




County of Fairfax, Virginia

MEMORANDUM

DATE: February 5, 2024

TO: Board of Supervisors

FROM: Bryan J. Hill, County Executive 

SUBJECT: 2024 Legislative Report No. 1 – Board Legislative Committee Meeting of January 26, 2024

The regular 2024 Session of the Virginia General Assembly convened on January 10, 2024, and is scheduled to adjourn on March 9, 2024. This is a “long” session of 60 days. The 2024 General Assembly has been very active, and the volume of legislation is comparable to years past. As of February 4, 2024, 2,598 bills and resolutions have been introduced.

The “crossover” date of the 2024 General Assembly is scheduled for February 13 – one week from today. This is one of the most significant dates in the legislative process, as the House and Senate are required to act on their respective non-budget legislative initiatives by crossover, and thereafter, consider only legislation passed by the other body. In order to meet that deadline, House and Senate committees have been conducting increasingly longer meetings during the past weeks. Following crossover, both chambers will continue to work on their individual revenue bills, as well as the state budget.

The first Legislative Committee was scheduled for January 19, but the meeting was cancelled due to inclement weather. The Committee met on January 26 to consider several issues of importance to the County and offers the following report and recommendations for action to the Board.

Legislative Committee Actions of January 26, 2024:

Members Present: Legislative Chairman Walkinshaw
Chairman McKay
Supervisor Bierman, Jr.
Supervisor Lusk
Supervisor Alcorn
Supervisor Jimenez
Supervisor Storck
Supervisor Palchik
Supervisor Smith

Specific Issues

Update on State Budget: The Committee received a summary of budget items submitted by Governor Youngkin and their respective impacts on the County, including K-12 education funding, transportation funding, and other proposals related to budget priorities in the County's Legislative Program. More detailed information may be found in the chart provided on "Supplementary Documents," page 59.

JLARC Virginia 's K-12 Funding Formula: The Committee received copies of a presentation by the Joint Legislative Audit and Review Commission on Virginia's funding models for its K-12 education programs (see "Supplementary Documents," page 83).

Priority Principles for Reviewing Legislation

1. Adequately fund K-12 education.
2. Fully restore the \$102 million of regional funding to the Northern Virginia Transportation Authority (NVTA) and provide sustainable funding for WMATA that addresses the looming budget shortfall.
3. Build upon the successful enactment of significant transportation revenues by the 2013 and 2020 GAs to ensure sufficient funding for transportation needs.
4. Preserve local government authority, particularly in taxation, land use, and the protection of public health, safety, and welfare.

Specific Legislation

County Initiatives

HB 1238 (Sickles) (HP) extends the deadline for local electoral boards to meet after an election for the purpose of certifying the election results and submitting the abstract of results to the State Board of Elections from seven days after the date of the election to 10 days after such date. (24102598D)

HB 793 (Henson) (HTRAN)/**HB 1071** (Carr) (HTRAN) expands the current authority of any locality to reduce the speed limit to less than 25 miles per hour, but not less than 15 miles per hour, on highways within its boundaries that are located in a business district or residence district to include highways within the state highway system, provided that such reduced speed limit is indicated by lawfully placed signs. (24103385D; 24102677D)

Historical Positions of the Board

SUPPORT

SB 41 (Peake) (SRSS) requires the Department of Corrections to compensate local jails for the actual cost, based on the rate calculated in the Compensation Board's annual Jail Cost Report, of incarcerating felons who should otherwise be confined in a state correctional facility. Current law provides for local jails to be compensated at the rate set forth in the general appropriation act. Support; Board has historically supported. (24100912D)

Firearms

SB 368 (Boysko) (SCT) requires any person who possesses a firearm in a residence where such person knows that a minor under 18 years of age or a person who is prohibited by law from possessing a firearm is present to store such firearm and the ammunition for such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person. The bill provides that a violation is a Class 4 misdemeanor. The bill exempts (i) any person in lawful possession of a firearm who carries such firearm on or about his person and (ii) the storage of antique firearms and provides that the lawful authorization of a minor to access a firearm is not a violation of the bill's provisions. The bill also requires firearm dealers to post a notice stating such firearm storage requirements and the penalty for improperly storing such firearms. Support; Board has historically supported. (24104295D)

SB 447 (Marsden) (SCT) provides that no person shall leave, place, or store a handgun in an unattended motor vehicle, as defined in the bill, when such handgun is visible to any person who is outside such motor vehicle. The bill provides that any person violating such prohibition is subject to a civil penalty of no more than \$500 and such unattended motor vehicle may be subject to removal for safekeeping. Support; Board has historically supported. (24100642D)

SB 491 (Foy) (SCT) creates standards of responsible conduct for firearm industry members and requires such members to establish and implement reasonable controls regarding the manufacture, sale, distribution, use, and marketing of the firearm industry member's firearm-related products, as those terms are defined in the bill. Such reasonable controls include reasonable procedures, safeguards, and business practices that are designed to (i) prevent the sale or distribution of a firearm-related product to a straw purchaser, a firearm trafficker, a person prohibited from possessing a firearm under state or federal law, or a person who the firearm industry member has reasonable cause to believe is at substantial risk of using a firearm-related product to harm themselves or unlawfully harm another or of unlawfully possessing or using a firearm-related product; (ii) prevent the loss of a firearm-related product or theft of a firearm-related product from a firearm industry member; (iii) ensure that the firearm industry member complies with all provisions of state and federal law and does not otherwise promote the unlawful manufacture, sale, possession, marketing, or use of a firearm-related product; and (iv) ensure that the firearm industry member does not engage in an act or practice in violation of the Virginia Consumer Protection Act. The bill also provides that a firearm industry member may not knowingly or recklessly create, maintain, or contribute to a public nuisance, as defined in the bill, through the sale, manufacturing,

importing, or marketing of a firearm-related product. The bill creates a civil cause of action for the Attorney General or a local county or city attorney to enforce the provisions of the bill or for any person who has been injured as a result of a firearm industry member's violation to seek an injunction and to recover costs and damages. Support; Board has historically supported. (24104526D)

HB 318 (Helmer) (HCT) creates standards of responsible conduct for firearm industry members and requires such members to establish and implement reasonable controls regarding the manufacture, sale, distribution, use, and marketing of the firearm industry member's firearm-related products, as those terms are defined in the bill. Such reasonable controls include reasonable procedures, safeguards, and business practices that are designed to (i) prevent the sale or distribution of a firearm-related product to a straw purchaser, a firearm trafficker, a person prohibited from possessing a firearm under state or federal law, or a person who the firearm industry member has reasonable cause to believe is at substantial risk of using a firearm-related product to harm themselves or unlawfully harm another or of unlawfully possessing or using a firearm-related product; (ii) prevent the loss of a firearm-related product or theft of a firearm-related product from a firearm industry member; (iii) ensure that the firearm industry member complies with all provisions of state and federal law and does not otherwise promote the unlawful manufacture, sale, possession, marketing, or use of a firearm-related product; and (iv) ensure that the firearm industry member does not engage in an act or practice in violation of the Virginia Consumer Protection Act. The bill also provides that a firearm industry member may not knowingly or recklessly create, maintain, or contribute to a public nuisance, as defined in the bill, through the sale, manufacturing, importing, or marketing of a firearm-related product. The bill creates a civil cause of action for the Attorney General or a local county or city attorney to enforce the provisions of the bill or for any person who has been injured as a result of a firearm industry member's violation to seek an injunction and to recover costs and damages. Support; Board has historically supported. (24104492D)

HB 791 (Henson) (HPS) makes it a Class 6 felony to possess a pneumatic gun upon (i) the property of any child day center or public, private, or religious preschool or elementary, middle, or high school, including buildings and grounds; (ii) that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or (iii) any school bus owned or operated by any such school. Support; Board has historically supported. (24104704D)

HB 270 (Reid) (HPS) provides that, unless otherwise prohibited by law, any person may import, sell, transfer, manufacture, or purchase an authorized rifle, defined in the bill, in accordance with the relevant provisions of law. The bill makes it a Class 6 felony for any person to import, sell, transfer, manufacture, or purchase a restricted rifle or large-capacity firearm magazine, both defined in the bill, with certain exceptions. The bill also provides that a person is civilly liable for injuries to person or property or wrongful death of another caused by a third party if it can be shown that the civil defendant sold or transferred a restricted rifle or large-capacity firearm magazine in violation of the provisions of the bill to the person who committed the crime resulting in such injury or death. The bill also provides that no person shall sell a firearm unless at least three days have elapsed from the time the prospective purchaser completes the written consent

form to have a licensed dealer obtain criminal history record information, with exceptions enumerated in the bill. The bill also directs the Department of State Police to develop policies for the establishment of uniform standards for the creation of the Virginia Firearm Buy-Back Program. The bill clarifies that participation in the Program by a local law-enforcement agency is voluntary and also directs the Department to establish the Virginia Firearm Buy-Back Fund, a non-reverting fund to be used solely for the purposes of development and implementation of the Program. Support; Board has historically supported. (24100015D)

Access to Polling Places

HB 43 (Thomas) (HPE) expands the definition of disability for purposes of providing assistance outside of a polling place to voters with disabilities to include any permanent or temporary disability. Under current law, the disability is limited to a permanent or temporary physical disability. Support; Board has historically supported. (24101099D)

Hate Crime

HB 18 (Helmer) (HCT)/**SB 7** (Reeves) (SCT) provides that it is the policy of the Commonwealth to safeguard all individuals within the Commonwealth from unlawful discrimination in employment and in places of public accommodation because of such individual's ethnic origin. The bill also adds victims who are intentionally selected because of their ethnic origin to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of ethnic origin. Support; Board has historically supported. (24101031D; 24100086D;)

Taxation

HB 458 (Callsen) (HFIN)/**HB 600** (Kilgore) (HFIN)/**SB 14** (McPike) (SFIN) authorizes all counties and cities to impose an additional local sales and use tax at a rate not to exceed one percent with the revenue used only for capital projects for the construction or renovation of schools if such levy is approved in a voter referendum. Under current law, only Charlotte, Gloucester, Halifax, Henry, Mecklenburg, Northampton, Patrick, and Pittsylvania Counties and the City of Danville are authorized to impose such a tax. Support; Board has historically supported. (24102900D; 24103515D; 24100982D)

OPPOSE

HB 1204 (Scott) (HHHS) directs the Department of Health to amend its regulations and each local health department and health district to amend its regulations and guidance documents to allow a mobile food unit to conduct up to 20 percent of its sanitation and food preparation activities within a 50-foot radius of the mobile food unit. Oppose; Board has historically opposed. (24100247D)

New Bills – 2024 GA

FOIA

HB 816 (Cherry) (HGL)/**SB 244** (McPike) (SGL) provides that the provisions for conducting a meeting by electronic means due to a state of emergency stated in the Virginia Freedom of Information Act (FOIA) are declarative of existing law since March 20, 2020, with respect to the Governor's declared state of emergency due to COVID-19. Under the bill, any meeting by a public body using electronic communication means occurring from that date until July 1, 2021, and any otherwise lawful action taken at it is validated with respect to FOIA if the body provided public notice, public access, and public comment commensurate with the requirements of existing FOIA provisions regarding electronic and closed meetings. Support. (24104842D; 24104450D)

HB 1040 (Bennett-Parker) (SGL) provides that for purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a person with a disability or a caregiver, defined in the bill, and uses remote participation counts toward the quorum as if the individual was physically present. The bill also provides that the participation policy adopted by a public body, as required by the Virginia Freedom of Information Act, shall not prohibit or restrict any individual member of a public body who is participating in an all-virtual meeting or who is using remote participation from voting on matters before the public body. The bill is a recommendation of the Virginia Freedom of Information Advisory Council. Support. (24104336D)

SB 85 (Favola) (SGL) provides that for purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a person with a disability or a caregiver, defined in the bill, and uses remote participation counts toward the quorum as if the individual was physically present. The bill also provides that the participation policy adopted by a public body, as required by the Virginia Freedom of Information Act, shall not prohibit or restrict any individual member of a public body who is participating in an all-virtual meeting or who is using remote participation from voting on matters before the public body. The bill is a recommendation of the Virginia Freedom of Information Advisory Council. Support. (24101421D)

HB 894 (Bennett-Parker) (HGL) amends the number of all-virtual public meetings that public bodies, with certain exceptions, may convene in a calendar year to no more than two times per calendar year or 50 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. Current law limits the number of all-virtual public meetings to no more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. The bill also provides that with respect to all-virtual public meetings, when audio-visual technology is available, a member of a public body shall, for purposes of a quorum, be considered absent from any portion of the meeting during which visual communication with the member is voluntarily disconnected or otherwise fails or during which audio communication involuntarily fails. Support. (24100596D)

SB 36 (Locke) (SGL) Exempts certain public meetings from the definition of "meeting" under the Virginia Freedom of Information Act to clarify that three or more members of a public body may

appear and participate in such public meeting without violating the Act, provided that no public business is transacted or discussed. Support. (24102327D)

HB 229 (Campbell) (HCCT) allows a locality to advertise legal notices on the locality's website instead of, or in addition to, publishing such notices in a newspaper having general circulation in the locality. Support. (24102261D; 24102922D)

HB 264 (Hope) (HCT)/**SB 157** (Boysko) (SCT) provides that, where any ordinance, resolution, notice, or advertisement is required by law to be published in a newspaper, such ordinance, resolution, notice, or advertisement instead may be published in an online-only news publication subject to certain requirements specified in the bill. The bill sets out a process by which an online-only news publication shall petition the circuit court of the appropriate jurisdiction to publish such ordinances, resolutions, notices, or advertisements and authorizes the court to grant such online-only news publication the authority to publish such ordinances, resolutions, notices, or advertisements for a period of one year. The bill also describes the process by which an online-only news publication may continue renewing such authority to publish each successive year. Support. (24104298D; 24104158D)

Solar Interconnection

HB 106 (Sullivan) (HCE)/**SB 253** (Surovell) (SCL) amends existing shared solar program provisions for Dominion Energy Virginia (Phase II Utility). The bill provides that a customer's net bill for participation in the shared solar program means the resulting amount a customer must pay the utility after the bill credit, defined in relevant law, is deducted from the customer's monthly gross utility bill. The bill requires the State Corporation Commission to establish a minimum bill, below which a subscriber's net bill cannot go, that is calculated based on the amount of kilowatt-hours billed by the utility. The bill also changes the shared solar program capacity to at least 10 percent of each utility's adjusted Virginia peak load and requires the Commission's regulations to allow for program participation by all jurisdictional and non-jurisdictional customer classes. Under the bill, co-location of two or more shared solar facilities is permitted for shared solar program participation if the facilities are located on a single parcel of land or on adjacent parcels of land for facilities up to five megawatts. The bill requires the Commission to (i) establish regulations that prohibit early termination fees and credit reporting for low-income customers, (ii) require net financial savings for subscribers relative to the subscription fee, (iii) require a customer's affirmative consent before providing customer billing and usage data to a subscriber organization, and (iv) establish customer engagement rules. Under the bill, any net crediting fee imposed by the shared solar program shall not exceed one percent of the bill credit value and shall be charged to the subscriber organization. The bill also provides that a utility is permitted to seek recovery of bill credit costs in its triennial base review only if such costs would result in the utility being unable to meet its revenue requirement after accounting for all avoided costs that can be realized by ratepayers. The bill specifies that the Commission shall update its shared solar program consistent with the requirements of the bill by January 1, 2025, and shall require each utility to file any associated tariffs, agreements, or forms necessary for implementing the program by July 1, 2025. Additionally, the bill requires the Department of Energy to convene a stakeholder work group to determine the amounts and forms of project incentives for (a) projects located on rooftops,

brownfields, or landfills; (b) projects that are dual-use agricultural facilities; or (c) projects that satisfy another category as established by the Department and to submit a written report to the Chairs of the House Committee on Commerce and Energy and the Senate Committee on Commerce and Labor no later than November 30, 2024. Support. (24101045D; 24102098D)

HB 117 (Sullivan) (HLC)/**SB 346** (SCL) (Subramanyam) provides that an electric distribution company shall pay 33 cents (\$0.33) per kilowatt-hour per day for the costs of lost electricity production for any and all delays beyond the regulatory notice period required by State Corporation Commission related to net energy metering. The bill requires that, for the purposes of net energy metering, an eligible customer-generator shall bear all reasonable costs of equipment required at the eligible customer-generator's premises for the interconnection to the supplier's electric distribution system, including commercially reasonable costs of additional controls, tests, or liability insurance. Additionally, the bill allows for cost recovery by Phase I and Phase II Utilities for electric distribution grid transformation projects that support the interconnection of generating facilities using energy derived from sunlight that are owned or contracted by eligible customer-generators, subject to the Commission finding those costs to be reasonable and prudent in accordance with existing law. Support. (24101754D; 24104922D)

Firearms

SB 100 (Ebbin) (SCT) creates a Class 5 felony for any person who knowingly manufactures or assembles, imports, purchases, sells, transfers, or possesses any firearm that, after removal of all parts other than a major component, as defined in the bill, is not detectable as a firearm when subjected to inspection by the types of detection devices, including X-ray machines, commonly used at airports, government buildings, schools, correctional facilities, and other locations for security screening. The bill updates language regarding the types of detection devices that are used at such locations for detecting plastic firearms. Under current law, it is unlawful to manufacture, import, sell, transfer, or possess any plastic firearm and a violation is punishable as a Class 5 felony. Support. (24104102D)

SB 210 (Perry) (SCT) prohibits the manufacture, importation, sale or offer to sell, possession, transfer, or transportation of an auto sear, defined in the bill as a device made of metal or plastic designed for use in converting a firearm to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. A violation is punishable as a Class 6 felony. Support. (24101801D)

SB 258 (Surovell) (SCT) provides various factors that a judge or magistrate must consider for the purpose of determining probable cause prior to issuing an emergency substantial risk order or a substantial risk order. The bill provides that such factors shall include whether the person who is subject to the order (i) committed any acts of violence or criminal offenses resulting in injury to himself or another person within the six months prior to the filing of the petition; (ii) made any threats or used any physical force against another person that resulted in injury within the six months prior to the filing of the petition; (iii) violated any provision of a protective order issued or was arrested for stalking within the six months prior to the filing of the petition; (iv) was convicted of any offense that would prohibit such person from possessing a firearm; (v) engaged in any

conduct within the year prior to the filing of the petition that demonstrated a pattern of violent acts or threats to another person, including any acts or threats made against family members, neighbors, coworkers, or toward schools or students or government buildings or employees; (vi) committed any acts of violence or criminal offenses against an animal within the six months prior to the filing of the petition; or (vii) made any attempt or threat of suicide or any act, attempted act, or threat of self-harm that caused or may have caused serious bodily injury or whether evidence of recent acquisition of a firearm or ammunition by the person who is subject to the order is provided by the respondent. The bill also outlines various other factors that a judge or magistrate may consider for the purpose of issuing an emergency substantial risk order or a substantial risk order. The bill also provides that possession includes actual access or the potential to readily access a firearm for the purposes of finding if a person possesses a firearm or if such firearm shall be voluntarily relinquished. Support. (24102865D)

HB 46 (Bennett-Parker) (SCT)/**SB 47** (Favola) (SCT) provides that a person who is prohibited from possessing a firearm because such person is subject to a protective order or has been convicted of an assault and battery of a family or household member may transfer a firearm owned by such prohibited person to any person who is not otherwise prohibited by law from possessing such firearm, provided that such person who is not otherwise prohibited by law from possessing such firearm is 21 years of age or older and does not reside with the person who is subject to the protective order. Under current law, there is no requirement that such transferee cannot be younger than 21 years of age and cannot reside with such prohibited person. The bill also provides that such prohibited person who transfers, sells, or surrenders a firearm pursuant to the provisions of the bill shall inform the clerk of the court of the name and address of the transferee, the federally licensed firearms dealer, or the law-enforcement agency in possession of the firearm and shall provide a copy of such form to the transferee. The bill also provides that a person who is prohibited from possessing a firearm because such person is subject to a protective order or has been convicted of an assault and battery of a family or household member shall be advised that a law-enforcement officer may obtain a search warrant to search for any firearms from such person if such law-enforcement officer has reason to believe that such person has not relinquished all firearms in his possession. Support. (24104086D; 24104087D)

SB 99 (Ebbin) (SCT) prohibits the carrying of certain semi-automatic center-fire rifles, pistols, and shotguns on any public street, road, alley, sidewalk, or public right-of-way or in any public park or any other place of whatever nature that is open to the public. Under current law, the current prohibition on carrying certain shotguns and semi-automatic center-fire rifles and pistols applies to a narrower range of firearms, only in certain localities, and only when such firearms are loaded. Support. (24100968D)

HB 173 (Simon) (HPS) creates a Class 5 felony for any person who knowingly manufactures or assembles, imports, purchases, sells, transfers, or possesses any firearm that, after removal of all parts other than a major component, as defined in the bill, is not detectable as a firearm when subjected to inspection by the types of detection devices, including X-ray machines, commonly used at airports, government buildings, schools, correctional facilities, and other locations for security screening. The bill updates language regarding the types of detection devices that are used at such locations for detecting plastic firearms. Under current law, it is unlawful to manufacture,

import, sell, transfer, or possess any plastic firearm and a violation is punishable as a Class 5 felony. Support. (24104103D)

HB 389 (Griffin) (HPS) allows any person who is otherwise eligible to obtain a concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth. Oppose. (24103283D)

HB 183 (Simon) (HPS) requires any person who possesses a firearm in a residence where such person knows that a minor under 18 years of age or a person who is prohibited by law from possessing a firearm is present to store such firearm and the ammunition for such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person. The bill provides that a violation is a Class 4 misdemeanor. The bill exempts (i) any person in lawful possession of a firearm who carries such firearm on or about his person and (ii) the storage of antique firearms and provides that the lawful authorization of a minor to access a firearm is not a violation of the bill's provisions. The bill also requires firearm dealers to post a notice stating such firearm storage requirements and the penalty for improperly storing such firearms. Support. (24104245D)

HB 22 (Jones) (HPS) prohibits the manufacture, importation, sale or offer to sell, possession, transfer, or transportation of an auto sear, defined in the bill as a device made of metal or plastic designed for use in converting a firearm to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. A violation is punishable as a Class 6 felony. Support. (24101228D)

HB 362 (McClure) (HPS)/**SB 642** (Perry) (SCT) provides that any person who knowingly and intentionally purchases, possesses, or transports any firearm following a misdemeanor conviction for an offense that occurred on or after July 1, 2024, for the offense of assault and battery against a person in a dating relationship, as defined in the bill, with the alleged offender or an offense substantially similar under the laws of any other state or of the United States is guilty of a Class 1 misdemeanor. Support. (24104469D; 24105186D)

Health and Human Services

SB 291 (Roem) (SFIN) directs the Department for Aging and Rehabilitative Services to develop and provide training for court-appointed guardians by July 1, 2025. The bill requires a court-appointed guardian and any skilled professional retained by such guardian to perform guardianship duties to complete the initial training developed by the Department within four months after the date of qualification of such guardian. Under the bill, guardians appointed prior to July 1, 2025, must complete such training by January 1, 2027. The bill further requires a guardian to include in his annual report to the local department of social services a statement as to whether such training has been completed. Support. (24104701D)

HB 177 (Gardner) (HHHS) directs the Department of Medical Assistance Services to convene a work group of relevant stakeholders to assess and make recommendations related to reimbursement rates for the federal Early Intervention Program for Infants and Toddlers with

Disabilities. The bill requires the work group to report its recommendations to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2024. Support. (24101244D)

HB 970 (Tran) (HED)/**SB 231** (Hashmi) (SEH) directs the Department of Medical Assistance Services (the Department) to establish a program to provide state-funded comprehensive health care coverage for individuals in the Commonwealth who (i) are under 19 years of age, (ii) are not covered under a group health plan or health insurance coverage, and (iii) but for their immigration status would be eligible for medical assistance services through the Commonwealth's program of medical assistance services established pursuant to Title XIX or XXI of the Social Security Act. The bill also requires the Department to ensure that all program information is made available in a manner that is accessible to individuals with limited English proficiency and individuals with disabilities through the provision of language access services, including oral interpretation and written translations, free of charge and to ensure that information obtained by the program remains confidential and is not disclosed for any purpose not related to the administration of the program or any purpose related to civil immigration enforcement unless the subject of the information consents to such disclosure or the requesting agency presents a valid judicial order, subpoena, or warrant. Support. (24104864D; 24104867D)

HB 1336 (Sickles) (HHHS)/**SB 568** (Deeds) (SEH) Permits facilities licensed by the Department of Behavioral Health and Developmental Services that provide crisis stabilization services to maintain a stock of Schedules II through VI controlled substances necessary for immediate treatment of patients admitted to such facility. Under current law, maintenance of a stock of Schedule VI controlled substances is allowed under certain conditions, but a stock of Schedules II through V controlled substances may be maintained only if authorized by federal law and Board of Pharmacy regulations. The bill also allows automated drug dispensing systems and remote dispensing systems to be used by state facilities established pursuant to Title 37.2 (Behavioral Health and Developmental Services), facilities that provide crisis stabilization services, nursing homes, and other facilities authorized by the Board of Pharmacy that meet certain conditions. The bill contains an emergency clause and directs the Board of Pharmacy to adopt emergency regulations to implement the provisions of the bill. Support. (24101061D; 24102020D)

HB 577 (Runion) (HHHS)/**SB 610** (Suetterlein) (SEH) directs the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to amend their regulations to allow for support coordinators to request and subsequently obtain approval of consecutive waiver slot-retention requests for a period of 365 calendar days for individuals who have been assigned a Developmental Disability waiver slot. Current regulations allow for four consecutive 30-day slot-retention extensions. The bill sunsets on June 30, 2026. Support (24104893D; 24105008D)

Access to Polling Places

HB 441 (Bennett-Parker) (HPE) amends the definition of "person with a disability" for purposes of the Elections title to mean any person who has a physical or mental impairment that substantially limits one or more of his major life activities or who has a record of such impairment. The bill

provides that any qualified voter who is a person with a disability shall be eligible for assistance outside of the polling place and makes technical amendments for consistency. The bill requires the training required for all officers of election to include specific training on voting outside of a polling place and directs the Department of Elections to incorporate into guidance documents for election officials the processes and procedures for voting outside of the polling place, including best practices for providing assistance for voters with disabilities. Support. (24100437D)

SB 605 (Subramanyam) (SPE) expands the definition of "disability" for purposes of providing assistance outside of a polling place for voters with disabilities to include any permanent or temporary disability. Under current law, such definition of "disability" is limited to a permanent or temporary physical disability. The bill requires the training required for all officers of election to include specific training on voting outside of a polling place and directs the Department of Elections to incorporate into guidance documents for election officials the processes and procedures for voting outside of the polling place, including best practices for providing assistance for voters with disabilities. Support. (24104168D)

Land Use

SB 49 (Locke) (SLG) expands the current provisions of law allowing for the establishment of a community revitalization fund for the purpose of preventing neighborhood deterioration to apply to all localities. Currently, only the City of Richmond is authorized to establish such a fund. This bill is a recommendation of the Virginia Housing Commission. Support. (24100699D)

SB 304 (Salim) (SLG) requires a locality to include in its zoning ordinances for residential zoning districts accessory dwelling units, or ADUs, as defined in the bill, as a permitted accessory use. The bill requires a person to seek a permit for an ADU from the locality, requires the locality to issue such permit if the person meets certain requirements enumerated in the bill, and restricts the fee for such permit to \$100 or less. The bill prohibits the locality from requiring (i) dedicated parking for the ADU; (ii) lot sizes or setbacks for the ADU greater than that of the primary dwelling; (iii) consanguinity or affinity between the occupants of the ADU and the primary dwelling; (iv) owner occupancy of the ADU or the primary dwelling; and (v) redundant water, sewer, or septic capacity for the ADU. The bill has a delayed effective date of January 1, 2025. Oppose. (24100831D)

HB 900 (Srinivasan) (HCCT) requires a locality to include in its zoning ordinances for single-family residential zoning districts accessory dwelling units, or ADUs, as defined in the bill, as a permitted accessory use. The bill requires a person to seek a permit for an ADU from the locality, requires the locality to issue such permit if the person meets certain requirements enumerated in the bill, and restricts the fee for such permit to \$100 or less. The bill prohibits the locality from requiring (i) dedicated parking for the ADU; (ii) lot sizes or setbacks for the ADU greater than that of the primary dwelling; (iii) consanguinity or affinity between the occupants of the ADU and the primary dwelling; and (iv) redundant water, sewer, or septic capacity for the ADU. The bill has a delayed effective date of January 1, 2025. Oppose. (24100886D)

SB 544 (Bagby) (SLG) prohibits a locality from barring the use of or requiring that a special exception, special use, or conditional use permit be obtained for the use of an accessory dwelling unit for a short-term rental in an area zoned for residential use where the primary dwelling unit on the site is occupied by the property owner. Oppose. (24104353D)

HB 377 (Owen) (HCCT) prohibits a locality from requiring a local traffic impact statement as a condition for approval of a rezoning application that involves multifamily residential use of fewer than 50 residential units. Oppose. (24103317D)

HB 644 (Sullivan) (HCCT)/**SB 305** (Salim) (SLG) provides that any locality may by ordinance prohibit or regulate the use of gas-powered leaf blowers. The bill provides that the ordinance may include provisions for a civil penalty and that the funds from such civil penalties may be used by the locality to assist with the purchase of nonprohibited leaf blowers by residents and local businesses. Support. (24102210D; 24101764D)

HB 878 (Bulova) (HCCT) permits any local government to purchase development rights or accept the donation of development rights in an effort to preserve and provide affordable housing. The bill grants local governments the powers necessary to carry out the purchase of such development rights. The bill prohibits the conversion or diversion of such affordable housing once the development rights are purchased unless the local government determines that such diversion is essential to the development and growth of the locality and in accordance with the locality's comprehensive plan. Amend to clarify that the bill is optional local authority. (24104341D)

Miscellaneous

HB 1017 (Wilt) (HED)/**SB 575** (Obenshain) provides that prior to the discharge of any minor or individual who has been admitted to inpatient treatment and is a student at a public elementary or secondary school, a copy of such minor's or individual's discharge plan shall be provided to the division superintendent and the division safety official in the local school division in which such minor or individual attends such school. Monitor. (24100255D; 24100254D)

Legislation Provided for Discussion

Health and Human Services

HB 570 (Delaney) (HHHS)/**SB 274** (Deeds) (SEH) establishes the Prescription Drug Affordability Board for the purpose of protecting the citizens of the Commonwealth and other stakeholders within the health care system from the high costs of prescription drug products. The bill directs the Governor to appoint the members and alternate members of the Board and requires the Board to meet in open session at least four times annually, with certain exceptions and requirements enumerated in the bill. Members of the Board are required to disclose any conflicts of interest, as described in the bill. The bill also creates a stakeholder council for the purpose of assisting the Board in making decisions related to drug cost affordability. The bill tasks the Board with identifying prescription, generic, and other drugs, as defined in the bill, that are offered for sale in the Commonwealth and, at the Board's discretion, conducting an affordability review of any

prescription drug product. The bill lists factors for the Board to consider that indicate an affordability challenge for the health care system in the Commonwealth or high out-of-pocket costs for patients. The bill also provides that any person aggrieved by a decision of the Board may request an appeal of the Board's decision and that the Attorney General shall have authority to enforce the provisions of the bill. Support. (24100122D; 24101144D)

Collective Bargaining

HB 1001 (Tran) (HLC)/**SB 374** (Boysko) (SLC) the bill creates the Public Employee Relations Board, which shall determine appropriate bargaining units and provide for certification and decertification elections for exclusive bargaining representatives of state employees and local government employees. The bill requires public employers and employee organizations that are exclusive bargaining representatives to meet at reasonable times to negotiate in good faith with respect to wages, hours, and other terms and conditions of employment. The bill repeals a provision that declares that, in any procedure providing for the designation, selection, or authorization of a labor organization to represent employees, the right of an individual employee to vote by secret ballot is a fundamental right that shall be guaranteed from infringement. Amend to exempt localities that have adopted collective bargaining ordinances. (24102581D; 24105023D)

Environment

HB 1085 (Rasoul) (HAG)/**SB 243** (McPike) (SACNR) requires the owner or operator of a publicly owned treatment works to monitor PFAS levels, as defined in the bill, in effluent, influent, and biosolids at least quarterly and report all such monitoring data on an applicable discharge monitoring report required by federal regulations. The bill requires the Department of Environmental Quality (the Department), in certain circumstances, to develop a PFAS action plan to identify and address sources of certain PFAS detected in a public water system's raw water source, perform outreach efforts regarding PFAS contamination, report annually on its activities, and work with certain entities in developing its PFAS action plans. The bill requires certain facilities that manufacture or use PFAS to report the use of such chemicals to the Department and to monitor such PFAS at least quarterly unless at another frequency at the direction of the Director of the Department. The bill also directs the Department and the Virginia Department of Health to jointly establish a PFAS Advisory Committee to assist with PFAS-related activities and appoint such committee's members to include legislative members and a wide range of nonlegislative citizen members and to report annually to the Governor and the General Assembly on the Committee's activities and recommendations. (24104761D; 24105105D)

HB 245 (Bulova) (HAG) requires all facilities that have engaged since January 1, 2021, in the manufacture of or knowing use in the production process of one or more chemicals listed as PFAS target analytes to produce a one-time report on the use of such chemicals. The report shall be limited to facilities that discharge to (i) a surface water under a Virginia Pollutant Discharge Elimination System permit issued by the Department of Environmental Quality (the Department) or (ii) a publicly owned treatment works under an industrial pretreatment program permit or other written authorization issued by a local permit control authority. The report shall be submitted to the Department and, if such facility discharges to a publicly owned treatment works, also to the

local permit control authority no later than October 1, 2024. The bill also requires certain facilities to perform a limited PFAS discharge characterization during the one-year period from October 1, 2024, to September 30, 2025, for each waterway discharge outfall consisting of representative quarterly monitoring using the applicable laboratory test method, as specified in the bill. Such facilities shall report results to the Department and, if the facility discharges to a publicly owned treatment works, also to the local permit control authority, within 30 days after the end of each quarter. Support. (24101337D)

Casino

SB 675 (Marsden) (SFIN) adds Fairfax County to the list of localities eligible to host a casino in the Commonwealth and provides that any proposed site for a casino gaming establishment considered by Fairfax County shall be (i) located within one-quarter of a mile of an existing station on the Metro Silver Line, (ii) part of a coordinated mixed-use project development, (iii) outside of the Dulles airport flight path, (iv) within two miles of a major shopping destination containing not less than 1.5 million square feet of gross building area, and (v) outside of the Interstate 495 Beltway. The bill also requires an eligible host locality in selecting a preferred casino gaming operator to consider and give substantial weight to the proposer's history of or commitment to (a) paying or contracting for the payment of prevailing wages to those individuals providing construction labor during the initial construction of the casino gaming establishment and any hospitality facilities on the premises, and (b) entering into labor peace agreements with labor organizations that are actively engaged in representing or seeking to represent employees in the gaming or hospitality industries in the Commonwealth. The bill also requires an eligible host locality to provide with its submission of its preferred casino gaming operator to the Virginia Lottery an executed agreement with its preferred casino gaming operator certifying that such casino gaming operator and any subcontractor or sublessee responsible for the performance of casino gaming or hospitality operations at the proposed casino gaming establishment will enter into a labor peace agreement with each labor organization actively engaged in representing or seeking to represent employees in the gaming or hospitality industries in the Commonwealth that requests such labor peace agreement, and evidence of all such signed labor peace agreements. Monitor. (24105928D-S1)

License Plate Readers

HB 775 (Herring) (HTECH)/**SB 503** (Surovell) (STRAN) provides requirements for the use of license plate reader systems, defined in the bill, by law-enforcement agencies. The bill limits the use of such systems to scanning, detecting, and recording data about vehicles and license plate numbers for the purpose of identifying a vehicle that is (i) associated with a wanted, missing, or endangered person or human trafficking; (ii) stolen; (iii) involved in an active law-enforcement investigation; or (iv) in the vicinity of a recent crime and may be connected to that crime. The bill authorizes and requires the Commonwealth Transportation Board to establish a permitting process for installing and using such systems in state highway rights-of-way. Monitor. (24102759D)

HB 920 (Shin) (HPS)/**SB 539** (Bagby) (STRAN) provides requirements for the use of license plate readers, defined in the bill, by law-enforcement agencies. The bill requires such agencies to enter into an agreement with the license plate reader owner or other responsible non-law-enforcement

entity to operate a data trust, defined in the bill, to store the data collected by a license plate reader and requires any such law-enforcement agency to apply to the data trust for access to such data. The bill limits the use of license plate readers to scanning, detecting, and identifying license plate numbers for the purpose of identifying vehicles involved in certain crimes. Monitor. (24101949D)

HB 1037 (Bloxom) (HTRAN)/**SB 206** (Diggs) (STRAN) authorizes the Department of State Police or the chief law-enforcement officer of a locality to install devices for law-enforcement purposes in the right-of-way of highways under state jurisdiction. The bill defines law-enforcement purposes as an active felony investigation, an effort to prevent a targeted act of violence, or an attempt to locate missing, endangered, or wanted persons by law enforcement through the identification of a motor vehicle and excludes from the definition the enforcement of speed limits, traffic laws, tolling requirements, or high-occupancy vehicle requirements. The bill authorizes entering into agreements with private entities for the maintenance and operation of such devices. The bill requires the data collected to be maintained for no more than 30 days following its collection and limits the data and information collected to data and information about (i) the make, model, condition, location, and color of a vehicle and the information on the vehicle's license plate and (ii) the date and time the data and information was collected. Monitor. (24103098D; 24103025D)

Speed Cameras

HB 20 (Jones) (HTECH) authorizes the governing body of any county, city, or town to provide by ordinance for the placement and operation of photo speed monitoring devices in any location deemed necessary by the locality for the purposes of recording violations resulting from the operation of a vehicle in excess of the speed limit. The bill provides the same requirements for such devices, information collected from such devices, and any enforcement actions resulting from information collected from such devices as current law applies to the use of such devices in school crossing zones and highway work zones. The bill requires that two signs, rather than one, be placed warning of such device if the device is placed somewhere other than a school crossing zone or highway work zone. Support efforts to expand speed cameras programs. (24101210D)

HB 461 (Runion) (HTECH) requires a pole-mounted speed display sign, defined in the bill, to be placed between 250 and 1,000 feet from any photo speed monitoring device that is in use. (24101767D)

HB 521 (Laufer) (HTECH) authorizes any locality to authorize, by ordinance, its local law-enforcement agency to place and operate photo speed monitoring devices in certain locations named in the ordinance, provided that (i) the highway has a posted speed limit of 35 miles per hour or greater; (ii) the ordinance identifies the locality-designated speeding offense to be enforced by the photo speed monitoring device; (iii) speeding, crash, or fatality data supports the need for stronger enforcement against speeding; and (iv) in counties and towns whose roads are subject to the control and jurisdiction of the Department of Transportation, the locality-designated highway segment is in the secondary state highway system or is designated as a Virginia byway. The bill directs the locality to also identify the speeding violations that may be enforced by photo speed

monitoring device. Current law authorizes the use of photo speed monitoring devices in highway work zones and school crossing zones. (24102481D)

HB 533 (Seibold) (HTECH) authorizes the governing body of any county, city, or town to provide by ordinance for the placement and operation of photo speed monitoring devices on any highway in such locality with a speed limit of 45 miles per hour or less that is located in a priority pedestrian corridor as identified by the Department of Transportation in the statewide Pedestrian Safety Action Plan or other high-risk pedestrian corridor as designated by the Commissioner of Highways for the purposes of recording violations resulting from the operation of a vehicle in excess of the speed limit. The bill provides the same requirements for such devices, information collected from such devices, and any enforcement actions resulting from information collected from such devices as current law applies to the use of such devices in school crossing zones and highway work zones. The bill requires that two signs, rather than one, be placed warning of such device if the device is placed somewhere other than a school crossing zone or highway work zone. Amend to address operational and funding issues. (24100852D)

HB 905 (Shin) (HTECH) authorizes the governing body of any county, city, or town to provide by ordinance for the placement and operation of photo speed monitoring devices in any location deemed necessary by the locality for the purposes of recording violations resulting from the operation of a vehicle in excess of the speed limit. The bill provides the same requirements for such devices, information collected from such devices, and any enforcement actions resulting from information collected from such devices as current law applies to the use of such devices in school crossing zones and highway work zones. The bill requires that two signs, rather than one, be placed warning of such device if the device is placed somewhere other than a school crossing zone or highway work zone. Support efforts to expand speed cameras programs. (24102336D)

HB 1032 (Bloxom) (HCT) establishes a default process for the collection of civil penalties from residents of the Commonwealth who fail to respond to a summons for a speed violation issued based on evidence collected from a photo speed monitoring device. Current law requires personal service on such person who fails to respond. Support. (24103017D)

SB 336 (Roem) (STRAN) permits a state or local law-enforcement agency to place and operate a photo speed monitoring device at a high-risk intersection segment, defined in the bill, located within the locality for the purpose of recording violations resulting from the operation of a vehicle in excess of the speed limit, provided that such law-enforcement agency certifies that a traffic fatality has occurred since January 1, 2014, in such segment. The bill provides the same requirements for such devices, information collected from such devices, and any enforcement actions resulting from information collected from such devices as current law applies to the use of such devices in school crossing zones and highway work zones. Support efforts to expand speed cameras programs. (24105033D)

SB 73 (Craig) (STRAN) allows a locality to employ a retired sworn law-enforcement officer, as defined in the bill, to review photographs, microphotographs, videotape, or other recorded images produced by the locality's traffic light signal violation monitoring system or traffic control device

violation monitoring system. The bill allows such review to serve as prima facie evidence of the facts contained therein. Support. (24101768D)

Towing

HB 421 (McQuinn) (HTRAN) creates the Commonwealth Trespass Towing Rate-Setting Advisory Panel to advise the General Assembly and the Governor on statewide trespass towing fees and related ancillary fees. The bill increases from \$150 to \$190 the maximum statewide hookup and initial towing fee of any passenger car, from \$30 to \$65 the maximum ancillary fee for towing a vehicle between 7:00 p.m. and 8:00 a.m., and from \$30 to \$35 the maximum ancillary fee for towing a vehicle on a Saturday, Sunday, or holiday. The bill clarifies that such limitations on fees do not include any reasonable credit card fees. The bill requires localities to set their own towing rates to at least the amounts of the maximum statewide rates and removes requirements specific to Planning Districts 8 and 16 regarding localities setting their own towing rates. Monitor. (24101500D)

HB 959 (Lopez) (HTRAN) provides that violations of current law regarding tow truck drivers and towing and recovery operators are subject to the Virginia Consumer Protection Act. The bill repeals the \$150 civil penalty for certain towing violations in Planning District 8. Support. (24101550D)

HB 925 (Shin) (HTRAN) requires a landlord that owns the parking lot of a multifamily dwelling unit, defined in the bill, to provide 48 hours' notice to a resident prior to removing or requesting the removal of a resident's vehicle, defined in the bill, from such parking lot of the multifamily dwelling unit for an expired registration or expired vehicle inspection sticker and to provide a copy of such notice to any towing operator with whom the landlord has contracted to enforce towing in such parking lot. The bill provides that if a landlord fails to provide such notice or does not wait the required 48 hours before removing or requesting the removal of the vehicle, he shall be subject to a civil penalty not to exceed \$250. The bill also prohibits towing operators, having such notice, from towing such vehicle until after the 48 hours have passed. Monitor. (24105001D)

HB 1287 (McClure) (HTRAN) clarifies that the provisions of existing law authorizing localities in Planning District 8 to require towing companies that tow from the county to a storage or release location outside of the locality to obtain a permit to do so do not restrict or modify the authority of the locality to require that towing companies that tow and store or release vehicles within the county, city, or town to obtain from the locality a permit to do so. Support. (24104248D)

SB 66 (Peake) (STRAN) decreases the maximum hookup and initial towing fee of any passenger car towed without the consent of its owner from \$150 to \$50. The bill also prohibits an ordinance made by a governing body of any locality for limiting towing fees from setting such limit for hookup and initial towing fee higher than statewide limits and removes the minimum fee limit for hookup and initial towing fees for such ordinance made by localities in Planning District 8 and Planning District 16. Monitor. (24100895D)

Washington Metropolitan Area Transit Authority

HB 1201 (HAPP) (Obenshain)/**SB 617** (Obenshain) (STRAN) provides that payments and obligations arising from or related to any contract pertaining to employee compensation and work conditions under the normal operation of the Washington Metropolitan Area Transit Authority (WMATA) may be included in the calculation of a WMATA budget increase for purposes of the cap of such budget increase. Current law provides that any payment or obligation of any kind arising from or related to legal disputes or proceedings between or among WMATA and any other person or entity shall not be used in calculating a WMATA budget increase. Oppose. (24105088D; 24105089D)

SJ 28 (Ebbin) (SRUL) directs the Joint Legislative Audit and Review Commission to study long-term, sustainable, dedicated funding and cost-containment controls and strategies to ensure the Washington Metropolitan Area Transit Authority, Virginia Railway Express, and all Northern Virginia transit systems meet the growing needs of public transit in the region. Support with amendments to address local representation and timeline. (24104157D)

Legislation Requiring Further Review

Health and Human Services

HB 608 (Price) (HHHS) authorizes hospitals with a psychiatric emergency department to employ certain trained individuals to perform evaluations to determine whether a person meets the criteria for temporary detention for behavioral health treatment. The bill defines psychiatric emergency department as an emergency department of a hospital licensed by the Department of Health that is physically attached to a hospital with adult and adolescent inpatient psychiatric beds and adult detoxification beds licensed by the Department of Behavioral Health and Developmental Services. The bill requires participating hospitals with psychiatric emergency departments to annually report the number of temporary detention order evaluations completed, the number of temporary detention orders petitioned, the number of individuals evaluated for temporary detention who were determined to not meet the criteria for temporary detention, and the number of individuals under a temporary detention order admitted to a state facility to the Chairmen of the Senate Committee on Education and Health, the House Committee on Health, Welfare and Institutions, and the Behavioral Health Commission. The bill has an expiration date of July 1, 2026. (24104584D)

HB 822 (Cherry) (HCT) provides that, in cases in which transportation of a person subject to an emergency custody order is ordered to be provided by an alternative transportation provider, the primary law-enforcement agency that executes the order may transfer custody of the person to the alternative transportation provider immediately upon execution of the order, and that the alternative transportation provider shall maintain custody of the person from the time custody is transferred to the alternative transportation provider by the primary law-enforcement agency until such time as custody of the person is transferred to the community services board or its designee that is responsible for conducting the evaluation or the temporary detention facility, as is appropriate. The bill adds employees of and persons providing services pursuant to a contract with the Department of Behavioral Health and Developmental Services to the list of individuals who may serve as alternative transportation providers for emergency custody orders. Additionally, the bill allows for the transfer of custody to the temporary detention facility if the magistrate issuing the emergency custody order determines that the person subject to the order is not at risk to seriously harm others in the near future without any additional conditions being met. (24102546D)

HB 888 (Watts) (HCT) Secretary of Health and Human Resources to evaluate placements for certain individuals; report. Specifies that for the purpose of civil commitments and temporary detention orders, behaviors and symptoms that manifest from a neurocognitive disorder or neurodevelopmental disability are excluded from the definition of mental illness and are, therefore, not a basis for placing an individual under a temporary detention order or committing an individual involuntarily to an inpatient psychiatric hospital. The bill provides that if a state facility has reason to believe that an individual's behaviors or symptoms are solely a manifestation of a neurocognitive disorder or neurodevelopmental disability, the state facility may require that a licensed psychiatrist or other licensed mental health professional reevaluate the individual's eligibility for a temporary detention order before the individual is admitted and may refuse to admit an individual if the licensed psychiatrist or other licensed mental health professional determines the individual's behaviors or symptoms are solely a manifestation of a neurocognitive disorder or

neurodevelopmental disability. The foregoing provisions of the bill have a delayed effective date of July 1, 2025. The bill also directs the Secretary of Health and Human Resources to evaluate, identify, and develop placements for individuals with neurocognitive disorders and neurodevelopmental disabilities, as well as any statutory or funding changes needed to prevent inappropriate placements for such individuals, and to report his findings and recommendations by November 1, 2024. This bill is a recommendation of the Joint Legislative Audit and Review Commission and the Behavioral Health Commission. (24103978D)

HB 1065 (Hodges) (HHHS) Provides that every community services board shall conduct stakeholder meetings at least four times per year to discuss challenges, identify opportunities for improvement, and collaboratively work towards effective solutions. The bill requires each community services board to submit an annual report of such meetings to the Department of Behavioral Health and Developmental Services and authorizes the Director of the Department to provide guidance and recommendations to such boards and to revise funding in response to such reports. (24102396D)

HB 808 (Rasoul) (HHHS)/**SB 653** (SCT) (Durant) Allows state psychiatric hospitals to delay admission of an individual under a temporary detention order until the state psychiatric hospital has determined that the individual does not have potentially life-threatening medical needs that require immediate evaluation and treatment that the state psychiatric hospital is incapable of providing. This bill is a recommendation of the Joint Legislative Audit and Review Commission and the Behavioral Health Commission. (24103980D; 24103979D)

SB 34 (Locke) (SEH) authorizes hospitals with a psychiatric emergency department located in Planning District 21 to employ certain trained individuals to perform evaluations to determine whether a person meets the criteria for temporary detention for behavioral health treatment. The bill requires participating hospitals with psychiatric emergency departments in Planning District 21 to annually report the number of temporary detention order evaluations completed, the number of temporary detention orders petitioned, the number of individuals evaluated for temporary detention who were determined to not meet the criteria for temporary detention, and the number of individuals under a temporary detention order admitted to a state facility to the Chairmen of the Senate Committee on Education and Health, the House Committee on Health, Welfare and Institutions, and the Behavioral Health Commission. The bill has an expiration date of July 1, 2026. (24101203D)

SB 176 (Favola) (SEH) Secretary of Health and Human Resources to evaluate placements for certain individuals; report. Specifies that for the purpose of civil commitments and temporary detention orders, behaviors and symptoms that manifest from a neurocognitive disorder or neurodevelopmental disability are excluded from the definition of mental illness and are, therefore, not a basis for placing an individual under a temporary detention order or committing an individual involuntarily to an inpatient psychiatric hospital. The bill provides that if a state facility has reason to believe that an individual's behaviors or symptoms are solely a manifestation of a neurocognitive disorder or neurodevelopmental disability, the state facility may require that a licensed psychiatrist or other licensed mental health professional reevaluate the individual's eligibility for a temporary detention order before the individual is admitted and may refuse to admit an individual if the

licensed psychiatrist or other licensed mental health professional determines the individual's behaviors or symptoms are solely a manifestation of a neurocognitive disorder or neurodevelopmental disability. The foregoing provisions of the bill have a delayed effective date of July 1, 2025. The bill also directs the Secretary of Health and Human Resources to evaluate, identify, and develop placements for individuals with neurocognitive disorders and neurodevelopmental disabilities, as well as any statutory or funding changes needed to prevent inappropriate placements for such individuals, and to report his findings and recommendations by November 1, 2024. This bill is a recommendation of the Joint Legislative Audit and Review Commission and the Behavioral Health Commission. (24103977D)

HB 823 (Cherry) (HCT)/**SB 497** (Carroll Foy) (SEH) provides that when a magistrate is determining whether an alternative transportation provider is available for the purposes of designating a transportation provider for the transportation of a person who is the subject of a temporary detention order, an alternative transportation provider shall be deemed available if the provider states that it is available to take custody of the person from law enforcement within six hours of issuance of the temporary detention order or an order changing the transportation provider. (24102923D; 24102923D;)

HB 1242 (Willett) (HCT)/**SB 546** (Bagby) (SEH) requires (i) the facility at which an individual who is the subject of an emergency custody order is being evaluated to determine whether the individual meets the criteria for temporary detention or (ii) the hospital emergency department and treating physician, when providing services to an individual who is being evaluated to determine whether the individual meets the criteria for temporary detention, to allow the individual's family member or legal guardian to be present unless the individual objects or their presence would create a medical or safety risk. (24104732D; 24104731D)

SB 574 (Deeds) (SRUL) directs the Behavioral Health Commission to convene a work group to study how to better and more effectively align current civil admissions processes with new behavioral health and crisis response services and resources in the Commonwealth. The bill directs the work group to make recommendations for any changes needed to existing statutory, regulatory, licensing, training, and reimbursement processes related to civil admissions and to report such recommendations by November 1, 2025. (24104742D)

HB 361 (Simonds) (HHHS) authorizes the Department of Social Services to obtain criminal history record information for the purpose of screening individuals as a condition of licensure, employment, volunteering, or providing services on a regular basis in a licensed child welfare agency or foster or adoptive home approved by a child-placing agency. (24102257D)

HB 150 (Helmer) (HHHS) prohibits the Board of Social Services from requiring persons applying to participate or renewing their participation in the Supplemental Nutrition Assistance Program to appear in person. The bill also codifies the Department of Health's authority to implement a Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program), which is currently authorized by regulation, and prohibits the Department of Health from requiring persons applying to participate or renewing their participation in the WIC Program to appear in person. (24100937D)

HB 1130 (Hayes) (HHHS)/**SB 35** (Locke) (SEH) directs the Board of Medicine and the Board of Nursing to require unconscious bias and cultural competency training as part of the continuing education and continuing competency requirements for renewal of licensure. The bill specifies requirements for the training and requires the Board of Medicine and Board of Nursing to report on the training to the Department of Health and the Neonatal Perinatal Collaborative. (24104486D; 24101202D)

HB 37 (Clark) (HHHS) creates a loan repayment program for persons who have worked as mental health professionals in the Commonwealth for at least five years. (24101238D)

HB 27 (Callsen) (HHHS)/**SB 39** (Favola) (SRSS) establishes the Kinship as Foster Care Prevention Program to promote and support placements of children with relatives by local boards of social services in order to avoid foster care. The bill provides that a child is eligible to participate in the Program if the local board determines that (i) the child is at imminent risk of being removed from his home and a preliminary protective order is insufficient to address the child's immediate safety concerns and (ii) the child's parent or guardian consents to the placement of the child with a relative pursuant to an agreement with the local board developed in accordance with the provisions of the bill.(24103039D; 24105803D-S1)

HB 75 (Hope) (HHHS) directs the State Board of Social Services to amend its regulations by January 1, 2025, to (i) require local departments of social services to apply for federal benefits on behalf of children in foster care that they may be eligible for, (ii) prohibit the use of federal benefits to pay for the care and support of children in foster care that the Commonwealth is otherwise obligated to pay for, and (iii) require local departments of social services that are representative payees for children in foster care to conserve such federal benefits in an appropriate trust instrument or protected account that is exempt from federal asset and resource limits. (24101447D)

HB 127 (Watts) (HHHS) directs the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to seek to modify the program rules for 1915(c) Home and Community Based Services Medicaid Waivers to disregard Social Security Disability Insurance in calculating eligibility for 1915(c) Home and Community Based Services (HCBS) Medicaid Waivers. (24102987D)

HB 314 (Hope) (HHHS)/**SB 179** (Favola) (SHE) provides that (i) when an individual is to be discharged from a state hospital in 30 days or less after admission, the state hospital shall be responsible for the individual's discharge planning and (ii) when an individual is to be discharged from a state hospital more than 30 days after admission, the appropriate community services board or behavioral health authority shall be responsible for the individual's discharge planning. Under current law, community services boards and behavioral health authorities provide discharge planning for all individuals discharged from state hospitals, regardless of the duration of their stay. The bill has a delayed effective date of January 1, 2025. (24103986D; 24103985D)

HB 515 (Hope) (HHHS) provides that after an individual's treatment team determines that the individual is ready for discharge, the Commissioner of Behavioral Health and Developmental Services has the authority to discharge the individual, with an appropriate plan, after 15 days over

the objection of the community services board or guardian. The bill requires the Department to promulgate regulations providing for an expedited discharge process for persons in state hospitals or training centers that are identified as needing intellectual or developmental disability services and to develop and implement a statewide training program for state hospital employees and community services board liaisons designed to improve discharge planning outcomes. (24104791D)

HB 327 (Feggans) (HHHS) directs the Department of Behavioral Health and Developmental Services to amend the State Rental Assistance Program for the Settlement Agreement Population program guidelines to allow for up to 175 percent rental assistance for eligible individuals. (24103606D)

HB 354 (Hope) (HHHS) directs the Board of Health to adopt regulations governing swimming pools and other water recreational facilities operated for public use, including swimming pools and other water recreational facilities operated in conjunction with a tourist facility or health spa. (24100851D)

HB 453 (Callsen) (HHHS) allows local boards of social services or child-placing agencies to approve kinship foster care parent applicants who have been convicted of certain felony drug offenses if five years have elapsed since the date of the conviction, where under current law 10 years must have lapsed in order to be eligible for approval as a kinship foster care parent. The bill also adds exceptions for certain misdemeanor assault and battery convictions not involving the abuse, neglect, or moral turpitude of a minor if five years have elapsed since the date of the conviction. The bill directs the State Board of Social Services to adopt regulations to implement the provisions of the bill to be effective no later than September 1, 2024. (24104807D)

HB 511 (Cohen) (HHHS) adds assisted living facilities to the list of eligible health care employers for which a health care practitioner licensed, certified, or registered in another state or the District of Columbia may temporarily practice for one 90-day period, provided that the practitioner is contracted by or has received an offer of employment in the Commonwealth from the health care employer and when certain other conditions are met. (24103923D)

HB 593 (Sickles) (HHHS)/**HB 1064** (Willett) (HHHS) directs the Department of Medical Assistance Services to amend the state plan for medical assistance services to add neurobehavioral and neurorehabilitation facilities to support individuals with traumatic brain injuries and neurocognitive disorders by January 1, 2025. The bill also directs the Department to submit an amendment to the state plan for medical assistance services to the Centers for Medicare and Medicaid Services to modify its existing 1915(c) waiver or seek a new 1915(c) waiver as necessary to receive federal approval to administer home and community-based services for qualifying individuals with traumatic brain injuries or neurocognitive disorders as defined by the Department no later than January 1, 2026. The bill gives the Department authority to promulgate emergency regulations for the neurobehavioral and neurorehabilitation facilities and the traumatic brain injury waiver upon approval. The bill requires the Department to convene a work group of relevant stakeholders to provide updates on the progress and the implementation of the neurobehavioral

and neurorehabilitation facilities and the traumatic brain injury services waiver. (24104733D; 24106250D-H1)

HB 594 (Sickles) (HHHS) directs the Department of Medical Assistance Services to amend the state plan for medical assistance services to include a provision for payment for services provided by certified community health workers. The bill directs the Department to convene a work group of stakeholders to design the certified community health worker services benefit and to seek federal approval through a state plan amendment to implement the benefit. (24104812D)

HB 813 (Mundon King) (HHHS) adds an exception to the right of parental access to a minor child's health records if the furnishing to or review by the requesting parent of such health records would be reasonably likely to deter the minor from seeking care. Under the bill, a minor 16 years of age or older who is determined by a health care provider to be mature and capable of giving informed consent shall be deemed an adult for the purpose of giving consent to treatment of a mental or emotional disorder. The bill provides that the capacity of a minor to consent to treatment of a mental or emotional disorder does not include the capacity to refuse treatment for a mental or emotional disorder for which a parent, guardian, or custodian of the minor has given consent and that a parent, legal guardian, or custodian of a minor shall be notified by a health care provider of the minor's drug abuse, substance abuse, or potential of self-harm. (24104505D)

HB 885 (Watts) (HHHS)/**SB 590** (Deeds) (SFIN) adds to the list of core services to be provided by community services boards (i) crisis services for individuals with a mental illness or substance use disorder, (ii) outpatient mental health and substance abuse services, (iii) psychiatric rehabilitation services, (iv) peer support and family support services, (v) mental health services for members of the armed forces located 50 miles or more from a military treatment facility and veterans located 40 miles or more from a Veterans Health Administration medical facility, and (vi) care coordination services. The bill removes language that conditions the duty of community services boards to provide case management services on the availability of funding. The bill further requires community services boards to provide core services (i) to every adult who has a serious mental illness, child who has or is at risk of serious emotional disturbance, and individual who has a substance use disorder and (ii) in a timely manner and at a location that is near the individual. The bill has a delayed effective date of July 1, 2026, for most provisions. (24100984D; 24103975D)

HB 886 (Watts) (HHHS) amends the administrative sanctions that may be imposed on certified nursing facilities in relation to compliance with staffing requirements. The bill directs the State Health Commissioner, in determining whether or not to impose sanctions, to make the determination of whether a certified nursing facility was located in a medically underserved area that severely limited the ability of the certified nursing facility to recruit and retain direct care staff. The bill requires nursing facilities subject to a corrective action plan to demonstrate compliance with the corrective action plan on a quarterly basis. Under the bill, in determining whether a corrective action plan is needed, the Commissioner shall consider certain evidence of direct care staff hours, unless the facility has had a change in ownership. The bill changes from three to two the number of corrective action plans after which, if a a certified nursing facility fails to show compliance or improvement, the Commissioner may place the facility on probation. The bill also

includes all nursing homes eligible to receive Medicaid reimbursement for residents in the list of facilities subject to minimum standards for (i) construction and maintenance; (ii) operation, staffing, and equipping; and (iii) the qualifications and training of staff. The bill changes the effective date of certain provisions passed in the 2023 Session of the General Assembly relating to staffing requirements for certified nursing facilities from July 1, 2025, to July 1, 2024. (24103421D)

HB 908 (Shin) (HHHS) requires the Department of Medical Assistance Services to amend the financial eligibility standards for certain waivers providing services to individuals with developmental disabilities so that Social Security Disability Insurance income is disregarded by the Department when calculating such individuals' financial eligibility for such waivers. (24100525D)

HB 971 (Tran) (HHHS) allows certain nurse practitioners to oversee patient care teams by changing "patient care team physician" to "patient care team provider." The bill defines "patient care team provider" as a patient care team physician, as defined in relevant law, or a nurse practitioner who meets certain requirements. The bill also lowers from five years to two years the amount of full-time clinical experience required before an advanced practice registered nurse may practice without a practice agreement. (24104357D)

HB 983 (Walker) (HHHS) allows certain nurse practitioners to oversee patient care teams by changing "patient care team physician" to "patient care team provider." The bill defines "patient care team provider" as a patient care team physician, as defined in relevant law, or a nurse practitioner who meets certain requirements. The bill also lowers from five years to two years the amount of full-time clinical experience required before an advanced practice registered nurse may practice without a practice agreement. (24104697D)

HB 1021 (Wilt) (HHHS) directs the Department of Medical Assistance Services (DMAS) and the Department of Behavioral Health and Developmental Services to amend their regulations to allow local community services boards the discretion to convert allocated Community Living waivers to Family and Individual Support waivers and Building Independence waivers if the Community Living waivers are not being utilized and will not be utilized in the foreseeable future. The bill requires DMAS to seek any necessary federal approvals to effectuate this modification through the submission of a state plan for medical assistance services amendment to the Centers for Medicare and Medicaid Services. (24102733D)

SB 54 (Locke) (SFIN) requires the Department of Education to (i) establish and maintain a funding formula for publicly funded early childhood care and education providers that establishes the minimum funding and number of slots per biennium for such providers based on a cost of quality rate per child, actual data from the prior year, unserved waitlists, and a growth rate differential based on growth in prior biennia; (ii) administer an early childhood educator incentive program to be known as RecognizeB5 whereby a monetary incentive is provided to teachers who work directly with children for at least 30 hours per week at publicly funded providers that participate in the uniform measurement and improvement system known as VQB5, with the exception of teachers who are employed by local school boards; and (iii) administer and make distributions, for the

purpose of providing early childhood care and education services, from the Early Childhood Care and Education Fund established in the bill, to which all unspent balances from the Virginia Preschool Initiative at the end of each fiscal year are required to be credited instead of reverting to the general fund. (24105109D-S1)

HB 1140 (Cordoza) (HAPP) directs the Department of Medical Assistance Services to (i) submit an amendment to the state plan for medical assistance services to remove or lower any asset limits related to Medicaid eligibility and (ii) to the extent permitted under federal laws and regulations, remove or lower any asset caps that may be removed or lowered without an amendment to the state plan. (24102610D)

HB 1168 (Cordoza) (HGL) grants the Children's Ombudsman with regard to children receiving child-protective services, in foster care, or placed for adoption and children who may have died as a result of alleged abuse or neglect the power to directly oversee local departments of social services, reverse the decisions of local departments of social services, and petition a court to reverse any custody or visitation changes made as a result of the error of a local department of social services. (24104814D)

HB 1269 (Price) (HHHS) creates an exception to the barrier crime rules for employment at an adult substance abuse or mental health treatment program that permits persons convicted of certain offenses to be eligible for employment if such conviction occurred more than three years prior to the date of their application for employment. (24101179D)

SB 141 (Ruff) (SEH) expands a current exemption to allow churches, fraternal or school organizations, organizations that are exempt from taxation under § 501(c)(3) of the Internal Revenue Code, and volunteer fire departments and volunteer emergency medical services agencies that not only hold, as provided for in current law, but also participate in occasional dinners, bazaars, and other fundraisers of one or two days' duration, at which food (i) prepared in the homes of members; (ii) prepared in the kitchen of the church, school, or organization; or (iii) purchased or donated from a licensed restaurant is offered for sale to the public to conduct such activities without applying for any permits or licensure from the State Department of Health. (24102264D)

SB 149 (Suetterlein) (SEH) directs the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to seek to modify the program rules for certain 1915(c) Home and Community Based Services Medicaid Waivers to (i) eliminate the requirement that, in order for a legally responsible individual to receive reimbursement for personal care services, no one else is available to provide services to the member; (ii) modify the program rules to allow for respite services when the legally responsible individual is the unpaid caregiver; and (iii) modify the program rules to allow a legally responsible individual or stepparent to be the employer of record. (24103632D)

SB 488 (Aird) (SEH) directs the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to seek federal authority through the necessary state plan amendments under Titles XIX and XXI of the Social Security Act to seek to modify the program rules for certain 1915(c) Home and Community Based Services Medicaid Waivers to (i)

modify the 40-hour-per-week work limit to allow legally responsible individuals with more than one waiver-receiving child to receive reimbursement for 40 hours of work per week per child receiving a waiver; (ii) eliminate the requirement that, in order for a legally responsible individual to receive reimbursement for personal care services, no one else be available to provide services to the member; and (iii) modify the program rules to allow a legally responsible individual or stepparent to be the employer of record. (24104869D)

HB 499 (Cohen) (HHHS) directs the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to modify the program rules for certain Medicaid waivers to eliminate the requirement that certain visits for individuals enrolled in Family and Individual Support Waivers, Community Living Waivers, Building Independence Waivers, and CCC Plus Waivers be conducted face-to-face. (24104355D)

HB 909 (Shin) (HHHS) directs the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to seek federal authority through the necessary state plan amendments under Titles XIX and XXI of the Social Security Act to modify the program rules for certain 1915(c) Home and Community Based Services Medicaid Waivers to (i) modify the 40-hour-per-week work limit to allow legally responsible individuals with more than one waiver-receiving child to receive reimbursement for 40 hours of work per week per child receiving a waiver; (ii) eliminate the requirement that, in order for a legally responsible individual to receive reimbursement for personal care services, no one else be available to provide services to the member; (iii) modify the program rules to allow for respite services when the legally responsible individual is the paid caregiver; and (iv) modify the program rules to allow a legally responsible individual or stepparent to be the employer of record. (24104863D)

HB 1282 (Wilt) (HHHS)/**HB 1318** (Cole) (HHHS) directs the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to seek to modify the program rules for certain 1915(c) Home and Community-Based Services Medicaid Waivers to eliminate the requirement that in order for a legally responsible individual to receive reimbursement for personal care services, no one else be available to provide such services to the Medicaid member. (24103839D; 24104677D)

SB 417 (Head) (SRSS) establishes (i) investigation requirements for local departments of social services related to reports of adult abuse, neglect, and exploitation; (ii) record retention and disclosure requirements for the Department for Aging and Rehabilitative Services and local departments of social services; (iii) notice requirements related to findings by local departments and central registry entries; and (iv) an appeals process to contest the findings of a local department related to substantiated reports of adult abuse, neglect, or exploitation. The bill directs the Commissioner for Aging and Rehabilitative Services to adopt regulations to implement the provisions of the bill and exempts the Commissioner's initial adoption of such regulations from the provisions of the Administrative Process Act. The bill has a delayed effective date of July 1, 2026. (24104879D)

SB 421 (Sturtevant) (SEH) establishes the Foster Child Scholarship Program (the Program), to be administered by the Department of Education, for the purpose of providing school-age children in

foster care the option to attend the participating public or private school of their caregiver's choice. The bill provides that any student is eligible to participate in the Program who (i) is a foster child, (ii) resides in a school division in the Commonwealth, (iii) is subject to compulsory attendance requirements, and (iv) is entering kindergarten or was eligible to enroll at a public elementary or secondary school in the Commonwealth during the semester immediately preceding the semester or term for which the child's parent initially applies for the Program or who is entering kindergarten. The bill provides that the caregiver of any eligible student may apply for the Program and, upon approval of such application, receive an annual scholarship, through quarterly disbursements into such eligible student's Foster Child Scholarship Account (FCSA), for the purposes of paying for education-related expenses, as set forth in the bill, at the participating school of the caregiver's choice in which the eligible student enrolls under the Program. The bill contains provisions relating to (a) the Department's powers and duties in administering the Program, including establishing and implementing policies and procedures for reviewing and approving applications, conducting public awareness campaigns, establishing procedures for audit and review of FCSAs and of participating schools, and establishing procedures and requirements for the management of and disbursing of funds into FCSAs; (b) the duties of participating schools in the Program relating to the acceptance of eligible students participating in the Program; (c) requirements for the division superintendent of each school division to report each year to the Superintendent of Public Instruction, and the Superintendent of Public Instruction to report each year to the Governor and the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, on data relating to participation in the Program by eligible students and participating schools; and (d) the conditions and limitations to which caregivers of eligible students must agree in order to participate in the Program. (24102023D)

SB 626 (Pillion) (SRSS) permits the Department of Behavioral Health and Developmental Services, providers of substance abuse or mental health services to adults, and community service boards and behavioral health authorities to hire applicants convicted of certain barrier crimes of misdemeanor assault and battery or involving controlled substances without additional screening or other requirements, provided that such conviction occurred more than five years prior to the application date for employment. (24103351D)

HB 516 (Hope) (HHHS) requires pharmacies to notify any person receiving a prescription drug that an accessible prescription label is available upon request at no cost and to provide to individuals who are blind, visually impaired, or otherwise print disabled accessible prescription labels that meet specified accessibility requirements. The bill requires the Board of Pharmacy to promulgate regulations implementing the provisions of the bill no later than April 1, 2025. (24104715D)

SB 13 (Favola) (SLG) directs the Board of Education to amend its regulations to permit any child day program to operate in an office building, defined as any building containing more than two rental units that are rented primarily for retail, commercial, or professional use, provided such office building satisfies the legal and regulatory requirements for licensure as a child day program. (24104110D-S1)

SB 74 (Durant) (SEH) requires the Director of the Department of Health Professions to release otherwise confidential information from the Prescription Monitoring Program when such information is relevant to a specific investigation, supervision, or monitoring of a specific recipient for purposes of the administration of criminal justice to drug court administrators and behavioral health docket administrators who have completed the Virginia State Police Drug Diversion School designated by the Director of the Department of Corrections or his designee. The bill requires release of the information upon receiving a request for information in accordance with the Department of Health Profession's regulations and in compliance with applicable federal law and regulations. (24102595D)

SB 140 (Carroll Foy) (SEH) establishes the Fetal and Infant Mortality Review Team to develop and implement procedures to ensure that fetal and infant deaths occurring in the Commonwealth are analyzed in a systematic way. The bill requires the Team to compile triennial statistical data regarding fetal and infant deaths and to make such data available to the Governor, the General Assembly, and the Department of Health. The bill provides that information and records obtained or created by the Team and portions of meetings of the Team at which individual fetal and infant deaths are discussed shall be confidential. (24101503D)

SB 186 (Subramanyam) (SEH) directs the Secretary of Health and Human Resources to establish a wholesale prescription drug importation program that complies with the requirements of federal law and to report annually by October 1 to the Governor and the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Appropriations and Education and Health on the wholesale prescription drug importation program. The bill also requires the Secretary to (i) convene a work group composed of relevant stakeholders to develop a plan for implementation of the wholesale prescription drug importation program and report the plan to the Governor and the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Appropriations and Education and Health by December 1, 2024, and (ii) seek such federal approvals, waivers, exemptions, or agreements as may be necessary to enable all covered entities enrolled in or eligible for the federal 340B Drug Pricing Program to participate in the wholesale prescription drug importation program to the greatest extent possible without jeopardizing their eligibility for the 340B Drug Pricing Program by July 1, 2025. (24103007D)

SB 320 (Roem) (SFIN) directs the Department of Health to provide information, resources, and education to food banks regarding providing assistance to individuals completing a Women, Infants, and Children (WIC) application. (24101535D)

SB 239 (Hashmi) (SEH) authorizes Virginia to become a signatory to the Social Work Licensure Compact allows social workers who have or are eligible for an active, unencumbered license in the compact member state where they reside to apply for a multistate license. After verifying eligibility, the social worker is granted a multistate license that authorizes practice in all other compact member states. The Compact takes effect when it is enacted by a seventh member state. (24101999D)

Cannabis/ Marijuana

SB 391 (Pekarsky) (SRSS) amends the provision that prohibits an employer from discriminating against an employee for such employee's lawful use of cannabis oil pursuant to a valid written certification issued by a practitioner for the treatment or to eliminate the symptoms of the employee's diagnosed condition or disease, with certain exceptions, by specifying that such use must conform to the laws of the Commonwealth and by excluding the employees of the Commonwealth and other public bodies from such protections. (24103734D)

SB 448 (Rouse) (SRSS) Establishes a framework for the creation of a retail marijuana market in the Commonwealth, which would be administered by the Virginia Cannabis Control Authority. The bill allows the Authority to begin issuing marijuana licenses on July 1, 2024, but provides that no marijuana sales may occur prior to January 1, 2025. (24104792D)

SB 529 (Jordan) (SRSS) amends the provision that prohibits an employer from discriminating against an employee for such employee's lawful use of cannabis oil pursuant to a valid written certification issued by a practitioner for the treatment or to eliminate the symptoms of the employee's diagnosed condition or disease, with certain exceptions, by specifying that such use must conform to the laws of the Commonwealth and that such protections extend to the employees of the Commonwealth and other public bodies. (24103170D)

HB 698 (Krizek) (HGL) establishes a framework for the creation of a retail marijuana market in the Commonwealth, to be administered by the Virginia Cannabis Control Authority. The bill allows the Authority to begin issuing all marijuana licenses on July 1, 2025; however, the bill allows certain pharmaceutical processors to begin operations on July 1, 2024, and allows a limited number of other licensees to begin operations on January 1, 2025. (24104440D)

Education

SB 498 (Carroll Foy) (SEH) requires each division superintendent or his designee to notify the parent of each student in the local school division of any school-connected overdose, defined as any verified overdose that occurs on school premises during or after regular school hours or during school-sanctioned activities whether on or off school premises, within 24 hours of learning of the overdose and to include in such notification as much information as is known about the circumstances surrounding the overdose. The bill requires the Board of Education to establish guidelines for school-connected overdose response and parental notification policies, including (a) a model action plan for each school board to follow in responding to the overdose, including communicating and coordinating with the Department of Education and the local law-enforcement liaison or local law-enforcement agency that employs the school resource officers for such school division, and (b) criteria for issuing the parental notification to ensure sensitivity to the privacy interests of any affected individuals. (24104503D)

HB 386 (Hernandez) (HED)/**SB 127** (VanValkenburg) (SFIN) decreases from one to 325 to one to 250 the ratio of full-time equivalent school counselors required to be employed by each local school board per student enrolled in the local school division. The bill also increases the number

of specialized student support positions required to be employed by each local school board from at least three to at least four such positions per 1,000 students in the local school division. Such specialized student support positions include school social workers, school psychologists, school nurses, licensed behavior analysts, licensed assistant behavior analysts, and other licensed health and behavioral positions. (24102209D; 24101312D)

HB 667 (Freitas) (HED) permits the parents of qualified students, defined in the bill, to apply for a one-year, renewable Virginia Education Success Account that consists of an amount that is equivalent to a certain percentage of all applicable annual Standards of Quality per pupil state funds appropriated for public school purposes and apportioned to the school division in which the qualified student resides, including the per pupil share of state sales tax funding in basic aid and any per pupil share of state special education funding for which the qualified student is eligible. The bill permits the parent of the qualified student to use the moneys in such account for certain qualified expenses of the qualified student, including tuition, deposits, fees, and required textbooks at a private elementary school or secondary school that is located in the Commonwealth. The bill also contains provisions relating to program and account administration by the Department of the Treasury and a third party that serves as program administrator pursuant to a contract with the Department of the Treasury. (24100653D)

Administration of Government

SB 343 (Rouse) (SFIN) allows localities to establish, by ordinance, one or more military centered community zones, defined in the bill as a community that has a significant presence of military personnel living or working in the designated area and where such presence drives, or has the potential to drive, significant economic activity. The bill provides that a locality, or another political subdivision acting on behalf of the locality, may offer unique benefits to businesses looking to locate within a zone for the purpose of serving the needs of the military personnel, including reduction of certain fees and taxes. In addition, the bill provides that local governing bodies are authorized to enter into agreements for the payment of economic development incentive grants to such businesses. The bill also allows a governing body to provide for certain regulatory flexibility and incentives and provides that the establishment of a military centered community zone shall not preclude the area from also being designated as an enterprise zone or from receiving support under the Virginia Military Community Infrastructure Grant Program. (24104666D)

HB 671 (Freitas) (HGL) adds to the definition of "public body" any organization, corporation, or agency that received more than 50 percent of its annual revenue, within any of the three preceding years, from public funds. (24102217D)

Taxation

HB 889 (Watts) (HFIN) levies the retail sales and use tax on the following services: admissions; charges for recreation, fitness, or sports facilities; nonmedical personal services or counseling; dry cleaning and laundry services; companion animal care; residential home repair or maintenance, landscaping, or cleaning services when paid for directly by a resident or homeowner; vehicle and engine repair; repairs or alterations to tangible personal property; storage of tangible personal

property; delivery or shipping services; travel, event, and aesthetic planning services; and communications services that are not subject to the communications sales and use tax and are not digital personal property. The bill also imposes the retail sales and use tax on digital personal property, defined in the bill as a digital product delivered electronically that the purchaser owns or has the ability to continually access without having to pay an additional subscription or usage fee to the seller after paying the initial purchase price. Revenues generated by the taxes levied on services and digital personal property shall be allocated in the same manner as other sales and use taxes; however, revenues from the state portion of the sales and use tax that would be allocated to the general fund shall instead be allocated to school divisions as follows: (i) 60 percent shall be distributed to localities on the basis of school-age population and (ii) 40 percent shall be distributed to localities on the basis of the high-need student population in the locality. The bill clarifies that a high-need student population includes students who are (a) automatically certified for free school meals because of participation in social services programs, (b) participants in a program of special education, or (c) English language learners. The bill provides certain exemptions to the sales and use tax on services, including health care services that must be performed by a person licensed or certified by the Department of Health Professions, veterinary services, professional services, Internet access services, and services provided by a person who does not receive more than \$2,500 per year in gross receipts for performance of such services. The bill exempts services purchased by a nonprofit organization and services purchased by a homeowners' association or by a landlord for the benefit of his tenant. The bill also repeals the service exemptions currently provided for the sale of custom programs and modification of prewritten programs. The bill imposes the communications sales and use tax on prepaid calling services and on digital subscription services, defined in the bill as services for which the user pays in order to access and use software, reading materials, or other digital data or applications for a defined period of time, which products the user does not own or have permanent access to outside of such period of time. (24104556D)

Election Bills

HB 465 (Runion) (HPE)/**SB 147** (Head) (SPE) requires the State Board of Elections to adopt guidance for determining the recommended number of deputy registrars to serve in a county or city based on the size of the county's or city's population as of the most recent decennial census and prohibits a local electoral board from setting a number in excess of such recommendation. The bill allows for additional deputy registrars to be appointed if the local electoral board determines that a greater number than the State Board's recommended number for a county's or city's population is needed and the local governing body approves such number. The bill also requires the Department of Elections to convene a work group no later than July 1, 2024, to advise and collaborate with the State Board on the development of such guidance and directs the work group to complete its work and make public such guidance no later than December 1, 2024. The provisions of the bill other than the requirement for the Department to convene the work group have a delayed effective date of January 1, 2025. (24100147D; 24103038D)

SB 364 (Ebbin) (SPE) adds current or former status as an election official or employee of an election official to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also adds current or former status as an election

official or employee of an election official to the categories of hate crimes that are to be reported to the central repository of information regarding hate crimes maintained by the Virginia State Police. The bill provides that a person who is subjected to acts of intimidation or harassment, violence directed against his person, or vandalism to his real or personal property, where such acts are motivated by current or former status as an election official or employee of an election official, may bring a civil action to recover his damages. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of current or former status as an election official or employee of an election official. The bill also adds to the list of protected voters any election official or employee of an election official. Protected voters are permitted by law to provide on the application for voter registration, in addition to the voter's residence street address, a post office box address located within the Commonwealth, which would be the address included on (i) lists of registered voters and persons who voted, (ii) voter registration records made available for public inspection, and (iii) lists of absentee voter applicants. The bill also makes it a Class 5 felony to hinder or prevent an election official or employee of an election official from administering elections. Under current law, it is only a Class 5 felony to hinder or prevent an officer of election at a location being used for voting from holding an election. (24104854D)

SB 606 (VanValkenburg) (SPE) requiring membership in the Electronic Registration Information Center (ERIC). Requires the Commissioner of Elections to apply for, enter into, and maintain membership for the Commonwealth in the Electronic Registration Information Center (ERIC). (24102718D)

HB 212 (Watts) (HRUL) requires that the MEI Project Approval Commission considers, prior to recommending approval of any major employment and investment (MEI) project, (i) whether a business has and commits to maintaining a balanced board of directors based upon gender and racial diversity, such that at least 30 percent of such board of directors consists of women and historically underrepresented groups, and (ii) whether a business seeking approval of a project submits a board diversity disclosure and commits to updating such disclosure annually, specifying the number and percentage of diverse directors on the board of such business who self-identify as female or represent a national, racial, ethnic, indigenous, or cultural minority in the country of the business's principal executive offices. (24101407D)

SB 131 (Ruff) (SPE) provides that if a person who is a candidate for nomination by a political party at a primary election and who appears on the ballot for such election withdraws his candidacy on or after the forty-fourth day before but prior to the Tuesday immediately preceding the primary election, and the result of such withdrawal is one remaining candidate who is now unopposed, the remaining candidate will be declared the party's nominee for the office sought and the primary election will be canceled. The bill requires the notice of withdrawal to be signed and notarized and to be submitted to the general registrar, who then transmits it to the local electoral board and the State Board of Elections, along with a certification that the remaining candidate is now unopposed for nomination. The State Board is required to declare the remaining candidate to be the nominee within one calendar day of receiving such notice, and the local electoral board is then required to petition the circuit court for the cancellation of the primary election. Finally, the bill directs the

State Board to prescribe procedures for canceling a primary election, including instructions for locking and securing voting systems, disposition of marked and unmarked absentee ballots, and voter notification. The bill has a delayed effective date of January 1, 2025. (24102245D)

HB 55 (Wright) (HPE) provides that if a person who is a candidate for nomination by a political party at a primary election and who appears on the ballot for such election withdraws his candidacy on or after the forty-fourth day before but prior to the Tuesday immediately preceding the primary election, and the result of such withdrawal is one remaining candidate who is now unopposed, the remaining candidate will be declared the party's nominee for the office sought and the primary election will be canceled. The bill requires the notice of withdrawal to be signed and notarized and to be submitted to the general registrar, who then transmits it to the local electoral board and the State Board of Elections, along with a certification that the remaining candidate is now unopposed for nomination. The State Board is required to declare the remaining candidate to be the nominee within one calendar day of receiving such notice, and the local electoral board is then required to petition the circuit court for the cancellation of the primary election. Finally, the bill directs the State Board to prescribe procedures for canceling a primary election, including instructions for locking and securing voting systems, disposition of marked and unmarked absentee ballots, and voter notification. The bill has a delayed effective date of January 1, 2025. (24100058D)

HB 658 (Cole) (HPE) allows elections for any local or constitutional office to be conducted by ranked choice voting. Under current law, only elections of members of a county board of supervisors or a city council are allowed to be conducted by ranked choice voting. The bill also clarifies requirements for conducting elections using ranked choice voting and requires results for elections conducted by ranked choice voting to be reported along with other results reported on election night, except that such results must clearly be identified as preliminary and based on the first rankings in a ranked choice voting election. The bill provides that final tabulation for an election for a local or constitutional office that is not shared by more than one county or city is required to be conducted on the same day as other results are canvassed by the local electoral board and that final tabulation for an election for a local or constitutional office that is shared by more than one county or city is required to be conducted at a centralized facility under the supervision of the Department of Elections. The bill specifies that ranking data is required to be made publicly available by the Department and requires the State Board of Elections to provide standards and to approve vote tabulating software for use with existing voting systems in elections conducted by ranked choice voting. The bill also limits a risk-limiting audit of an election conducted using ranked choice voting to the first-choice rankings reported on voting systems. Finally, the bill directs the Department to review the testing and approval framework for voting equipment in the Commonwealth and submit a report of such review no later than the first day of the 2025 Regular Session of the General Assembly. (24104652D)

HB 189 (Helmer) (HPE) requires state and private employers to allow officers or employees who are appointed as officers of election to take leaves of absence from their respective duties without loss of seniority, accrued leave, benefits, or efficiency rating on all days during which any such officer or employee has been assigned to work as an officer of election in a polling place. (24103001D)

HB 69 (Bulova) (HPE) requires the local governing body or elected school board making an interim appointment to fill a vacancy in the membership of such body or board to hold a public meeting at least seven days prior to making such appointment. The bill specifies that at such meeting, the body or board shall announce the names of all persons being proposed for the interim appointment and shall make available for inspection each person's resume and any other materials required by the body or board. (24101325D)

HB 254 (Sullivan) (HPE) provides that any candidate nominated by a political party or at a primary election shall be identified on the ballot by the name of his political party. Currently, only candidates for federal, statewide, and General Assembly offices are so identified. (24101070D)

HB 147 (Head) (HCT) allows a locality that has an ordinance requiring any person over 18 years of age convicted of false emergency communication to emergency personnel to reimburse such locality at the time of sentencing or in a separate civil action to bill a flat fee of \$2,500 or a minute-by-minute accounting of actual costs incurred. The bill also allows a locality that has an ordinance requiring any person under 18 years of age convicted of false emergency communication to emergency personnel to reimburse such locality at the time of sentencing or in a separate civil action to bill a flat fee of \$2,500 or a minute-by-minute accounting of actual costs incurred, not to exceed \$2,500. Current law allows a flat fee of \$250, or a minute-by-minute accounting of actual costs incurred, in an amount not to exceed \$2,500. (24104284D)

HB 465 (Runion) (HPE) requires the State Board of Elections to adopt guidance for determining the recommended number of deputy registrars to serve in a county or city based on the size of the county's or city's population as of the most recent decennial census and prohibits a local electoral board from setting a number in excess of such recommendation. The bill allows for additional deputy registrars to be appointed if the local electoral board determines that a greater number than the State Board's recommended number for a county's or city's population is needed and the local governing body approves such number. The bill also requires the Department of Elections to convene a work group no later than July 1, 2024, to advise and collaborate with the State Board on the development of such guidance and directs the work group to complete its work and make public such guidance no later than December 1, 2024. The provisions of the bill other than the requirement for the Department to convene the work group have a delayed effective date of January 1, 2025. (24103038D)

General Transportation

HB 684 (Leftwich) (HCT) removes the provisions that provide that no law-enforcement officer may lawfully stop a motor vehicle for operating (i) without a light illuminating a license plate, (ii) with defective and unsafe equipment, (iii) without brake lights or a high mount stop light, (iv) without an exhaust system that prevents excessive or unusual levels of noise, (v) with certain sun-shading materials and tinting films, and (vi) with certain objects suspended in the vehicle. The bill also removes the accompanying exclusionary provisions. (24102609D)

SB 65 (Durant) (SCT) removes the provisions that provide that no law-enforcement officer may lawfully stop a motor vehicle for operating with defective and unsafe equipment and removes the accompanying exclusionary provisions. (24103183D)

SB 97 (Peake) (SCT) removes the provisions that prohibit a law-enforcement officer from lawfully stopping a motor vehicle for violations related to improper tinting films, signs, decals, and stickers on such motor vehicle's windows. The bill increases from 35 percent to 50 percent the minimum percentage of total light transmittance required for tinting the rear and rear side windows of any motor vehicle. The bill increases from 35 percent to 50 percent the authorized reduction of total light transmittance for tinting the rear and rear side windows of any motor vehicle and maintains exemptions for multipurpose passenger vehicles and pickup trucks. (24100893D)

SB 246 (McPike) (STRAN) extends the validity of limited-duration licenses and driver privilege cards and permits from (i) either the period of time of the applicant's authorized stay in the United States or one year and (ii) two years, respectively, to a period of time consistent with the validity of driver's licenses, which, under current law, is a period not to exceed eight years or, for a person age 75 or older, a period not to exceed five years, and permits. The bill also directs the Department of Motor Vehicles to implement the extended validity periods for such documents upon reissuance. (24104979D)

Transportation Safety

HB 285 (McQuinn) (HGL) exempts plans and specifications for bus shelters that do not exceed 256 square feet that are to be constructed for transit agencies receiving state money and that will be constructed on state-owned property from the Department of General Services' review process required by the Uniform Statewide Building Code. The bill authorizes the local building official of the locality in which the state-owned property is located to conduct the review process within 60 days of the applicant's initial submission of the plans and specifications for such bus shelter. (24101088D)

HB 657 (Sullivan) (HTRAN) allows persons riding a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, or motorized skateboard or scooter to, while remaining in the travel lane, follow the pedestrian control signal to their right at an intersection when traveling in the direction of the signal, provided that they travel straight or turn right and yield to pedestrians in the crosswalk traveling in the same direction. (24103294D)

SB 282 (Roem) (STRAN) provides that beginning in fiscal year 2025, in any fiscal year in which there is a surplus of general fund revenues, as that term is defined in the bill, the Governor shall include in his proposed budget an appropriation of 10 percent of such surplus for the Virginia Highway Safety Improvement Program for the purpose of funding projects consistent with the objectives of the Program. (24101523D)

HB 1266 (Willett) (HTRAN) Makes various changes to provisions relating to the operation of bicycles and certain other vehicles and relating to pedestrians. The bill authorizes the operator of a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or motorized

skateboard or scooter to yield instead of stop at an intersection of two highways controlled by a stop sign if certain conditions are met. For purposes of describing when such vehicles are not required to ride as close to the right curb or edge as possible, the bill replaces the term "substandard width lane" with the description that such travel lane is less than 15 feet wide or not wide enough to allow an overtaking motor vehicle to pass safely in the same lane. The bill specifies that if the lane of travel is less than 15 feet wide, a motor vehicle overtaking a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, animal, or animal-drawn vehicle shall change lanes and may drive to the left of a highway centerline when it is safe to do so. The bill removes the requirement for persons riding bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, or motorized skateboards or scooters on a highway two abreast to move into a single-file formation and limits the requirement that such persons not impede the normal and reasonable movement of traffic to apply only on roadways with only one travel lane per direction and a posted speed limit of 35 miles per hour or more. (24104937D)

Towing

HB 662 (Cole) (HTRAN) requires tow truck drivers, prior to registration or the first renewal on or after January 1, 2025, with the Department of Criminal Justice Services, to obtain a Driver Authorization Document, for which such drivers must take instructional courses, the requirements for which are set forth in the bill and complete a drug test. The bill has a delayed effective date of January 1, 2025. (24103460D)

SB 94 (Stanley) (STRAN) prohibits tow truck drivers and towing and recovery operators from soliciting or offering towing services or causing any other person to solicit or offer towing services in any manner, directly or indirectly, at the scene of any wrecked or disabled motor vehicle upon a highway when such wrecked or disabled motor vehicle reasonably necessitates removal by a tow truck. The bill provides that a violation of such prohibition constitutes a Class 1 misdemeanor. (24102071D)

Express Lanes

HB 135 (Cole) (HTRAN) Provides that, on Interstate 95, vehicles displaying a disabled veteran license plate meet the high-occupancy requirement for high-occupancy toll lanes, regardless of the number of occupants in the vehicle. (24102704D)

HB 424 (Green) (HTRAN) authorizes the free use of all toll bridges, toll roads, and other toll facilities in the Commonwealth for drivers who have been rated by the U.S. Department of Veterans Affairs as having a 100 percent service-connected, permanent, and total disability. The bill also replaces the current window sticker for certain persons exempted from tolls due to a disability with a specialized electronic toll collection device identifying such person as eligible for free passage. (24101086D)

HB 811 (Mundon King) (HTRAN) limits to \$200 per month the tolls charged to residents of the Commonwealth via electronic toll collection devices for the use of toll bridges, toll ferries, toll tunnels, or toll roads in the Commonwealth. The bill prohibits misusing, sharing, or transferring

an electronic toll collection device for the purpose of (i) generating tolls to reach the toll limit or (ii) obtaining toll-free use of toll facilities in the Commonwealth. The bill authorizes the free use of all toll bridges, toll roads, and other toll facilities in the Commonwealth for drivers who are recipients of Temporary Assistance for Needy Families (TANF) benefits. (24101290D)

Exhaust Noise

HB 883 (Watts) (HTRANS) expands the locations for which operation of a motor vehicle, moped, or motorized skateboard or foot-scooter that does not comply with requirements for mufflers and a vehicle that does not comply with the requirements for exhaust systems is prohibited to include any driveway or premises of a church, school, recreational facility, or business; any governmental property open to the public; any industrial establishment providing parking space for customers, patrons, or employees; and any highway under construction or not yet open to the public. (24101206D)

HB 884 (Watts) (HTRANS) prohibits passenger vehicle exhaust systems from emitting noise in excess of 95 decibels in Planning District 8 on any highway; driveway or premises of a church, school, recreational facility, or business; any governmental property open to the public; any industrial establishment providing parking space for customers, patrons, or employees; and any highway under construction or not yet open to the public. The bill allows, in Planning District 8, a law-enforcement officer to stop a passenger vehicle he determines is emitting exhaust system noise in excess of such limit and issue a notice of an administrative fee of \$250 to be assessed at the time of the vehicle's next registration renewal and establishes a process for inspecting such vehicle. The bill has a contingent effective date of January 1, 2025, provided that the Department of Motor Vehicles has received the necessary funding to supply the necessary equipment for such vehicle exhaust system inspections to inspection stations. The bill sunsets on July 1, 2027. (24102661D)

SB 714 (Marsden) (SFIN) prohibits passenger vehicle exhaust systems from emitting noise in excess of 95 decibels in Planning District 8 on any highway; driveway or premises of a church, school, recreational facility, or business; any governmental property open to the public; any industrial establishment providing parking space for customers, patrons, or employees; and any highway under construction or not yet open to the public. The bill allows, in Planning District 8, a law-enforcement officer to stop a passenger vehicle he determines is emitting exhaust system noise in excess of such limit and issue a notice of an administrative fee of \$250 to be assessed at the time of the vehicle's next registration renewal and establishes a process for inspecting such vehicle. The bill has a contingent effective date of January 1, 2025, provided that the Department of Environmental Quality has received the necessary funding to supply the necessary equipment for such vehicle exhaust system inspections to inspection stations. The bill sunsets on July 1, 2027. (24105094D)

Data Centers

SB 288 (Roem) (SLG) provides that any local government land use application required for the siting of a data center shall be approved only in accordance with certain notice and noise abatement requirements. The bill provides that residents within a half-mile radius of the parcel shall receive

notice of the proposed data center and that the data center operator shall hold two neighborhood meetings. The bill requires a data center operator to design and build the data center to incorporate sound mitigation methods sufficient to prevent the sound levels emanating from the data center from exceeding the ambient noise levels that were observed in a baseline study, as determined by a third-party acoustic engineer. The bill also provides that upon issuance of a certificate of occupancy, and for five years thereafter, the data center operator shall conduct a noise study performed by a third-party acoustical engineer to document noise levels emanating from the data center measured at the property line of the nearest property to the data center property that is planned or zoned for residential land uses, or other noise sensitive use as reasonably determined by the locality, during peak operation of the data center mechanical equipment. The bill also provides that if the data center operator intends to use backup power generators on the parcel, the operator shall maintain a public website announcing the times when the generators will be in operation. (24102008D)

HB 337 (Thomas) (HCCT) provides that any local government land use application required for the siting of a data center shall only be approved in areas where the data center will (i) have a minimal impact on historic, agricultural, and cultural resources and (ii) not be within one-half mile of a national park, state park, or other historically significant site. (24101113D)

HB 338 (Thomas) (HCCT) requires a locality, prior to any approval for the siting of a data center, to perform a site assessment to examine the effect of the data center on water usage and carbon emissions as well as any impacts on agricultural resources within the locality. (24101112D)

Land Use

SB 296 (VanValkenburg) (SLG) requires local planning commissions to use the same approval process for residential development projects as is currently required for commercial development projects. (24103598D)

SB 329 (Surovell) (SGL) requires the Department of General Services, whenever purchasing compost or other products containing organic soil amendments for use by state agencies, to use competitive sealed bidding and to award the contract to the lowest responsive and responsible bidder offering compost produced in Virginia unless the bid price is more than four percent greater than the bid price of the lowest responsive and responsible bidder offering such products produced elsewhere. The bill allows the governing body of a locality to give preference to compost or other products containing organic soil amendments produced within such locality in the case of a tie bid. The bill also provides that any locality may by ordinance require that certain generators, as defined in the bill, of large quantities of organic waste separate the organic waste from other solid waste and ensure that the organic waste is diverted from final disposal in a refuse disposal system. The ordinance may require that generators divert organic waste from final disposal in a refuse disposal system by any of a variety of specified waste diversion activities. The ordinance may also establish civil penalties for violations of the ordinance, but a locality shall first issue a warning to a generator that violates the ordinance. Finally, the bill expresses that it is the intent of the General Assembly that new public-school buildings and facilities and improvements and renovations to existing

public school buildings and facilities include waste disposal infrastructure, as defined in the bill. (24104350D)

SB 337 (Stuart) (SACNR) directs the State Water Control Board to waive the expiration of any ground water withdrawal permit for a well that serves exclusively residential users, is located in the Eastern Virginia Groundwater Management Area north of the Occoquan River and is located within five miles of any commercial or industrial permitted ground water withdrawal. The bill provides that such waiver shall continue in force until the commercial or industrial permitted ground water withdrawals have been halted for five years. The Department of Environmental Quality shall then assess whether the termination of the commercial or industrial permitted ground water withdrawals has substantially mitigated the stress upon the aquifer and redetermine whether the permit for the residential well shall be renewed. (24101713D)

SB 342 (Stuart) (SACNR) requires the Virginia Waste Management Board to amend regulations to allow for vegetative waste to be transported to another location for destruction if it is impractical or unsafe to destroy such waste on the premises of private property. (24101948D-E)

SB 298 (French) (SACNR) extends the sunset date of the individual and corporate tax credit for purchase of conservation tillage and precision agricultural application equipment from January 1, 2026, to January 1, 2030. (24102322D)

SB 171 (Craig) (SLG) allows enhanced civil penalties for zoning violations involving nonpermitted commercial uses. The bill also requires that for any violation involving nonpermitted commercial uses, a person who admits liability shall be required to abate or remedy the nonpermitted commercial use violation within a period of time specified by the locality that is no less than 30 days but no more than 24 months from the date of admission of liability. (24103232D)

SB 121 (Subramanyam) (SLG) expands authority of certain localities to adopt an ordinance providing for the planting and replacement of trees during the development process by allowing a tree canopy fund that currently applies to the planting of trees on public property to include maintenance of trees on public property and planting and maintenance of trees on private property. The bill removes a provision that requires that any funds collected for the purposes of the tree canopy fund be returned to the original contributor if not spent within five years but maintains the requirement that such funds be spent within five years. The bill also includes an expansion of the canopy credit and a provision that will require a local tree conservation ordinance to meet the standards set out in the statute. (24102995D)

SB 48 (Locke) (SLG) permits any county, city, or town to require, by ordinance, the owner of any building that has been vacant for at least 12 months and (i) that meets the definition of "derelict building" in relevant law, (ii) that meets the definition of "criminal blight" in relevant law, or (iii) in which a locality has determined a person is living without the authority of the owner to register such building annually. Under current law, any city and certain towns are permitted to require the owner of any building that has been vacant for at least 12 months and meets the definition of "derelict building" in relevant law to register such building annually. This bill is a recommendation of the Virginia Housing Commission. (24105512D-S1)

SB 365 (DeSteph) (SACNR) prohibits a person from engaging in any land-disturbing activity until, where Virginia Pollutant Discharge Elimination System (VPDES) permit coverage is required, the Virginia Erosion and Sediment Control Program (VESCP) authority has obtained evidence of such permit coverage from the Department of Environmental Quality's online reporting system prior to issuing its land-disturbance approval. Current law requires the VESCP authority to obtain such evidence of VPDES permit coverage prior to approving an erosion and sediment control plan. (24102266D)

Animals

SB 93 (Stanley) (SACNR) allows any locality to establish an animal cruelty registry for public access on the website of such locality or its local police department. The bill provides that such registry may include the names and relevant information of persons convicted of certain felony offenses for animal cruelty and that a person on such registry may request removal of his name after 15 years, provided that he has no additional felony convictions of an animal cruelty offense. The bill directs that all costs relating to a locality's animal cruelty registry shall be borne by such locality. (24104230D)

SB 11 (Favola) (SACNR) provides that any person convicted of felony cruelty to animals may be prohibited by the court from possession or ownership of animals for life and any person convicted of misdemeanor cruelty to animals may be prohibited by the court from possession or ownership of animals for a period of up to five years. Under current law, such prohibition is limited to companion animals and a period equal to the statutory maximum period of incarceration. (24100480D)

HB 221 (Orrock) (HAG) directs the Board of Agriculture and Consumer Services to promulgate regulations establishing minimum requirements for a Free-Roaming Cat Management Plan and establish a model plan for localities to reduce and control the population of free-roaming cats and the abandonment of cats for the purpose of reducing the negative impacts of free-roaming cats on public health, wildlife, and the cat population. The bill permits a locality to adopt such plan created by the Board and include in such plan any ordinances related to cats that are currently in effect. The bill directs the Board, in consultation with relevant stakeholders, to promulgate such regulations no later than July 31, 2025. (24100334D)

SB 266 (DeSteph) (SACNR) increases the number of hours of required additional training in animal control and protection from 15 to 24 every three years for all animal control officers and deputy animal control officers employed by a locality. (24101302D)

Public Safety/Criminal Justice

SB 612 (McGuire) (SLG) provides that no local governing body shall approve a budget that will reduce the total funds appropriated for local law-enforcement purposes from the preceding fiscal year except by unanimous vote of all members elected to the governing body. (24103634D)

HB 232 (Campbell) (HPS) provides employees of contributing nonprofit private institutions of higher education, defined in the bill, and contributing private police departments, defined in the bill, with the benefits granted to employees of participating employers under the Line of Duty Act. The bill clarifies that the Line of Duty Act shall not apply to any private institution of higher education or private police department that is not a contributing nonprofit private institution of higher education or contributing private police department, respectively. (24103028D)

HB 250 (Glass) (HPS) provides that the Department of Criminal Justice Services shall have the power and duty to establish a comprehensive framework for the custodial and noncustodial interrogation of adults and juveniles by law-enforcement officers within the Commonwealth, which shall include (i) developing policies and procedures for interrogation practices, including guidance on when the use of the following is considered lawful: (a) false promises of leniency, (b) misleading statements regarding evidence or statements of witnesses or co-conspirators, and (c) inauthentic replica documents or computer-generated audiovisual evidence; (ii) establishing and publishing a model policy for conducting such interrogations to serve as a guideline for criminal justice agencies in the Commonwealth, with the provision that criminal justice agencies may adopt additional policies beyond such model policy but shall not adopt policies that contradict such model policy; and (iii) establishing compulsory minimum training standards for basic training and recertification of law-enforcement officers on conducting such interrogations. The bill provides that the Department shall establish and publish such model policy by January 1, 2025, and that all criminal justice agencies shall adopt a policy consistent with such model policy by July 1, 2025. The bill requires any person employed as a law-enforcement officer prior to July 1, 2024, to complete the training required by the bill by July 1, 2025. (24104173D)

Firearms

HB 351 (Clark) (HPS) requires any person who purchases a firearm to either (i) purchase a locking device for such firearm if such person resides in the same household as a minor or (ii) complete a certification statement on a form provided by the Department of State Police, under penalty of perjury, certifying that he does not reside in the same household as a minor, with exceptions enumerated in the bill. Accordingly, the bill provides that it is unlawful for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any firearm to any person, other than a licensed manufacturer, licensed importer, or licensed dealer, unless the transferee (a) purchases a locking device for such firearm if such person resides in the same household as a minor or (b) completes a certification statement on a form provided by the Department of State Police, under penalty of perjury, certifying that he does not reside in the same household as a minor. A violation of either provision is a Class 1 misdemeanor. (24101242D)

SB 2 (Deeds) (SCT) creates a Class 1 misdemeanor for any person who imports, sells, manufactures, purchases, possesses, transports, or transfers an assault firearm, as that term is defined in the bill, and prohibits a person who has been convicted of such violation from purchasing, possessing, or transporting a firearm for a period of three years from the date of conviction. The bill provides that an assault firearm does not include any firearm that is an antique firearm, has been rendered permanently inoperable, is manually operated by bolt, pump, lever, or slide action, or was manufactured before July 1, 2024. The bill also prohibits the sale of a large

capacity ammunition feeding device, as that term is defined in the bill. The bill provides that any person who willfully and intentionally (i) sells an assault firearm to another person or (ii) purchases an assault firearm from another person is guilty of a Class 1 misdemeanor and that any person who imports, sells, barter, or transfers a large capacity ammunition feeding device is guilty of a Class 1 misdemeanor. The bill also makes it a Class 1 misdemeanor for any person younger than 21 years of age to import, sell, manufacture, purchase, possess, transport, or transfer an assault firearm regardless of the date of manufacture of such assault firearm. (24100411D)

HB 23 (Laufer) (HCT)/**HB 861** (Hernandez) (HCT)/**SB 515** (Williams-Graves) (SCT)) makes it a Class 1 misdemeanor for any person to possess in or transport into any facility that provides mental health services or developmental services in the Commonwealth, including a hospital or an emergency department or other facility rendering emergency medical care, any (i) firearm or other weapon designed or intended to propel a missile or projectile of any kind; (ii) knife, except a pocket knife having a folding metal blade of less than three inches; or (iii) other dangerous weapon, including explosives and stun weapons. The bill provides that any such firearm, knife, explosive, or weapon is subject to seizure by a law-enforcement officer and specifies exceptions to the prohibition. (24101827D; 24103473D; 24101429D)

Environment/Land Use

HB 334 (Wiley) (HCCT)/**SB 641** (New-Craig) (SLG) repeals an existing statute that allows localities by ordinance to require certification of boiler and pressure vessel operators. (24102779D; 24102778D)

SB 581 (Stuart) (SFIN) authorizes the Department of Environmental Quality to utilize and incorporate comprehensive groundwater, surface water, and aquifer data in its decision-making processes related to the issuance and renewal of groundwater withdrawal permits and surface water withdrawal permits. Such data may include information relating to water levels, flow rates, and water quality. (24101596D)

SB 135 (Head) (SFIN) reduces from 100 acres to 50 acres the minimum number of contiguous acres required for a site that is not a brownfield to satisfy the acreage requirement to be considered eligible to receive a site development grant from the Virginia Business Ready Sites Program Fund by the Virginia Economic Development Partnership Authority. The bill also exempts from the minimum acreage requirement any site that exists in a locality that has three or fewer eligible sites that are at least 100 acres. (24105425D-S1)

SB 171 (Craig) (SLG) allows enhanced civil penalties for zoning violations involving nonpermitted commercial uses. The bill also requires that for any violation involving nonpermitted commercial uses, a person who admits liability shall be required to abate or remedy the nonpermitted commercial use violation within a period of time specified by the locality that is no less than 30 days but no more than 24 months from the date of admission of liability. (24103232D)

SB 267 (DeSteph) (SACNR) changes the standard for approval of a wetlands permit application from three members of a five-member wetlands board or four members of a seven-member

wetlands board to a simple majority of those board members present and voting. The bill also changes the standard for approval of a coastal primary sand dune permit application from three members of a five-member wetlands board or four members of a seven-member wetlands board to a simple majority of a quorum of such board. The bill requires certain localities to amend the related ordinances to conform to the provisions of the bill no later than January 1, 2025. (24104507D)

HB 122 (Sullivan) (HLC)/**SB 580** (Deeds) (SACNR) allows any person aggrieved by the final decision of the Department of Environmental Quality regarding the authorization of a project and who has participated in a proceeding for a permit to construct or operate a small renewable energy project under procedures adopted by the Department to seek judicial review of such action in accordance with the Administrative Process Act in the Circuit Court of the City of Richmond within 30 days of such decision. The bill requires the court to hear and decide such action as soon as practicable after the date of filing. (24104995D; 24102605D)

HB 208 (Simonds) (HCCT) authorizes localities, beginning July 1, 2024, to adopt a healthy communities strategy as part of its next and any subsequent reviews of the comprehensive plan. The bill provides that the locality's strategy may include identifying neighborhoods with major sources of pollution or hazardous waste and identifying objectives and policies to (i) reduce health risks in such neighborhoods, (ii) promote civic engagement by residents of such neighborhoods, and (iii) prioritize improvements and programs that address the needs of such neighborhoods. (24105704D-H1)

HB 235 (Ferrell-Tata) (HCCT) allows cities and towns by ordinance to establish a uniform schedule of civil penalties for commercial use of a street, avenue, park, bridge, or any other public place or public property or any public easement of a city or town, in a manner not permitted to the general public, without having first legally obtained the consent of the city or town. The bill provides that the schedule of civil penalties shall be uniform for each type of specified violation, and the penalty for any one violation, unless elsewhere authorized, shall not exceed (i) \$500 for the initial penalty, (ii) \$1,000 for the second violation, or (iii) \$1,500 for the third or subsequent violation. (24101458D)

HB 281 (Reaser) (HCCT) permits any locality to, by ordinance, provide for the waiver of any requirements for zoning permits for the operation of a child day program in an office building, as defined by the bill, provided that such facility satisfies the requirements for state licensure as a child day program. (24104412D)

HB 293 (Ballard) (HCCT) allows a law-enforcement agency to publish the required notice that there will be a public display and sale of certain unclaimed personal property that has been in the possession of such law-enforcement agency and remained unclaimed for more than 60 days on the law-enforcement agency's official website or any related social media platforms once a week for two successive weeks. Under current law, such notice may only be published in a newspaper of general circulation in the locality. (24100776D)

HB 301 (Ballard) (HCCT) adds the violation of one or more local ordinances related to the proper maintenance of property to existing provisions that allow a locality to require a property owner to remove, repair, or secure a building, wall, or other structure that might endanger the public health or safety of other residents of such locality as a reason for requiring such maintenance. The bill also allows the locality through its own agents or employees to take such actions after proper notice. (24102278D)

HB 364 (Martinez) (HGL) permits a locality to allow the installation of automatic water-filled or wet-pipe fire sprinkler systems in new townhome construction. The bill provides that such ordinance shall require the installation be completed in compliance with standards, requirements, and specifications for the installation of an automatic water-filled or wet-pipe fire sprinkler system as prescribed by the National Fire Protection Association's NFPA 13, Standard for the Installation of Sprinkler Systems. An automatic water-filled or wet-pipe fire sprinkler system shall not be required when additions or alterations are made to existing townhomes that do not have an automatic residential fire sprinkler system installed. (24105599D-H1)

HB 378 (Owen) (HCCT) clarifies that existing provisions related to the periodic partial and final release of developer performance guarantees also applies to performance guarantees for erosion and sediment control measures, stormwater management facilities, and fill and borrow areas. (24103315D)

HB 220 (Orrock) (HAG) requires sewage treatment works, classified waterworks, and classified water treatment facilities to employ a licensed operator. The bill establishes protocol for an unexpected vacancy of the licensed operator position. The bill also permits remote monitoring of the facility by the licensed operator upon a demonstration of adequate monitoring technology. (24105932D-H1)

Renewable Energy

SB 557 (Hackworth) (SACNR) provides that, for the purposes of the renewable energy portfolio standard, eligible sources include (i) hydrogen resources that are produced from zero-carbon generating facilities located in the Commonwealth and (ii) zero-carbon nuclear generating facilities located in the Commonwealth that were placed into service after July 1, 2024. (24102277D)

Conservation

HB 216 (Orrock) (HAG) requires the Soil and Water Conservation Board to develop a process by which an owner may submit a request only to the Department of Conservation and Recreation for a temporary or permanent variance to the general permit requirements for certain impounding structures for its review and consideration. The bill directs the Department to study issues relating to hazard potential classifications for impounding structures in the Commonwealth and report its findings to the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources by December 1, 2024. The bill also directs the Department to advise the Governor and the Secretary

of Natural and Historic Resources of any variances to the general permit requirements granted by the Department. (24100333D)

HB 259 (Orrock) (HAG) reduces from 50 percent to 30 percent the project match required of applicants to receive funds from the Dam Safety, Flood Prevention, and Protection Assistance Fund for grants (i) to a local government that owns a dam, (ii) to a local government for a dam located within the locality, or (iii) to a private entity that owns a dam for the design, repair, and safety modifications of such a dam if it is identified in a safety report. The bill provides that grants made from the Fund to a local government or private entity for the determination of the hazard classification for impounding structures, dam break analysis, the mapping and digitization of dam break inundation zones, incremental damage analysis, and other engineering requirements shall require no more than a 10 percent match by the applicant except that such applicant shall be required to provide a minimum of \$5,000 of the cost of the project, if funded, and such match provided by such applicant may be used to pay the application fees for the necessary impounding structure operation and maintenance certificate. The bill removes the 50 percent limit on matching grants that owners of impounding structures may be eligible for from the Fund and other sources of funding available to the Director of the Department of Conservation and Recreation to assist in the development of dam break inundation zone maps and for conducting incremental damage assessments in accordance with the Virginia Impounding Structure Regulations. The bill also removes the limitation that the total amount of expenditures for grants in any fiscal year are not to exceed 50 percent of the total noninterest or income deposits made to the Fund during the previous fiscal year together with the total amount collected in interest or income from the investment of moneys in the Fund from the previous year as determined at the beginning of the fiscal year. (24104622D)

HB 288 (Wiley) (HAG) requires a person that is obtaining a waterfowl blind license, at the time of the transaction, to provide the unique location of each stationary waterfowl blind to the Department of Wildlife Resources, identified as standardized latitude and longitude coordinates, using the decimal degrees format with a minimum of five-digit precision. The bill further requires the Department to publish such coordinates by November 1 of each year, excluding any customer personal information, on its website in a searchable, publicly accessible, and conspicuous manner. This bill has a delayed effective date of January 1, 2025. (24103759D)

HB 316 (Bulova) (HAG) establishes the Virginia Recycling Development Center for the purposes of furthering the development of markets and processing for recycled commodities and products, to be run by a director appointed and supervised by the Secretary of Natural and Historic Resources. The bill creates the Virginia Recycling Development Center Advisory Committee, establishes reporting requirements, and creates the Recycling Market Development Fund to be used to fund the Center. The bill requires the Advisory Committee to make recommendations on the sources of potential funding for and detailed qualifying uses of the Fund and report its recommendations to the Secretary no later than October 1, 2024. The bill has an expiration date of July 1, 2038. (24102588D)

HB 320 (Bulova) (HAG) exempts from the provisions of state pesticide laws and regulations any unpaid volunteer who uses or supervises the use of any nonrestricted herbicide with the express

authorization of a local political subdivision for the sole purpose of controlling invasive plants or noxious weeds on properties owned by such local political subdivision. The bill provides that such unpaid volunteer shall use such herbicide under the direct supervision of a certified applicator and the local political subdivision shall provide instruction to the unpaid volunteer prior to application on (i) the risks associated with the herbicide utilized, (ii) the proper use of equipment used to apply the herbicide, (iii) other information to prevent an unreasonable adverse effect on the environment, and (iv) any other information relevant to the specific herbicide utilized. (24104585D)

HB 459 (Sullivan) (HCCT)/**SB 121** (Subramanyam) (SLG) expands authority of certain localities to adopt an ordinance providing for the planting and replacement of trees during the development process by allowing a tree canopy fund that currently applies to the planting of trees on public property to include maintenance of trees on public property and planting and maintenance of trees on private property. The bill removes a provision that requires that any funds collected for the purposes of the tree canopy fund be returned to the original contributor if not spent within five years but maintains the requirement that such funds be spent within five years. The bill also includes an expansion of the canopy credit and a provision that will require a local tree conservation ordinance to meet the standards set out in the statute. (24102995D; 24102972D-E)

HB 170 (Keys-Gamarra) (HCCT) allows any locality to adopt an ordinance providing for the conservation of trees during the land development process. Under current law, only a locality within Planning District 8 that meets certain population density and nonattainment classification criteria is authorized to adopt such an ordinance. (24103656D)

HB 1100 (Carr) (HCCT) expands current provisions that provide that certain localities in Planning District 8 (Northern Virginia) may, by ordinance, require conservation of trees during the land development process by making such provisions available to localities statewide. (24104766D)

HB 529 (Hope) (HCCT) expands existing local government authority to conserve or replace trees during the development process by allowing localities to establish higher tree canopy replacement percentages, based on density per acre, lot size, or any other measurement relevant to the practices of the locality to achieve MS4 stormwater nutrient reductions, mitigate urban heat islands, increase resilience to climate change, including reducing coastal and inland flooding, and mitigate air pollution. The bill also alters the current process for granting exceptions to a local ordinance by removing a provision that requires the granting of an exception when strict application of the ordinance would result in unnecessary or unreasonable hardship to the developer and replacing it with a determination by the locality that the strict application would be unreasonable in a specific instance. The bill makes numerous technical amendments. (24104334D)

“Watch List”/May Have State Revenue/Policy Implications

Transportation

HB 201 (Krizek) (HTRAN) requires, rather than permits, the four members of the Northern Virginia Transportation Commission, the two members of the Potomac and Rappahannock Transportation Commission, and the two members of the Northern Virginia Transportation Authority who are appointed by the Speaker of the House of Delegates to be members of the House of Delegates. (24101333D)

HB 282 (Seibold) (HTRAN) creates a traffic infraction for any moving violation in a highway work zone punishable by a fine of not less than \$300 for the first offense and not less than \$500 for any subsequent offense. The bill provides that for any subsequent offense that occurs within the same 12-month period as another such offense such fine shall be not less than \$750. (24103499D)

HB 1111 (Wyatt) (HTRAN) directs the Department of Motor Vehicles to convene a work group to determine the feasibility of implementing a tiered flat rate system to accurately determine the correct amount of highway use fee to be charged at the point of sale of a motor vehicle. The bill directs the work group to complete its work and report its findings and recommendations to the Chairs of the Senate and House Committees on Transportation no later than November 15, 2024. (24101321D)

HB 1173 (Sickles) (HTRAN) requires, rather than permits, the four members of the Northern Virginia Transportation Commission appointed by the Speaker of the House of Delegates to be members of the House of Delegates. (24101060D)

HB 1175 (Sickles) (HTRAN) requires, rather than permits, the two members of the Northern Virginia Transportation Authority appointed by the Speaker of the House of Delegates to be members of the House of Delegates. (24101057D)

Administration of Government

SJ 24 (Bagby) (SRUL) directs the Joint Legislative Audit and Review Commission to study barrier crimes for employees of and persons regulated by the Department of Behavioral Health and Developmental Services. The resolution requires JLARC in conducting the study to (i) identify all barrier crimes and related exceptions for employees of and persons regulated by the Department; (ii) determine (a) whether any offenses should be removed from such list of barrier crimes, (b) whether any barrier crime exceptions and waiver processes should be broadened, and (c) whether the required amount of time that must pass after conviction of certain barrier crimes should be shortened; and (iii) identify other changes that could be made to such barrier crime laws that would improve the organization, effectiveness, and fairness of such provisions. The resolution requires JLARC to report its finding to the Governor and the General Assembly by the first day of the 2025 Regular Session. (24104214D)

SJ 26 (Pekarsky) (SRUL) directs the Joint Legislative Audit and Review Commission to study the scope and cost of the current laws in the Commonwealth penalizing possession of drugs as a felony. (24102134D)

SB 439 (Azlan Salim) (SRUL) establishes the Blockchain and Cryptocurrency Commission in the legislative branch of state government for the purpose of studying and making recommendations related to blockchain technology and cryptocurrency and fostering the appropriate expansion of blockchain technology and the cryptocurrency industry in the Commonwealth. The bill provides that the Commission shall consist of 15 members and that meetings shall be held at the call of the chairman or whenever a majority of the members so request. The bill clarifies that appointments to the Commission are required to be made within 45 days of the effective date of the bill and that the chairman and vice-chairman of the Commission are required to meet with its members no later than 90 days after the effective date of the bill. Additionally, the bill directs the Commission to submit an executive summary to the Governor and the General Assembly of its findings and recommendations no later than one year after all appointments to the Commission have been made and annually thereafter and to submit such executive summary for processing no later than the first day of the 2026 Regular Session of the General Assembly. (24102877D)

SB 615 (Pillion) (SRUL) directs the Department of Medical Assistance Services to amend the state plan for medical assistance services to include a provision for payment for services provided by certified community health workers. The bill directs the Department to convene a work group of stakeholders to design the certified community health worker services benefit and to seek federal approval through a state plan amendment to implement the benefit. (24104891D)

SB 650 (Rouse) (SRUL) creates the Emergency Response Toxic Exposure Grant Fund and Program to provide funding to local government employee responders who were exposed to toxic materials when responding to emergencies declared by the Commonwealth or a locality. The bill directs the Department of Fire Programs to convene a work group to assess eligibility for funding, qualifying emergencies, and other criteria and directs the work group to submit a report to the General Assembly no later than November 1, 2024. The bill includes a reenactment clause for the provisions of the bill creating the Fund and Program. (24102506D)

SJ 9 (Sturtevant) (SRUL) directs the Joint Legislative Audit and Review Commission to study the effect of salaries, employment benefits, and other relevant factors on recruiting and retaining high-quality, fully licensed teachers, including (i) examining salaries, employment benefits, and other financial benefits and incentives available to teachers in relation to teacher recruitment and retention in each local school division; (ii) identifying disparities in salaries, employment benefits, and other financial benefits and incentives available to teachers in relation to teacher recruitment and retention rates between high-poverty and rural school divisions, high-income school divisions, and the Commonwealth on average; (iii) reviewing salaries, employment benefits, and other financial benefits and incentives available to teachers in relation to the rates of teacher recruitment and retention and the numbers of fully licensed teachers in adjoining states and the District of Columbia; and (iv) identifying factors that positively impact the recruitment and retention of high-quality, fully licensed teachers. (24102698D)

SB 18 (Locke) (SGL) states that design-bid-build, defined in the bill, utilizing competitive sealed bidding is the preferred method of procurement for construction services in the Commonwealth. Complex projects, defined in the bill, may request an exemption from the provisions of the bill and relevant law from the Division of Engineering and Buildings of the Department of General Services. The bill requires all documents related to the proposed use of construction management or design-build by state public bodies and institutions of higher education and any available subcontractor opportunities to be posted on eVA. The bill transfers from the Department of General Services to the Division of Engineering and Buildings the authority to evaluate the proposed use of construction management or design-build by state public bodies and institutions of higher education and specifies that a local governing body must approve at a public meeting the use of construction management or design-build by a local public body. Finally, the bill prohibits state public bodies, institutions of higher education, and local governing bodies from considering prior construction management or design-build experience of contractors on comparable projects. (24100807D)

Casinos

HB 525 (Krizek) (HGL) provides that the governing body of any eligible host city that holds a local referendum on the question of whether casino gaming should be permitted in such city that subsequently fails shall be prohibited from holding another referendum on the same question for a period of three years from the date of the last referendum. (24104581D)

SB 345 (Reeves) (SFIN) provides that the governing body of any eligible host city that holds a local referendum on the question of whether casino gaming should be permitted in such city that subsequently fails shall be prohibited from holding another referendum on the same question for a period of three years from the date of the last referendum. (24100601D)

Dillion Rule

HJ 24 (Helmer) (HRUL) Creates a 13-member joint subcommittee for a one-year study of the Dillon Rule and its impact on Virginia's localities. (24104795D)

Health and Human Services

SB 190 (Subramanyam) (SRSS) requires the Department of Behavioral Health and Developmental Services to promulgate regulations that require recovery residences to (i) comply with uniform health and safety requirements established by the Department and published on its website and (ii) report to the Department, in the same manner as licensed facilities and programs, any death or serious injury that occurs in the recovery residence. The bill requires the Department to maintain on its website the certification standards of the credentialing entity for each recovery residence. The bill also requires the Department to convene a work group to (a) analyze and make recommendations regarding the creation of a process through which the Department can provide oversight of all recovery residences in the Commonwealth, (b) make recommendations to ensure transparency with the public and residents or potential residents of recovery residences regarding

the certification of each recovery residence, and (c) report its findings and recommendations to the General Assembly by November 1, 2024. (24104654D)

HB 1130 (Hayes) (HHHS)/**SB 35** (Locke) (SEH) requires the Board of Medicine to adopt and implement policies that require each practitioner licensed by the Board who has direct contact with persons who are or may become pregnant to complete two hours of continuing education related to implicit bias, defined in the bill, and cultural competency in health care at least once every other license renewal cycle. (24104486D; 24105992D-S1)

SB 19 (Favola) (SFIN) requires the Department of Behavioral Health and Developmental Services to promulgate regulations that require recovery residences to report to the Department, in the same manner as licensed facilities and programs, any death that occurs in the recovery residence. (24105253D-S1)

SB 190 (Subramanyam) (SRSS) requires the Department of Behavioral Health and Developmental Services to promulgate regulations that require recovery residences to (i) comply with uniform health and safety requirements established by the Department and published on its website and (ii) report to the Department, in the same manner as licensed facilities and programs, any death or serious injury that occurs in the recovery residence. The bill requires the Department to maintain on its website the certification standards of the credentialing entity for each recovery residence. The bill also requires the Department to convene a work group to (a) analyze and make recommendations regarding the creation of a process through which the Department can provide oversight of all recovery residences in the Commonwealth, (b) make recommendations to ensure transparency with the public and residents or potential residents of recovery residences regarding the certification of each recovery residence, and (c) report its findings and recommendations to the General Assembly by November 1, 2024. (24104654D)

SB 317 (Stuart) (SRSS) exempts from certain requirements imposed on farm winery licensees by prior legislation persons that hold a farm winery license that was granted on or before July 1, 2020, and has continuously remained valid and active subsequent to its issuance if requested by such licensee. Such requirements relate to the characteristics of and tasks to be performed on the licensed premises, license qualifications, manufacturing and sale requirements and limitations, and utilization of contract winemaking services. (24101937D)

SB 80 (Favola) (SRSS) requires the Department of Corrections to develop and implement a certificate of rehabilitation program for the purposes of assisting an inmate's successful transition from prison to society upon the person's discharge. The bill provides that no person who is awarded a certificate of rehabilitation shall have such person's criminal history constitute a barrier to employment. The bill also provides that no person shall be refused a license, certificate, or registration to practice, pursue, or engage in any regulated occupation or profession within the Department of Health Professions solely because of a prior criminal conviction, unless the criminal conviction directly relates to the occupation or profession for which the license, certificate, or registration is sought. The bill also establishes criteria for which a court must reduce a defendant's probation period, including completing qualifying educational activities, maintaining verifiable employment, and completing a mental health or substance abuse treatment program. The bill also

provides that a court may decrease a defendant's probation period if warranted by the defendant's conduct and in the interests of justice and may do so without a hearing. (24104289D)

SB 133 (Head) (SEH) allows physician assistants employed by a hospital or employed in certain facilities operated by the Department of Behavioral Health and Developmental Services or in federally qualified health centers designated by the Centers for Medicare and Medicaid Services to practice without a separate practice agreement if the credentialing and privileging requirements of the applicable facility include a practice arrangement, as described in the bill. (24101483D)

SB 155 (Head) (SFIN) modifies the enabling legislation for the Virginia Health Workforce Development Authority by adding four additional ex officio members to the Authority, directing changes to regulations regarding qualifications for nursing faculty and qualified mental health professionals, establishing a work group to address health workforce shortages, and creating a program for health workforce development. The bill directs the Board of Nursing and the Board of Counseling to adopt emergency regulations to implement relevant provisions of the bill and for the work group to submit its report to the Governor and the relevant committees of the General Assembly by October 1, 2025. (24105674D-S1)

SB 352 (Peake) (SEH) makes several changes to provisions of law relating to the licensure and certification of teachers, including (i) establishing universal licensure by reciprocity as a category of teacher licensure in the Commonwealth for certain licensed out-of-state teachers, regardless of the traditional or alternative nature of the education preparation programs that they completed; (ii) establishing and enumerating the criteria for a subject matter expert teaching certificate to provide high-quality teaching candidates who have relevant work experience or expertise in a content or subject matter area an accelerated path toward a renewable license; (iii) permitting the division superintendent rather than the Board of Education, as is current law, to issue a career and technical education teacher a provisional license to allow time for the teacher to attain the industry certification credential required by law; (iv) permitting any high school principal to waive, for any individual whom he seeks to employ as a career and technical education teacher and who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education, certain applicable licensure requirements; and (v) permitting any division superintendent to directly waive, rather than apply to the Department of Education for a biennial waiver as is required under current law, the teacher licensure requirements for any individual whom the local school board hires or seeks to hire to teach in a trade and industrial education program who has obtained or is working toward an industry credential relating to the program area and who has at least 4,000 hours of recent and relevant employment experience. (24104685D)

SB 553 (Hackworth) (SEH) directs the Board of Nursing to amend its regulations to permit students in nursing education programs in the Commonwealth who live within 60 miles of a bordering state or the District of Columbia to complete an unlimited number of required clinical hours at out-of-state clinical sites. The bill requires the regulations to specify that the Board must accept such hours for licensure. (24100907D)

SB 387 (Pekarsky) (SEH) Requires each local school board to develop, in accordance with the guidelines developed by the Department of Health in collaboration with the Department of

Education, plans and policies for each public elementary and secondary school relating to opioid overdose prevention and reversal, including (i) the procurement, storage, and maintenance of at least two unexpired doses of naloxone at each such school; (ii) the possession and administration of naloxone by school board employees; and (iii) providing, pursuant to the provisions of the bill, immunity from any disciplinary action or civil or criminal liability to any employee of a public elementary or secondary school who, regardless of whether such employee was trained and certified in the administration of naloxone, in good faith administers naloxone for opioid overdose reversal to any individual who is believed to be experiencing or about to experience a life-threatening opioid overdose, except in the case of gross negligence or willful misconduct. The bill modifies the list of individuals who are authorized to administer naloxone or other opioid antagonists to include any school board employee who has completed training and is certified in the administration of naloxone by an organization authorized by the Department of Behavioral Health and Developmental Services to provide such training and certification. Current law limits such authorization to school nurses or school board employees contracted by a school board to provide school health services. Finally, the bill directs the Department of Health and the Department of Education to collaborate to develop guidelines and policies for the implementation of the provisions of the bill and directs the Department of Education to submit such guidelines to relevant committees of the General Assembly by January 1, 2025. The bill requires such guidelines and policies to be implemented by each school board by the beginning of the 2026–2027 school year. (24104969D)

SB 395 (Pekarsky) (SEH) provides that no public elementary or secondary school student is permitted to be a participant on or try out for any school athletic team or squad with a predetermined roster, regular practices, and scheduled competitions with other elementary or secondary schools unless such student has submitted to the school principal a signed report from a licensed physician, licensed advanced practice registered nurse, or licensed physician assistant acting under the supervision of a licensed physician attesting that such student has, within the preceding 365 days, received both a physical examination and a mental health assessment. Current law only requires that the signed report attest that any such student has received a physical examination within the preceding 12 months. The bill prohibits any public elementary or secondary school from becoming a member of any organization or entity that regulates or governs interscholastic programs that does not deem eligible for participation any student who has satisfied the requirements for eligibility in accordance with the provisions of the bill. The provisions of the bill other than the requirement for the Board of Education to convene a work group have a delayed effective date of July 1, 2025. (24102782D)

Election Bills

SB 303(Stuart) (SPE) requires voting systems approved by the State Board of Elections to produce a printed receipt for each voter who has cast a ballot that shows the date and time the voter's ballot was cast, the voter's number corresponding to the order in which ballots were cast, and a list of all the voter's selections on the ballot as recorded by the voting system. (24100195D)

SB 315 (Azlan Salim) (SPE) provides that the information gathered by the Department of Motor Vehicles for a person who indicates that he is already registered to vote is to be automatically

transmitted to the Department of Elections for the purpose of updating an existing voter registration record. Under current law, a person must be presented with the option to decline to have his information transmitted to the Department of Elections before such information may be transmitted. (24103694D)

HB 130 (Convirs-Fowler) (HRUL) provides that the current prohibition on dual office holding that is applicable to constitutional officers also applies to deputies of such officers and any persons serving in such officer's absence until a special election to fill the vacancy is held. (24101751D)

SB 270 (Subramanyam) (SPE) allows political parties to hold presidential primaries using ballots that allow a voter to rank such party's candidates in his order of choice. (24104872D)

SB 428 (VanValkenburg) (SPE) allows elections for any local or constitutional office to be conducted by ranked choice voting. Under current law, only elections of members of a county board of supervisors or a city council are allowed to be conducted by ranked choice voting. The bill also clarifies requirements for conducting elections using ranked choice voting and requires results for elections conducted by ranked choice voting to be reported along with other results reported on election night, except that such results must clearly be identified as preliminary and based on the first rankings in a ranked choice voting election. The bill provides that final tabulation for an election for a local or constitutional office that is not shared by more than one county or city is required to be conducted on the same day as other results are canvassed by the local electoral board and that final tabulation for an election for a local or constitutional office that is shared by more than one county or city is required to be conducted at a centralized facility under the supervision of the Department of Elections. The bill specifies that ranking data is required to be made publicly available by the Department and requires the State Board of Elections to provide standards and to approve vote tabulating software for use with existing voting systems in elections conducted by ranked choice voting. The bill also limits a risk-limiting audit of an election conducted using ranked choice voting to the first-choice rankings reported on voting systems. Finally, the bill directs the Department to review the testing and approval framework for voting equipment in the Commonwealth and submit a report of such review no later than the first day of the 2025 Regular Session of the General Assembly. (24104417D)

HB 363 (Reid) (HPE) provides that any person who is found to have engaged in insurrection or rebellion against the United States or to have given aid or comfort to the enemies thereof shall be disqualified from holding any office of the Commonwealth or of its governmental units in accordance with Section 3 of the Fourteenth Amendment to the Constitution of the United States. Persons holding office who are so disqualified may be removed by a writ of quo warranto, except that a member of the General Assembly may be removed by the house in which he sits. The bill requires any candidate for any elective office to submit an affidavit of eligibility attesting that such candidate is eligible to hold elective office under Section 3 of the Fourteenth Amendment. (24100363D)

HB 280 (Helmer) (HPE) prohibits any person from serving in any position of public trust within the Commonwealth for life if such person is convicted of certain offenses related to rioting and

unlawful assembly or any substantially similar offense under the laws of the United States or any of its states or territories when such offense occurs (i) at a polling place, a voter satellite office, or any other location being used for voting or registration purposes; (ii) during the certification of an election; or (iii) at any other official proceeding related to an election. The bill provides that any person who violates such prohibition shall be subject to a civil penalty of \$1,000, and such person shall also immediately resign from any such position of public trust such person holds. The bill authorizes the attorney for the Commonwealth and their assistants to enforce these provisions. The bill defines "position of public trust" as any position in which a person performs work that involves a significant degree of public trust and confidence that such person will carry out the work in accordance with applicable laws, regulation, and guidelines. Such positions may involve policy making, major program responsibility, fiduciary responsibilities, or other duties demanding a significant degree of public trust and shall include positions in administering or conducting elections, public safety or public health, law enforcement, and education. The bill also provides a procedure for any person prohibited from serving in any position of public trust within the Commonwealth to petition the circuit court of the jurisdiction in which he resides or, if the person is not a resident of the Commonwealth, the circuit court of any county or city where such person was last convicted of a disqualifying offense, for a restoration order that unconditionally authorizes his ability to serve in a position of public trust within the Commonwealth. Lastly, the bill provides that the attack on the United States Capitol on January 6, 2021, constitutes an insurrection, and the provisions of the bill shall apply to any person convicted of an offense in relation to such insurrection. (24104536D)

HB 375 (Helmer) (HPE) enters Virginia into an interstate compact known as the Agreement Among the States to Elect the President by National Popular Vote. Article II of the Constitution of the United States gives the states exclusive and plenary authority to decide the manner of awarding their electoral votes. Under the compact, Virginia agrees to award its electoral votes to the presidential ticket that receives the most popular votes in all 50 states and the District of Columbia. The compact goes into effect when states cumulatively possessing a majority of the electoral votes have joined the compact. A state may withdraw from the compact; however, a withdrawal occurring within six months of the end of a President's term shall not become effective until a President or Vice President has qualified to serve the next term. (24102603D)

HB 490 (Garrett) (HPE) revises the process by which the Commonwealth's electoral votes are allocated among the slates of presidential electors. The bill provides that the qualified voters of the Commonwealth will choose 11 of the Commonwealth's 13 electors for President and Vice President, with each voter voting for one elector for the congressional district in which he is qualified to vote. The candidates for President and Vice President receiving the highest number of votes cast in a congressional district are allocated the one electoral vote for that congressional district. The candidates for President and Vice President who represent the political party of the Governor serving at the time are allocated the two electoral votes for the Commonwealth at large. (24102080D)

HB 56 (Wright) (HPE) adds party affiliation, beginning January 1, 2025, to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is, an independent. The bill specifies that voters registered prior to January 1, 2025, will be designated as independent unless they provide a political party affiliation to the general registrar. Voters may change their political party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The bill also provides that voters who are on the permanent absentee voter list will receive primary ballots for the political party with which they are registered as affiliated. Finally, the bill requires the state party chairman of each political party to file written notice with the State Board of Elections by January 31 of each year stating the rules adopted by the duly constituted authorities of the state political party for participation in the party's primaries to be held from April 1 of that year through March 31 of the following year. (24100091D)

HB 111 (Sullivan) (HPE) provides that an elector who is selected by the state convention of any political party and who, at the convening of the electors after the election, refuses to present a ballot, presents an unmarked ballot, or presents a ballot marked in violation of his oath stating that he would, if elected, cast his ballot for the candidates for President and Vice President nominated by the party that selected the elector, or as the party may direct in the event of the death, withdrawal, or disqualification of the party nominee, is deemed to vacate the office of elector. The bill provides that the other electors present shall immediately fill such vacancy in the same manner as a vacancy due to an elector's death or failure or inability to attend. The bill applies the same provisions to electors who are named in a petition of qualified voters not constituting a political party. The bill contains technical amendments that consolidate into a single chapter the provisions of Title 24.2 relating to presidential electors. (24101053D)

Employment Issues

SB 191 (Subramanyam) (SRUL) directs the State Corporation Commission to ensure that any plan, petition, or proposal from a utility to meet demand associated with data centers considers generation, transmission, and distribution system costs so as to meet such demand at the lowest aggregate reasonable cost. The bill also directs the Commission to initiate a proceeding, on or before December 31, 2024, (i) to determine if the current allocation of costs among customers and the different classifications of customers of electric utilities results in customers that are data centers receiving unreasonable subsidies from other customers or classifications of customers and (ii) if it determines unreasonable subsidies exist, to amend such allocation of costs. (24104712D)

Taxation

HB 558 (McClure) (HGL)/**SB 4** (McPike) (SFIN) provides for a referendum at the November 5, 2024, election to approve or reject an amendment to the Constitution of Virginia that would expand the real property tax exemption that is currently available to the surviving spouses of soldiers killed in action to be available to the surviving spouses of soldiers who died in the line of duty with a Line of Duty determination from the U.S. Department of Defense. (24100305D; 24104020D)

SB 4 (McPike) (SFIN) provides for a referendum at the November 5, 2024, election to approve or reject an amendment to the Constitution of Virginia that would expand the real property tax exemption that is currently available to the surviving spouses of soldiers killed in action to be available to the surviving spouses of soldiers who died in the line of duty with a Line of Duty determination from the U.S. Department of Defense. (24100994D)

Land use

SB 316 (Azlan Salim) (SLG) allows the Town of Vienna, by ordinance, to require that a subdivision or development provide for the preservation or replacement of trees on the development site such that the minimum tree canopy 10 years after development is projected to meet specified coverage criteria. Under current law, the criteria apply to tree canopy coverage 20 years after development. (24103882D)

SB 365 (DeSteph) (SACNR) prohibits a person from engaging in any land-disturbing activity until, where Virginia Pollutant Discharge Elimination System (VPDES) permit coverage is required, the Virginia Erosion and Sediment Control Program (VESCP) authority has obtained evidence of such permit coverage from the Department of Environmental Quality's online reporting system prior to issuing its land-disturbance approval. Current law requires the VESCP authority to obtain such evidence of VPDES permit coverage prior to approving an erosion and sediment control plan. (24102266D)

Legislation Provided for Information

Health and Human Services

HB 664 (Freitas) (HHHS) requires every health care provider licensed by the Board of Medicine who attempts to terminate a pregnancy to (i) exercise the same degree of professional skill, care, and diligence to preserve the life and health of a human infant who has been born alive following such attempt as a reasonably diligent and conscientious health care practitioner would render to any other child born alive at the same gestational age and (ii) take all reasonable steps to ensure the immediate transfer of the human infant who has been born alive to a hospital for further medical care. A health care provider who fails to comply with the requirements of the bill is guilty of a Class 4 felony and may be subject to disciplinary action by the Board. The bill also requires every hospital licensed by the Department of Health to establish a protocol for the treatment and care of a human infant who has been born alive following an attempt to terminate a pregnancy and for the immediate reporting to law enforcement of any failure to provide such required treatment and care. (24100652D)

HB 404 (Griffin) (HHHS) provides that no agency of the Commonwealth shall enter into any contract with or make any grant of public funds, as defined in the bill, to any entity or any affiliate of any entity that provides abortion services or operates a facility at which abortion services are provided. The bill also repeals provisions authorizing the Board of Health to use state general funds appropriated to the Department of Health to pay the cost of abortions for women who otherwise meet the financial eligibility criteria for services through the state plan for medical assistance services in cases in which (i) a pregnancy occurs as a result of rape or incest that is reported to a law-enforcement or public health agency or (ii) a physician certifies in writing that he believes the fetus will be born with a gross and totally incapacitating physical deformity or with a gross and totally incapacitating mental deficiency. (24103382D)

SB 237 (Hashmi) (SEH) establishes a right to obtain contraceptives and engage in contraception, as defined in the bill. The bill creates a cause of action that may be instituted against anyone who infringes on such, right. (24101787D)

HB 665 (Freitas) (HHHS) exempts a person, including a parent or guardian on behalf of a child, who objects to administration of a vaccine on religious grounds from mandatory immunization requirements issued by the Commissioner of Health during an epidemic. Currently, exemption from mandatory immunization requirements during an epidemic is available only to those persons to whose health the administration of a vaccine would be detrimental, as certified in writing by a licensed physician. (24100651D)

Education

SB 407 (Durant) (SEH) enters the Commonwealth into the Interstate Teacher Mobility Compact, the purpose of which is to facilitate the mobility of teachers across the member states, with the goal of supporting teachers through a new pathway to licensure. The Compact is presently in effect, as it has reached the enactment threshold of 10 state members. (24103947D)

SB 22 (Locke) (SEH) authorizes Virginia to become a signatory to the Dentist and Dental Hygienist Compact. The Compact increases public access to dental services by permitting eligible licensed dentists and dental hygienists to practice in Compact participating states, provided that they are licensed in at least one participating state. The Compact has been passed in three states and takes effect when it is enacted by a seventh participating state or upon the effective date of the bill, whichever is later. (24101204D)

SB 37 (McGuire) (SEH) requires each public elementary or secondary school principal or his designee to (i) as soon as practicable, inform at least one parent of a minor student enrolled in such school if such minor (a) expresses to any individual who is employed in such school that such minor is experiencing gender incongruence, as defined in the bill, or (b) requests that any such employee participate in social affirmation of such minor's gender incongruence or the transition of such minor to a sex or gender different from the minor's biological sex while at school and (ii) request and receive permission from at least one parent of a minor student enrolled at such school prior to the implementation at such school of any plan concerning any gender incongruence experienced by such minor, including any counseling of such minor at school. Any such plan shall include provision for parental participation to the extent requested by the parent. The bill also clarifies, in the definition of the term "abused or neglected child," that in no event shall referring to and raising the child in a manner consistent with the child's biological sex, including related mental health or medical decisions, be considered abuse or neglect. (24101444D)

SB 68 (Peake) (SEH) requires each public elementary or secondary school and each private elementary or secondary school that competes in sponsored athletic events against such public schools to designate all interscholastic athletic teams and intramural athletic teams sponsored by such school based on biological sex as follows: (i) for "males," "men," or "boys"; (ii) for "females," "women," or "girls"; or (iii) as "coed" or "mixed" if such team is open to participation by (a) "males," "men," or "boys" and (b) "females," "women," or "girls." The bill prohibits any student whose biological sex is male and who has not physically transitioned to female prior to puberty from participating on any school athletic team or squad designated for "females," "women," or "girls." Finally, the bill creates a civil cause of action for students and schools that suffer harm as a result of a violation of the provisions of the bill, provided that such action is initiated within two years of the harm occurring. (24100908D)

SB 43 (Favola) (SFIN) establishes an ombudsman program for persons with disabilities within the disAbility Law Center of Virginia. The program may receive and respond to questions regarding state-operated programs that provide services to persons with disabilities. The program is required to establish a toll-free phone number and web-based portal for receiving questions. (24101000D)

SB 314 (Roem) (SEH) requires the Department of Education to establish and appoint such members as it deems necessary or appropriate to the Farm to School Program Task Force for the purpose of increasing student access throughout the Commonwealth to high-quality farm to school programs, defined in the bill as programs (i) whereby public schools purchase and feature prominently in school meals locally produced food or (ii) that involve experiential student learning opportunities relating to local food and agriculture, including school and community garden programs and local farm visits. The bill requires the Task Force to collaborate with local school

boards, community-based organizations, farmers, relevant state and local agencies, and other relevant stakeholders to (a) assess existing farm to school programs within the Commonwealth to identify and disseminate to each local school board best practices for implementing and sustaining such programs, (b) establish and distribute to each local school board a guidance document for the establishment and operation of school garden programs, (c) provide information and resources to each local school board to assist it in leveraging grant funds to support farm to school programs, and (d) collect such data and make such policy recommendations to local school boards, the Board of Education, and the General Assembly as it deems appropriate. (24101529D)

HB 506 (Cohen) (HED) requires the Department of Education, with such funds as may be appropriate for such purpose pursuant to the general appropriation act, to establish and administer the Teachers for Tomorrow Grant Program whereby any school board may apply for a grant in an amount up to \$250,000, to be awarded on a competitive basis, with which to expose and attract high school students in the local school division to careers in teaching through curricula, courses, and hands-on experiential learning opportunities, which may include early opportunities to earn course credit at an institution of higher education or take and pass assessments required for licensure as a teacher in the Commonwealth. (24103800D)

Campaign Finance

SB 377 (Boysko) (SFIN) prohibits any person from converting contributions to a candidate or his campaign committee to personal use. Current law only prohibits such conversion of contributions with regard to disbursement of surplus funds at the dissolution of a campaign or political committee. The bill provides that a contribution is considered to have been converted to personal use if the contribution, in whole or in part, is used to fulfill any commitment, obligation, or expense that would exist irrespective of the person's seeking, holding, or maintaining public office but allows a contribution to be used for the ordinary and accepted expenses related to campaigning for or holding elective office, including the use of campaign funds to pay for the candidate's child care expenses that are incurred as a direct result of campaign activity. The bill provides that any person subject to the personal use ban may request an advisory opinion from the State Board of Elections on such matters. The bill directs the State Board of Elections to adopt emergency regulations similar to those promulgated by the Federal Election Commission to implement the provisions of the bill and to publish an updated summary of Virginia campaign finance law that reflects the State Board of Elections' and Attorney General's guidance on the provisions of such law that prohibit the personal use of campaign funds and any new regulations promulgated by the State Board of Elections. (24104850D)

SB 78 (Favola) (SPE) broadens the scope of disclaimer requirements for campaign advertisements to include electioneering communications, as defined in the bill, and messages advocating for the passage or defeat of a referendum. The bill also requires an advertisement that is an independent expenditure or that expressly advocates for the passage or defeat of a referendum to contain a disclaimer providing the names of the advertisement sponsor's three largest contributors. The bill also requires independent expenditure reports to be filed electronically. Current law allows such reports to be filed either electronically or in writing. (24100855D)

SB 301 (DeSteph) (SFIN) Allows the State Board of Elections or local electoral board to extend a deadline for filing campaign finance reports for any candidate or treasurer who, prior to the deadline, provides notice of extenuating circumstances that will prevent timely filing. Extenuating circumstances may include hospitalization, the death of a family member, being called to active duty, or other reasonable circumstances. The bill also provides for an appeal process for any person or committee assessed a civil penalty under the Campaign Finance Disclosure Act of 2006. Upon petition, the State Board of Elections or the electoral board, as appropriate, may provide relief to the petitioner for good cause shown. Such relief may include forgiveness of all or a portion of an assessed civil penalty, the retroactive extension of a deadline, or other appropriate remedy. (24102978D)

SB 326 (Roem) (SPE) prohibits candidates, campaign committees, and political committees from soliciting or accepting contributions from any public utility, as defined in the bill, and prohibits any public utility or any political committee established by such public utility from making any such contribution. (24101552D)

SB 577 (Obenshain) (SPE) provides that a candidate for local office or for director of a soil and water conservation district may also seek an exemption from the requirement that he designate a separate campaign depository by certifying that (i) he has not and will not contribute any money to his own campaign and (ii) he has not and will not expend any money in the course of the campaign. The bill also provides that a candidate for local office or for director of a soil and water conservation district applying for a general exemption is exempt from having to make special reports for certain large pre-election contributions. (24102482D)

SB 107 (Suetterlein) (SPE) prohibits campaign fundraising by a member of the General Assembly or statewide official on any day the General Assembly is scheduled to meet during a special session. Currently, such campaign fundraising is prohibited only during regular sessions of the General Assembly. (24103544D)

HB 190 (Cole) (HPE) prohibits candidates, campaign committees, and political committees from soliciting or accepting contributions from any public utility, as defined in the bill, and prohibits any public utility or any political committee established by such public utility from making any such contribution. (24103456D)

HB 40 (Simon) (HPE) prohibits any person from converting contributions to a candidate or his campaign committee to personal use. Current law only prohibits such conversion of contributions with regard to disbursement of surplus funds at the dissolution of a campaign or political committee. The bill provides that a contribution is considered to have been converted to personal use if the contribution, in whole or in part, is used to fulfill any commitment, obligation, or expense that would exist irrespective of the person's seeking, holding, or maintaining public office but allows a contribution to be used for the ordinary and accepted expenses related to campaigning for or holding elective office, including the use of campaign funds to pay for the candidate's child care expenses that are incurred as a direct result of campaign activity. The bill provides that any person subject to the personal use ban may request an advisory opinion from the State Board of Elections on such matters. The bill directs the State Board of Elections to adopt emergency regulations

similar to those promulgated by the Federal Election Commission to implement the provisions of the bill and to publish an updated summary of Virginia campaign finance law that reflects the State Board of Elections' and Attorney General's guidance on the provisions of such law that prohibit the personal use of campaign funds and any new regulations promulgated by the State Board of Elections. (24100671D)

HB 276 (Helmer) (HPE) broadens the scope of disclaimer requirements for campaign advertisements to include electioneering communications, as defined in the bill, and messages advocating for the passage or defeat of a referendum. The bill also requires an advertisement that is an independent expenditure or that expressly advocates for the passage or defeat of a referendum to contain a disclaimer providing the names of the advertisement sponsor's three largest contributors. The bill also requires independent expenditure reports to be filed electronically. Current law allows such reports to be filed either electronically or in writing. (24100939D)

HB 629 (Cherry) (HPE) prohibits any person from converting contributions to a candidate or his campaign committee to personal use. Current law only prohibits such conversion of contributions with regard to disbursement of surplus funds at the dissolution of a campaign or political committee. The bill provides that a contribution is considered to have been converted to personal use if the contribution, in whole or in part, is used to fulfill any commitment, obligation, or expense that would exist irrespective of the person's seeking, holding, or maintaining public office but allows a contribution to be used for the ordinary and accepted expenses related to campaigning for or holding elective office, including the use of campaign funds to pay for the candidate's child care expenses that are incurred as a direct result of campaign activity. The bill provides that any person subject to the personal use ban may request an advisory opinion from the State Board of Elections on such matters. The bill directs the State Board of Elections to adopt emergency regulations to implement the provisions of the bill and to publish an updated summary of Virginia campaign finance law that reflects the State Board of Elections and Attorney General's guidance on the provisions of such law that prohibit the personal use of campaign funds and any new regulations promulgated by the State Board of Elections. (24100569D)

SB 117 (Locke) (SRUL) amends the membership of the American Revolution 250 Commission to allow for the appointment of ex officio members who are directors of historic homes, historic sites, or National Park Service sites or former legislative members of the Commission. The bill also provides for staff of the Commission to serve as the Commission's fiscal agent. (24101930D)

Firearms

HB 158 (McClure) (HPS) makes it a Class 1 misdemeanor for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any firearm to any person other than a licensed manufacturer, licensed importer, or licensed dealer unless the transferee is provided with a locking device for that firearm and the firearm is accompanied by a warning, in conspicuous and legible type in capital letters printed on a label affixed to the firearm and on a separate sheet of paper included within the packaging enclosing the firearm, that firearms should be locked and kept away from children and that there may be civil and criminal liability for failing to do so. The bill provides exceptions for law-enforcement and governmental agencies. (24101536D)

Transportation

SB 6 (Reeves) (STRAN) provides that a person whose driver's license has been revoked for multiple convictions of driving while intoxicated may file a petition for the issuance of a restricted driver's license without having to wait for the expiration of three years from the date of his last conviction when such person's last conviction resulted from a final order being entered by a court after the successful completion of a Veterans Treatment Court Program, behavioral health docket, or other specialty docket. (24100081D)

HB 812 (Mundon King) (HTRAN) directs the Department of Motor Vehicles to amend the Personalized License Plate Issuance Guidelines to prohibit the issuance of any personalized license plate that makes reference to the Confederacy, Jefferson Davis, or Robert E. Lee. (24103934D)

HB 21 (Jones) (HTECH)/**HB 1072** (Carr) (HTRAN)/**SB 535** (Bagby) (STRAN) expands the definition of "school crossing zone" to include areas surrounding schools where the presence of students reasonably requires a special warning to motorists and provides that the term "school" includes public institutions of higher education and nonprofit private institutions of higher education. Currently, the definition of "school crossing zone" includes only areas surrounding schools where the presence of children requires such warning. Existing provisions of law allowing photo speed monitoring devices to be installed in school crossing zones will apply to any location that meets the expanded definition. (24101227D; 24102663D; 24101796D)

SB 353 (French) (STRAN) conforms the definition of commercial motor vehicle to federal regulations; codifies the entry-level driver training system required by federal regulations; and removes contradictory provisions. The bill also prohibits the issuance or continued validity of commercial driver's licenses and commercial learner's permits after a drug or alcohol violation by the applicant, licensee, or permittee. This bill includes technical amendments. (24103113D-E)

HB 645 (Reaser) (HTRAN) removes the requirement that signs noting that a parking space is reserved for charging plug-in electric motor vehicles include the civil penalty for parking in violation of such sign. (24102411D)

SB 205 (Diggs) (SFIN) authorizes the use of a trackable correspondence equivalent to certified mail for sending invoices for unpaid tolls to a vehicle owner prior to the Department of Motor Vehicles placing a registration stop on such vehicle due to unpaid tolls. Current law requires such invoices to be mailed by certified mail. (24102996D)

SB 246 (McPike) (STRAN) extends the validity of limited-duration licenses and driver privilege cards and permits from (i) either the period of time of the applicant's authorized stay in the United States or one year and (ii) two years, respectively, to a period of time consistent with the validity of driver's licenses, which, under current law, is a period not to exceed eight years or, for a person age 75 or older, a period not to exceed five years, and permits. The bill also directs the Department of Motor Vehicles to implement the extended validity periods for such documents upon reissuance. (24104979D)

SB 261 (DeSteph) (STRAN) requires the owner of a vehicle that was stolen, illegally used, or used without his permission and subsequently subject to a law-enforcement initiated tow to produce a copy of a police report showing that the vehicle was stolen, illegally used, or used without his permission to the towing facility where the vehicle is being stored in order to remove the vehicle without paying towing and storage fees. (24101779D)

Attachments: Supplementary documents

cc: Christina Jackson, Chief Financial Officer
Rachel Flynn, Deputy County Executive
Chris Leonard, Deputy County Executive
Ellicia Seard-McCormick, Deputy County Executive
Elizabeth Teare, County Attorney
Jill G. Cooper, Clerk to the Board
Richmond Team
Gregg Steverson, Acting Director, Department of Transportation

SUPPLEMENTARY DOCUMENTS
GENERAL ASSEMBLY STATUS REPORT NO. 1
JANUARY 26,2024

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Fairfax County
Legislative Summary
February 3, 2024

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Initiatives

HB 793 - Speed limits; expands authority of any locality to reduce limit to less than 25 miles per hour.

Reduction of speed limits; local authority. Expands the current authority of any locality to reduce the speed limit to less than 25 miles per hour, but not less than 15 miles per hour, on highways within its boundaries that are located in a business district or residence district to include highways within the state highway system, provided that such reduced speed limit is indicated by lawfully placed signs.

Bill Patron: Rozia A. Henson, Jr.

24103385D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Initiate

See also HB 1071 (Carr).

Date of Action	Action Notes
1/18/2024	House: Assigned Transportation sub: Transportation Infrastructure and Funding
1/9/2024	House: Referred to Committee on Transportation

HB 1071 - Speed limits; expands authority of any locality to reduce limit to less than 25 miles per hour.

Reduction of speed limits; local authority. Expands the current authority of any locality to reduce the speed limit to less than 25 miles per hour, but not less than 15 miles per hour, on highways within its boundaries that are located in a business district or residence district to include highways within the state highway system, provided that such reduced speed limit is indicated by lawfully placed signs.

Bill Patron: Betsy B. Carr

24102677D (1/10/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Initiate

See also HB 793 (Henson).

Date of Action	Action Notes
1/26/2024	House: Assigned Transportation sub: Transportation Infrastructure and Funding
1/10/2024	House: Referred to Committee on Transportation

HB 1238 - Local electoral boards; certification and abstract of results, extends deadline.

Local electoral boards; certification and abstract of results; deadline. Extends the deadline for local electoral boards to meet after an election for the purpose of certifying the election results and submitting the abstract of results to the State Board of Elections from seven days after the date of the election to 10 days after such date.

Bill Patron: Mark D. Sickles

24102598D (1/10/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Initiate

Date of Action	Action Notes
1/26/2024	House: Assigned P & E sub: Election Administration
1/10/2024	House: Referred to Committee on Privileges and Elections

Oppose or Amend

HB 377 - Zoning; traffic impact statements.

Prohibits a locality from requiring a local traffic impact statement as a condition for approval of a rezoning application that involves a multifamily residential use of fewer than 50 residential units.

Bill Patron: David Owen

24103317D (1/7/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Oppose

Date of Action	Action Notes
1/23/2024	House: Assigned CC & T sub: Subcommittee #2
1/7/2024	House: Referred to Committee on Counties, Cities and Towns

HB 389 - Concealed handgun; carrying without a permit.

Carrying a concealed handgun; permit not required. Allows any person who is otherwise eligible to obtain a concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth.

Bill Patron: Tim Griffin

24103283D (1/8/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Oppose

Date of Action	Action Notes
1/8/2024	House: Referred to Committee on Public Safety

HB 533 - Photo speed monitoring devices; local gov't to provide by ordinance for placement and operation.

Photo speed monitoring devices; location. Authorizes the governing body of any county, city, or town to provide by ordinance for the placement and operation of photo speed monitoring devices on any highway in such locality with a speed limit of 45 miles per hour or less that is located in a priority pedestrian corridor as identified by the Department of Transportation in the statewide

Pedestrian Safety Action Plan or other high-risk pedestrian corridor as designated by the Commissioner of Highways for the purposes of recording violations resulting from the operation of a vehicle in excess of the speed limit. The bill provides the same requirements for such devices, information collected from such devices, and any enforcement actions resulting from information collected from such devices as current law applies to the use of such devices in school crossing zones and highway work zones. The bill requires that two signs, rather than one, be placed warning of such device if the device is placed somewhere other than a school crossing zone or highway work zone.

Bill Patron: Holly M. Seibold

24100852D (1/8/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Amend

Amend to address operational and funding issues.

Date of Action	Action Notes
1/18/2024	House: Assigned Transportation sub: Innovations (Ad Hoc)
1/8/2024	House: Referred to Committee on Transportation

HB 878 - Affordable housing; purchase of development rights.

Purchase of development rights for affordable housing. Permits any local government to purchase development rights or accept the donation of development rights in an effort to preserve and provide affordable housing. The bill grants local governments the powers necessary to carry out the purchase of such development rights. The bill prohibits the conversion or diversion of such affordable housing once the development rights are purchased unless the local government determines that such diversion is essential to the development and growth of the locality and in accordance with the locality's comprehensive plan.

Bill Patron: David L. Bulova

24104341D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Amend

Amend to clarify that the bill is optional local authority.

Date of Action	Action Notes
1/9/2024	House: Referred to Committee on Counties, Cities and Towns

HB 900 - Zoning; developmental and use of accessory dwelling units.

Zoning; development and use of accessory dwelling units. Requires a locality to include in its zoning ordinances for single-family residential zoning districts accessory dwelling units, or ADUs, as defined in the bill, as a permitted accessory use. The bill requires a person to seek a permit for an ADU from the locality, requires the locality to issue such permit if the person meets certain requirements enumerated in the bill, and restricts the fee for such permit to \$100 or less. The bill prohibits the locality from requiring (i) dedicated parking for the ADU; (ii) lot sizes or setbacks for the ADU greater than that of the primary dwelling; (iii) consanguinity or affinity between the occupants of the ADU and the primary dwelling; and (iv) redundant water, sewer, or septic capacity for the ADU. The bill has a delayed effective date of January 1, 2025.

Bill Patron: Kannan Srinivasan

24100886D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Oppose

Date of Action	Action Notes
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1/9/2024	House: Referred to Committee on Counties, Cities and Towns
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HB 1001 - Collective bargaining by public employees; labor organization representation.

Collective bargaining by public employees; labor organization representation. Repeals the existing prohibition on collective bargaining by public employees. The bill creates the Public Employee Relations Board, which shall determine appropriate bargaining units and provide for certification and decertification elections for exclusive bargaining representatives of state employees and local government employees. The bill requires public employers and employee organizations that are exclusive bargaining representatives to meet at reasonable times to negotiate in good faith with respect to wages, hours, and other terms and conditions of employment. The bill repeals a provision that declares that, in any procedure providing for the designation, selection, or authorization of a labor organization to represent employees, the right of an individual employee to vote by secret ballot is a fundamental right that shall be guaranteed from infringement.

Bill Patron: Kathy K.L. Tran

24102581D (1/10/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Amend

Amend to exempt localities that have adopted collective bargaining ordinances.
See also SB 374 (Boysko).

Date of Action	Action Notes
1/25/2024	House: Subcommittee recommends reporting with substitute (5-Y 3-N) House: Subcommittee recommends referring to Committee on Appropriations
1/23/2024	House: Assigned L & C sub: Subcommittee #2
1/10/2024	House: Referred to Committee on Labor and Commerce

HB 1201 - Washington Metropolitan Area Transit Authority; budget, operating assistance.

Commonwealth Mass Transit Fund; Washington Metropolitan Area Transit Authority; budget; operating assistance. Provides that payments and obligations arising from or related to any contract pertaining to employee compensation and work conditions under the normal operation of the Washington Metropolitan Area Transit Authority (WMATA) may be included in the calculation of a WMATA budget increase for purposes of the cap of such budget increase. Current law provides that any payment or obligation of any kind arising from or related to legal disputes or proceedings between or among WMATA and any other person or entity shall not be used in calculating a WMATA budget increase.

Bill Patron: Chris Obenshain

24105089D (1/10/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Oppose

See also SB 617 (Obenshain, M.).

Date of Action	Action Notes
1/21/2024	House: Assigned App. sub: Transportation & Public Safety
1/10/2024	House: Referred to Committee on Appropriations

HB 1204 - Mobile food units; VDH to amend regulations and guidance documents.

Department of Health; mobile food units. Directs the Department of Health to amend its regulations and each local health department and health district to amend its regulations and guidance documents to allow a mobile food unit to conduct up to 20 percent of its sanitation and food preparation activities within a 50-foot radius of the mobile food unit.

Bill Patron: Phillip A. Scott

24100247D (1/10/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Oppose

Date of Action	Action Notes
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1/23/2024	House: Assigned sub: Health
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1/10/2024	House: Referred to Committee on Health and Human Services
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SB 304 - Zoning; development and use of accessory dwelling units.

Zoning; development and use of accessory dwelling units. Requires a locality to include in its zoning ordinances for residential zoning districts accessory dwelling units, or ADUs, as defined in the bill, as a permitted accessory use. The bill requires a person to seek a permit for an ADU from the locality, requires the locality to issue such permit if the person meets certain requirements enumerated in the bill, and restricts the fee for such permit to \$100 or less. The bill prohibits the locality from requiring (i) dedicated parking for the ADU; (ii) lot sizes or setbacks for the ADU greater than that of the primary dwelling; (iii) consanguinity or affinity between the occupants of the ADU and the primary dwelling; (iv) owner occupancy of the ADU or the primary dwelling; and (v) redundant water, sewer, or septic capacity for the ADU. The bill has a delayed effective date of January 1, 2025.

Bill Patron: Saddam Azlan Salim

24100831D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Oppose

Date of Action	Action Notes
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1/9/2024	Senate: Referred to Committee on Local Government
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SB 374 - Collective bargaining by public employees; labor organization representation.

Collective bargaining by public employees; labor organization representation. Repeals the existing prohibition on collective bargaining by public employees. The bill creates the Public Employee Relations Board, which shall determine appropriate bargaining units and provide for certification and decertification elections for exclusive bargaining representatives of state employees and local government employees. The bill requires public employers and employee organizations that are exclusive bargaining representatives to meet at reasonable times to negotiate in good faith with respect to wages, hours, and other terms and conditions of employment. The bill repeals a provision that declares that, in any procedure providing for the designation, selection, or authorization of a

labor organization to represent employees, the right of an individual employee to vote by secret ballot is a fundamental right that shall be guaranteed from infringement.

Bill Patron: Jennifer B. Boysko

24105023D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Amend

Amend to exempt localities that have adopted collective bargaining ordinances.

See also HB 1001 (Tran).

Date of Action	Action Notes
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1/9/2024	Senate: Referred to Committee on Commerce and Labor
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SB 544 - Short-term rental property; locality's ability to prohibit use of accessory dwelling unit.

Short-term rental property; locality's ability to prohibit use of accessory dwelling unit. Prohibits a locality from barring the use of or requiring that a special exception, special use, or conditional use permit be obtained for the use of an accessory dwelling unit for a short-term rental in an area zoned for residential use where the primary dwelling unit on the site is occupied by the property owner.

Bill Patron: Lamont Bagby

24104353D (1/10/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Oppose

Date of Action	Action Notes
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1/10/2024	Senate: Referred to Committee on Local Government
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SB 617 - Washington Metropolitan Area Transit Authority; budget, operating assistance.

Commonwealth Mass Transit Fund; Washington Metropolitan Area Transit Authority; budget; operating assistance. Provides that payments and obligations arising from or related to any contract pertaining to employee compensation and work conditions under the normal operation of the Washington Metropolitan Area Transit Authority (WMATA) may be included in the calculation of a WMATA budget increase for purposes of the cap of such budget increase. Current law provides that any payment or obligation of any kind arising from or related to legal disputes or proceedings between or among WMATA and any other person or entity shall not be used in calculating a WMATA budget increase.

Bill Patron: Mark D. Obenshain

24105088D (1/10/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Oppose

See also HB 1201 (Obenshain, C.).

Date of Action	Action Notes
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1/10/2024	Senate: Referred to Committee on Transportation
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Support

HB 18 - Hate crimes and discrimination; ethnic animosity, penalties.

Hate crimes and discrimination; ethnic animosity; penalties. Provides that it is the policy of the Commonwealth to safeguard all individuals within the Commonwealth from unlawful discrimination in employment and in places of public accommodation because of such individual's ethnic origin. The bill also adds victims who are intentionally selected because of their ethnic origin to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of ethnic origin.

Bill Patron: Dan I. Helmer

24101031D (12/11/2023)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Board has historically supported. See also SB 7 (Reeves).

Date of Action	Action Notes
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12/11/2023	House: Referred to Committee for Courts of Justice
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HB 20 - Photo speed monitoring devices; location.

Photo speed monitoring devices; location. Authorizes the governing body of any county, city, or town to provide by ordinance for the placement and operation of photo speed monitoring devices in any location deemed necessary by the locality for the purposes of recording violations resulting from the operation of a vehicle in excess of the speed limit. The bill provides the same requirements for such devices, information collected from such devices, and any enforcement actions resulting from information collected from such devices as current law applies to the use of such devices in school crossing zones and highway work zones. The bill requires that two signs, rather than one, be placed warning of such device if the device is placed somewhere other than a school crossing zone or highway work zone.

Bill Patron: Michael J. Jones

24101210D (12/13/2023)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Support efforts to expand speed camera programs.

Date of Action	Action Notes
1/18/2024	House: Assigned Transportation sub: Innovations (Ad Hoc)
12/13/2023	House: Referred to Committee on Transportation

HB 22 - Auto sears; prohibition on manufacture, importation, sale, etc., penalty.

Manufacture, importation, sale, etc., of auto sears; prohibition; penalty. Prohibits the manufacture, importation, sale or offer to sell, possession, transfer, or transportation of an auto sear, defined in the bill as a device made of metal or plastic designed for use in converting a firearm to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. A violation is punishable as a Class 6 felony.

Bill Patron: Michael J. Jones

24101228D (12/13/23)

House: Committee substitute printed

County Position: Support

HB 43 - Polling place; assistance for certain voters, expands definition of disability.

Assistance for certain voters outside of the polling place; definition of disability. Expands the definition of disability for purposes of providing assistance outside of a polling place to voters with disabilities to include any permanent or temporary disability. Under current law, the disability is limited to a permanent or temporary physical disability.

Bill Patron: Joshua E. Thomas

24101099D (12/21/2023)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Board has historically supported.

Date of Action	Action Notes
1/26/2024	House: Assigned P & E sub: Election Administration
12/21/2023	House: Referred to Committee on Privileges and Elections

HB 46 - Firearm; transfers to another person from a prohibited person.

Firearm transfers to another person from a prohibited person. Provides that a person who is prohibited from possessing a firearm because such person is subject to a protective order or has

been convicted of an assault and battery of a family or household member may transfer a firearm owned by such prohibited person to any person who is not otherwise prohibited by law from possessing such firearm, provided that such person who is not otherwise prohibited by law from possessing such firearm is 21 years of age or older and does not reside with the person who is subject to the protective order. Under current law, there is no requirement that such transferee cannot be younger than 21 years of age and cannot reside with such prohibited person. The bill also provides that such prohibited person who transfers, sells, or surrenders a firearm pursuant to the provisions of the bill shall inform the clerk of the court of the name and address of the transferee, the federally licensed firearms dealer, or the law-enforcement agency in possession of the firearm and shall provide a copy of such form to the transferee. The bill also provides that a person who is prohibited from possessing a firearm because such person is subject to a protective order or has been convicted of an assault and battery of a family or household member shall be advised that a law-enforcement officer may obtain a search warrant to search for any firearms from such person if such law-enforcement officer has reason to believe that such person has not relinquished all firearms in his possession.

Bill Patron: Elizabeth B. Bennett-Parker

24104087D (12/21/2023)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also SB 47 (Favola).

Date of Action	Action Notes
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1/26/2024	House: Read third time and passed House (51-Y 44-N)
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1/19/2024	House: Reported from Public Safety (11-Y 9-N)
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1/18/2024	House: Subcommittee recommends reporting (6-Y 4-N)
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1/16/2024	House: Assigned PS sub: Firearms
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1/15/2024	House: Referred from Courts of Justice by voice vote
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	House: Referred to Committee on Public Safety
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12/21/2023	House: Referred to Committee for Courts of Justice
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HB 106 - Shared solar programs; amends existing program provisions to apply to Dominion Energy Virginia.

Shared solar programs; Dominion Energy Virginia; minimum bill; capacity. Amends existing shared solar program provisions for Dominion Energy Virginia (Phase II Utility). The bill provides that a customer's net bill for participation in the shared solar program means the resulting amount a customer must pay the utility after the bill credit, defined in relevant law, is deducted from the customer's monthly gross utility bill. The bill requires the State Corporation Commission to establish a minimum bill, below which a subscriber's net bill cannot go, that is calculated based on the amount of kilowatt-hours billed by the utility. The bill also changes the shared solar program capacity to at least 10 percent of each utility's adjusted Virginia peak load and requires the

Commission's regulations to allow for program participation by all jurisdictional and nonjurisdictional customer classes.

Bill Patron: Richard C. "Rip" Sullivan, Jr.

24101045D (1/1/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also SB 253 (Surovell).

Date of Action	Action Notes
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1/16/2024	House: Assigned L & C sub: Subcommittee #3
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1/1/2024	House: Referred to Committee on Labor and Commerce
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HB 117 - Net energy metering; solar interconnection, cost recovery.

Net energy metering; solar interconnection; cost recovery. Provides that an electric distribution company shall pay 33 cents (\$0.33) per kilowatt-hour per day for the costs of lost electricity production for any and all delays beyond the regulatory notice period required by State Corporation Commission related to net energy metering. The bill requires that, for the purposes of net energy metering, an eligible customer-generator shall bear all reasonable costs of equipment required at the eligible customer-generator's premises for the interconnection to the supplier's electric distribution system, including commercially reasonable costs of additional controls, tests, or liability insurance. Additionally, the bill allows for cost recovery by Phase I and Phase II Utilities for electric distribution grid transformation projects that support the interconnection of generating facilities using energy derived from sunlight that are owned or contracted by eligible customer-generators, subject to the Commission finding those costs to be reasonable and prudent in accordance with existing law.

Bill Patron: Richard C. "Rip" Sullivan, Jr.

24101754D (1/1/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also SB 346 (Subramanyam).

Date of Action	Action Notes
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1/16/2024	House: Assigned L & C sub: Subcommittee #3
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1/1/2024	House: Referred to Committee on Labor and Commerce
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HB 173 - Plastic firearms and unfinished frames, etc.; manufacture, import, etc. prohibited, penalties.

Manufacture, import, sale, transfer, or possession of plastic firearms and unfinished frames or receivers and unserialized firearms prohibited; penalties. Creates a Class 5 felony for any person who knowingly manufactures or assembles, imports, purchases, sells, transfers, or possesses any firearm that, after removal of all parts other than a major component, as defined in the bill, is not detectable as a firearm when subjected to inspection by the types of detection devices, including X-ray machines, commonly used at airports, government buildings, schools, correctional facilities, and other locations for security screening. The bill updates language regarding the types of detection devices that are used at such locations for detecting plastic firearms. Under current law, it is unlawful to manufacture, import, sell, transfer, or possess any plastic firearm and a violation is punishable as a Class 5 felony.

Bill Patron: Marcus B. Simon

24104103D (1/3/2024)

House: Committee substitute printed

County Position: Support

Date of Action	Action Notes
1/29/2024	House: Reported from Appropriations (12-Y 9-N)
1/24/2024	House: Subcommittee recommends reporting (5-Y 3-N)
1/19/2024	House: Reported from Public Safety with substitute (12-Y 9-N)
	House: Referred to Committee on Appropriations
1/18/2024	House: Subcommittee recommends reporting with substitute (7-Y 3-N)
	House: Subcommittee recommends referring to Committee on Appropriations
1/13/2024	House: Assigned PS sub: Firearms
1/3/2024	House: Referred to Committee on Public Safety

HB 177 - Federal Early Intervention Program for Infants & Toddlers w/Disabilities; reimbursement rates.

Department of Medical Assistance Services; reimbursement rates for Early Intervention Program for Infants and Toddlers with Disabilities; work group; report. Directs the Department of Medical Assistance Services to convene a work group of relevant stakeholders to assess and make recommendations related to reimbursement rates for the federal Early Intervention Program for Infants and Toddlers with Disabilities. The bill requires the work group to report its recommendations to the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2024.

Bill Patron: Debra D. Gardner

24101244D (1/3/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
1/17/2024	House: Assigned App. sub: Health & Human Resources
1/16/2024	House: Reported from Health and Human Services (22-Y 0-N) House: Referred to Committee on Appropriations
1/3/2024	House: Referred to Committee on Health and Human Services

HB 183 - Firearms; storage in residence where minor or person prohibited from possessing is present, penalty.

Storage of firearms in a residence where a minor or person prohibited from possessing a firearm is present; penalty. Requires any person who possesses a firearm in a residence where such person knows that a minor under 18 years of age or a person who is prohibited by law from possessing a firearm is present to store such firearm and the ammunition for such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person. The bill provides that a violation is a Class 4 misdemeanor. The bill exempts (i) any person in lawful possession of a firearm who carries such firearm on or about his person and (ii) the storage of antique firearms and provides that the lawful authorization of a minor to access a firearm is not a violation of the bill's provisions. The bill also requires firearm dealers to post a notice stating such firearm storage requirements and the penalty for improperly storing such firearms.

Bill Patron: Marcus B. Simon

24104245D (1/3/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
1/26/2024	House: Reported from Public Safety (12-Y 10-N)
1/25/2024	House: Subcommittee recommends reporting (6-Y 4-N)
1/13/2024	House: Assigned PS sub: Firearms
1/3/2024	House: Referred to Committee on Public Safety

HB 229 - Legal notices; locality to advertise on their website.

Advertisement of legal notices; website. Allows a locality to advertise legal notices on the locality's website instead of, or in addition to, publishing such notices in a newspaper having general circulation in the locality.

Bill Patron: Ellen H. Campbell

24102922D (1/4/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
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1/18/2024	House: Assigned CC & T sub: Subcommittee #3
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1/4/2024	House: Referred to Committee on Counties, Cities and Towns
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HB 245 - PFAS; facilities that have engaged in manufacture, etc., to produce report on use of chemicals.

Reports relating to PFAS; Department of Environmental Quality; one-time report. Requires all facilities that have engaged since January 1, 2021, in the manufacture of or knowing use in the production process of one or more chemicals listed as PFAS target analytes to produce a one-time report on the use of such chemicals. The report shall be limited to facilities that discharge to (i) a surface water under a Virginia Pollutant Discharge Elimination System permit issued by the Department of Environmental Quality (the Department) or (ii) a publicly owned treatment works under an industrial pretreatment program permit or other written authorization issued by a local permit control authority. The report shall be submitted to the Department and, if such facility discharges to a publicly owned treatment works, also to the local permit control authority no later than October 1, 2024. The bill also requires certain facilities to perform a limited PFAS discharge characterization during the one-year period from October 1, 2024, to September 30, 2025, for each waterway discharge outfall consisting of representative quarterly monitoring using the applicable laboratory test method, as specified in the bill. Such facilities shall report results to the Department and, if the facility discharges to a publicly owned treatment works, also to the local permit control authority, within 30 days after the end of each quarter.

Bill Patron: David L. Bulova

24101337D (1/4/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
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1/15/2024	House: Assigned ACNR sub: Chesapeake
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1/4/2024	House: Referred to Committee on Agriculture, Chesapeake and Natural Resources
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HB 264 - Legal notices and publications; online-only news publications, requirements.

Legal notices and publications; online-only news publications; requirements. Provides that, where any ordinance, resolution, notice, or advertisement is required by law to be published in a newspaper, such ordinance, resolution, notice, or advertisement instead may be published in an online-only news publication subject to certain requirements specified in the bill. The bill sets out a process by which an online-only news publication shall petition the circuit court of the appropriate jurisdiction to publish such ordinances, resolutions, notices, or advertisements and authorizes the court to grant such online-only news publication the authority to publish such ordinances, resolutions, notices, or advertisements for a period of one year. The bill also describes the process by which an online-only news publication may continue renewing such authority to publish each successive year.

Bill Patron: Patrick A. Hope

24104158D (1/5/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also SB 157 (Boysko).

Date of Action	Action Notes
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1/25/2024	House: Assigned Courts sub: Civil
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1/5/2024	House: Referred to Committee for Courts of Justice
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HB 270 - Commonwealth Comprehensive Gun Safety Program; established, etc.

Sale, transfer, etc., of certain firearms and firearm magazines; Virginia Firearm Buy-Back Program and Fund established; penalties. Provides that, unless otherwise prohibited by law, any person may import, sell, transfer, manufacture, or purchase an authorized rifle, defined in the bill, in accordance with the relevant provisions of law. The bill makes it a Class 6 felony for any person to import, sell, transfer, manufacture, or purchase a restricted rifle or large-capacity firearm magazine, both defined in the bill, with certain exceptions. The bill also provides that a person is civilly liable for injuries to person or property or wrongful death of another caused by a third party if it can be shown that the civil defendant sold or transferred a restricted rifle or large-capacity firearm magazine in violation of the provisions of the bill to the person who committed the crime resulting in such injury or death.

Bill Patron: David A. Reid

24100015D (1/5/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
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1/16/2024	House: Assigned PS sub: Firearms
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1/5/2024	House: Referred to Committee on Public Safety
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HB 318 - Firearm industry members; creates standards of responsible conduct, civil liability.

Firearm industry members; standards of responsible conduct; civil liability. Creates standards of responsible conduct for firearm industry members and requires such members to establish and implement reasonable controls regarding the manufacture, sale, distribution, use, and marketing of the firearm industry member's firearm-related products, as those terms are defined in the bill. Such reasonable controls include reasonable procedures, safeguards, and business practices that are designed to (i) prevent the sale or distribution of a firearm-related product to a straw purchaser, a firearm trafficker, a person prohibited from possessing a firearm under state or federal law, or a person who the firearm industry member has reasonable cause to believe is at substantial risk of using a firearm-related product to harm themselves or unlawfully harm another or of unlawfully possessing or using a firearm-related product; (ii) prevent the loss of a firearm-related product or theft of a firearm-related product from a firearm industry member; (iii) ensure that the firearm industry member complies with all provisions of state and federal law and does not otherwise promote the unlawful manufacture, sale, possession, marketing, or use of a firearm-related product; and (iv) ensure that the firearm industry member does not engage in an act or practice in violation of the Virginia Consumer Protection Act. The bill also provides that a firearm industry member may not knowingly or recklessly create, maintain, or contribute to a public nuisance, as defined in the bill, through the sale, manufacturing, importing, or marketing of a firearm-related product. The bill creates a civil cause of action for the Attorney General or a local county or city attorney to enforce the provisions of the bill or for any person who has been injured as a result of a firearm industry member's violation to seek an injunction and to recover costs and damages.

Bill Patron: Dan I. Helmer

24104492D (1/5/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Board has historically supported.

Date of Action	Action Notes
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1/16/2024	House: Assigned PS sub: Firearms
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1/5/2024	House: Referred to Committee on Public Safety
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HB 362 - Firearms; purchase, etc., following an assault and battery against person in dating relationship.

Purchase, possession, or transportation of firearm following an assault and battery against a person in a dating relationship with the alleged offender, penalty. Provides that any person who knowingly and intentionally purchases, possesses, or transports any firearm following a misdemeanor conviction for an offense that occurred on or after July 1, 2024, for the offense of assault and battery against a person in a dating relationship, as defined in the bill, with the alleged offender or an offense substantially similar under the laws of any other state or of the United States is guilty of a Class 1 misdemeanor.

Bill Patron: Adele Y. McClure

24104469D (1/6/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also SB 642 (Perry).

Date of Action	Action Notes
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1/16/2024	House: Assigned PS sub: Firearms
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1/6/2024	House: Referred to Committee on Public Safety
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HB 441 - Polling place; assistance for certain voters, clarifies definition of "person with a disability."

Assistance for certain voters outside of the polling place; definition of "person with a disability"; training. Amends the definition of "person with a disability" for purposes of the Elections title to mean any person who has a physical or mental impairment that substantially limits one or more of his major life activities or who has a record of such impairment. The bill provides that any qualified voter who is a person with a disability shall be eligible for assistance outside of the polling place and makes technical amendments for consistency. The bill requires the training required for all officers of election to include specific training on voting outside of a polling place and directs the Department of Elections to incorporate into guidance documents for election officials the processes and procedures for voting outside of the polling place, including best practices for providing assistance for voters with disabilities.

Bill Patron: Elizabeth B. Bennett-Parker

24100437D (1/8/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
1/26/2024	House: Assigned P & E sub: Election Administration
1/8/2024	House: Referred to Committee on Privileges and Elections

HB 458 - Sales and use tax, local; additional tax authorized in all counties & cities to support schools.

Additional local sales and use tax to support schools; referendum. Authorizes all counties and cities to impose an additional local sales and use tax at a rate not to exceed one percent with the revenue used only for capital projects for the construction or renovation of schools if such levy is approved in a voter referendum. Under current law, only Charlotte, Gloucester, Halifax, Henry, Mecklenburg, Northampton, Patrick, and Pittsylvania Counties and the City of Danville are authorized to impose such a tax.

Bill Patron: Katrina Callsen

24102900D (1/8/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Board has historically supported. See also HB 600 (Kilgore) and SB 14 (McPike).

Date of Action	Action Notes
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1/8/2024	House: Referred to Committee on Finance
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HB 570 - Prescription Drug Affordability Board; established, drug cost affordability review, report.

Prescription Drug Affordability Board established; drug cost affordability review. Establishes the Prescription Drug Affordability Board for the purpose of protecting the citizens of the Commonwealth and other stakeholders within the health care system from the high costs of prescription drug products. The bill directs the Governor to appoint the members and alternate members of the Board and requires the Board to meet in open session at least four times annually, with certain exceptions and requirements enumerated in the bill. Members of the Board are required to disclose any conflicts of interest, as described in the bill. The bill also creates a stakeholder council for the purpose of assisting the Board in making decisions related to drug cost affordability. The bill tasks the Board with identifying prescription, generic, and other drugs, as defined in the bill, that are offered for sale in the Commonwealth and, at the Board's discretion, conducting an affordability review of any prescription drug product. The bill lists factors for the Board to consider that indicate an affordability challenge for the health care system in the Commonwealth or high out-of-pocket costs for patients. The bill also provides that any person aggrieved by a decision of the Board may request an appeal of the Board's decision and that the Attorney General shall have authority to enforce the provisions of the bill.

Bill Patron: Karrie K. Delaney

24100122D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See all SB 274 (Deeds).

Date of Action	Action Notes
1/25/2024	House: Referred from Health and Human Services by voice vote House: Referred to Committee on Labor and Commerce
1/9/2024	House: Referred to Committee on Health and Human Services

HB 577 - Slot-retention requests; Developmental Disability waivers, sunset date.

Department of Medical Assistance Services; Department of Behavioral Health and Developmental Services; slot-retention requests; Developmental Disability waivers; sunset. Directs the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to amend their regulations to allow for support coordinators to request and subsequently obtain approval of consecutive waiver slot-retention requests for a period of 365 calendar days for individuals who have been assigned a Developmental Disability waiver slot. Current regulations allow for four consecutive 30-day slot-retention extensions. The bill sunsets on June 30, 2026.

Bill Patron: Chris S. Runion

24104893D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also SB 610 (Suetterlein).

Date of Action	Action Notes
1/17/2024	House: Assigned sub: Social Services
1/9/2024	House: Referred to Committee on Health and Human Services

HB 600 - Sales and use tax, local; additional tax authorized in all counties & cities to support schools.

Additional local sales and use tax to support schools; referendum. Authorizes all counties and cities to impose an additional local sales and use tax at a rate not to exceed one percent with the revenue used only for capital projects for the construction or renovation of schools if such levy is approved in a voter referendum. Under current law, only Charlotte, Gloucester, Halifax, Henry, Mecklenburg, Northampton, Patrick, and Pittsylvania Counties and the City of Danville are authorized to impose such a tax.

Bill Patron: Terry G. Kilgore

24103515D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Board has historically supported. See also HB 458 (Callsen) and SB 14 (McPike).

Date of Action	Action Notes
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1/9/2024	House: Referred to Committee on Finance
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HB 644 - Gas-powered leaf blowers; local prohibition or regulation, civil penalty.

Local prohibition or regulation of gas-powered leaf blowers; civil penalty. Provides that any locality may by ordinance prohibit or regulate the use of gas-powered leaf blowers. The ordinance may include provisions for a civil penalty.

Bill Patron: Richard C. "Rip" Sullivan, Jr.

24101764D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also SB 305 (Salim).

Date of Action	Action Notes
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1/26/2024	House: Subcommittee recommends reporting (5-Y 3-N) House: Reported from Counties, Cities and Towns (11-Y 9-N)
1/23/2024	House: Assigned CC & T sub: Subcommittee #1
1/9/2024	House: Referred to Committee on Counties, Cities and Towns

HB 791 - Pneumatic guns; Class 6 felony to possess.

Pneumatic guns; penalties. Makes it a Class 6 felony to possess a pneumatic gun upon (i) the property of any child day center or public, private, or religious preschool or elementary, middle, or high school, including buildings and grounds; (ii) that portion of any property open to the public and then exclusively used for school-sponsored functions or extracurricular activities while such functions or activities are taking place; or (iii) any school bus owned or operated by any such school.

Bill Patron: Rozia A. Henson, Jr.

24106299D-H1 (1/26/2024)

House: Committee substitute printed

County Position: Support

Date of Action	Action Notes
2/2/2024	House: Reported from Appropriations with substitute (12-Y 10-N)
1/31/2024	House: Subcommittee recommends reporting with substitute (5-Y 3-N)
1/26/2024	House: Reported from Public Safety with substitute (12-Y 10-N)
	House: Referred to Committee on Appropriations
1/25/2024	House: Subcommittee recommends reporting with amendments (7-Y 4-N)
	House: Subcommittee recommends referring to Committee on Appropriations
1/19/2024	House: Assigned PS sub: Firearms
1/9/2024	House: Referred to Committee on Public Safety

HB 816 - FOIA; meetings held through electronic communication during declared states of emergency.

Virginia Freedom of Information Act; effective date of procedures for conducting meetings held through electronic communication means during declared states of emergency. Provides that the provisions for conducting a meeting by electronic means due to a state of emergency stated in the Virginia Freedom of Information Act (FOIA) are declarative of existing law since March 20, 2020, with respect to the Governor's declared state of emergency due to COVID-19. Under the bill, any meeting by a public body using electronic communication means occurring from that date until July 1, 2021, and any otherwise lawful action taken at it is validated with respect to FOIA if the body provided public notice, public access, and public comment commensurate with the requirements of existing FOIA provisions regarding electronic and closed meetings. The bill is a response to the case *Berry v. Bd. of Supervisors* (Va. 2023) and is a recommendation of the Virginia Freedom of Information Advisory Council.

Bill Patron: Mike A. Cherry

24104450D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also SB 244 (McPike).

Date of Action	Action Notes
1/26/2024	House: Assigned GL sub: Procurement/Open Government
1/9/2024	House: Referred to Committee on General Laws

HB 894 - Virginia Freedom of Information Act; electronic meetings.

Amends the number of all-virtual public meetings that public bodies, with certain exceptions, may convene in a calendar year to no more than two times per calendar year or 50 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. Current law limits the number of all-virtual public meetings to no more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. The bill also provides that with respect to all-virtual public meetings, when audio-visual technology is available, a member of a public body shall, for purposes of a quorum, be considered absent from any portion of the meeting during which visual communication with the member is voluntarily disconnected or otherwise fails or during which audio communication involuntarily fails.

Bill Patron: Elizabeth B. Bennett-Parker

24100596D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
1/25/2024	House: Reported from General Laws (22-Y 0-N)
1/23/2024	House: Subcommittee recommends reporting (8-Y 0-N)
1/22/2024	House: Assigned GL sub: Procurement/Open Government
1/9/2024	House: Referred to Committee on General Laws

HB 905 - Photo speed monitoring devices; location.

Photo speed monitoring devices; location. Authorizes the governing body of any county, city, or town to provide by ordinance for the placement and operation of photo speed monitoring devices in any location deemed necessary by the locality for the purposes of recording violations resulting from the operation of a vehicle in excess of the speed limit. The bill provides the same requirements for such devices, information collected from such devices, and any enforcement actions resulting from information collected from such devices as current law applies to the use of such devices in school crossing zones and highway work zones. The bill requires that two signs, rather than one, be placed warning of such device if the device is placed somewhere other than a school crossing zone or highway work zone.

Bill Patron: Irene Shin

24102336D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Support efforts to expand speed camera programs.

Date of Action	Action Notes
1/18/2024	House: Assigned Transportation sub: Innovations (Ad Hoc)
1/9/2024	House: Referred to Committee on Transportation

HB 959 - Towing enforcement; violations of current law subject to Va. Consumer Protection Act.

Towing violations; enforcement. Provides that violations of current law regarding tow truck drivers and towing and recovery operators are subject to the Virginia Consumer Protection Act. The bill repeals the \$150 civil penalty for certain towing violations in Planning District 8.

Bill Patron: Alfonso H. Lopez

24101550D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
1/26/2024	House: Assigned Transportation sub: Innovations (Ad Hoc)
1/9/2024	House: Referred to Committee on Transportation

HB 970 - Children; comprehensive health care coverage program.

Comprehensive children's health care coverage program. Directs the Department of Medical Assistance Services (the Department) to establish a program to provide state-funded comprehensive health care coverage for individuals in the Commonwealth who (i) are under 19 years of age, (ii) are not covered under a group health plan or health insurance coverage, and (iii) but for their immigration status would be eligible for medical assistance services through the Commonwealth's program of medical assistance services established pursuant to Title XIX or XXI of the Social Security Act. The bill also requires the Department to ensure that all program information is made available in a manner that is accessible to individuals with limited English proficiency and individuals with disabilities through the provision of language access services, including oral interpretation and written translations, free of charge and to ensure that information obtained by the program remains confidential and is not disclosed for any purpose not related to the administration of the program or any purpose related to civil immigration enforcement unless the subject of the information consents to such disclosure or the requesting agency presents a valid judicial order, subpoena, or warrant.

Bill Patron: Kathy K.L. Tran

24104867D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also SB 231 (Hashmi).

Date of Action	Action Notes
1/25/2024	House: Subcommittee recommends referring to Committee on Appropriations House: Subcommittee recommends reporting with amendments (6-Y 0-N)
1/19/2024	House: Assigned sub: Social Services
1/9/2024	House: Referred to Committee on Health and Human Services

HB 1032 - Photo speed monitoring device; establishes a default process for collection of civil penalties.

Photo speed monitoring device; civil penalty; default process. Establishes a default process for the collection of civil penalties from residents of the Commonwealth who fail to respond to a summons for a speed violation issued based on evidence collected from a photo speed monitoring device. Current law requires personal service on such person who fails to respond.

Bill Patron: Robert S. Bloxom, Jr.

24103017D (1/10/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
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1/10/2024	House: Referred to Committee on Transportation
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HB 1040 - Virginia Freedom of Information Act; definition of "caregiver," remote participation in meetings.

Virginia Freedom of Information Act; definition of "caregiver;" remote participation in meetings by persons with disabilities and caregivers; remote voting. Provides that for purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a person with a disability or a caregiver, defined in the bill, and uses remote participation counts toward the quorum as if the individual was physically present. The bill also provides that the participation policy adopted by a public body, as required by the Virginia Freedom of Information Act, shall not prohibit or restrict any individual member of a public body who is participating in an all-virtual meeting or who is using remote participation from voting on matters before the public body. The bill is a recommendation of the Virginia Freedom of Information Advisory Council.

Bill Patron: Elizabeth B. Bennett-Parker

24104336D (1/10/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
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1/25/2024	House: Reported from General Laws (22-Y 0-N)
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1/23/2024	House: Subcommittee recommends reporting (8-Y 0-N)
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1/22/2024	House: Assigned GL sub: Procurement/Open Government
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1/10/2024	House: Referred to Committee on General Laws
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HB 1287 - Towing companies; provision of existing law authorizing localities in planning District 8.

Towing companies; local authority. Clarifies that the provisions of existing law authorizing localities in Planning District 8 to require towing companies that tow from the county to a storage or release location outside of the locality to obtain a permit to do so do not restrict or modify the authority of the locality to require that towing companies that tow and store or release vehicles within the county, city, or town to obtain from the locality a permit to do so.

Bill Patron: Adele Y. McClure

24104248D (1/10/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
1/26/2024	House: Assigned Transportation sub: Innovations (Ad Hoc)
1/10/2024	House: Referred to Committee on Transportation

HB 1336 - Crisis stabilization services; facilities licensed by DBHDS, nursing homes.

Crisis stabilization services; facilities licensed by Department of Behavioral Health and Developmental Services; nursing homes; dispensing and administration of drugs; emergency. Permits facilities licensed by the Department of Behavioral Health and Developmental Services that provide crisis stabilization services to maintain a stock of Schedules II through VI controlled substances necessary for immediate treatment of patients admitted to such facility. Under current law, maintenance of a stock of Schedule VI controlled substances is allowed under certain conditions, but a stock of Schedules II through V controlled substances may be maintained only if authorized by federal law and Board of Pharmacy regulations. The bill also allows automated drug dispensing systems and remote dispensing systems to be used by state facilities established pursuant to Title 37.2 (Behavioral Health and Developmental Services), facilities that provide crisis stabilization services, nursing homes, and other facilities authorized by the Board of Pharmacy that meet certain conditions. The bill contains an emergency clause and directs the Board of Pharmacy to adopt emergency regulations to implement the provisions of the bill.

Bill Patron: Mark D. Sickles

24101061D (1/12/2024)

House: Committee substitute printed

County Position: Support.

See also SB 568 (Deeds).

Date of Action	Action Notes
1/30/2024	House: Reported from Health and Human Services with substitute (22-Y 0-N) House: Incorporates HB1038 (Wachsmann)
1/12/2024	House: Referred to Committee on Health and Human Services

SB 7 - Hate crimes and discrimination; ethnic animosity, penalties.

Hate crimes and discrimination; ethnic animosity; penalties. Provides that it is the policy of the Commonwealth to safeguard all individuals within the Commonwealth from unlawful discrimination in employment and in places of public accommodation because of such individual's ethnic origin. The bill also adds victims who are intentionally selected because of their ethnic origin to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of ethnic origin.

Bill Patron: Bryce E. Reeves

24100086D (11/20/23)

Senate: Committee substitute printed

County Position: Support.

Board has historically supported.

Date of Action	Action Notes
1/24/2024	Senate: Reported from Courts of Justice with substitute (14-Y 0-N) Senate: Incorporates SB120 (Subramanyam) Senate: Rereferred to Finance and Appropriations
11/20/2023	Senate: Referred to Committee for Courts of Justice

SB 14 - Sales and use tax, local; additional tax authorized in all counties & cities to support schools.

Additional local sales and use tax to support schools; referendum. Authorizes all counties and cities to impose an additional local sales and use tax at a rate not to exceed one percent with the revenue used only for capital projects for the construction or renovation of schools if such levy is approved in a voter referendum. Under current law, only Charlotte, Gloucester, Halifax, Henry, Mecklenburg, Northampton, Patrick, and Pittsylvania Counties and the City of Danville are authorized to impose such a tax.

Bill Patron: Jeremy S. McPike

24100982D (11/25/2023)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Board has historically supported. See also HB 458 (Callsen) and HB 600 (Kilgore).

Date of Action	Action Notes
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1/23/2024	Senate: Reported from Finance and Appropriations (10-Y 4-N)
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11/25/2023	Senate: Referred to Committee on Finance and Appropriations
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SB 36 - Virginia Freedom of Information Act; definition of meetings.

Exempts certain public meetings from the definition of "meeting" under the Virginia Freedom of Information Act to clarify that three or more members of a public body may appear and participate in such public meeting without violating the Act, provided that no public business is transacted or discussed.

Bill Patron: Mamie E. Locke

24102327D (12/16/2024)

Senate: Committee substitute printed

County Position: Support

Date of Action	Action Notes
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1/24/2024	Senate: Reported from General Laws and Technology with substitute (15-Y 0-N)
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12/16/2023	Senate: Referred to Committee on General Laws and Technology
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SB 41 - Jails, local; compensation for cost of incarceration as calculated in report.

Local jails; compensation for cost of incarceration. Requires the Department of Corrections to compensate local jails for the actual cost, based on the rate calculated in the Compensation Board's annual Jail Cost Report, of incarcerating felons who should otherwise be confined in a state correctional facility. Current law provides for local jails to be compensated at the rate set forth in the general appropriation act.

Bill Patron: Mark J. Peake

24100912D (12/18/2023)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Board has historically supported.

Date of Action	Action Notes
1/19/2024	Senate: Rereferred to Finance and Appropriations Senate: Reported from Rehabilitation and Social Services (15-Y 0-N)
12/18/2023	Senate: Referred to Committee on Rehabilitation and Social Services

SB 47 - Firearm; transfers to another person from a prohibited person.

Firearm transfers to another person from a prohibited person. Provides that a person who is prohibited from possessing a firearm because such person is subject to a protective order or has been convicted of an assault and battery of a family or household member may transfer a firearm owned by such prohibited person to any person who is not otherwise prohibited by law from possessing such firearm, provided that such person who is not otherwise prohibited by law from possessing such firearm is 21 years of age or older and does not reside with the person who is subject to the protective order. Under current law, there is no requirement that such transferee cannot be younger than 21 years of age and cannot reside with such prohibited person. The bill also provides that such prohibited person who transfers, sells, or surrenders a firearm pursuant to the provisions of the bill shall inform the clerk of the court of the name and address of the transferee, the federally licensed firearms dealer, or the law-enforcement agency in possession of the firearm and shall provide a copy of such form to the transferee. The bill also provides that a person who is prohibited from possessing a firearm because such person is subject to a protective order or has been convicted of an assault and battery of a family or household member shall be advised that a law-enforcement officer may obtain a search warrant to search for any firearms from such person if such law-enforcement officer has reason to believe that such person has not relinquished all firearms in his possession.

Bill Patron: Barbara A. Favola

24104086D (12/21/2023)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also HB 46 (Bennett-Parker).

Date of Action	Action Notes
1/25/2024	Senate: Read third time and passed Senate (23-Y 17-N) Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) Senate: Passed Senate (21-Y 19-N)
1/22/2024	Senate: Reported from Courts of Justice (9-Y 6-N)
12/21/2023	Senate: Referred to Committee for Courts of Justice

SB 49 - Community revitalization fund; expanding use for all localities.

Expands the current provisions of law allowing for the establishment of a community revitalization fund for the purpose of preventing neighborhood deterioration to apply to all localities. Currently, only the City of Richmond is authorized to establish such a fund. This bill is a recommendation of the Virginia Housing Commission.>

Bill Patron: Mamie E. Locke

24100699D (12/21/2023)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
1/18/2024	Senate: Read third time and passed Senate (40-Y 0-N)
1/15/2024	Senate: Reported from Local Government (12-Y 0-N)
12/21/2023	Senate: Referred to Committee on Local Government

SB 73 - Photo-monitoring system for traffic signals; retired law-enforcement officials to review violations.

Photo-monitoring system for traffic signals; proof of violation; retired law-enforcement officials. Allows a locality to employ a retired sworn law-enforcement officer, as defined in the bill, to review photographs, microphotographs, videotape, or other recorded images produced by the locality's traffic light signal violation monitoring system or traffic control device violation monitoring system. The bill allows such review to serve as prima facie evidence of the facts contained therein.

Bill Patron: Christie New Craig

24101768D (12/28/2023)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
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1/25/2024	Senate: Reported from Transportation (14-Y 1-N)
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12/28/2023	Senate: Referred to Committee on Transportation
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SB 85 - Virginia Freedom of Information Act; definition of "caregiver," remote participation in meetings.

Virginia Freedom of Information Act; definition of "caregiver;" remote participation in meetings by persons with disabilities and caregivers; remote voting. Provides that for purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a person with a disability or a caregiver, defined in the bill, and uses remote participation counts toward the quorum as if the individual was physically present. The bill also provides that the participation policy adopted by a public body, as required by the Virginia Freedom of Information Act, shall not prohibit or restrict any individual member of a public body who is participating in an all-virtual meeting or who is using remote participation from voting on matters before the public body. The bill is a recommendation of the Virginia Freedom of Information Advisory Council.

Bill Patron: Barbara A. Favola

24101421D (1/1/2024)

Senate: Printed as engrossed

County Position: Support

Date of Action	Action Notes
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1/23/2024	Senate: Read third time and passed Senate (28-Y 11-N)
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1/22/2024	Senate: Reading of amendment waived
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	Senate: Amendment by Senator Favola agreed to
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1/17/2024	Senate: Reported from General Laws and Technology (14-Y 0-N 1-A)
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1/1/2024	Senate: Referred to Committee on General Laws and Technology
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SB 99 - Assault firearms; carrying in public areas prohibited, penalty.

Carrying assault firearms in public areas prohibited; penalty. Prohibits the carrying of certain semi-automatic center-fire rifles, pistols, and shotguns on any public street, road, alley, sidewalk, or public right-of-way or in any public park or any other place of whatever nature that is open to the public. Under current law, the current prohibition on carrying certain shotguns and semi-automatic center-fire rifles and pistols applies to a narrower range of firearms, only in certain localities, and only when such firearms are loaded.

Bill Patron: Adam P. Ebbin

24100968D (1/3/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
1/22/2024	Senate: Reported from Courts of Justice (9-Y 6-N) Senate: Rereferred to Finance and Appropriations
1/3/2024	Senate: Referred to Committee for Courts of Justice

SB 100 - Plastic firearms and unfinished frames, etc.; manufacture, import, etc. prohibited, penalties.

Manufacture, import, sale, transfer, or possession of plastic firearms and unfinished frames or receivers and unserialized firearms prohibited; penalties. Creates a Class 5 felony for any person who knowingly manufactures or assembles, imports, purchases, sells, transfers, or possesses any firearm that, after removal of all parts other than a major component, as defined in the bill, is not detectable as a firearm when subjected to inspection by the types of detection devices, including X-ray machines, commonly used at airports, government buildings, schools, correctional facilities, and other locations for security screening. The bill updates language regarding the types of detection devices that are used at such locations for detecting plastic firearms. Under current law, it is unlawful to manufacture, import, sell, transfer, or possess any plastic firearm and a violation is punishable as a Class 5 felony.

Bill Patron: Adam P. Ebbin

24104102D (1/3/2024)

Senate: Committee substitute printed

County Position: Support

Date of Action	Action Notes
1/31/2024	Senate: Reported from Finance and Appropriations (10-Y 5-N)
1/22/2024	Senate: Reported from Courts of Justice with substitute (9-Y 6-N) Senate: Rereferred to Finance and Appropriations
1/3/2024	Senate: Referred to Committee for Courts of Justice

SB 157 - Legal notices and publications; online-only news publications, requirements.

Legal notices and publications; online-only news publications; requirements. Provides that, where any ordinance, resolution, notice, or advertisement is required by law to be published in a newspaper, such ordinance, resolution, notice, or advertisement instead may be published in an online-only news publication subject to certain requirements specified in the bill. The bill sets out a process by which an online-only news publication shall petition the circuit court of the appropriate jurisdiction to publish such ordinances, resolutions, notices, or advertisements and authorizes the court to grant such online-only news publication the authority to publish such ordinances, resolutions, notices, or advertisements for a period of one year. The bill also describes the process by which an online-only news publication may continue renewing such authority to publish each successive year.

Bill Patron: Jennifer B. Boysko

24104298D (1/5/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also HB 264 (Hope).

Date of Action	Action Notes
1/23/2024	Senate: Read third time and passed Senate (36-Y 3-N)
1/17/2024	Senate: Reported from Courts of Justice (15-Y 0-N)
1/5/2024	Senate: Referred to Committee for Courts of Justice

SB 210 - Auto sears; prohibition on manufacture, importation, sale, etc., penalty.

Manufacture, importation, sale, etc., of auto sears; prohibition; penalty. Prohibits the manufacture, importation, sale or offer to sell, possession, transfer, or transportation of an auto sear, defined in the bill as a device made of metal or plastic designed for use in converting a firearm to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. A violation is punishable as a Class 6 felony.

Bill Patron: Russet Perry

24106016D-S1 (1/22/2024)

Senate: Committee substitute printed

County Position:

Date of Action	Action Notes
1/22/2024	Senate: Reported from Courts of Justice with substitute (11-Y 4-N) Senate: Rereferred to Finance and Appropriations
1/8/2024	Senate: Referred to Committee for Courts of Justice
1/22/2024	Senate: Reported from Courts of Justice with substitute (11-Y 4-N) Senate: Rereferred to Finance and Appropriations
1/8/2024	Senate: Referred to Committee for Courts of Justice

SB 231 - Children; comprehensive health care coverage program.

Comprehensive children's health care coverage program. Directs the Department of Medical Assistance Services (the Department) to establish a program to provide state-funded comprehensive health care coverage for individuals in the Commonwealth who (i) are under 19 years of age, (ii) are not covered under a group health plan or health insurance coverage, and (iii) but for their immigration status would be eligible for medical assistance services through the Commonwealth's program of medical assistance services established pursuant to Title XIX or XXI of the Social Security Act. The bill also requires the Department to ensure that all program information is made available in a manner that is accessible to individuals with limited English proficiency and individuals with disabilities through the provision of language access services, including oral interpretation and written translations, free of charge and to ensure that information obtained by the program remains confidential and is not disclosed for any purpose not related to the administration of the program or any purpose related to civil immigration enforcement unless the subject of the information consents to such disclosure or the requesting agency presents a valid judicial order, subpoena, or warrant.

Bill Patron: Ghazala F. Hashmi

24104864D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also HB 970(Tran).

Date of Action	Action Notes
1/26/2024	Senate: Assigned Education and Health Sub: Health
1/9/2024	Senate: Referred to Committee on Education and Health

SB 244 - FOIA; meetings held through electronic communication during declared states of emergency.

Virginia Freedom of Information Act; effective date of procedures for conducting meetings held through electronic communication means during declared states of emergency. Provides that the provisions for conducting a meeting by electronic means due to a state of emergency stated in the Virginia Freedom of Information Act (FOIA) are declarative of existing law since March 20, 2020, with respect to the Governor's declared state of emergency due to COVID-19. Under the bill, any meeting by a public body using electronic communication means occurring from that date until July 1, 2021, and any otherwise lawful action taken at it is validated with respect to FOIA if the body provided public notice, public access, and public comment commensurate with the requirements of existing FOIA provisions regarding electronic and closed meetings.

Bill Patron: Jeremy S. McPike

24104842D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also HB 816 (Cherry).

Date of Action	Action Notes
1/24/2024	Senate: Reported from General Laws and Technology (15-Y 0-N)
1/9/2024	Senate: Referred to Committee on General Laws and Technology

SB 253 - Shared solar programs; amends existing program provisions to apply to Dominion Energy Virginia.

Shared solar programs; Dominion Energy Virginia; minimum bill; capacity. Amends existing shared solar program provisions to apply to Dominion Energy Virginia (Phase II Utility). The bill provides that a customer's net bill for participation in the shared solar program means the resulting amount a customer must pay the utility after the bill credit, defined in relevant law, is deducted from the customer's monthly gross utility bill. The bill requires the State Corporation Commission to establish a minimum bill, below which a subscriber's net bill cannot go, that is calculated based on the amount of kilowatt-hours billed by the utility. The bill also changes the shared solar program capacity to 450 megawatts and requires the Commission's regulations to allow for program participation by all jurisdictional and nonjurisdictional customer classes.

Bill Patron: Scott A. Surovell

24102098D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also HB 106 (Sullivan).

Date of Action	Action Notes
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1/9/2024	Senate: Referred to Committee on Commerce and Labor
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SB 258 - Substantial risk orders or factors.

Substantial risk orders; substantial risk factors and considerations. Provides various factors that a judge or magistrate must consider for the purpose of determining probable cause prior to issuing an emergency substantial risk order or a substantial risk order. The bill provides that such factors shall include whether the person who is subject to the order (i) committed any acts of violence or criminal offenses resulting in injury to himself or another person within the six months prior to the filing of the petition; (ii) made any threats or used any physical force against another person that resulted in injury within the six months prior to the filing of the petition; (iii) violated any provision of a protective order issued or was arrested for stalking within the six months prior to the filing of the petition; (iv) was convicted of any offense that would prohibit such person from possessing a firearm; (v) engaged in any conduct within the year prior to the filing of the petition that demonstrated a pattern of violent acts or threats to another person, including any acts or threats made against family members, neighbors, coworkers, or toward schools or students or government buildings or employees; (vi) committed any acts of violence or criminal offenses against an animal within the six months prior to the filing of the petition; or (vii) made any attempt or threat of suicide or any act, attempted act, or threat of self-harm that caused or may have caused serious bodily injury or whether evidence of recent acquisition of a firearm or ammunition by the person who is subject to the order is provided by the respondent. The bill also outlines various other factors that a judge or magistrate may consider for the purpose of issuing an emergency substantial risk order or a substantial risk order. The bill also provides that possession includes actual access or the potential to readily access a firearm for the purposes of finding if a person possesses a firearm or if such firearm shall be voluntarily relinquished.

Bill Patron: Scott A. Surovell

24102865D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
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1/9/2024	Senate: Referred to Committee for Courts of Justice
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SB 274 - Prescription Drug Affordability Board; established, drug cost affordability review, report.

Prescription Drug Affordability Board established; drug cost affordability review. Establishes the Prescription Drug Affordability Board for the purpose of protecting the citizens of the Commonwealth and other stakeholders within the health care system from the high costs of prescription drug products. The bill directs the Governor to appoint the members and alternate members of the Board and requires the Board to meet in open session at least four times annually, with certain exceptions and requirements enumerated in the bill. Members of the Board are required to disclose any conflicts of interest, as described in the bill. The bill also creates a stakeholder council for the purpose of assisting the Board in making decisions related to drug cost affordability. The bill tasks the Board with identifying prescription, generic, and other drugs, as defined in the bill, that are offered for sale in the Commonwealth and, at the Board's discretion, conducting an affordability review of any prescription drug product. The bill lists factors for the Board to consider that indicate an affordability challenge for the health care system in the Commonwealth or high out-of-pocket costs for patients. The bill also provides that any person aggrieved by a decision of the Board may request an appeal of the Board's decision and that the Attorney General shall have authority to enforce the provisions of the bill.

Bill Patron: R. Creigh Deeds

24101144D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also HB 570 (Delaney).

Date of Action	Action Notes
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1/18/2024	Senate: Rereferred from Education and Health (15-Y 0-N)
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	Senate: Rereferred to Commerce and Labor
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1/9/2024	Senate: Referred to Committee on Education and Health
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SB 291 - Court-appointed guardians; training; powers and duties.

Department for Aging and Rehabilitative Services; training; powers and duties of guardian; annual reports by guardians; information required. Directs the Department for Aging and Rehabilitative Services to develop and provide training for court-appointed guardians by July 1, 2025. The bill requires a court-appointed guardian and any skilled professional retained by such guardian to perform guardianship duties to complete the initial training developed by the Department within four months after the date of qualification of such guardian. Under the bill, guardians appointed prior to July 1, 2025, must complete such training by January 1, 2027. The bill further requires a guardian to include in his annual report to the local department of social services a statement as to whether such training has been completed.

Bill Patron: Danica A. Roem

24104701D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
1/19/2024	Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) Senate: Rereferred to Finance and Appropriations
1/9/2024	Senate: Referred to Committee on Rehabilitation and Social Services

SB 305 - Gas-powered leaf blowers; local prohibition or regulation, civil penalty.

Local prohibition or regulation of gas-powered leaf blowers; civil penalty. Provides that any locality may by ordinance prohibit or regulate the use of gas-powered leaf blowers. The bill provides that the ordinance may include provisions for a civil penalty and that the funds from such civil penalties may be used by the locality to assist with the purchase of nonprohibited leaf blowers by residents and local businesses.

Bill Patron: Saddam Azlan Salim

24102210D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also HB 644 (Sullivan).

Date of Action	Action Notes
1/9/2024	Senate: Referred to Committee on Local Government

SB 336 - Photo speed monitoring devices; high-risk intersection segments.

Photo speed monitoring devices; high-risk intersection segments. Permits a state or local law-enforcement agency to place and operate a photo speed monitoring device at a high-risk intersection segment, defined in the bill, located within the locality for the purpose of recording violations resulting from the operation of a vehicle in excess of the speed limit, provided that such law-enforcement agency certifies that a traffic fatality has occurred since January 1, 2014, in such segment. The bill provides the same requirements for such devices, information collected from such devices, and any enforcement actions resulting from information collected from such devices as current law applies to the use of such devices in school crossing zones and highway work zones.

Bill Patron: Danica A. Roem

24105033D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Support efforts to expand speed camera programs.

Date of Action	Action Notes
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1/25/2024	Senate: Reported from Transportation (10-Y 5-N)
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1/9/2024	Senate: Referred to Committee on Transportation
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SB 346 - Net energy metering; solar interconnection, cost recovery.

Net energy metering; solar interconnection; cost recovery. Provides that an electric distribution company shall pay \$1 per kilowatt per day for the costs of lost electricity production for any and all delays beyond the regulatory notice period required by State Corporation Commission related to net energy metering. The bill requires that, for the purposes of net energy metering, an eligible customer-generator shall bear all reasonable costs of equipment required at the eligible customer-generator's side of the meter for the interconnection to the supplier's electric distribution system, including reasonable and prudent costs of additional controls, tests, or liability insurance. Additionally, the bill allows for cost recovery by Phase I and Phase II Utilities for electric distribution grid transformation projects that support the interconnection of generating facilities using energy derived from sunlight that are owned or contracted by eligible customer-generators, subject to the Commission finding those costs to be reasonable and prudent in accordance with existing law.

Bill Patron: Suhas Subramanyam

24104922D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also HB 117 (Sullivan).

Date of Action	Action Notes
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1/9/2024	Senate: Referred to Committee on Commerce and Labor
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SB 368 - Firearms; storage in residence where minor or person prohibited from possessing is present, penalty.

Storage of firearms in a residence where a minor or person prohibited from possessing a firearm is present; penalty. Requires any person who possesses a firearm in a residence where such person knows that a minor under 18 years of age or a person who is prohibited by law from possessing a firearm is present to store such firearm and the ammunition for such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person. The bill provides that a violation is a Class 4 misdemeanor. The bill exempts (i) any person in lawful possession of a firearm who carries such firearm on or about his person and (ii) the storage of antique firearms and

provides that the lawful authorization of a minor to access a firearm is not a violation of the bill's provisions. The bill also requires firearm dealers to post a notice stating such firearm storage requirements and the penalty for improperly storing such firearms.

Bill Patron: Jennifer B. Boysko

24104295D (1/9/2024)

Senate: Printed as engrossed

County Position: Support

Date of Action	Action Notes
1/31/2024	Senate: Reading of amendments waived Senate: Committee amendments agreed to
1/29/2024	Senate: Reported from Courts of Justice with amendments (9-Y 6-N)
1/9/2024	Senate: Referred to Committee for Courts of Justice

SB 447 - Firearm in unattended motor vehicle; civil penalty.

Firearm in unattended motor vehicle; civil penalty. Provides that no person shall leave, place, or store a handgun in an unattended motor vehicle, as defined in the bill, when such handgun is visible to any person who is outside such motor vehicle. The bill provides that any person violating such prohibition is subject to a civil penalty of no more than \$500 and such unattended motor vehicle may be subject to removal for safekeeping.

Bill Patron: David W. Marsden

24100642D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Board has historically supported.

Date of Action	Action Notes
1/25/2024	Senate: Read third time and passed Senate (21-Y 19-N)
1/22/2024	Senate: Reported from Courts of Justice (9-Y 6-N)
1/9/2024	Senate: Referred to Committee for Courts of Justice

SB 491 - Firearm industry members; creates standards of responsible conduct, civil liability.

Firearm industry members; standards of responsible conduct; civil liability. Creates standards of responsible conduct for firearm industry members and requires such members to establish and implement reasonable controls regarding the manufacture, sale, distribution, use, and marketing of the firearm industry member's firearm-related products, as those terms are defined in the bill. Such reasonable controls include reasonable procedures, safeguards, and business practices that are designed to (i) prevent the sale or distribution of a firearm-related product to a straw purchaser, a firearm trafficker, a person prohibited from possessing a firearm under state or federal law, or a person who the firearm industry member has reasonable cause to believe is at substantial risk of using a firearm-related product to harm themselves or unlawfully harm another or of unlawfully possessing or using a firearm-related product; (ii) prevent the loss of a firearm-related product or theft of a firearm-related product from a firearm industry member; (iii) ensure that the firearm industry member complies with all provisions of state and federal law and does not otherwise promote the unlawful manufacture, sale, possession, marketing, or use of a firearm-related product; and (iv) ensure that the firearm industry member does not engage in an act or practice in violation of the Virginia Consumer Protection Act. The bill also provides that a firearm industry member may not knowingly or recklessly create, maintain, or contribute to a public nuisance, as defined in the bill, through the sale, manufacturing, importing, or marketing of a firearm-related product. The bill creates a civil cause of action for the Attorney General or a local county or city attorney to enforce the provisions of the bill or for any person who has been injured as a result of a firearm industry member's violation to seek an injunction and to recover costs and damages.

Bill Patron: Jennifer D. Carroll Foy

24104526D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Board has historically supported.

Date of Action	Action Notes
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1/9/2024	Senate: Referred to Committee for Courts of Justice
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SB 568 - Crisis stabilization services; facilities licensed by DBHDS, nursing homes.

Crisis stabilization services; facilities licensed by Department of Behavioral Health and Developmental Services; nursing homes; dispensing and administration of drugs; emergency. Permits facilities licensed by the Department of Behavioral Health and Developmental Services that provide crisis stabilization services to maintain a stock of Schedules II through VI controlled substances necessary for immediate treatment of patients admitted to such facility. Under current law, maintenance of a stock of Schedule VI controlled substances is allowed under certain conditions, but a stock of Schedules II through V controlled substances may be maintained only if authorized by federal law and Board of Pharmacy regulations. The bill also allows automated drug dispensing systems and remote dispensing systems to be used by state facilities established

pursuant to Title 37.2 (Behavioral Health and Developmental Services), facilities that provide crisis stabilization services, nursing homes, and other facilities authorized by the Board of Pharmacy that meet certain conditions. The bill contains an emergency clause and directs the Board of Pharmacy to adopt emergency regulations to implement the provisions of the bill.

Bill Patron: R. Creigh Deeds

24102020D (1/10/2024)

Senate: Prefiled and ordered printed with emergency clause; offered 01/10/24

County Position: Support

See also HB 1336 (Sickles).

Date of Action	Action Notes
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1/10/2024	Senate: Referred to Committee on Education and Health
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SB 605 - Polling place; assistance for certain voters, definition of "disability," training for all officers.

Assistance for certain voters outside of the polling place; definition of "disability"; training. Expands the definition of "disability" for purposes of providing assistance outside of a polling place for voters with disabilities to include any permanent or temporary disability. Under current law, such definition of "disability" is limited to a permanent or temporary physical disability. The bill requires the training required for all officers of election to include specific training on voting outside of a polling place and directs the Department of Elections to incorporate into guidance documents for election officials the processes and procedures for voting outside of the polling place, including best practices for providing assistance for voters with disabilities.

Bill Patron: Suhas Subramanyam

24104168D (1/10/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

Date of Action	Action Notes
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1/23/2024	Senate: Reported from Privileges and Elections (11-Y 0-N 3-A)
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1/10/2024	Senate: Referred to Committee on Privileges and Elections
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SB 610 - Slot-retention requests; Developmental Disability waivers, sunset date.

Department of Medical Assistance Services; Department of Behavioral Health and Developmental Services; slot-retention requests; Developmental Disability waivers; sunset. Directs the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to

amend their regulations to allow for support coordinators to request and subsequently obtain approval of consecutive waiver slot-retention requests for a period of 365 calendar days for individuals who have been assigned a Developmental Disability waiver slot. Current regulations allow for four consecutive 30-day slot-retention extensions. The bill sunsets on June 30, 2026.

Bill Patron: David R. Suetterlein

24105008D (1/10/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Support

See also HB 577 (Runion).

Date of Action	Action Notes
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1/18/2024	Senate: Assigned Education and Health Sub: Health
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1/10/2024	Senate: Referred to Committee on Education and Health
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SB 642 - Firearms; purchase, etc., following an assault and battery against person in dating relationship.

Purchase, possession, or transportation of firearm following an assault and battery against a person in a dating relationship with the alleged offender, penalty. Provides that any person who knowingly and intentionally purchases, possesses, or transports any firearm following a misdemeanor conviction for an offense that occurred on or after July 1, 2024, for the offense of assault and battery against a person in a dating relationship, as defined in the bill, with the alleged offender or an offense substantially similar under the laws of any other state or of the United States is guilty of a Class 1 misdemeanor.

Bill Patron: Russet Perry

24105186D (1/11/2024)

Senate: Presented and ordered printed

County Position: Support

See also HB 362 (McClure).

Date of Action	Action Notes
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1/11/2024	Senate: Referred to Committee for Courts of Justice
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SJ 28 - Public transit systems, joint subcommittee to study funding needs.

Study; JLARC; funding needs in certain transit systems; report. Directs the Joint Legislative Audit and Review Commission to study long-term, sustainable, dedicated funding and cost-containment controls and strategies to ensure the Washington Metropolitan Area Transit Authority, Virginia Railway Express, and all Northern Virginia transit systems meet the growing needs of public transit in the region.

Bill Patron: Adam P. Ebbin

24104157D (1/10/2024)

Senate: Committee substitute printed

County Position: Support with Amendment

Support with amendment to address local representation and timeline.

Date of Action	Action Notes
1/31/2024	Senate: Read third time Senate: Agreed to by Senate by voice vote
1/30/2024	Senate: Committee substitute agreed to 24105637D-S1
1/26/2024	Senate: Reported from Rules with substitute by voice vote
1/10/2024	Senate: Referred to Committee on Rules

Monitor

HB 421 - Commonwealth Trespass Towing Rate-Setting Advisory Panel; established.

Towing fees; Commonwealth Trespass Towing Rate-Setting Advisory Panel established. Creates the Commonwealth Trespass Towing Rate-Setting Advisory Panel to advise the General Assembly and the Governor on statewide trespass towing fees and related ancillary fees. The bill increases from \$150 to \$190 the maximum statewide hookup and initial towing fee of any passenger car, from \$30 to \$65 the maximum ancillary fee for towing a vehicle between 7:00 p.m. and 8:00 a.m., and from \$30 to \$35 the maximum ancillary fee for towing a vehicle on a Saturday, Sunday, or holiday. The bill clarifies that such limitations on fees do not include any reasonable credit card fees. The bill requires localities to set their own towing rates to at least the amounts of the maximum statewide rates and removes requirements specific to Planning Districts 8 and 16 regarding localities setting their own towing rates.

Bill Patron: Delores L. McQuinn

24101500D (1/8/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Monitor

Date of Action	Action Notes
1/26/2024	House: Assigned Transportation sub: Innovations (Ad Hoc)
1/8/2024	House: Referred to Committee on Transportation

HB 775 - License plate reader systems; use by law-enforcement agencies, civil penalty.

License plate reader systems; civil penalty. Provides requirements for the use of license plate reader systems, defined in the bill, by law-enforcement agencies. The bill limits the use of such systems to scanning, detecting, and recording data about vehicles and license plate numbers for the purpose of identifying a vehicle that is (i) associated with a wanted, missing, or endangered person or human trafficking; (ii) stolen; (iii) involved in an active law-enforcement investigation; or (iv) in the vicinity of a recent crime and may be connected to that crime. The bill authorizes and requires the Commonwealth Transportation Board to establish a permitting process for installing and using such systems in state highway rights-of-way.

Bill Patron: Charniele L. Herring

24102759D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Monitor

See also SB 503 (Surovell).

Date of Action	Action Notes
1/26/2024	House: Assigned CT & I sub: Technology and Innovation
1/9/2024	House: Referred to Committee on Communications, Technology and Innovation

HB 920 - License plate readers; penalties.

Provides requirements for the use of license plate readers, defined in the bill, by law-enforcement agencies. The bill requires such agencies to enter into an agreement with the license plate reader owner or other responsible non-law-enforcement entity to operate a data trust, defined in the bill, to store the data collected by a license plate reader and requires any such law-enforcement agency to apply to the data trust for access to such data. The bill limits the use of license plate readers to scanning, detecting, and identifying license plate numbers for the purpose of identifying vehicles involved in certain crimes.

Bill Patron: Irene Shin

24101949D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Monitor

See also SB 539 (Bagby).

Date of Action	Action Notes
1/19/2024	House: Assigned PS sub: Public Safety
1/9/2024	House: Referred to Committee on Public Safety

HB 925 - Towing; vehicles with expired registration, civil penalty.

Towing; vehicles with expired registration; civil penalty. Requires a landlord that owns the parking lot of a multifamily dwelling unit, defined in the bill, to provide 48 hours' notice to a resident prior to removing or requesting the removal of a resident's vehicle, defined in the bill, from such parking lot of the multifamily dwelling unit for an expired registration or expired vehicle inspection sticker and to provide a copy of such notice to any towing operator with whom the landlord has contracted to enforce towing in such parking lot. The bill provides that if a landlord fails to provide such notice or does not wait the required 48 hours before removing or requesting the removal of the vehicle, he shall be subject to a civil penalty not to exceed \$250. The bill also prohibits towing operators, having such notice, from towing such vehicle until after the 48 hours have passed.

Bill Patron: Irene Shin

24105001D (1/9/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Monitor

Date of Action	Action Notes
1/26/2024	House: Assigned Transportation sub: Innovations (Ad Hoc)
1/9/2024	House: Referred to Committee on Transportation

HB 1017 - Discharge plans; copies to public elementary and secondary schools.

Discharge plans; copies to public elementary and secondary schools. Provides that prior to the discharge of any minor or individual who has been admitted to inpatient treatment and is a student at a public elementary or secondary school, a copy of such minor's or individual's discharge plan shall be provided to the division superintendent and the division safety official in the local school division in which such minor or individual attends such school.

Bill Patron: Tony O. Wilt

24100255D (1/10/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Monitor

See also SB 575 (Obenshain, M.).

Date of Action	Action Notes
1/10/2024	House: Referred to Committee on Education

HB 1037 - Law-enforcement purposes; installation, etc., of devices in highway right-of-way.

Installation, maintenance, and operation of devices in highway right-of-way for law-enforcement purposes; regulation authority; civil penalty. Authorizes the Department of State Police or the chief law-enforcement officer of a locality to install devices for law-enforcement purposes in the right-of-way of highways under state jurisdiction. The bill defines law-enforcement purposes as an active felony investigation, an effort to prevent a targeted act of violence, or an attempt to locate missing, endangered, or wanted persons by law enforcement through the identification of a motor vehicle and excludes from the definition the enforcement of speed limits, traffic laws, tolling requirements, or high-occupancy vehicle requirements. The bill authorizes entering into agreements with private entities for the maintenance and operation of such devices. The bill requires the data collected to be maintained for no more than 30 days following its collection and limits the data and information collected to data and information about (i) the make, model, condition, location, and color of a vehicle and the information on the vehicle's license plate and (ii) the date and time the data and information was collected.

Bill Patron: Robert S. Bloxom, Jr.

24103025D (1/10/2024)

House: Prefiled and ordered printed; offered 01/10/24

County Position: Monitor

See also SB 206 (Diggs).

Date of Action	Action Notes
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1/10/2024	House: Referred to Committee on Transportation
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SB 66 - Towing without consent of vehicle owner; fee.

Towing without consent of vehicle owner; fee. Decreases the maximum hookup and initial towing fee of any passenger car towed without the consent of its owner from \$150 to \$50. The bill also prohibits an ordinance made by a governing body of any locality for limiting towing fees from setting such limit for hookup and initial towing fee higher than statewide limits and removes the minimum fee limit for hookup and initial towing fees for such ordinance made by localities in Planning District 8 and Planning District 16.

Bill Patron: Mark J. Peake

24100895D (12/28/2023)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Monitor

Date of Action	Action Notes
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12/28/2023	Senate: Referred to Committee on Transportation
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SB 206 - Installation, maintenance, and operation of devices in highway right-of-way for law-enforcement.

Installation, maintenance, and operation of devices in highway right-of-way for law-enforcement purposes; regulation authority; civil penalty. Authorizes the Department of State Police or the chief law-enforcement officer of a locality to install devices for law-enforcement purposes in the right-of-way of highways under state jurisdiction. The bill defines law-enforcement purposes as an active felony investigation, an effort to prevent a targeted act of violence, or an attempt to locate missing, endangered, or wanted persons by law enforcement through the identification of a motor vehicle and excludes from the definition the enforcement of speed limits, traffic laws, tolling requirements, or high-occupancy vehicle requirements. The bill authorizes entering into agreements with private entities for the maintenance and operation of such devices. The bill requires the data collected to be

maintained for no more than 30 days following its collection and limits the data and information collected to data and information about (i) the make, model, condition, location, and color of a vehicle and the information on the vehicle's license plate and (ii) the date and time the data and information was collected.

Bill Patron: J.D. "Danny" Diggs

24103098D (1/8/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Monitor

See also HB 1037 (Bloxom).

Date of Action	Action Notes
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1/8/2024	Senate: Referred to Committee on Transportation
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SB 503 - License plate reader systems; use by law-enforcement agencies, civil penalty.

License plate reader systems; civil penalty. Provides requirements for the use of license plate reader systems, defined in the bill, by law-enforcement agencies. The bill limits the use of such systems to scanning, detecting, and recording data about vehicles and license plate numbers for the purpose of identifying a vehicle that is (i) associated with a wanted, missing, or endangered person or human trafficking; (ii) stolen; (iii) involved in an active law-enforcement investigation; or (iv) in the vicinity of a recent crime and may be connected to that crime. The bill authorizes and requires the Commonwealth Transportation Board to establish a permitting process for installing and using such systems in state highway rights-of-way.

Bill Patron: Scott A. Surovell

24100926D (1/9/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Monitor

See also HB 775 (Herring).

Date of Action	Action Notes
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1/9/2024	Senate: Referred to Committee on Transportation
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SB 539 - License plate readers; requirements for use by law-enforcement agencies, penalties.

License plate readers; penalties. Provides requirements for the use of license plate readers, defined in the bill, by law-enforcement agencies. The bill requires such agencies to enter into an agreement with the license plate reader owners or other responsible non-law-enforcement entity to operate a data trust, defined in the bill, to store the data collected by a license plate reader and requires any such law-enforcement agency to apply to the data trust for access to such data. The bill limits the

use of license plate readers to scanning, detecting, and identifying license plate numbers for the purpose of identifying vehicles involved in certain crimes.

Bill Patron: Lamont Bagby

24103148D (1/10/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Monitor

See also HB 920 (Shin).

Date of Action	Action Notes
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1/10/2024	Senate: Referred to Committee on Transportation
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SB 575 - Discharge plans; copies to public elementary and secondary schools.

Discharge plans; copies to public elementary and secondary schools. Provides that prior to the discharge of any minor or individual who has been admitted to inpatient treatment and is a student at a public elementary or secondary school, a copy of such minor's or individual's discharge plan shall be provided to the division superintendent and the division safety official in the local school division in which such minor or individual attends such school.

Bill Patron: Mark D. Obenshain

24100254D (1/10/2024)

Senate: Prefiled and ordered printed; offered 01/10/24

County Position: Monitor

See also HB 1017 (Wilt).

Date of Action	Action Notes
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1/18/2024	Senate: Assigned Education and Health Sub: Health
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1/10/2024	Senate: Referred to Committee on Education and Health
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SB 675 - Casino gaming; eligible host localities.

Adds Fairfax County to the list of localities eligible to host a casino in the Commonwealth and provides that any proposed site for a casino gaming establishment considered by Fairfax County shall be (i) located within one-quarter of a mile of an existing station on the Metro Silver Line, (ii) part of a coordinated mixed-use project development, (iii) outside of the Dulles airport flight path, (iv) within two miles of a major shopping destination containing not less than 1.5 million square feet of gross building area, and (v) outside of the Interstate 495 Beltway. The bill also requires an eligible host locality in selecting a preferred casino gaming operator to consider and give substantial weight to the proposer's history of or commitment to (a) paying or contracting for the payment of prevailing wages to those individuals providing construction labor during the initial construction of the casino gaming establishment and any hospitality facilities on the premises, and (b) entering into

labor peace agreements with labor organizations that are actively engaged in representing or seeking to represent employees in the gaming or hospitality industries in the Commonwealth. The bill also requires an eligible host locality to provide with its submission of its preferred casino gaming operator to the Virginia Lottery an executed agreement with its preferred casino gaming operator certifying that such casino gaming operator and any subcontractor or sublessee responsible for the performance of casino gaming or hospitality operations at the proposed casino gaming establishment will enter into a labor peace agreement with each labor organization actively engaged in representing or seeking to represent employees in the gaming or hospitality industries in the Commonwealth that requests such labor peace agreement, and evidence of all such signed labor peace agreements.

Bill Patron: David W. Marsden

24104966D (1/17/2024)

Senate: Committee substitute printed

County Position: Monitor

Date of Action	Action Notes
1/24/2024	Senate: Reported from General Laws and Technology with substitute (10-Y 4-N 1-A) Senate: Rereferred to Finance and Appropriations
1/18/2024	Senate: Assigned GL&T sub: Gaming
1/17/2024	Senate: Referred to Committee on General Laws and Technology

**BUDGET PROPOSALS FOR THE 2024-2026 BIENNIUM
DURING THE 2024 GENERAL ASSEMBLY SESSION
as of January 25, 2024**

BUDGET PROPOSALS FOR THE 2024-2026 BIENNIUM
DURING THE 2024 GENERAL ASSEMBLY SESSION
as of January 25, 2024

General

Source	Amendment	Fairfax County Impact
Compensation/Compensation Board		
Governor Item 469 S, W, and Y	<p>Provides funding for a 1% bonus payment for state-supported local employees on December 1, 2024.</p> <p>Provides for a 1% salary increase for state-supported local employees on July 1, 2025.</p> <p>Provides for another 1% bonus payment for state-supported local employees on December 1, 2025.</p> <p>No additional funding is included to address staffing standards or the restoration of prior salary fund reductions to unfunded or underfunded positions resulting from prior budget reductions.</p>	Positive. The County would receive approximately \$0.4 million in additional state funding from the Compensation Board in FY 2025 to provide a 1% bonus to state-supported local employees. An additional \$0.8 million in FY 2026 from the Compensation Board would be received to support a 1% salary increase on July 1, 2025, and another 1% bonus on December 1, 2025.
Judiciary/Public Safety		
Governor Item 31	Provides \$750,000 GF in FY 2025 and \$1.5 million GF in FY 2026 for specialty dockets.	Positive. The County's legislative program supports inclusion of state funding for specialty dockets for mental health and veterans.
Governor Item 396	Provides level funding for the State Aid to Localities with Police Departments ("HB 599") Program.	The County's legislative program supports full restoration of HB 599 law enforcement funding.
Governor Item 396 F	Provides \$18 million General Funds (GF) in FY 2025 as one-time funding to support efforts to fill persistent vacancies in law enforcement agencies in the Commonwealth of Virginia. The funding may be utilized as matches for state or local law enforcement agency recruitment strategies. Eligible uses include sign-on bonuses up to \$10,000 and relocation expenses up to \$1,000. The recruitment strategies must target law enforcement officers living outside of the Commonwealth, law enforcement officers employed by the federal government, or new recruits seeking career opportunities in law enforcement in the Commonwealth. \$3 million of the funding is allocated to wellness initiatives.	Positive. It is unclear how much the County would receive as there is no specific language on how these funds would be allocated through the state.
Governor Item 394	Provides additional \$2.4 million in FY 2025 and \$4.8 million in FY 2026 for the Victim-Witness	TBD.

BUDGET PROPOSALS FOR THE 2024-2026 BIENNIUM
DURING THE 2024 GENERAL ASSEMBLY SESSION
as of January 25, 2024

	Grant Program to account for declines in federal grant awards.	
Governor Item 394	Provides \$3.5 million in FY 2026 for sexual assault and domestic violence programs to account for declines in federal grant awards.	TBD.
Economic Development/Workforce/Housing		
Governor Item 110	Provides \$6 million GF in FY 2025 to increase resources in the Virginia Power Innovation Fund.	Positive. Support for innovation and green energy use and expansion is included in the County's legislative program.
Governor Item 113	Provides \$2 million GF in FY 2025 and \$2.3 million GF in FY 2026 to launch innovative framework for economic growth by focusing on ecosystem building, further developing sector expertise, and extensive collaboration.	
Governor Item 115 P	Provides \$100 million GF in FY 2025 to establish the Virginia Biotechnology, Life Sciences, and Pharmaceutical Manufacturing Network. The funding will be allocated between the University of Virginia, Virginia Tech, and Virginia Commonwealth University.	TBD.
Governor Item 130	Provides an additional \$3.6 million GF in FY 2025 and \$5.6 million GF in FY 2026 for the Workforce Credential Grant Program.	Positive. Support for workforce initiatives is included in the County's legislative program.
Governor Item 200	Provides \$3.9 million GF each year to establish regional career placement centers at community colleges that will ensure student access to employers with in-demand jobs, including those with paid internships and employed apprentice opportunities.	Positive. Support for workforce initiatives is included in the County's legislative program.
Governor Item 471	Provides \$15 million GF in FY 2025 for workforce recruitment program, creating a marketing program to attract and retain workforce by raising awareness of in-demand job opportunities and career pathways, promote training and certification programs, encourage college students and exiting military personnel to stay in Virginia, and recruit out-of-state workers to move to Virginia.	Positive. Support for workforce initiatives is included in the County's legislative program.
Agriculture and Forestry		
Governor Item 87	Provides an additional \$2 million in FY 2025 for the Agriculture and Forestry Industries Development Fund.	TBD.

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Governor Item 87	Provides \$2 million in FY 2025 to establish a new competitive grant program for agricultural technology research.	TBD.
Natural and Historic Resources		
Governor Item 359	Includes \$138.1 million supplemental deposit in FY 2025 into the Water Quality Improvement Fund (WQIF) for agricultural best management practices and non-point source pollution programs.	Positive. Support for WQIF funding is included in the County's legislative program.
Governor Item 359	Deposits \$100 million in FY 2025 into the Virginia Community Flood Preparedness Fund.	TBD.
Governor Item 359	Deposits \$25 million in FY 2025 into the Resilient Virginia Revolving Loan Fund, which provides loans or grants to local governments to finance or refinance the cost of resiliency projects.	TBD.
Governor Item 359	Provides \$5 million in additional funding for the Dam Safety, Flood Prevention and Protection Assistance Fund.	TBD.
Governor Item 371	Provides \$35 million in FY 2025 for a capital grant program to celebrate the country's Semi-quincentennial, the 250 th .	TBD.
Governor	No additional funding is included to fund the Stormwater Local Assistance Fund (SLAF).	Support for SLAF funding is included in the County's legislative program.
Other Items of Interest		
Governor Item 103	Reduces the appropriation for the Virginia Telecommunication Initiative by \$29.7 million in FY 2025 and by \$49.7 million in FY 2026, leaving an appropriation of \$20 million in FY 2025.	TBD.
Governor Item 471	Provides \$20 million in FY 2025 to support the American Revolution 250 Commission operations.	TBD.
Governor Item 471	Provides \$150 million to improve state agency information technology infrastructure.	TBD.
Tax Changes		
Governor Item 4-14	Reduces individual income tax rates by an average of 12% (5.10%, 4.40%, 2.65%, and 1.75%), resulting in a revenue reduction of \$3.5 billion for the state over the biennium.	No impact to County revenues. However, it will impact overall state revenue, which could affect the funding the state has for core services, potentially requiring local governments to fill in the gaps.
Governor Item 4-14	Increases statewide sales tax rate by 0.9 percentage point, generating \$1.8 billion in revenue over the biennium.	No impact to County revenues. The administration has indicated that this will offset the reduction in income tax and also that

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		the expectation is for the additional revenue generated by the expansion of the sales tax to make up for the elimination of the sales tax for K-12 funding.
Governor Item 4-14	<p>Effective January 1, 2025, expands the sales tax base to “new economy” products (digital downloads, streaming music and videos, computer services, website hosting and design, data storage, etc.), resulting in a revenue increase of \$714 million over the biennium.</p> <p>The projected increase in the Local Option 1% Sales Tax distribution statewide as a result of the expanded tax base is \$51.9 million in FY 2025 and \$130.4 million in FY 2026.</p>	<p>The administration has indicated that the expectation is for the additional revenue generated by the expansion of the sales tax to make up for the elimination of the grocery sales tax for K-12 funding. More information about the net impact on Fairfax County Public Schools (FCPS) is included in the Public Education section.</p> <p>Fairfax County is approximately 14% of the Local Option 1% Sales Tax statewide distribution. For half a year in FY 2025, the County would get \$7.3 million and \$18.3 million in FY 2026 in the County’s General Fund.</p>
Governor Item 4-14	Expands the non-refundable Earned Income Tax Credit (EITC) from 20% to 25% of the federal credit, resulting in a revenue reduction to the state of \$29 million in FY 2026.	No impact to County’s revenue.

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Public Education

Source	Amendment	Fairfax County Impact
Joint Legislative Audit and Review Commission (JLARC) Study		
<i>Governor</i>	Does not provide funding to address any of the JLARC study recommendations.	The watershed JLARC study released July 2023, demonstrates how dramatically the state has been underfunding K-12 and provides a critical opportunity to serve as an impetus for a substantial and ongoing increase in state K-12 funding. Because the JLARC report included both short-term and long-term recommendations, it is essential that the state begin to implement the short-term recommendations (including the full elimination of the support cap on K-12 positions).
Recalculation of Local Composite Index for 2024-2026		
<i>Governor</i> Item 125	The Local Composite Index (LCI) is calculated every two years, as part of the state's updating of K-12 costs. Counties and cities with a lower LCI receive more state funding, while those with a higher LCI receive less funding.	FCPS' LCI increased from 0.6532 to 0.6579 for the new biennium. The impact of the funding change associated with changes in the LCI for Fairfax County Public Schools (FCPS) has been included, primarily in SOQ accounts and estimated at a decrease in funding of \$9.3 million in FY 2025.
Update Costs of the Standards of Quality (SOQ)		
<i>Governor</i> Item 125	Provides approximately \$72.6 million GF in FY 2025 and approximately \$87.9 million GF in FY 2026 to fully fund the biennial rebenchmarking of K-12 SOQ costs. These increases do not reflect changes in policy, but are instead treated more as technical updates to address the cost of continuing current programs with the required data revisions.	<p>The funding is included across multiple line items in the overall SOQ accounts and the total impact cannot be isolated.</p> <p>It should be noted that, according to the JLARC study, the state SOQ formula dramatically underestimates the actual costs of public education, as evidenced by the fact that it provided \$6.6 billion less than what was spent by local school divisions in FY 2021. In FY 2022, FCPS spent \$1.2 billion above the SOQ formula's calculated required local effort.</p>
Sales Tax		
<i>Governor</i> Item 125	Language in the budget proposes to override the statutory requirement to provide an amount equal to the revenue that would have been distributed to school divisions if the state portion of the "grocery tax" had not been eliminated in January 2023. The proposed elimination of the supplemental	<p>This results in a decrease of \$36.7 million in FY 2025 offset by a basic aid increase resulting in a net reduction of \$23.9 million.</p> <p>It is important to note that the proponents of eliminating the state "grocery tax" on food assured localities and others that the revenue</p>

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	GF payment in lieu of the grocery sales tax totals approximately \$229 million over the biennium. The net reduction accounts for the offsetting increase to the state share of Basic Aid.	loss resulting from that policy change would be backfilled by the state in an ongoing fashion; unfortunately just a short time later, the Governor's budget proposes to undo that compromise, which was a concern for localities and school divisions as that legislation was being considered by the GA.
Governor Item 125	Recognizes additional sales and use tax revenues dedicated to public education resulting from additional revenue generated by taxable services and digital personal property (approximately \$85.7 million GF over the biennium).	<p>Of the \$85.7 million, FCPS' estimated share is \$5 million in FY 2025 and \$12.9 million in FY 2026 (net impact including basic aid offset).</p> <p>The Administration has represented this will make up for the "grocery tax" funding, but FCPS would receive substantially less than it would have under the "grocery tax" funding allocation. This would be extremely difficult to track in future years, and potentially ensures that state funding remains flat rather than growing over time (particularly in light of the fact that when any given state tax is reduced or eliminated, it is incredibly challenging to impose an additional tax or increase a tax rate to generate the revenues needed to fully fund core services).</p>
Bonuses in FY 2025		
Governor Item 125	Provides \$53 million in FY 2025 for the state's share of a 1% bonus payment for funded SOQ instructional and support positions, effective July 1, 2024.	<p>These funds require a local match based on the LCI. The proposal would provide state funding of approximately \$5.1 million for FCPS in FY 2025.</p> <p>For FY 2025, the cost to provide a 1% compensation increase totals \$28.5 million. After accounting for one-time state funding (and the fact that FCPS must pay 100% of any increase for non-SOQ positions), the net cost to FCPS would be \$23.4 million.</p> <p>Typically, state bonuses can present challenges, in addition to local match requirements, as they are not built into the salary base going forward. Additionally, in a high LCI locality like Fairfax County, the state funds a very small portion of the bonus, while FCPS must provide substantial funding to enact that bonus.</p>

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Compensation Increases in FY 2026		
Governor Item 125	Provides \$122.8 million GF in FY 2026 for the state share of a 2% compensation increase for funded SOQ instructional and support positions.	<p>The proposal would provide state funding of approximately \$11.7 million for FCPS in FY 2026. A required local match based on the division's LCI will be required.</p> <p>The cost to provide a 2% compensation supplement is \$56.9 million. After accounting for state funding, the net cost to FCPS would be \$45.2 million.</p> <p>As is the case with state funding for bonuses, state funding for salary increases, if funded, is a small part of the overall funding needed; Fairfax County must fund the rest. For example, the 5% raises in FY 2023 provided Fairfax County Public Schools (FCPS) with approximately \$22 million in state funding, while requiring approximately \$103 million in local funding.</p>
Reading Specialists		
Governor Item 125	Provides \$61.2 million over the biennium for the state share of one reading specialist position per 550 students in grades 4-5, and one reading specialist position per 1,100 students in grades 6-8, in accordance with legislation passed in 2023.	Of the \$61.2 million, FCPS' estimated share is \$2.7 million in both FY 2025 and FY 2026 and FCPS already meets the staffing requirements.
Other Items of Interest		
Governor Item 123	Provides \$200,000 GF in both FY 2025 and FY 2026 to create a Chief School Mental Health Officer to lead mental health and wellness initiatives for educators and K-12 students.	No FCPS impact.
Governor Item 117 R	Provides \$14.4 million over the biennium for the Virginia Department of Education to contract with a telehealth provider for the provision of high-quality mental health services statewide to public school students in grades 6-12.	More information on State program required to evaluate FCPS impact.
Governor Item 125	Provides funding for a one-time payment of \$350 million in FY 2025 to address unfunded liabilities in the Virginia Retirement System (VRS) public school teacher plan. Includes \$115 million GF and \$235 million from the Literary Fund. Uses \$150 million per year from the Literary Fund	Improving the funded status of the VRS will provide long-term financial savings for the state and localities.

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	(rather than GF) for school employee retirement contributions.	
Governor Item 125	Appropriates \$80 million Non-General Funds (NGF) per year from casino gambling proceeds deposited into the School Construction Fund for the School Construction Assistance Program.	As these are grant funds, there may be opportunities in the future to apply and receive funds.
Governor Item 125	Provides \$30 million GF per year for the College Partnership Laboratory School Fund.	Opposition to diverting funding away from local public schools and toward alternative options is reflected in the County's 2024 legislative program.
Governor Item 125	Provides \$20 million per year for a new Diploma Plus program, which would provide grants to high school students to support attainment of high-demand industry-recognized credentials.	No direct impact on FCPS.
Governor Item 116	Requires the Secretary of Education to convene a stakeholder work group to make recommendations on teacher compensation, specifically addressing regional, comparative, and differentiated pay analysis; how teacher pay impacts student achievement; and, an implementation plan for a teacher compensation model that includes student outcomes and a clear and reliable differentiated model.	

Impact to the FCPS's FY 2025 Operating Fund Budget:

Governor's Introduced Budget:

FCPS' FY 2025 Budget Forecast included \$64.6 million in additional state revenue. The Governor's budget includes a decrease of \$8.2 million in sales tax and an increase of \$21.5 million in state aid, for a net increase in state revenue of only \$13.3 million. Compared to the Budget Forecast, the Governor's budget leaves a gap of \$51.2 million.

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Health and Human Services

Source	Amendment	Fairfax County Impact
Children's Services Act (CSA)		
Governor Items 268, Item 269	Provides \$48.5 million GF in both FY 2025 and FY 2026 to reflect the projected growth in services provided through CSA. Cost increases are expected due to increased caseloads as well as rate increases for various services, including special education private day school services, foster care maintenance payments, and residential services.	TBD.
Early Childhood		
Governor Item 103.U.1	Provides \$25 million GF in FY 2025 to establish the early learning capital incentives grant program, with the objective of increasing the supply of quality early learning spaces in childcare and early learning deserts. Local government and public higher education institution grantees will be selected through a competitive process that prioritizes increasing capacity in areas of greatest need.	It is unclear whether Fairfax County would be eligible to apply, as the recent JLARC report, "Virginia's Self-Sufficiency Programs and the Availability and Affordability of Child Care" indicated that the Fairfax region does not have an unmet demand for child care slots. Support for early childhood education is included in the County's Legislative Program.
Governor Item 117.N	Provides \$174.3 million GF in FY 2025 and \$237.8 million GF in FY 2026 to continue the Child Care Subsidy Program after federal pandemic funding becomes unavailable. A portion of this support is from redirected savings under the Virginia Preschool Initiative (VPI) and Early Childhood Expansion programs. Additionally, this funding supports the establishment of a digital wallet platform to host early learning and child care accounts for participating families.	Positive. This will continue to expand access to affordable child care. However, additional funds are still needed to serve new families.
Governor Item 117.P	Extends authority allowing the Superintendent of Public Instruction to alter staff-to-child ratios and group sizes for licensed child day centers and child day centers that participate in the Child Care Subsidy Program. Authority is now set to expire June 30, 2026.	While this continued flexibility will mitigate some ongoing workforce recruitment and retention challenges, there could be unintended negative consequences if the child: teacher ratio is increased, as that affects quality child care.
Governor Item 125.C.14.a.4a	For Planning District 8 localities, raises the state share of the per pupil grant for the VPI from \$8,989 to \$10,701 for students in the full-day	Positive. However, need to ensure the County is able to match the

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	program, and raises the state share of the per pupil grant from \$4,495 to \$5,351 for students in the half-day program.	increase in order to increase capacity.
Governor Item 125.C.14.a.4a	Directs the Department of Education, by November 1 of odd years, to determine an appropriate non-participation rate for VPI by examining participation levels and unmet demand across all birth to five-year-old publicly funded early childhood programs and expected enrollment in the upcoming biennium. Future budgets will include the application of this non-participation rate, and any resulting savings from VPI will be appropriated to the Child Care Subsidy Program.	TBD. It is unclear what the formula to project enrollment for the biennium will be or how it could affect the County.
	Eliminates language capping the LCI at 0.5 for the purposes of determining the state and local shares of funding for VPI. This cap was put in place when Governor Kaine made a big push on expanding preschool, and it makes a substantial funding difference for high LCI localities like Fairfax County.	Current budget language caps the LCI for VPI at 0.5; removing the cap would mean that the local share would increase for localities with LCIs above 0.5, which could affect the County's ability to expand the program to serve more students.
Governor Item 125.C.14.b.1	Adds language requiring a locality's VPI plan to include a mechanism for annually measuring and reporting unmet parental demand and preferences, including establishing waitlists.	It will be important to ensure that there are no unintended consequences in requiring a waitlist, as some families could potentially be on the same waitlist for both Head Start and VPI.
Governor Item 125.C.14.l	Anticipates savings from VPI, transferring unused VPI funds to VDOE to support direct services under the Child Care Subsidy Program (provided there is unmet parental demand rather than allowing this funding to be used as flexible funding to supplement any other VPI initiatives).	It will be important to ensure funding is transferred to the Child Care Subsidy Program only if VPI funds are unused and all VPI requirements are met.
Workforce		
Governor Item 271.C	Adds \$5 million GF in both FY 2025 and FY 2026 for the Behavioral Health Loan Repayment Program and expands the program to include psychiatric registered nurses. \$1 million in each year is reserved for awards to eligible school-based behavioral health professionals.	TBD. This is a positive step by the state to find ways to stabilize the behavioral health care workforce in the future. To support behavioral health staff working at CSBs and other public agencies, language could be added prioritizing access to such funding for those participating in the public behavioral health care system.

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Governor Item 271.F	Adds \$936,000 GF in both FY 2025 and FY 2026 to fund nursing scholarship and loan repayment programs.	TBD. A positive step by the state to find ways to stabilize the public health and behavioral health care workforce in the future. The funding opportunities proposed have the potential to increase the pipeline and retention of nurses.
Governor Item 271.H	Provides \$4 million GF in both FY 2025 and FY 2026 to continue the Earn to Learn Nursing Program. (\$5 million was provided in FY 2024 to establish the program.)	TBD. A positive step by the state to find ways to stabilize the public health and behavioral health care workforce in the future. The funding opportunities proposed have the potential to increase the pipeline and retention of nurses.
Department of Health		
Governor Item 275.A.	Allows tuberculosis (TB) funding to be used for both drug-resistant and drug-susceptible tuberculosis based on need.	Positive. Provides funding flexibility to meet the demand of patients with either drug susceptible or drug resistant TB (i.e. combines funds that are currently divided into two separate accounts).
Governor Item 277.G	Provides \$333,333 GF in FY 2025 and \$500,000 GF in FY 2026 as the state match to support evidence-based home visiting services from the federal Maternal Infant Early Childhood Home Visiting (MIECHV) program.	Positive. This additional appropriation will allow the state to meet the Health Resources and Services Administration (HRSA) requirements for a state match to sustain evidence-based home visiting in localities that receive MIECHV funds (including Fairfax County).
Behavioral Health		
Governor Item 288.UU.1.b	Provides \$1 million GF and \$1 NGF in both FY 2025 and FY 2026 to fund 20 psychiatric residents who will begin their residences in July 2024.	TBD. Positive step by the state to find ways to stabilize the behavioral health care workforce in the future.
Governor Item 288.XX	Effective July 1, 2024, authorizes Department of Medical Assistance Services to modify Medicaid behavioral health services to: (1) phase out legacy services, including Mental Health Skill Building, psychosocial rehabilitation, intensive in-home services, and therapeutic day treatment; (2) replace youth services with tiered community-based supports for youth and families with, and at-risk for, behavioral health disorders appropriate for delivery in homes and schools; (3) replace legacy services for adults with a comprehensive	TBD. While this is a needed change, the local impact of the proposed changes, and the involvement of DMAS, raises several concerns. There is a lack of clear language about partnering with community-based service providers – both public and private – to fully grasp the implications of these changes. The expectation for cost neutrality is problematic, as it

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	<p>array of psychiatric rehabilitative services for adults with serious mental illness (SMI), including community-based and center-based services; (4) replace legacy Targeted Case Management – SMI and Targeted Case Management – Serious Emotional Disturbance (SED) with Tiered Case Management Services. All new and modified services must be evidence-based and trauma-informed. DMAS will only proceed with these changes if they can be implemented in a budget neutral manner. Any new or modified services will be designed to ensure out-year costs are in line with the current legacy service spending projections, and no new Medicaid behavioral health services or rates will be implemented until corresponding legacy services have ended. Implementation of the authorized redesigned services will be completed no later than June 30, 2026. This transition is necessary to ensure Virginia can secure federal support for a comprehensive continuum of behavioral health services through an 1115 SMI waiver.</p>	<p>typically results in service providers – both contracted and directly operated – absorbing the financial burdens of significant changes. Additionally, there are concerns about the clarity and communication of information, especially with numerous unanswered questions and the state's push towards a set deadline of June 30, 2026.</p>
<p>Governor Item 288.VVVV</p>	<p>Directs DMAS to seek federal authority to expand provider qualifications, allowing individuals working on their required hours of supervision for certification through the Department of Behavioral Health and Developmental Services (DBHDS) to be approved as Medicaid providers for mental health and substance use disorder peer support services. Also authorizes DMAS to adjust caseload limits for peer recovery specialists to align with DBHDS and the Department of Health Professions, as well as revised policies reflecting the need to operate within a crisis or emergency room setting. DMAS must ensure that any provider caseload limit increase does not have any adverse impact on quality of care or program integrity. Also authorizes DMAS to promulgate emergency regulations to implement these changes within 280 days of enactment of the budget.</p>	<p>Positive. In the short term, the CSB could lower minimum qualifications for entry level peer recovery specialists, broadening the possible applicant pool. This should improve recruitment efforts. Peer recovery specialist positions are difficult to fill, and such employees are difficult to retain. In the medium term, CSB could begin billing Medicaid for Peer Recovery Support Services, likely in FY 2026.</p>
<p>Governor Item 295.GG</p>	<p>Provides \$1 million GF in both FY 2025 and FY 2026 for DBHDS to contract with a vendor to establish and maintain a credentialing database for youth mental health services.</p>	<p>TBD. Streamlining the credentialing process and creating a database that increases efficiencies and the timeliness of tracking credentialing is positive for CSBs,</p>

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		as long as there is not an accompanying increased paperwork burden.
Governor Item 295.JJ	Provides \$10 million in FY 2025 for comprehensive psychiatric emergency programs or similar models of care in emergency departments.	TBD. Further analysis and information on how and where funding will be allocated is needed. Investments in a comprehensive psychiatric care program would be a positive use of funds.
Governor Item 295.KK	Provides \$2.6 million GF in both FY 2025 and FY 2026 for DBHDS to contract with the Virginia Crisis Intervention Team Coalition to facilitate expansion of de-escalation training and knowledge of behavioral health laws and regulations.	TBD. Direct impact on County unknown at this time, but funding to facilitate expansion of de-escalation training and knowledge of behavioral health laws and regulations among first responders and hospital personnel is beneficial, especially given that the Department of Criminal Justice Services is working towards Crisis Intervention curriculum standardization across the state by January 2025.
Governor Item 295.LL	Provides \$1.1 million GF in FY 2025 and \$210,000 GF in FY 2026 to support the costs of medically monitored high-intensity inpatient services for youth and adolescents with serious mental illness or substance use disorder who may otherwise require inpatient hospitalization.	Positive. CSB is working to build a Crisis Receiving Center that would include this level of care, for youth, in Fairfax to serve the region. Additional funding would be helpful.
Governor Item 296.E	Provides \$4.7 million GF in both FY 2025 and FY 2026 for alternative custody and transportation for individuals subject to temporary detention orders and expands eligibility to cover individuals under involuntary commitment orders. DBHDS shall implement a plan for alternative custody options in consultation with local law enforcement, CSBs, or other stakeholders, as appropriate.	TBD. Further analysis is needed to determine full impacts to the County.
Governor Item 296.O	Reduces by \$1.2 million GF in both FY 2025 and FY 2026 funding to divert admissions from state hospitals by purchasing acute inpatient and community-based psychiatric services at private facilities. This reflects anticipated balances for local inpatient purchase of service funds.	No impact. Reduced funding for Local Inpatient Purchase of Service (LIPOS) is reasonable at this point, as the County and other regions continue to face increased difficulty securing hospital beds because of the Commonwealth's capacity issues and insufficient funding.

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Governor Item 296.P.2	Amends language relating to alternative inpatient options to allocate \$1.5 million to pursue a pilot program to support non-inpatient services for individuals at risk of discharge from a private inpatient setting into a state facility setting.	TBD. Further analysis and information on location of pilot program needed to determine full impacts to the County.
Governor Item 296.S	Provides \$33 million GF in FY 2025 and \$2.6 million GF in FY 2026 to support the continued expansion and modernization of the statewide crisis services system by investing in crisis receiving centers, crisis stabilization units, pharmacy improvements, and other crisis initiatives.	TBD. Further analysis and information about how funding will be allocated is needed to determine full impacts to the County. Funding going toward crisis services is positive, but it is essential that the allocation is fair to localities based upon population size.
Governor Item 296.U	Provides \$10 million GF in FY 2025 for the one-time costs of establishing additional mobile crisis services in underserved areas	TBD. Further analysis and information on how funding will be allocated is needed. The funding for mobile crisis units is one-time funding, so jurisdictions will have to absorb the costs with local dollars after the first year. Community-based mobile crisis services throughout the state could help to alleviate the current burden on state psychiatric hospitals, potentially increasing capacity for all jurisdictions (including Fairfax) when inpatient beds are truly needed for the most acute clients.
Governor Item 297.SS	Provides \$3.4 million GF in FY 2025 and \$3.3 million GF in FY 2026 for peer wellness stay programs.	TBD. Further analysis needed to determine full impacts to the County.
Medicaid Waivers		
Governor Item 288.L	Provides \$50 million GF and \$52.2 million NGF in FY 2025, and \$100.2 million GF and \$104.3 million NGF in FY 2026, to increase the number of Developmental Disability (DD) waiver slots by adding 344 Community Living (CL) slots (172 in each year), and 3,096 Family and Individual Supports (FIS) slots (1,548 in each year).	Positive in increasing waiver slots to eliminate the Priority 1 (P1) waitlist – a priority for Fairfax County. While the expansion of waiver slots is a critical step forward in providing necessary services to more families, such growth requires a well-coordinated, strategic approach with DBHDS to effectively manage the implications on staffing, service provision, and overall system capacity in Fairfax County. While the ability to offer

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		services to more families is unquestionably positive, the dynamic and unpredictable nature of the P1 waitlist in the County presents significant challenges. As nearly a third of Virginia's P1 individuals reside in Fairfax County, flexibility to gradually initiate waiver services as CSB works to address staffing ratios and allow community providers to manage the expected increase in demand is needed.
Governor Item 288.UUUU	Directs DMAS to seek federal authority to implement a telehealth option for the following DD waiver services – benefits planning, community coaching, community engagement, community guide, group day services, group and individual supported employment, independent living supports, individual and family/caregiver training, in-home support services, peer mentoring, service facilitation, therapeutic consultation, and workplace assistance services.	Telehealth service delivery would impact support coordinators' ability to effectively assess an individual's environment, general health/well-being, and safety. This may be sufficient on a case-by-case basis when in-person visits cannot be managed, but it is not ideal or sufficient in all circumstances. Would give Support Coordinators more flexibility in participating in and observing the services being provided. However, telehealth decreases the number of people physically seeing the person in their environment, which could lead to unseen/unreported abuse, neglect and exploitation. There is also a potential for fraudulent use, which would increase workload for Support Coordinators who monitor supports being provided.
Opioids/Substance Use Disorder		
Governor Item 49.H	Provides \$1 million in both FY 2025 and FY 2026 from a multistate settlement associated with JUUL products to DBHDS to support an annual youth vaping prevention campaign.	Positive. Support for addressing the vaping crisis affecting teens and young adults is included in the County's Legislative Program.
Governor Item 49.I	Provides \$4 million in both FY 2025 and FY 2026 from the Commonwealth Opioid Abatement and Remediation Fund for DBHDS to address the opioid crisis through a marketing campaign and classroom-based programmatic efforts.	No impact to County revenues. Funds go to DBHDS, but the County supports increased state action to address the opioid crisis.

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<i>Governor</i> Item 60.P	Provides \$500,000 in one-time funding in FY 2025 from the Commonwealth Opioid Abatement and Remediation Fund for an Opioid Use Reduction and Jail-based Substance Use Disorder Treatment and Transition Fund to address the opioid crisis in jails and post-release communities.	No anticipated County impact.
<i>Governor</i> Item 275.L	Provides \$5.5 million in both FY 2025 and FY 2026 from the Commonwealth Opioid Abatement and Remediation Fund for the purchase and distribution of opioid reversal agents and test kits and for the development of tracking software.	TBD. It remains unclear how funding will be allocated throughout the state.
<i>Governor</i> Item 281.C	Provides \$400,000 in FY 2025 from the Commonwealth Opioid Abatement and Remediation Fund to establish a one-year demonstration project to implement testing for the analysis of fentanyl and norfentanyl in wastewater in up to three geographically diverse localities. A report on the findings and conclusions of the project will be provided to the Governor, the Chairmen of the House Appropriations and Senate Finance and Appropriations Committees, and the Department of Planning and Budget director at the conclusion of the project.	TBD. Three localities will be chosen for this demonstration project. The funding level in the Governor's proposed budget may be insufficient to include Fairfax County as one of the localities. Moreover, in addition to fentanyl and norfentanyl, the state should also be testing for xylazine (aka "Tranq"), as an emerging overdose challenge.
<i>Governor</i> Item 295.X	Amends language to allow access to substance use disorder treatment in specialty dockets, rather than only in drug treatment courts.	Positive. Broadening the scope of docket services is positive, as 60% of all mental health docket participants also have co-occurring substance use disorder.
Other Items of Interest		
<i>Governor</i> Item 295.CC, Item 296.N	Amends language to allow funds for dementia behavioral specialists and other dementia-specific purposes to be used for the general geriatric population.	Broadening the scope of these services is positive.
<i>Governor</i> Item 324.J	Provides \$1.5 million GF in FY 2025 and \$2.5 million GF in FY 2026 to develop and implement educational programming, coaching and support services for fathers, and to create a public awareness campaign that promotes responsible and involved fatherhood in Virginia. Educational and other programmatic materials will be made available to all local departments of social services and other relevant Virginia departments and agencies.	Positive. Funding could sustain the Stable Families, Thriving Futures program, which provides support to pregnant and parenting teens and young adults, including responsible fatherhood resources.

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Item 326.I, R	Provides \$8.1 million GF in FY 2025 and \$7.8 million GF in FY 2026 to sustain the relative maintenance payment program and provide funding for kinship and alternative living arrangement supports. Includes funding for bonus payments to local departments of social services not to exceed \$250 for each time a new child enters foster care and is placed with a kinship foster parent or for a child already in foster care who transitions to the care of a kinship foster parent. Payments will not exceed \$360,000/year, in aggregate.	Positive. This will help increase permanency for children in foster care and give financial support to the relatives who take care of these children. The bonus payments could be used to support relative placements (such as purchasing beds, dressers, smoke detectors, etc.) to help ensure approval and placement for the child in foster care to live with their relative.
Item 329.T	Provides \$246,548 GF in both FY 2025 and FY 2026 to address the increase in adult protective services calls to the child protective services hotline.	No County impact.
Item 334.G	Provides \$50,000 GF and \$50,000 NGF in FY 2025 to initiate a pilot program to send a text message to Medicaid recipients prior to renewal to determine if continued enrollment is desired.	No County impact.
<i>Governor</i> Item 394.G	Provides \$3.5 million GF in FY 2026 to support sexual assault and domestic violence programs to account for declines in federal grant awards.	This funding will offset continued cuts to Virginia's Victims of Crime Act (VOCA) allocation. Additional investment is needed to restore services and support growing demand.

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Transportation

Source	Amendment	Fairfax County Impact
REGIONAL ITEMS		
Northern Virginia Transportation Authority (NVTa) Funding		
<i>Governor</i> Item 446	Includes approximately \$847.2 million for distribution of NVTa Fund revenues over the biennium, approximately a \$25.2 million increase.	<p>The amount received by the County is dependent on actual collections from revenue sources. Through its Six Year Program, NVTa allocates 70% (approximately \$593.1 million in FY 2024-2026) to regional projects, and that funding has already been approved for projects through adoption of NVTa's FY 2020-2025 and FY 2022-2027 Six Year Programs.</p> <p>Fairfax County should receive approximately \$114 million over the biennium to allocate for local projects approved by the Board of Supervisors (30% funding returned to localities), minus the respective shares provided to the Towns of Vienna and Herndon. Approximately \$14 million annually of this "30% funding" will likely be transferred to the Commonwealth's Washington Metropolitan Area Transit Authority (WMATA) Capital Fund for the County's share of local funding for State of Good Repair, as required by HB 1539/SB 856 (2018).</p>
Regional Gas Tax		
<i>Governor</i> Item 430	Provides approximately \$207.4 million over the 2024-2026 biennium for regional gas taxes (for NVTC, Potomac and Rappahannock Transportation Commission (PRTC), and other regional gas taxes). Estimates approximately \$101.6 million for NVTC over the FY 2024-2026 biennium, and an additional \$22.2 million annually that is transferred to the WMATA Capital Fund per HB 1539/SB 856 (2018). Also, \$15 million of NVTC and PRTC revenues are transferred annually to the Commuter Rail Operating and Capital Fund.	The amount received by NVTC and the County is dependent on actual collections from the revenue sources.
Washington Metropolitan Area Transit Authority (WMATA) Funding		

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<p>Governor Item 433</p>	<p>Specifies that Virginia's share of WMATA's FY 2025 budget may increase by an amount determined to be appropriate by the Director of the Department of Rail and Public Transportation (DRPT), rather than the 3% cap specified in Code of Virginia. The budget requires the Director of DRPT to submit recommendations to the Secretary of Transportation by July 31, 2024. At that time, the Director is required to direct WMATA to prepare and submit a corrective action plan by November 30, 2024, which must include, at a minimum, cost reduction strategies, sizing employee headcount relative to ridership and vehicle-revenue miles, and a timeline for automation of the Metrorail system. If total Virginia operating assistance included in the approved FY 2025 WMATA budget increases by more than the amount recommended by the Director of DRPT, or if WMATA fails to submit a satisfactory corrective action plan, the Commonwealth Transportation Board (CTB) will withhold 35% of state aid, in accordance with the Code of Virginia.</p>	<p>Could help address one of the issues that must be dealt with as part of the WMATA budget shortfall. While the County believes that WMATA should meet a statutory requirement, it is important to remember that the local jurisdictions in Virginia are responsible for providing substantial funding for WMATA. If the Commonwealth withholds its contributions, the local governments are still legally bound to make the payments.</p>
<p>STATEWIDE PROGRAMS</p>		
<p>Department of Rail and Public Transportation (DRPT)</p>		
<p>Governor Item 433</p>	<p>Provides approximately \$1.4 billion for Public Transportation Programs (approximately \$212.9 million over the FY 2022-2024 biennium, due to updated revenue projections), including:</p> <ul style="list-style-type: none"> • Approximately \$226.1 million for Operating Assistance (approximately \$13.1 million increase); • Approximately \$156.9 million for Capital Assistance (approximately \$36.9 million increase); • Approximately \$429.1 million for WMATA operating and capital costs (state share of WMATA assistance) (approximately \$71.4 million increase); • Approximately \$55.4 million for the Transit Ridership Incentive Program (TRIP) (new set-aside in the budget); • Approximately \$32.3 million for Virginia Railway Express (VRE) Assistance (new set-aside in the budget); 	<p>Statewide Operating and Capital funding is subject to the transit prioritization process required by legislation passed in the 2018 General Assembly, entitled MERIT, and programs created in HB 1414/SB 890 (2020), so the impact to Fairfax Connector is unclear.</p> <p>TRIP funding is allocated through a separate application process.</p> <p>Per HB 1496/SB 1079 (2023), VRE now receives up to 3.5% of the Commonwealth Mass Transit Fund for operations and capital (similar to WMATA's set-aside), rather than receive funding through the MERIT process.</p>

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	<ul style="list-style-type: none"> • Approximately \$23.1 million for Special Programs (new set-aside in the budget); • \$4 million for federally mandated state safety oversight of fixed rail guideway transit agencies, i.e. the Metrorail Safety Commission (MSC) (no change); and, • \$100 million as the state match for the federal Passenger Rail Investment and Improvement Act (PRIIA) (no change). <p>Includes approximately \$318.8 million for the WMATA Capital Fund, which includes state funding as well as the local and regional funding redirected as part of HB 1539/SB 856 (2018) (no change).</p>	
Virginia Passenger Rail Authority/Rail Programs		
Governor Item 431	Includes approximately \$687.1 million for passenger rail development and operation programs (approximately \$71.7 million above FY 2022-2024 projections).	TBD. Will help fund rail projects, including those located in Northern Virginia (such as improvements in the I-95 Corridor).
Virginia Department of Transportation (VDOT)		
<u>Environmental Monitoring and Evaluation</u>		
Governor Item 436	Includes approximately \$54.2 million for Environmental Monitoring and Evaluation (approximately \$.6 million decrease). This includes approximately \$24.2 million for Environmental Monitoring and Compliance for Highway Projects (approximately \$4.3 million increase) and approximately \$21.2 million for Municipal Separate Storm Sewer System (MS4) Compliance Activities (approximately \$6.2 million decrease).	TBD.
<u>Highway Construction</u>		
Governor Item 438	Provides approximately \$7.6 billion for Highway Construction Programs, an approximately \$1.5 billion decrease, due to updated revenue projections, the removal of GF appropriations for one-time spending in the last budget, and the adjustment of appropriation amounts to conform to the final program amounts in the FY 2024-2026 Transportation Six-Year Financial Plan, as approved by the CTB in June 2023. This includes:	<p>Many of these funds are subject to Smart Scale or other prioritization processes, so the impact to Fairfax County is unclear.</p> <p>The decrease in CMAQ should decrease the amount of funding from this program that is provided to Northern Virginia.</p>

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	<ul style="list-style-type: none"> • Approximately \$256.5 million for the Virginia Highway Safety Improvement Program (approximately \$104.1 million increase); • Approximately \$910.1 million for the Interstate Operations and Enhancement Program (approximately \$322.1 million increase); • Approximately \$840 million for State of Good Repair (approximately \$7.9 million increase); • Approximately \$598.1 million for the High Priority Projects Program (approximately \$265.8 million decrease); • Approximately \$865.3 million for the Construction District Grant Program (approximately \$158.1 million decrease), which includes approximately \$241.7 million from the regional fuel tax collected in transportation districts that do not have a regional authority; • Approximately \$3.8 billion for Specialized State and Federal Programs (approximately \$1.2 billion decrease); and, • \$214 million for Legacy Construction Formula Programs (\$296.2 million decrease). <p>Of the Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> • Approximately \$280.9 million for the federal Regional Surface Transportation Program (RSTP) (approximately \$47.5 million increase); • Approximately \$78.6 million in federal funds for a new federal resiliency program (approximately \$11 million decrease); • Approximately \$167.8 million for the federal Congestion Mitigation and Air Quality Program (CMAQ) (approximately \$124.1 million decrease); • \$400 million for Revenue Sharing (Approximately \$5.4 million decrease); • Approximately \$64.7 million for the Surface Transportation Block Grant 	<p>The increases in RSTP and Transportation Alternative funds could benefit the County and region.</p>
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	<p>Program Set-Aside (approximately \$24.3 million increase); and,</p> <ul style="list-style-type: none"> Approximately \$69.1 million federal and state matching funds for the federal Carbon Reduction Program (approximately \$1.1 million decrease). <p>Included in the amounts for Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> Approximately \$1.7 billion represents estimated project participation costs from localities and regional entities; and, The reappropriation of approximately \$935.3 million from bond proceeds from various bond programs. <p>Provides at least \$200 million to the Transportation Partnership Opportunity Fund (TPOF) out of the Commonwealth Transportation Funding in the FY 2025-2030 Six-Year Financial Plan. Provides an additional \$20 million for TPOF from the GF.</p> <p>Provides \$70 million from the GF to support the I-81 Northbound Lane Widening Program in the Salem District.</p> <p>Does not provide a specific allocation for the Virginia Transportation Infrastructure Bank.</p>	
<u>Highway Maintenance</u>		
<i>Governor</i> Item 439	<p>Provides approximately \$4.7 billion for Highway System Maintenance and Operations (approximately \$482 million increase). This includes:</p> <ul style="list-style-type: none"> Approximately \$1 billion for interstates (approximately \$44 million increase); Approximately \$1.3 billion for primaries (approximately \$255.9 million decrease); Approximately \$1.5 billion for secondaries (approximately \$291.9 million increase); and, Approximately \$755.3 million for Transportation Operations Services (approximately \$354.9 million increase). 	Using historical estimates, approximately \$73 million more may be available for maintenance and operations within Northern Virginia.
<u>Special Structures</u>		

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Governor Item 440	Provides \$171.8 million for this program (approximately \$10.5 million increase).	The Commonwealth's report on the overall condition of special structures identified only one such structure in Northern Virginia, so this will likely have little impact on the region.
<u>Toll Facilities</u>		
Governor Item 441	Provides approximately \$195.7 million for toll facilities (approximately \$1.2 million decrease), including approximately \$112.2 million for Maintenance and Operations (approximately \$11.2 million decrease); and approximately \$83.5 million for the Revolving Fund (\$10 million decrease).	TBD.
<u>Virginia Port Authority</u>		
Governor Item 449	Provides \$33.9 million for Economic Development Services (approximately \$18.3 million increase), with \$16 million provided from the Commonwealth Transportation Fund (CTF). The CTF has not historically provided funding for this purpose.	

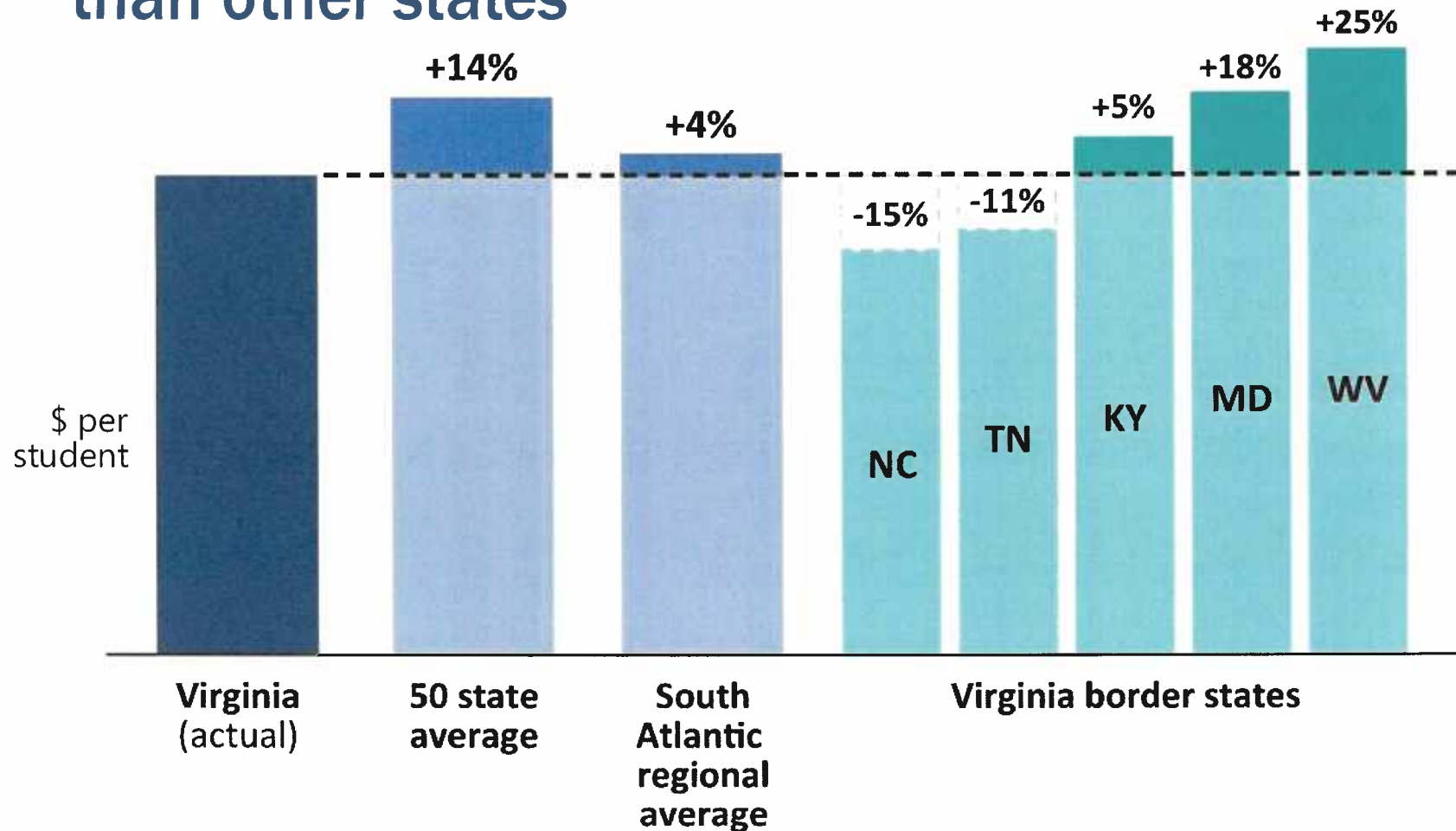


Virginia's K–12 Funding Formula

Background

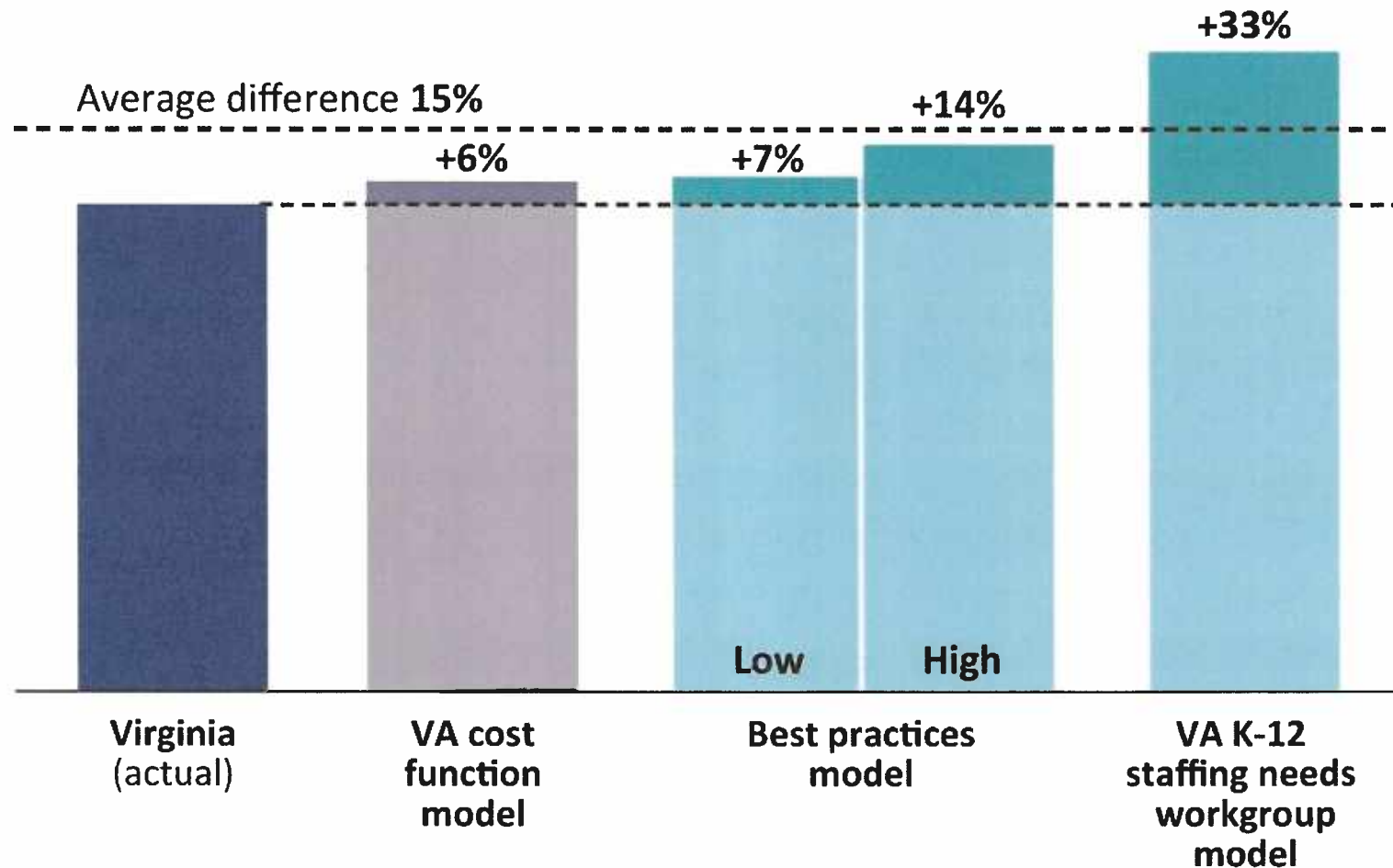
- SOQ formula is primary way state determines amount of K-12 education funding
- Sufficient funding is essential for a high quality education system
- Though essential, funding alone does not ensure high quality education system

Virginia divisions received less funding per student than other states



NOTE: Adjusted, FY20 data. Includes funding for K–12 operations from all sources (federal, state, and local). Analysis controls for differentials in statewide cost of labor.

Funding models estimated Virginia school divisions need 6% to 33% more total funding

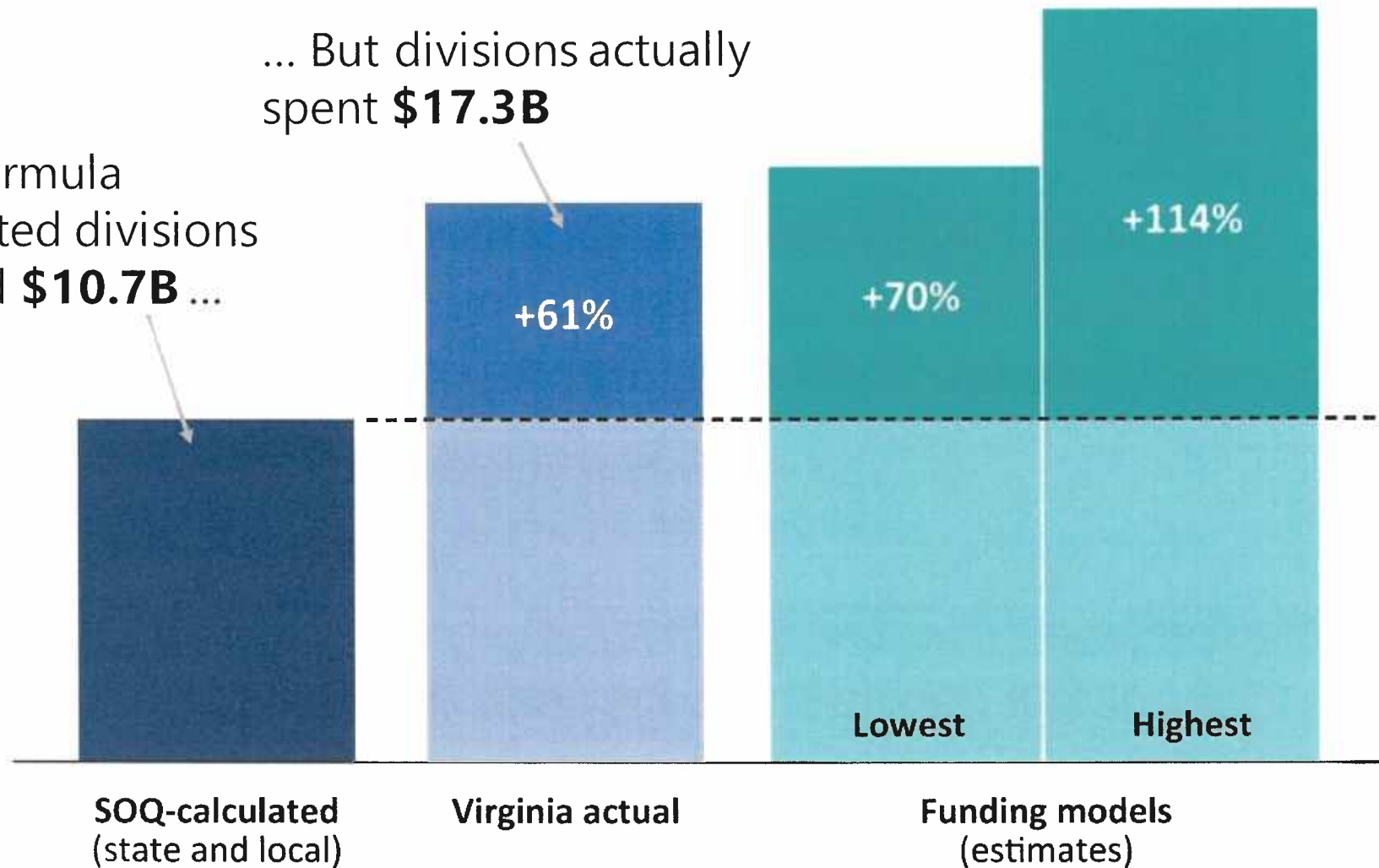


NOTE: Includes funding for K–12 operations from all sources (federal, state, and local).

SOQ-calculated funding amounts were substantially less than actual funding and benchmarks (FY21)

... But divisions actually spent **\$17.3B**

SOQ formula calculated divisions needed **\$10.7B** ...



States and localities, including in Virginia, have recently been providing additional K-12 funds

- General Assembly has recently provided substantial, additional funds
 - Salary increases
 - Funding to remediate learning loss
- Other states, such as Tennessee and Maryland, recently embarked upon major, long-term funding initiatives also not reflected in benchmark comparisons
- But no changes have yet been made to the SOQ formula itself, nor were any proposed in the Governor's budget

Finding

	Clear & justifiable rationale*	Reflects prevailing practice?*	Accurate?	Fair?	Predict-able?	Trans-parent?
SOQ formula staffing ratios and calculations	6	0	0	n/a	n/a	0

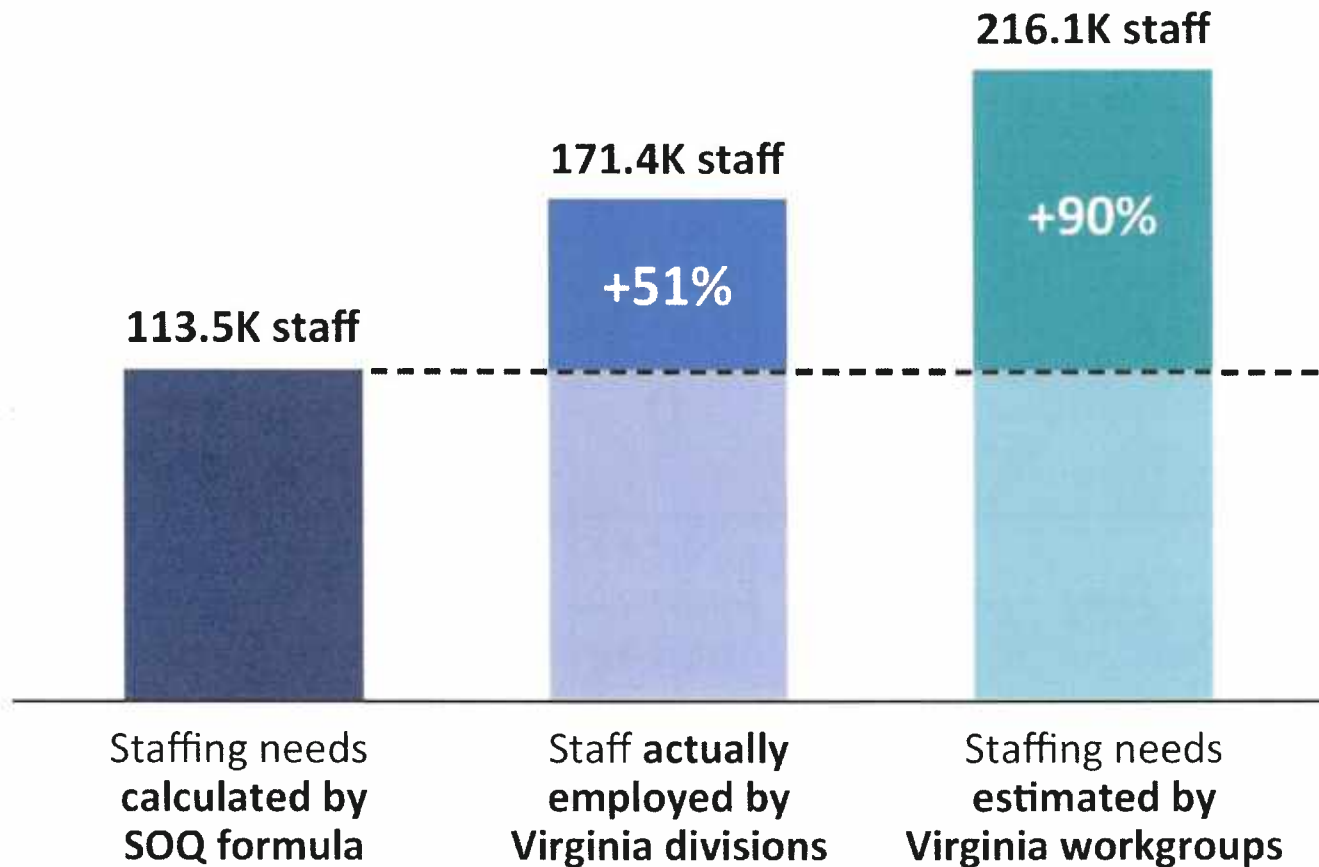
Fully meets criteria 4

Partially meets 6

Does not meet 0

*Criteria established by the Task Force for Financing the Standards of Quality, 1972-1973 and Virginia Attorney General opinions, 1973, 1983.

SOQ formula assumes fewer staff are needed than number employed and workgroup estimates



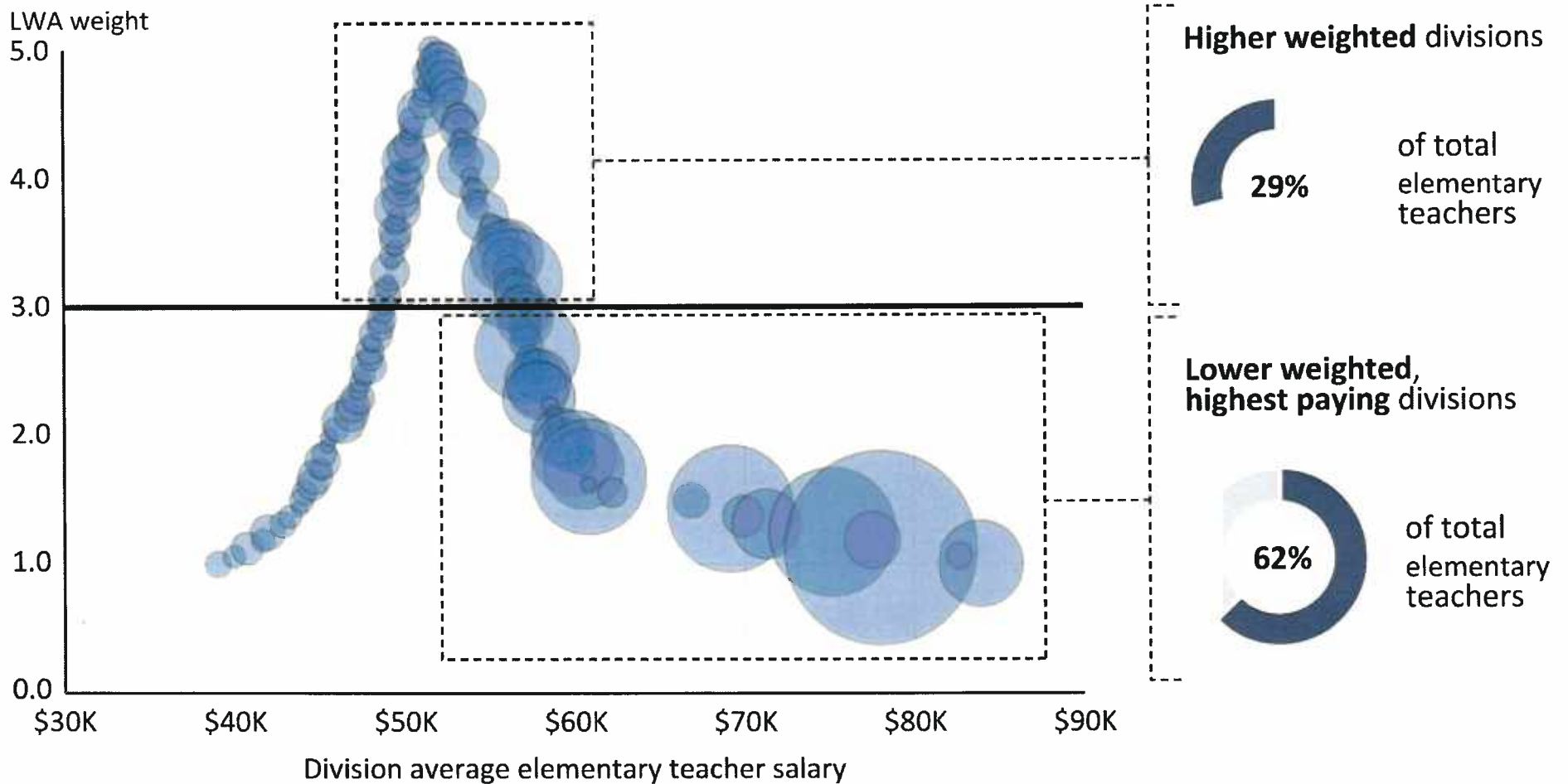
Finding

	Clear & justifiable rationale	Reflects prevailing practice?	Accurate?	Fair?	Predict -able?	Trans- parent?
Great Recession-era formula changes	6	0	0	n/a	n/a	0
SOQ formula calculation of prevailing salaries	6	6	6	6	n/a	0

Several changes were made to SOQ formula in FY09 & FY10 during steep revenue declines

- “Support cap” reduced funding for divisions below prevailing costs
 - Also affected instructional funding
- Certain “non-personal” costs were removed from the prevailing SOQ cost calculations, though they are still incurred by divisions (travel, leases, other)
- Calculation used to account for federal funds was changed to use less accurate assumptions

Formula's "prevailing" statewide teacher salary underweights divisions with the most staff



Note: Each dot represents one school division. Larger dot size = more teachers employed by division.

Three major drivers of what divisions spend are outside their direct control

- Number of higher needs students (at-risk / low income, special education, English learners)
- Regional labor costs
- Division size (as measured by number of students)

Findings

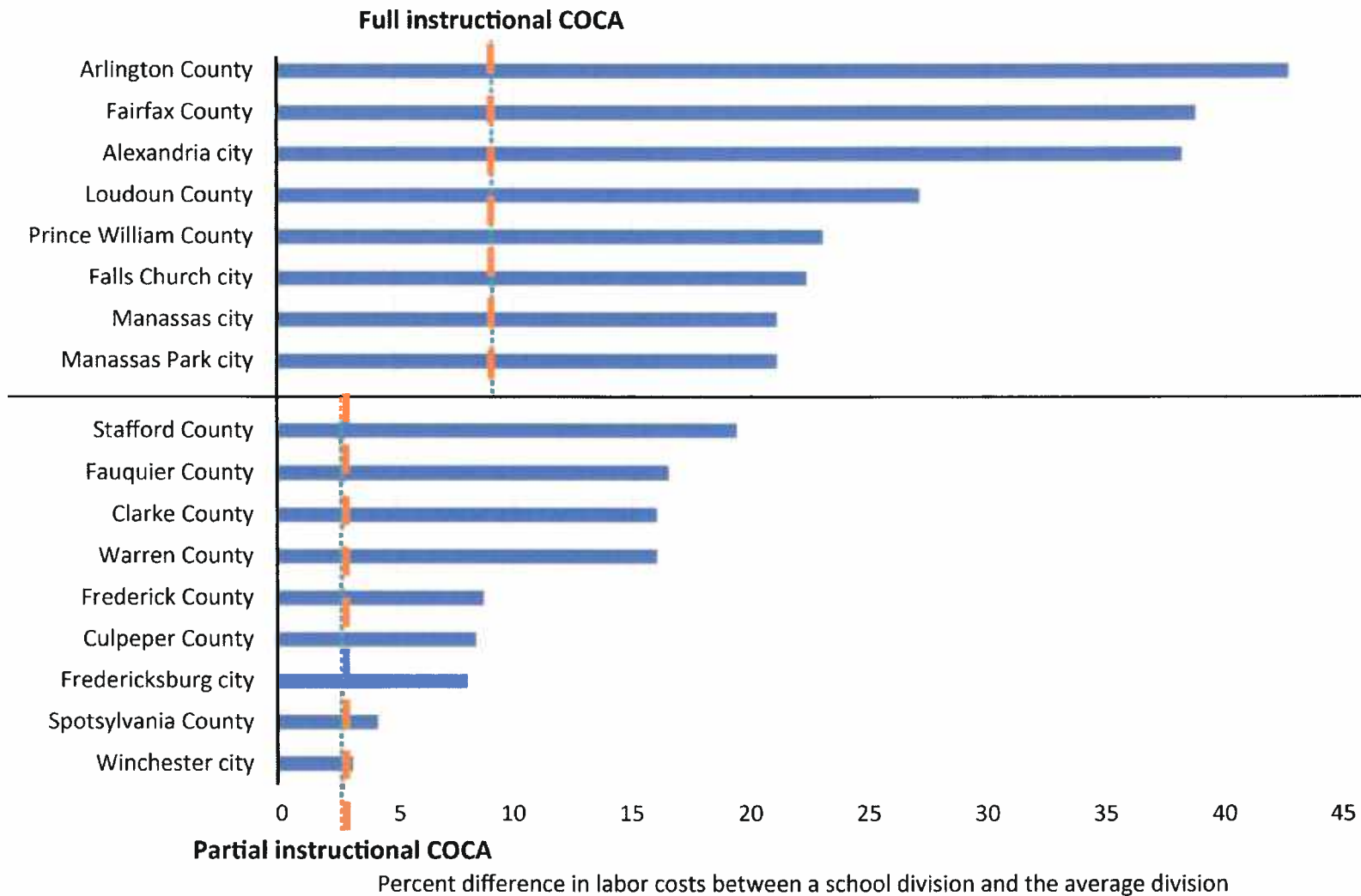
State funding per student has increased for at-risk (low income) and English learners. But declined for special education.

State funding per student for higher needs students was less than several relevant benchmarks.

Funding for at-risk programs is essential for low income student success, yet not SOQ required.

Data used to estimate poverty for at-risk program funding is old and increasingly inaccurate.

COCA amount is less than division salaries

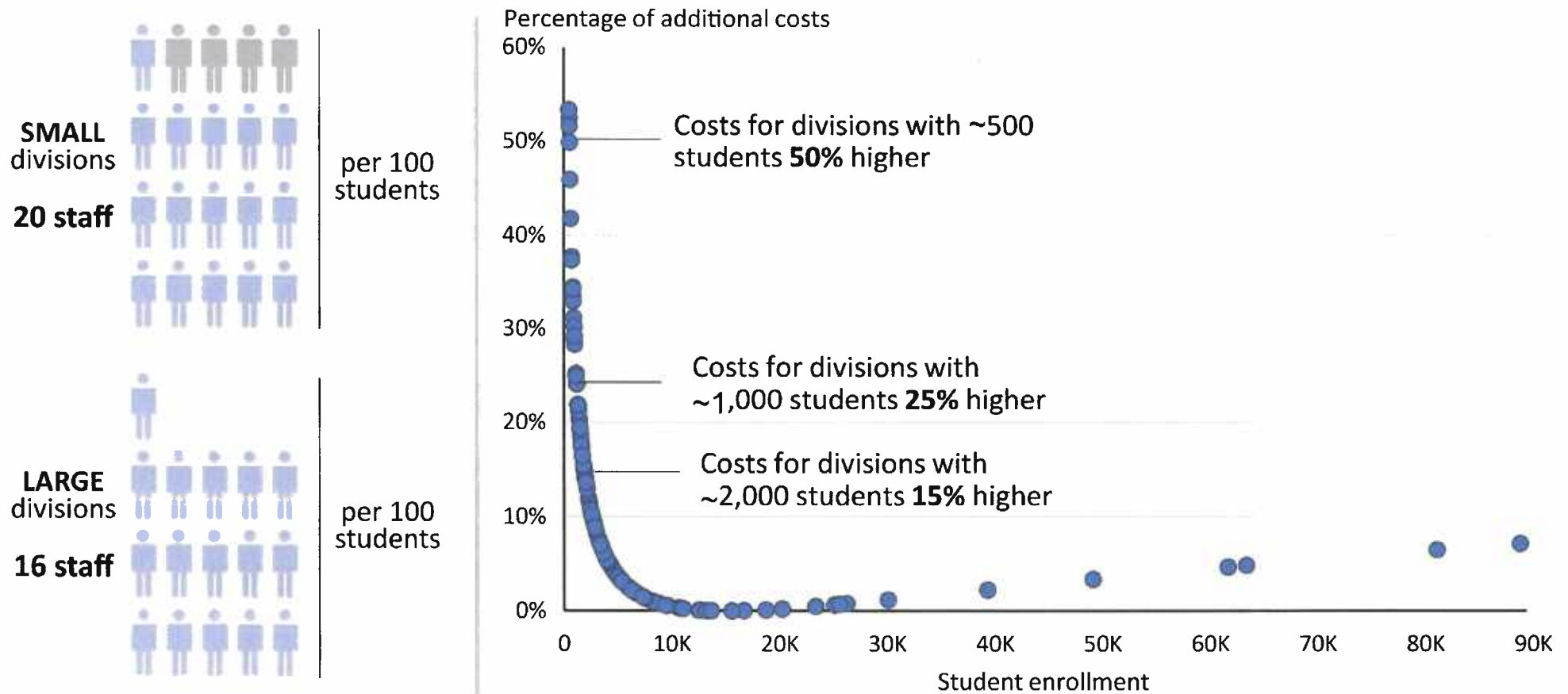


Current wage data shows several divisions outside Northern Virginia have above average labor costs

- Several localities not included in the current COCA have above average labor costs
- Central Virginia
- Tidewater

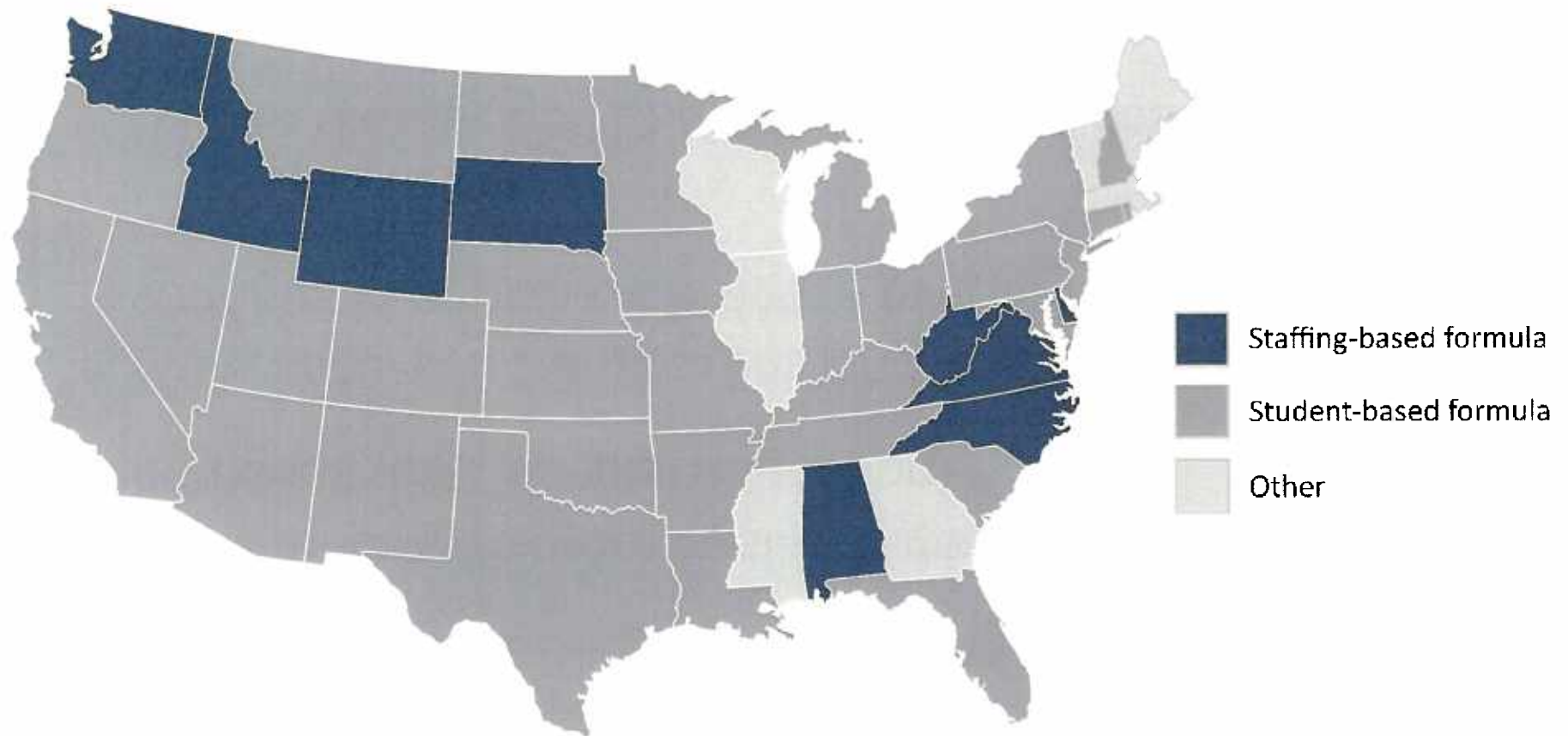
Note: Full state map provided in written report.

Academic research and analysis of Virginia finds small divisions have higher costs per student



Second figure shows Virginia school divisions plotted using a formula developed by cost study researchers.

Virginia is one of only a few states that use a staffing-based education funding model



Student-based funding models used by most other states have several advantages

- Simpler than staffing-based funding models
- Allow funding to more easily be designated for specific purposes (e.g., special education)
- More accurate, transparent, and easier to adapt to changes in education practice over time (if well designed)
- Can be directly tied to actual prevailing costs

Summary

- Virginia school divisions received less K–12 funding per student than multiple, relevant funding benchmarks
- SOQ formula
 - Uses many inputs & assumptions that lack a clear rationale and do not reflect prevailing practice in schools
 - Does not adequately account for higher needs students, regional labor costs, and division size (the 3 main cost drivers outside a division's control)
- Most states use a student-based K–12 funding formula, which is simpler than Virginia's complex staffing-based formula

Questions? / Comments?

Full report, including:

- All recommendations & policy options
- State and local \$ impact estimates

Available at:

jlarc.virginia.gov/landing-2023-virginias-k-12-funding-formula.asp