partnership with the designated and specialized services agencies, for individuals with developmental disabilities and their families. The work of the Department in developing and selecting pilot planning grants is to be guided by the steering committee.

Sec. 6 of this act addresses legislative input pertaining to system-wide payment reform and the conflict-free case management system impacting individuals with developmental disabilities. Due to a typographical error, this section diverges from legislative intent, and the General Assembly is expected to address the discrepancy during the 2023 session.

Multiple effective dates, beginning on June 9, 2022

Act No. M-7 (H.454). Municipal charters; City of Burlington; amendment

An act relating to approval of an amendment to the charter of the City of Burlington

This act amends the charter of the City of Burlington to increase the membership on the Board of Airport Commissioners to include an additional member from the City of Burlington and to add a member from the City of Winooski.

Effective Date: February 14, 2022

Act No. M-8 (H.693) Municipal government; Northeast Kingdom Waste Management District; annual budget vote in the year 2022; temporary authority

An act relating to the annual budget vote of the Northeast Kingdom Waste Management District

This act temporarily authorizes, in the year 2022, the Board of Supervisors of the Northeast Kingdom Waste Management District to vote to adopt the District's annual budget for the ensuing fiscal year.

Effective Date: February 14, 2022

Act No. M-9 (H.448). Municipal charters; City of Burlington; amendments

An act relating to approval of amendments to the charter of the City of Burlington

This act amends the charter of the City of Burlington to authorize the City Council to adopt ordinances governing thermal energy systems in residential and commercial buildings within the City. This act also permits the City to adopt a requirement for carbon impact or alternative compliance payments, provided that the proposed requirement for these payments is approved by the City voters.

Effective Date: April 20, 2022

Act No. M-10 (H.491). Municipal charters; City of Essex Junction; creation of City and adoption of City charter**An act relating to the creation of the City of Essex Junction and the adoption of the City charter**

This act creates the City of Essex Junction, repeals the charter of the Village of Essex Junction, and enacts the City charter. This act:

- establishes the City's form of municipal government, elected and appointed offices, duties and powers of City boards and officers, and procedures for City meetings
- establishes the City's fiscal and budget procedures, tax-related authority, and requirements for the preparation and adoption of capital improvement programs
- provides temporary provisions for the establishment of the City and the City's separation from the Town of Essex during a one-year transitional period
- provides a transitional provision for the appointment of the City's justices of the peace

Effective Date: July 1, 2022

Act No. M-11 (H.718) Municipal government; Colchester Fire District No. 1; dissolution**An act relating to approval of the dissolution of Colchester Fire District No. 1**

This act approves the dissolution of Colchester Fire District No. 1 and the transfer of the Fire Districts assets and liabilities to the Champlain Water District as approved by the Fire District and Water District through an operating agreement executed on October 19, 2020.

Effective Date: April 27, 2022

Act No. M-12 (H.741). Municipal and county government; municipal charters; City of St. Albans; amendments**An act relating to approval of amendments to the charter of the City of St. Albans**

This act amends the charter of the City of St. Albans to authorize the City Council to appoint a City Clerk and a City Treasurer.

Effective Date: May 9, 2022

Act No. M-13 (H.447). Municipal government; municipal charters; Town of Springfield; amendments**An act relating to approval of amendments to the charter of the Town of Springfield**

This act amends the charter of the Town of Springfield to:

- Make nonsubstantive technical amendments throughout the charter.
- Authorize the Town to adopt ordinances relating to the cleaning and repair of any premises that is deemed to impair the general appearance of the Town, may physically injure other property in the vicinity, or is a health hazard. These ordinances must comply with certain enumerated requirements within the charter.
- Amend the Town’s charter-specific requirements and procedures for meetings and public records and instead cross-reference the Open Meeting Law and Public Records Act.
- Amend the Town’s procedures for the proposal and adoption of charter amendments.
- Eliminate the charter requirements for the election of listers and a First Constable and instead appoint or elect those offices based on applicable provisions of the charter or State law.
- Eliminate the charter requirements for the appointment of a Weigher of Coal, Fence Viewers, Surveyor of Wood and Lumber, and Grand Juror.
- Establish the requirement for the appointment of a First Constable and enumerate the duties of that officer.
- Amend the term, duties, and authority of the Town Manager.
- Amend the Town’s charter-specific requirements for personnel management and create the position of Human Resources Manager.
- Reorganize the Town’s procedure for citizen input on the Town budget and create a Budget Advisory Committee composed of registered voters of the Town.
- Repeal the Town’s personal property tax charter provisions, which had been lowered to zero percent as of 2001.

Effective Date: May 16, 2022

Act No. M-14 (H.744). Municipal government; municipal charters; City of Burlington; Amendment

An act relating to approval of an amendment to the charter of the City of Burlington

This act amends the charter of the City of Burlington to authorize the City Council to adopt an ordinance that establishes a system of ranked choice voting for the election of City Councilors.

Effective Date: May 19, 2022

Act No. M-15 (H.444). Municipal charters; City of Barre; amendments

An act relating to approval of amendments to the charter of the City of Barre

This act amends the charter of the City of Barre to:

- permit the City to acquire and convey easement interests in property, subject to the approval of the City Council
- enumerate the flags that the City may fly on City property

- authorize the City Council to adopt an ordinance establishing speed limits of less than 25 miles per hour on City streets
- eliminate references to the City offices of First Constable, Grand Juror, and Inspector of Plumbing
- establish procedures for the preparation and submission of a five-year capital improvement plan
- authorize the City to impose a local option tax on sales

Effective Date: May 24, 2022

Act No. M-16 (H.742). Municipal government; municipal charters; Town of Milton; amendments

An act relating to approval of amendments to the charter of the Town of Milton

This act amends the charter of the Town of Milton to:

- make nonsubstantive technical amendments throughout the charter;
- authorize the Town to establish a system of police protection and to create and equip a Police Department;
- align the Town's criminal ordinance provisions with State law governing ordinances designated as criminal;
- eliminate the charter requirement for the election of a Moderator and instead provide for the appointment of the Moderator by the Selectboard;
- redesignate the Zoning Board of Adjustment as the Development Review Board;
- provide that the Town Manager and School District Superintendent may run for statewide office with approval of the Selectboard or Town School Board, respectively; and
- require the Selectboard to adopt Selectboard policies.

Effective Date: May 31, 2022

Act No. M-17 (H.743). Municipal government; municipal charters; Town of Hardwick; amendments

An act relating to amending the charter of the Town of Hardwick

This act amends the charter of the Town of Hardwick to:

- make nonsubstantive technical corrections throughout the charter;
- merge the Town offices of Town Clerk and Town Treasurer into the office of Town Clerk and Treasurer;
- require the digital publication of certain Town notices;
- eliminate charter-specific requirements for the election of some Town officers, including trustees of public funds, auditors, listers, and fence viewers; and

- require the Town Fire Department to provide a slate of Fire Department officers to the Town Manager as a recommendation for election of those officers at the Town Meeting.

Effective Date: June 7, 2022

Act No. M-18 (H.745). Municipal government; municipal charters; Town of Montgomery; adoption

An act relating to the approval of the adoption of the charter of the Town of Montgomery

This act enacts the charter of the Town of Montgomery and authorizes the Town to adopt a local option tax on sales, rooms, and meals and alcoholic beverages for purposes of repayment of debt obligations related to the Municipal Wastewater System in Montgomery Center and Village. This act establishes the expiration of the local option tax authority 90 days after the date that the Town has fully repaid the debt obligations specified in the Town charter.

Effective Date: June 7, 2022

Act No. M-19 (H.746). Municipal government; municipal charters; City of Burlington; amendment

An act relating to an amendment to the charter of the City of Burlington

This act repeals subdivision 48(7) of the charter of the City of Burlington to remove the City's charter-specific authority to restrain and suppress houses of ill-fame.

Effective Date: June 7, 2022