

No. 70. An act relating to holding public agencies harmless for disclosure of property tax adjustment information.

(H.515)

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

Sec. 1. PUBLIC AGENCY; DISCLOSURE OF PROPERTY TAX

ADJUSTMENT INFORMATION

The Vermont Supreme Court held in *In re: H.S. 122* (Vt. Dec. 22, 2011) that property tax adjustment information on municipal property tax bills is confidential under 32 V.S.A. § 3102 and not subject to inspection and copying under the Vermont Public Records Act. Prior to the Vermont supreme court's ruling in *In re: H.S. 122*, the Vermont attorney general and the Vermont department of taxes advised public agencies that property tax adjustment information was public and subject to inspection and copying under the Public Records Act. Consequently, notwithstanding 1 V.S.A. § 214 or any other provision in law, a public agency or an employee or agent of a public agency shall not be held liable for a violation of the Public Records Act, for a violation of 32 V.S.A. § 3102, or for a claim based on invasion of privacy as a result of disclosure of property tax adjustment information prior to the issuance of the mandate pursuant to Rule 41 of Vermont Rules of Appellate Procedure of the Vermont supreme court in *In re: H.S. 122*. As used in this section, "public agency" shall have the same meaning as defined in 1 V.S.A. § 317(a)(2).

Sec. 2. EFFECTIVE DATE

This act shall take effect on passage.

Approved: February 6, 2012