



FAIRFAX COUNTY PARK AUTHORITY



M E M O R A N D U M

TO: Chairman and Members
Park Authority Board

VIA: Jai Cole, Executive Director

FROM: Sara Baldwin, Deputy Director/COO

DATE: June 9, 2023

Agenda

**Administration and Board Management Committee
(Committee of the Whole)**

Wednesday, June 14, 2023 – 6:40 pm

Virtual

Chairman: Faisal Khan

Vice Chair: Maggie Godbold

1. Legislative Program - 2023 (with presentation) – Information*

*Enclosures



If accommodations and/or alternative formats are needed, please call (703) 324-8563. TTY (703) 803-3354

Board Agenda Item
June 14, 2023

INFORMATION – 1

Legislative Program – 2023

Staff will provide a Legislative update on the status of the 2023 General Assembly Legislative activities and discuss preparations for 2024.

ENCLOSED DOCUMENTS:

Legislative Items Passed for 2023

STAFF:

Jai Cole, Executive Director

Aimee L. Vosper, Deputy Director/CBD

FCPA
2023 Legislative Session
Items Passed

FCPA Supported - Positive Impact	
HB 1510	<p>Local incentives for urban green space. Authorizes localities to establish programs to provide regulatory flexibility to encourage the preservation, restoration, or development of urban green space, defined in the bill. The regulatory flexibility may include (i) a reduction in permit fees or (ii) a streamlined process for the approval of permits. Local incentives for urban green space. Authorizes localities to establish programs to provide regulatory flexibility to encourage the preservation, restoration, or development of urban green space, defined in the bill. The regulatory flexibility may include (i) a reduction in permit fees or (ii) a streamlined process for the approval of permits.</p>
HB 1610	<p>Virginia Public Procurement Act; cooperative procurement; installation of playground equipment. Excludes the installation of playground equipment, including all associated and necessary construction and maintenance, from the prohibition on using cooperative procurement to purchase construction.</p>
HB 1968	<p>"Green Book;" Department of Historic Resources to designate historic sites. Department of Historic Resources; Green Book historic site designations. Directs the Department of Historic Resources, in partnership with the Virginia Tourism Corporation and the Department of Transportation, to designate or approve supplementary signs for historic site signs identifying Green Book locations and businesses in the Commonwealth. The bill defines "Green Book" as The Negro Motorist Green Book published by Victor Hugo Green, which provided a list of hotels, guest houses, service stations, drug stores, taverns, barbershops, and restaurants known to be safe for traveling Black Americans during the Jim Crow era.</p>
HB 2041	<p>Parks, local; walking trails, liability for property owners. Local parks; walking trails; liability; property owners. Authorizes a locality or park authority to establish, conduct, and regulate a system of walking trails and releases from certain civil liability the owner of any property leased, licensed, or provided by easement for such use in the absence of gross negligence or willful misconduct. This bill is identical to SB 807.</p>
HB 2096	<p>Noxious weeds; invasive plant species. Removes the current prohibition on the movement, transportation, delivery, shipment, or offering for shipment of any noxious weed into or within the Commonwealth without a permit from the Commissioner of Agriculture and Consumer Services and grants the Board of Agriculture and Consumer Services the authority to adopt regulations governing the conditions under which a permit will be required for such actions. The bill also adds requirements related to invasive plant species, including directing the Department of Conservation and Recreation to create an invasive plant species list and update it quadrennially. The bill directs the Department of Conservation and Recreation to convene the Virginia Invasive Species Working Group to develop industry resources and recommendations to be submitted to the Chairmen of the Senate Committees on Agriculture, Conservation and Natural Resources and Finance and Appropriations and the House Committees on Agriculture, Chesapeake and Natural Resources and Appropriations.</p>

FCPA
2023 Legislative Session
Items Passed

HB 2244	<p>African American cemeteries and graves; appropriations DHR. Department of Historic Resources; appropriations for African American cemeteries and graves. Requires appropriations by the Department of Historic Resources for African American cemeteries to be allocated on the bases of (i) the number of markers in a cemetery of African Americans who were alive prior to January 1, 1900, regardless of the date of interment, and (ii) the number of markers in a cemetery of African Americans who were born on or after January 1, 1900, and interred in such cemetery prior to January 1, 1948. Under current law, such appropriations are allocated on the basis of the number of markers in a cemetery of African Americans who were interred in such cemetery prior to January 1, 1948. This bill is identical to SB 1062.</p>
SB 1415	<p>Opioid impact reduction. Opioid impact reduction. Allows any person to possess and administer naloxone or other opioid antagonist used for overdose reversal other than naloxone in an injectable formulation with a hypodermic needle or syringe in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, provided that certain other conditions enumerated in current law are met. The bill removes training requirements related to the possession and administration of naloxone. The bill directs the Department of Health, the Department of Behavioral Health and Developmental Services, and the Department of Corrections to collaborate to develop a statewide comprehensive plan for the distribution of naloxone throughout the Commonwealth and allows such agencies to begin implementation of the plan to the extent the agencies are able to do so with existing resources. The bill requires the Department of Health to provide a report on the development of the comprehensive statewide naloxone plan, including the resources needed to fully implement the plan, to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations by September 1, 2023. The bill directs the Department of Health to begin the development of a Commonwealth opioid impact reduction registry consisting of nonprofit organizations that work to reduce the impact of opioids in the Commonwealth and directs the Department of Corrections to amend its regulations to require that training in the administration of naloxone be provided to every inmate prior to release.</p>
SB 0897	<p>Governor's Blue Catfish Processing, Flash Freezing, and Infrastructure Grant Program. Establishes the Governor's Blue Catfish Processing, Flash Freezing, and Infrastructure Grant Program and authorizes the Governor to award grants to political subdivisions from the Governor's Agriculture and Forestry Industries Development Fund as part of the Program. Such grants, in amounts up to \$250,000, shall be awarded as reimbursable grants to support blue catfish processing, flash freezing, and infrastructure projects. The bill directs the Secretary of Agriculture and Forestry to develop certain guidelines as provided in the bill on behalf of the Governor to facilitate the Program. This bill is identical to HB 1664.</p>
HB 1388	<p>Virginia National Guard Passport; established, free entry and parking for state parks. State parks; Virginia National Guard Passport established; free entry and parking. Directs the Department of Conservation and Recreation to establish a Virginia National Guard Passport that authorizes a member of the Virginia National Guard to enter state parks without paying a parking or admission fee. This bill is identical to SB 915.</p>
<p>Not Applicable or No Significant Impact to FCPA</p>	

FCPA
2023 Legislative Session
Items Passed

HB 1636	<p>Child day program or family day system; operating or engaging in the conduct thereof. Operating or engaging in the conduct of a child day program or family day system without a license; penalty. Clarifies that, for the purpose of the Class 4 felony prescribed for any parent, guardian, or other person responsible for the care of a child younger than the age of 18 who by willful act or willful omission or refusal to provide any necessary care for the child's health causes or permits serious injury to the life or health of such child, the term "willful act or willful omission" includes operating or engaging in the conduct of a child day program or family day system without first obtaining a license such person knows is required by relevant law or after such license has been revoked or has expired and not been renewed.</p>
SB 1097	<p>Early childhood care and education; licensure requirements for certain accredited private school. Early childhood care and education; licensure requirements; certain accredited private school exempt. Provides that child day programs that are affiliated with an accredited private school located west of Sandy Ridge and on the watersheds of Big Sandy River and to which no contributions are made by the Commonwealth shall not be required to obtain licensure to operate in the Commonwealth. Current law exempts only those programs that are offered to children who reside at such private school. This bill is identical to HB 1700.</p>
HB 2151	<p>State parks; master planning requirements. State parks; master planning requirements. Increases from \$500,000 to \$2 million the value of physical improvements and structures in state parks that are considered substantial improvements, as defined in the bill. The bill also stipulates that the master planning process shall not be considered an impediment to the acquisition of inholdings, adjacent properties to be incorporated into an existing park, or properties acquired for the development of a new park. Such properties, when acquired, shall be incorporated into a park's existing master plan as part of that plan's next scheduled 10-year review and update, or for new parks, a master plan shall be initiated within five years of finalizing the acquisition.</p>
HB 2415	<p>American Revolution 250 Commission; changes Commission to a legislative branch commission. American Revolution 250 Commission; report. Changes the American Revolution 250 Commission, established in 2020, from an executive branch advisory commission to a legislative branch commission. The bill provides that members previously appointed to the Commission shall continue to serve pursuant to their original appointments. The bill also creates the Virginia American Revolution 250 Commission Fund. The bill extends the Commission's sunset date from July 1, 2027, to July 1, 2032. This bill is identical to SB 1412.</p>
SB 1404	<p>School Readiness Committee; renaming as Commission on Early Childhood Care and Education. School Readiness Committee; renaming as Commission on Early Childhood Care and Education; purpose; membership; powers and duties. Renames the School Readiness Committee as the Commission on Early Childhood Care and Education and makes several changes to the Commission, including adjusting its purpose, increasing and adjusting its membership, and establishing eight enumerated powers and duties for the Commission. This bill is identical to HB 1423.</p>

FCPA
2023 Legislative Session
Items Passed

SB 1132	Criminal history record information; dissemination. Criminal history record information; dissemination. Allows criminal history record information to be disseminated to the Commissioner of Behavioral Health and Developmental Services or his designee for individuals who are being evaluated by the Commissioner to determine the individual's sanity at the time of a criminal offense or capacity to stand trial for the purpose of placement, evaluation, treatment, or discharge planning. This bill is identical to HB 2313.
SB 1394	Removal of trash and clutter from property; localities in Planning District 6. Cutting of grass and weeds on certain property; localities in Planning District 6. Cutting of grass and weeds on certain property; localities in Planning District 22. Exempts localities located in Planning District 22 from provisions that exclude agricultural land from requirements related to the cutting of grass and weeds when such land is one acre or less and is located in an area that is used for a residential purpose.
SB 1438	Agricultural land; ownership by foreign governments prohibited. Agricultural land; acquisition or transfer by foreign adversaries prohibited; report. Prohibits any foreign adversary, as defined in the bill, from acquiring or transferring any interest in agricultural land, as defined in federal law, beginning January 1, 2023, and requires the Department of Agriculture and Consumer Services to compile a report annually with certain information regarding agricultural land that is under foreign ownership and submit such report to the Governor and General Assembly. This bill is identical to HB 2325.

2023 Legislative Update

Park Authority Board
June 14, 2023

Legislation Process:

Review and Passing of Bills - 2023 Session Review

- ▶ County Legislative Team (CLT) travels to the Virginia General Assembly and lobbies for Fairfax County.
- ▶ CLT informs FCPA legislative review team of proposed bills.
- ▶ FCPA reviews proposed bills and potential impacts and provides feedback to CLT.
- ▶ CLT lobbies for or against bills based on the legislative agenda and input from FCPA.
- ▶ Virginia General Assembly passes bills.
- ▶ Governor of Virginia passes or vetoes bills.

FCPA Summary of Bills Reviewed

2023 General Assembly Session

- ▶ 2023 GA considered 2,863 bills and resolutions
- ▶ 56 bills were referred for FCPA review at least once
 - ▶ 17 ultimately enacted
- ▶ Most new laws take effect July 1, 2023
- ▶ Staff will review all bills that may have an impact on FCPA or the County

County Initiatives

- ▶ HB 1510 - Local Incentives for Urban Green Space
 - ▶ Recommend to support; Authorizes localities to establish programs to provide regulatory flexibility to encourage the preservation, restoration, or development of urban green space, defined in the bill. The regulatory flexibility may include (i) a reduction in permit fees or (ii) a streamlined process for the approval of permits. Local incentives for urban green space.

County Initiatives

- ▶ HB 2096 - Noxious Weeds; Invasive Plant Species.
 - ▶ Recommend to support; Removes the current prohibition on the movement, transportation, delivery, shipment, or offering for shipment of any noxious weed into or within the Commonwealth without a permit from the Commissioner of Agriculture and Consumer Services and grants the Board of Agriculture and Consumer Services the authority to adopt regulations governing the conditions under which a permit will be required for such actions. The bill also adds requirements related to invasive plant species, including directing the Department of Conservation and Recreation to create an invasive plant species list and update it quadrennially. The bill directs the Department of Conservation and Recreation to convene the Virginia Invasive Species Working Group to develop industry resources and recommendations to be submitted to the Chairmen of the Senate Committees on Agriculture, Conservation and Natural Resources and Finance and Appropriations and the House Committees on Agriculture, Chesapeake and Natural Resources and Appropriations.

HB 2498 - Virginia Freedom of Information Act; training for local officials, members of park authorities' boards

- ▶ Added language to include park authorities' boards to the public boards and commissions that are required to have training on FOIA
- ▶ Training sessions will be required within two months of assuming the board position and requires records of the training to be kept
- ▶ Effective July 1, 2023
- ▶ Working with County FOIA staff to provide training to PAB in July 2023

2024 Legislation Process:

Development of Bills- Summer 2023

- ▶ County Legislative Team (CLT) sends out call for legislative items.
- ▶ Board Members and county staff identify and propose legislative items.
- ▶ CLT vets legislative items and schedules those that make it onto the County's Legislative Committee Agenda.
- ▶ County's Legislative Committee hears the item(s) and consensus is formed to move or not move an item onto the county's legislative agenda.
- ▶ County's Legislative Agenda goes to Richmond.

Past initiatives:

- ▶ [Item 1](#) To request that any retailer of plants, shrubs, trees, etc. in the Commonwealth, or anyone who sells to a resident of the Commonwealth, identify the plant product they are selling as an invasive species for that part of the Commonwealth so that the individual understands the impact of the plant product
 - ▶ RESULT: Workgroup to export an ordinance to restrict running bamboo and work with Native Plant Society to educate everyone on invasive species
- ▶ [Item 2](#) To include policy statements to support legislation to enhance park maintenance funding and to continue support environmental regulations to further protect the Chesapeake Bay Watershed.
 - ▶ RESULT: The Land Conservation position statement was amended to add language to encourage "increased funding for the development and rehabilitation of park infrastructure"

Call for Legislative Items

Input from SMT:

- ▶ Consider change in RCP legislation so that the PA would not need to lease PA property to BOS to lease to the Resident Curator
 - ▶ Have asked in the past, but the state has been reluctant to change the legislation for only FxCo
- ▶ Look into laws regarding land dedication and subdivision- conservation of land in RPAs/Development rights and how it fits in with park dedications
- ▶ DTA bidding - allow Authority to purchase property in default (and not have to bid on it)

- ▶ Any ideas for the CLT to consider for the 2024 VA General Assembly?
 - ▶ Submit ideas to Aimee Vosper by June 30th.
- ▶ Link to 2023 GA Fairfax County Adopted Legislative Program: [2023-ga-final-report.pdf \(fairfaxcounty.gov\)](https://www.fairfaxcounty.gov/legis/2023-ga-final-report.pdf)

Thank you!