May 14 Advocacy Update: Op-Ed; Municipal Tax Sales, Open Meeting Law, Ethics

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Find out what happened in the 11th hour and be sure not to miss Ted Brady's op-ed on the 2024 legislative session: Municipal Officials Weather a Tough and Busy Legislative Session.

The flurry leading up to last week's legislative adjournment included the 11th-hour passage of several bills that affect municipalities. We will provide a comprehensive Legislative Session Wrap-Up once we have a chance to review all the municipally relevant bills and those which face a veto by Governor Scott. In the meantime, we know you have questions on some immediate impacts, and here we provide you with these important updates regarding Municipal Tax Sale, Open Meaning Law, and Ethics.

H.629(opens in a new tab) – An act relating to changes to property tax abatement and tax sales

This bill was sent to the governor on May 7, 2024, and Governor Scott is expected to sign it any day now. This bill takes effect upon passage (date of the governor's signature) with certain exceptions for properties already noticed for tax sale or in a redemption period prior to the effective date. Properties in the redemption period with more than 90 days remaining must meet new notices requirements. **Please see H.629 as passed page 64 for more information**(opens in a new tab), submit an inquiry to **VLCT Municipal Assistance Center**(opens in a new tab), and consult your tax sale attorney for specific guidance.

S.55(opens in a new tab) – An act relating to authorizing public bodies to meet electronically under Vermont's Open Meeting Law

This bill was passed on the last day of the session and still must be sent to the governor before it becomes law. The governor is expected to sign it. Regardless of when he signs, the effective date **will not be until July 1, 2024, and new training requirements don't go into effect until July 1, 2025**. After July 1, 2024, municipal advisory bodies will retain the ability to meet virtually **or** in person **or** hybrid (a big

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victory for inclusive democracy). After July 1, 2024, municipal non-advisory bodies (legislative, budgetary, and quasi-judicial bodies) will no longer be able to meet virtually unless there are special circumstances (so-called "local incidents" or for emergency meetings). In addition, all municipal non-advisory bodies **will need to record their meetings** and post the recordings to a website for 30 days if they maintain one. There are "undue hardship" exemptions for many of the provisions that could relieve pressure on resource-challenged municipalities, though, candidly, VLCT is not sure how to interpret those just yet. VLCT has relied on a **summary of the bill** (opens in a new tab) provided by Senator Ruth Hardy (Addison County), which may be of some assistance in interpreting the complex legal language. We know members have specific questions and concerns, and we will provide more information in the Legislative Session Wrap-Up in the coming weeks.

H.875(opens in a new tab) – An act relating to the State Ethics Commission, State and Municipal Ethics

This bill was passed on the last day of the session and must be sent to the governor before it becomes law. Governor Scott has not signaled his position on the bill, which passed largely on party lines in both the House and Senate. Should this bill become law, the new requirements placed on municipalities **don't go into effect until January 1, 2025**, and the new training requirements **don't go into effect until September 30, 2025**. The bill creates a new uniform municipal code of ethics that most municipal officers will need to follow; requires municipal legislative body members and quasi-judicial body members to take training; requires municipalities to take, investigate and enforce ethics complaints; and implements new record keeping and reporting requirements. Until next year, VLCT recommends that municipal officials continue operating under **existing conflict of interest and ethics law**. In addition to the information we include in the upcoming Legislative Session Wrap-Up, keep an eye on the **State Ethics Commission website**(opens in a new tab) – as the bill largely

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charges them with training and opinion services.

Publication Date

05/14/2024

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