

No. 67. An act relating to the reimbursement of statewide education property taxes that were abated due to flood damage.

(H.461)

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

Sec. 1. REIMBURSEMENT OF EDUCATION TAXES FOR

MUNICIPALITIES THAT ABATED PROPERTY TAXES DUE TO
FLOOD DAMAGE

(a) The commissioner of taxes may approve an application by a municipality for a reimbursement by the department of education of payments owed under 32 V.S.A. § 5402(c) and 16 V.S.A. § 426. The reimbursement shall be based on the amount of the education taxes that were assessed on property lost or destroyed due directly or indirectly to flooding in an area that was declared a federal disaster between April 1, 2011 and October 1, 2011, and that were abated, in proportion to the abated municipal tax, under the provisions of 24 V.S.A § 1535 prior to April 15, 2012. The commissioner shall adopt application and approval procedures, which may include loss thresholds, for reimbursements made under this section.

(b) If a municipality demonstrates that due to disruption to tax collections resulting from flooding in an area that was declared a federal disaster between April 1, 2011 and October 1, 2011 it incurred unanticipated interest expenses on funds borrowed to make payments required pursuant to 32 V.S.A. § 5402 and 16 V.S.A. § 426, the municipality may be reimbursed by an amount equal

to its reasonable interest expenses under this section. The commissioner shall adopt application and approval procedures for reimbursements made under this section.

(c) Notwithstanding any other provision of law to the contrary, the department of education has the authority to make the reimbursements approved under this section by reducing the amount a municipality owes under 32 V.S.A. § 5402(c) and 16 V.S.A. § 426 or by reconciling the reimbursements with any payments that have already been made under 32 V.S.A. § 5402(c) and 16 V.S.A. § 426.

(d) A board of abatement may reconsider any decision it made between April 1, 2011 and the date of the passage of this act.

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Approved: January 18, 2012