

1 H.515

2 Introduced by Committee on Government Operations

3 Date:

4 Subject: Taxation and finance; government operations; property tax adjustment
5 information

6 Statement of purpose: This bill proposes to hold public agencies harmless for
7 the disclosure of property tax adjustment information prior to the Vermont
8 supreme court decision holding such information to be confidential.

9 An act relating to holding public agencies harmless for disclosure of
10 property tax adjustment information

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

12 Sec. 1. PUBLIC AGENCY; DISCLOSURE OF PROPERTY TAX

13 ADJUSTMENT INFORMATION

14 The Vermont Supreme Court held in *In re: H.S. 122* (Vt. Dec. 22, 2011)
15 that property tax adjustment information on municipal property tax bills is
16 confidential under 32 V.S.A. § 3102 and not subject to inspection and copying
17 under the Vermont Public Records Act. Prior to the Vermont supreme court's
18 ruling in *In re: H.S. 122*, the Vermont attorney general and the Vermont
19 department of taxes advised public agencies that property tax adjustment
20 information was public and subject to inspection and copying under the Public

1 Records Act. Consequently, notwithstanding 1 V.S.A. § 214 or any other
2 provision in law, a public agency or an employee or agent of a public agency
3 shall not be held liable for a violation of the Public Records Act, for a violation
4 of 32 V.S.A. § 3102, or for a claim based on invasion of privacy as a result of
5 disclosure of property tax adjustment information prior to the issuance of the
6 mandate pursuant to Rule 41 of Vermont Rules of Appellate Procedure of the
7 Vermont supreme court in *In re: H.S. 122*. As used in this section, “public
8 agency” shall have the same meaning as defined in 1 V.S.A. § 317(a)(2).

9 Sec. 2. EFFECTIVE DATE

10 This act shall take effect on passage.