



**FAIRFAX COUNTY BOARD OF SUPERVISORS
2022 GENERAL ASSEMBLY
FINAL LEGISLATIVE REPORT
March 22, 2022**

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This report will be available on the Board of Supervisors Webpage at <https://www.fairfaxcounty.gov/boardofsupervisors/> listed under “2022 Board Legislative Reports.”

For a more detailed summary, action, and wording of an individual bill please visit the Virginia Legislative Information System Website at <https://lis.virginia.gov/lis.htm>

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Fairfax County Vision Elements

To protect and enrich the quality of life for the people, neighborhoods, and diverse communities of Fairfax County by:

Maintaining Safe and Caring Communities

Building Livable Spaces

Connecting People and Places

Maintaining Healthy Economies

Practicing Environmental Stewardship

Creating a Culture of Engagement

Exercising Corporate Stewardship

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Final Report to Board of Supervisors 2022 General Assembly

SECTION I BOARD PRIORITIES, INITIATIVES, AND BUDGET

OVERVIEW

The months and weeks leading up to a General Assembly (GA) session are always filled with activity and anticipation, as legislators, state agencies, interest groups, advocates, and the public prepare for an onslaught of legislation, as thousands of bills affecting the lives of all Virginians are considered in a very short period of time. But in spite of all the careful planning and preparation, GA veterans know that the session will bring surprises and unexpected outcomes – it is completely predictable in its unpredictability, even in a “normal” year. But 2022 is not a normal year.

In the months prior to the session and as the COVID-19 pandemic wore on, there was a feeling that Virginia was turning a corner in battling that global crisis. COVID-19 vaccines had become widely available, and as more Virginians were inoculated and deaths and infection rates declined, life seemed to be returning to normal in the Commonwealth, as children returned to school in person, businesses reopened, masks were no longer required in many places, and public gatherings were no longer prohibited. The expectation that the 2022 GA would be held fully in person was a relief to many, as the procedures required for the 2021 GA to ensure safety while maintaining operations during an unprecedented public health emergency made that session exceedingly difficult, as social distancing and virtual participation during such a frenetic time made timely communication particularly problematic. But, as has been the case since COVID-19 announced itself, the course of the pandemic is ever-changing. When the new Omicron variant made itself known as the session drew closer, many health protocols that had been relaxed had to be reinstated.

Unsurprisingly, the November 2021 elections, which were held amid this backdrop of uncertainty, led to unexpected results. A contentious election cycle included debates focused on differing perspectives on COVID-19 protocols, social equity issues, and the role of parents in determining the course of public education. After two years of Democratic control of both chambers of the legislature, as well as all three statewide offices, the 2022 GA returned to a much different political landscape, as divided government returned to Richmond. Republicans claimed all three statewide offices and regained majority control over the House, albeit with a slim majority (52-48). Because 2021 was not an election year for the Senate it remained under Democratic control, but with a razor thin margin (21-19) and a newly elected Republican Lieutenant Governor, the ability to break ties on close votes was no longer guaranteed.

Both sides publicly declared their willingness to work together, but Senate Democrats made it clear that they intended to serve as a wall of protection against any efforts to roll back the progressive policy gains of the past two years. Governor Glenn Youngkin, who had worked with former Governor Ralph Northam to ensure a peaceful and orderly transition of power, kicked off his term with the type of outward demonstrations of personal warmth and moderation that helped him win the election. The first GA for a new Governor always brings challenges, as the session begins at the same time as they are taking office. They do not have the opportunity to introduce a new budget, because that is done by the outgoing Governor, and they spend the weeks from their election to their swearing-in in January hiring staff, making appointments, planning for policy initiatives, and settling into the Governor’s Mansion in Richmond. It can be a steep learning curve for any new Governor, even one with extensive political and legislative experience. Governor Youngkin, however, arrived with extensive experience in business but virtually no political or legislative experience. Many around Capitol Square wondered how that would impact his dealings with the GA and his approach to negotiations.

Even before the conclusion of the galas and celebrations that mark the Governor’s inauguration, it appeared that the “honeymoon period” for the new Administration would not last long. In a legislature where members would often tout their congeniality and the merits of the “Virginia Way,” chiding those across the river in Washington, D.C. for their blatant partisanship, there appeared to be a stark shift as the session progressed. Democrats objected to Governor Youngkin’s appointment for Secretary of Natural Resources, a former U.S. Environmental Protection Agency Administrator under President Donald

Trump, and the beginning of a continuing battle over appointments began. In retaliation for the Senate's refusal to confirm the Governor's nominee, the House Majority blocked 11 appointees of former Governor Northam (after initially threatening to block approximately 1,000 appointees), violating a long-standing tradition to honor such appointments. The increasing partisan rancor came to a head near the end of session, when the Senate blocked a resolution to confirm additional appointees by Governor Youngkin, including four who would have served on the state's Parole Board. The Senate also defeated a number of signature initiatives from the new Governor's agenda, including proposals to eliminate the gas tax and to require school resource officers in every school, among others.

The session was also marked by heated debates regarding COVID-19 protocols and the larger issue of the scope of parental discretion over their child's education. Although the session started with at least some pandemic protocols within the GA in place, such as masking and physical plexiglass partitions, by the end of the session both houses had shed almost all such protective measures, as caseloads across the country dropped considerably and the Center for Disease Control and Prevention issued new guidance. In an early sign of changes, after a series of contentious debates the GA passed one of Governor Youngkin's "day one" priorities, legislation that restricted local school divisions from implementing their own mask policies and set strict requirements about in-person learning – the success of that legislation began with action on the Senate floor and support from a Democratic Senator, who joined with Republicans to add an amendment to that legislation, a sign of things to come in a closely divided Senate with no votes to spare on any given issue.

Aside from politics, the session was largely focused on how to handle the state's historic budget surplus, which exceeds over \$2.6 billion. The House and Governor spent the session pushing for massive tax changes, while the Senate supported smaller tax relief proposals coupled with investments in many core services. With House and Senate budgets more than \$3 billion apart, it became clear quickly that the 2022 session would not conclude all its business by the scheduled adjournment date. As has often happened during previous budget stalemates, the decision was made to conclude the current session and resolve the budget in a special session to be called by the Governor in the coming weeks. The rigors of the session were evident in the final actions of the GA, as a number of conference reports on legislation were also directed to the special session, even some that were already completed and posted online. Whether the impasse will be long or short remains unclear, but pressure will begin to mount as spring arrives and local governments and school divisions seek certainty about the state funding they will receive as they craft their budgets. One thing is for sure – the unpredictability of 2022 was likely a harbinger of things to come.

LOCAL GOVERNMENT OVERVIEW

The 2022 GA session brought a sense of *déjà vu* to local governments, after the watershed achievements of the previous two sessions and the success of a wide variety of legislation granting local authority after similar legislation had failed repeatedly in previous sessions. Additionally, there was a resurgence of significantly adverse legislation, as numerous bills were introduced to roll back the authority granted to local governments on issues ranging from collective bargaining and prevailing wage requirements in procurement to local authority over weapons in public facilities, as well as a variety of legislation that sought to reduce or curtail local authority in two critical areas – taxation and land use. The November 2021 elections and the change in party control of the House of Delegates, as well as the change in statewide office holders, led to an increased emphasis on statewide uniformity, as the willingness to allow localities to respond to the needs of their own communities more directly that existed in the previous two sessions was replaced with the more familiar one-size-fits-all approach of the past.

The overall volume of bills was high; 3,143 bills and resolutions (up from 1,760 last year) were introduced (last year the quantity of legislation introduced was relatively low, as a result of strict bill limits in both the House and Senate). County legislative staff reviewed the majority of this legislation in order to separate those bills of importance to the County from the hundreds of other measures not pertinent to local government, and referred 1,841 bills for review by County operational and legal staff. The Board took formal positions on 189 bills this year, and originally opposed or sought to amend 107 bills; at the end of the session, 12 bills remained in that category. Of those 12, one was fixed the last week of session, and several are House and Senate versions of the same bill, so only nine discrete proposals that the County sought to oppose or amend remain. Though there were bills that created significant concerns for localities, most failed to survive the session.

However, because the 2022 GA adjourned without a budget at a time of historic state surplus, it is difficult to fully assess this session for local governments prior to knowing what will be included in the 2022-2024 biennium budget conference report. For the last two years, as the pandemic created challenges for the Commonwealth's budget, as well as those of local governments, it was understood that when revenues improved there would need to be an increased emphasis on funding shared state and local core services. No one predicted that the state's fiscal resurgence would come as quickly and dramatically as it did, but it presents the GA with a generational opportunity to make real investments in areas that have been underfunded for far too long – K-12 education, human services and mental health, public safety and the criminal justice system, and transportation, among others.

Looking toward the 2023 GA session, the ripple effects of the pandemic on core services, from the health and economic impacts to affordable housing and transit, may last for months and years to come. Though there is reason to be optimistic that the budget will show the 2022 GA made progress in some of these areas, the state's funding commitment will require long-term, ongoing investments, which will likely continue to be a major area of focus in the years ahead.

COUNTY LEGISLATIVE INITIATIVES

The County had two legislative initiatives this session. One related to electric vehicle (EV) charging stations and the other related to reducing barriers for localities seeking to participate in virtual net metering through the state's existing municipal net metering pilot program. Fortunately, both were successful.

Fairfax County has long been committed to environmental sustainability and addressing the impacts of global climate change, including conserving limited natural resources, and protecting the environment. As part of that effort, the County initiated legislation to allow the Fairfax County Park Authority (FCPA) to resell electricity through EV charging stations. Initiatives to assist residents and the County in transitioning to EVs will help reduce both direct emissions (those emitted from the vehicle tailpipe) and life cycle emissions (those related to fuel and vehicle production, processing, distribution, use, and recycling/disposal). **HB 443** (Bulova) gives park authorities created by a locality the authority to locate, operate, regulate the use of, and install signage relating to EV charging stations on property under their jurisdiction. The GA has taken several actions in support of EVs and EV infrastructure in recent years, including enacting several bills allowing certain entities to provide retail fee-based EV charging service without additional regulations, assuming certain conditions are met. This list has expanded over time to include localities, school systems, and state agencies. The FCPA does not fall within any of these authorized groups – as an authority, it does not fall under the definition of a locality under the Code of Virginia. As a result, the FCPA cannot provide retail fee-based EV charging service to its visitors, customers, and staff. **HB 443** moved smoothly through the legislative process, and passed both the House and Senate by wide margins.

In that same vein, **HB 396** (Sullivan) reduces barriers for localities seeking to participate in virtual net metering through the state's existing municipal net metering pilot program. Net metering programs are of particular interest to local governments because they allow eligible customers to offset their power consumption by receiving credit for renewable power returned to the energy grid, helping reduce fossil fuel emissions. Currently, the Code of Virginia only allows participation in this program under restrictive conditions, precluding participation by localities that do not own and operate their own renewable energy generation facilities, or those that seek to use facilities installed and operated pursuant to power purchase agreements (PPAs) with third-party vendors, for example. **HB 396** makes various changes to the existing pilot program for municipal net energy metering, including: allowing a municipality to contract with a third party to own or operate an electrical generation facility while still qualifying as a municipal customer-generator under the pilot program; increasing the cap on the amount of generating capacity of the generating facilities that are the subject of the pilot program conducted within the Dominion Energy territory; and, revising the current six-year duration of any pilot program approved by the State Corporation Commission to six years or until July 1, 2028, whichever is later. After robust negotiations with Dominion Energy early in the session and a determined patron, who is particularly knowledgeable about these issues, a compromise was reached to remove provisions from the introduced legislation that could have been interpreted as shifting costs to other local government customers, which would have triggered concerns at the GA. Once that change was made and additional clarifying amendments were included in the legislation, Dominion Energy, as well as a number of environmental groups, supported this legislation and it passed both the House and Senate unanimously.

COUNTY PRINCIPLES/PRIORITIES

(1.) Funding Core Services – K-12 Education

Principle: Public education funding in the Commonwealth is enshrined in the Virginia Constitution as a joint responsibility of both state and local governments, so it is essential that the state fully and appropriately meet its Constitutional responsibility to adequately fund K-12 education. Unfortunately, the Commonwealth continues to allow the gap between state funding and the actual costs of providing a high-quality education, particularly in high cost-of-living jurisdictions like Fairfax County, to expand. This growing imbalance was highlighted in particularly stark terms in 2021.

State funding for K-12 education is always a top priority issue in Fairfax County's Legislative Program. Funding for public schools in Virginia is a partnership between the state and localities, and should reflect that shared financial responsibility. However, it is the state that determines what costs it recognizes in its funding formulas, through the Standards of Quality (SOQ) and other means. The resulting state funding framework often substantially differs from the actual costs to school divisions of providing a high-quality education, leaving localities to fill critical funding gaps. At present, the state is failing to provide the funding necessary to implement its own standards and requirements, while Fairfax County and other Northern Virginia localities more than meet their responsibilities for K-12 education through large contributions to the state General Fund (GF), strong local effort, and the effect of high local composite indices.

Though there have been some recent helpful infusions of state funding, the current funding formulas do not adequately address the challenges facing high cost of living localities like Fairfax County. Those challenges are exacerbated by structural features in the formulas that systematically underestimate actual local costs. As the Joint Legislative Audit and Review Commission (JLARC) noted in its 2015 review of K-12 spending, localities provided a majority of total funding for school divisions in FY 2014, contributing an additional \$3.6 billion beyond the minimum funding required. JLARC also noted that in FY 2013, Virginia ranked 23rd nationwide in total per-student spending primarily because education spending effort from Virginia's localities ranked 11th overall. More recent data from JLARC (from FY 2016) showed that Virginia's state per pupil funding effort was among the lowest in the U.S., ranking 42nd nationwide. This reflects Virginia's overreliance on local effort and a continued imbalance in what should be a state and local partnership.

In recent years, the GA has increasingly acknowledged this growing structural imbalance, reflected by the GA's approval of JLARC's comprehensive ongoing study of the true cost of education in the Commonwealth. It is nearly universally understood that state funding for public education is simply inadequate, whether in a rural or low-income urban locality that is overly reliant on state funding, which is insufficient to ensure the type of education needed in the 21st century, or in a suburban jurisdiction like Fairfax County that funds nearly 70 percent of its K-12 costs with local dollars, because that is what is required to provide a high-quality public education. JLARC's study will provide the state a more comprehensive and up to date understanding of the burdens that localities and school divisions face in delivering a high-quality education to Virginia's children. It is critical that localities and school divisions continue to engage in the study process to ensure that the state is provided an accurate assessment of the current state of the Commonwealth's education system and to lay the foundation for a roadmap forward.

In a significant step forward for K-12 funding, the Senate budget includes a partial removal of the state cap on funding for support positions, first implemented in FY 2010. The cap has artificially lowered the state's funding contributions for critical educational support positions for more than a decade. The current cap costs Fairfax County Public Schools (FCPS) approximately \$36 million annually, and this budget amendment is estimated to restore approximately one-third of those revenues (approximately \$10.2 million). If the Senate approach is included in the final budget, it would help reverse a long-standing policy that has contributed to the structural imbalance in education funding between state recognized costs and actual local costs and support staffing needs. It will be important for localities to continue to press for full removal of the support cap and additional, adequate funding for K-12 in the years to come, to ensure state funding continues to improve and that the state and local partnership needed to provide a high-quality public education system is restored.

(2.) Funding Core Services – Regional Transportation Funding

Principle: The Commonwealth must fully restore funding to the Northern Virginia Transportation Authority (NVTA) in an amount equal to what was diverted, to ensure that transportation projects continue to advance in Northern Virginia after decades of state underfunding.

Like last year, this was a quiet year for regional transportation funding. No individual bills were introduced to restore funding to NVTA, though there were efforts in the state's budget. Specifically, House Minority Leader Filler-Corn offered a floor amendment to the House budget to transfer \$20 million each year from the Virginia Department of Transportation (VDOT) construction program to NVTA, but it was unsuccessful.

There were, however, bills that would have created serious impacts to existing NVTA revenues. As introduced, **SB 251** (Surovell) was intended to fund bicycle and pedestrian projects not associated with road widening projects. However, it proposed doing so by diverting 10 percent of NVTA's revenues allocated to regional projects, 10 percent of regional revenues distributed to NVTA's member localities, and 30 percent of the Commonwealth's federal Transportation Alternatives funding. The County and several other stakeholders expressed serious concerns about the diversion of regional funding, especially as Northern Virginia has not yet been made whole from the amount diverted in 2018. The bill was then changed to instead require VDOT to convene a work group including: Northern Virginia localities; NVTA; the Northern Virginia Transportation Commission (NVTC); the Potomac and Rappahannock Transportation Commission (PRTC); representatives of the bicycle, pedestrian, and disability communities; representatives of lower-income and no-car households; and, other private sector stakeholders deemed necessary. The work group was tasked with assessing and identifying the projected pedestrian, bicycling, and traffic calming infrastructure needs in each locality (that are not associated with any planned road widening) over the next 20 years in Northern Virginia. As amended, **SB 251** passed the Senate 35-4-1 and was reported from the House Counties, Cities, and Towns Committee after crossover. However, once on the House floor, it was re-referred to the House Transportation Committee on a party-line vote, where it was left for the session. Another bill, **HB 704** (Keam) was introduced to specifically authorize NVTA funds to be used on new sidewalk projects or for circular intersections, but it was stricken from the docket in the House Transportation Committee.

(3.) Funding Core Services – Transportation Funding

Principle: The Commonwealth should build upon the successful enactment of significant transportation revenues by the 2013 and 2020 GAs to ensure sufficient funding for transportation needs.

While there was not a significant focus on regional transit funding this year, the same cannot be said for statewide transportation funding. There were several bills introduced that would have reduced statewide transportation funds by making a one-year change to the tax on gasoline and diesel. The main vehicles were **HB 1144** (Webert) and **SB 541** (Peake). Specifically, these bills would have reduced the current gas tax by five cents and the diesel tax by 6.2 cents, which were the rates in effect before July 1, 2021. The bills would then allow a return to current rates on July 1, 2023, after which they would again be indexed to the consumer price index. According to the state's own fiscal impact statement, these bills would decrease revenues to the Commonwealth Transportation Fund (CTF) by \$275 million in FY 2023, with additional, significant reductions thereafter. The County and other stakeholders raised concerns about the adverse impact this would create for the CTF, which provides funding for construction, maintenance, transit, and other transportation programs. However, the proponents argued there was sufficient funding being provided by the recently passed federal Infrastructure Investment and Jobs Act (IIJA) – it is important to note that the federal funding is one-time funding for a limited period of time and cannot be used for all of the items being de-funded by this proposal. **SB 541** was passed by indefinitely in the Senate Finance and Appropriations Committee. **HB 1144** passed the House on a party-line vote but met the same fate as **SB 541** in the Senate Finance and Appropriations Committee. While **HB 1144** and **SB 541** were unsuccessful, similar language was also included in the House-passed budget (see page 18), which is currently under consideration. Other bills that were unsuccessful included **HB 297** (McNamara), which would have suspended all regional fuels taxes in the Commonwealth between July 1, 2022, and July 1, 2023; and, **HB 1059** (Cordoza), which would have suspended the statewide and regional gas taxes from the date of passage to July 1, 2023.

Two bills were introduced to modify the Transit Ridership Incentive Program (TRIP). This program, created in 2020, was designed to improve transit service in urbanized areas of the Commonwealth, with a population over 100,000, and to reduce barriers to transit use for low-income individuals. As originally created, no more than 25 percent of the funds could be utilized for fare-free and low-income programs. Likely due to impacts from the pandemic, the free- or low-fare program has been oversubscribed, while the urban program has been underutilized. As such, two bills were introduced to change the limit allowed for free- or low-fare programs. Specifically, **HB 142** (McQuinn) changes TRIP to allow each program to receive at least 25 percent of the TRIP program funding, with 50 percent left to the discretion of the CTB. **SB 342** (Barker) replaced the 25 percent ceiling on the free- or low-fare program, instead creating a 25 percent floor. **HB 142** passed the House (92-8) and the Senate (30-10), while **SB 342** passed the Senate (40-0) and the House (80-19). Because both bills are related but not in the same posture, it is possible that the Governor may recommend amendments to reconcile them, but it is not clear at this time which language/allocation process will ultimately become law.

Two other bills would have impacted the Commonwealth's Smart Scale prioritization process, though they were unsuccessful. **HB 707** (Keam) would have added resiliency to the list of factors to be considered during Smart Scale. The bill also required that Smart Scale factors (congestion mitigation, economic development, accessibility, safety, resiliency, and environmental quality) be considered relative to the anticipated life-cycle cost of the project or strategy under consideration. **HB 1113** (LaRock) would have required the Commonwealth Transportation Board (CTB), when administering Smart Scale, to ensure that projects are evaluated for district grant program funds and high-priority funds separately, and that the projects selected in one program do not impact the other program. The bill also would have required the CTB to weigh congestion mitigation at 55 percent or more in the Northern Virginia and Hampton Roads highway construction districts. Another bill, **HB 546** (Roem), would have required that, in any year in which there is a surplus, the Governor would provide 10 percent of that surplus to a new Transportation Safety Fund. That fund would be used for projects to improve transportation safety, implement safety system approach designs, improve high accident risk areas, and create safety options for pedestrians and bicyclists. While none of these bills advanced, it was noted in the House Transportation Committee that as Smart Scale has now been in effect for eight years, it may be time for a comprehensive review of the process.

Various bills were introduced pertaining to assistance for the transition to electric vehicles, including transit and personal vehicle infrastructure, though they were ultimately unsuccessful. As introduced, **SB 488** (McClellan) would have established the Transit Transition Fund and Program to provide grants to state, regional, and local public entities to support the transition of public transit fleets to zero-emission fleets. It would have directed 7.5 percent of the revenues collected from the tax on sports betting permittees to the fund. The bill was amended to remove the specific revenue stream, but would have still created the fund. As amended, **SB 488** passed the Senate (39-0), but was left in the House Transportation Committee. **HB 351** (Sullivan) and **SB 708** (Marsden) would have established a driving decarbonization program and fund to assist developers with non-utility costs associated with the installation of electric vehicle charging stations. The bills specified that a developer would be eligible to receive grants of 50 to 70 percent of the non-utility costs, depending on where the charging station is located in the Commonwealth. The total amount of grants awarded in a fiscal year would have been capped at \$20 million, with at least \$5 million in grants reserved for charging stations located in historically economically distressed communities. **HB 351** was reported from the House Agriculture, Chesapeake, and Natural Resources Committee, but was tabled by the House Appropriations Committee. **SB 708** passed the Senate (26-14) and was also reported from the House Agriculture, Chesapeake, and Natural Resources Committee, but was tabled by the House Appropriations Committee.

While the funding bills faced trouble at the GA, others related to the parking of electric vehicles were more successful. As introduced, **HB 450** (Bennett-Parker) and **SB 278** (Ebbin) prohibited a person from parking a vehicle not capable of receiving an electric charge in a space reserved for charging electric vehicles. A violation would trigger a civil penalty of between \$100 and \$250, while also allowing the vehicle to be towed or impounded. Both bills were amended to include more specificity about the type of signage required for such parking spaces, while **HB 450** also reduced the penalty to no more than \$50 and removed the ability to tow or impound a vehicle. With those changes, **HB 450** passed the House (73-24) and **SB 278** passed the Senate (28-12). In the House, **SB 278** was conformed to **HB 450**, as is usual practice. However, the Senate Transportation Committee chose to retain **HB 450** as it passed the House, rather than conform it to the Senate-passed version. Following some discussions on the floor, the Senate passed **HB 450** in the same posture as it passed the House, and the House passed the identical

language via **SB 278**. Currently identical and awaiting action by the Governor, **HB 450/SB 278** include the civil penalty of no more than \$50 and do not provide for towing or impoundment of a vehicle.

(4.) Governance – Local Authority

Principle: Existing local government authority should be preserved, particularly in such key areas as taxation, land use, and the protection of public health, safety, and welfare, where local governments must have sufficient authority to govern effectively. Further, local authority should be enhanced to provide localities more flexibility in the administration of local government, as appropriate community solutions differ significantly from one area of the state to another. Finally, local government representatives should be included on all commissions or bodies established by the state for the purpose of changing or reviewing local revenue authority or governance.

Taxation

After two sessions that saw reductions in legislation targeting local taxing authority, while also granting localities some ability to diversify their revenues, the 2022 GA took aim at local taxing authority in a variety of ways.

Data centers

HB 791 (McNamara) and **SB 513** (McPike) were introduced to change the way localities assess the value of data centers. The bills provide that if data center fixtures are taxed as part of the real property where they are located, they should be valued based on depreciated reproduction or replacement cost, rather than based on the amount of income they generate. This is a significant change from current law, which requires that assessments of real property in Virginia are to be performed using generally accepted appraisal practices. Virginia law states that real property assessments should be uniform in the way they are applied, and at 100 percent of fair market value. This requires localities to use best practices to update assessment methodologies, particularly when new businesses and industries enter the market.

In the case of data centers, as more began to locate in Fairfax County, the County hired experts to assist in the assessment of such businesses. As a result of that expert analysis, the County learned through filings with the US Securities and Exchange Commission (SEC) that data centers located in Fairfax County were reporting that 100 percent of the income produced at their property was derived from real estate for the purpose of maintaining the status of their real estate investment trusts (REIT), but were reporting to the County that only approximately 50 percent of their income was derived from real estate, while the rest was attributed to “business” value. In light of the newly discovered information, Fairfax County updated its assessment methodology for data centers to reflect the best information available, as required by Virginia law and assessment best practices. This led to significant but appropriate assessment increases for data centers in 2017 and 2018. **HB 791/SB 513** would effectively reduce these assessments, creating a fiscal impact to Fairfax County of approximately \$2.7 million to \$5.4 million per year (based on existing data centers). Unfortunately, other local governments did not raise the concerns the County did, or in some cases, they raised concerns very late in the session when the bills were most of the way through the legislative process. Because some localities even supported the legislation as the lesser of evils, local government organizations like the Virginia Association of Counties (VACo) did not advocate for or against them, and the bills passed the GA with little issue.

Disabled Veterans and Property Tax Exemptions

HB 1168 (Watts) would have allowed a person who is eligible for the real property tax exemption for certain disabled veterans and surviving spouses to receive a refund, retroactive to his date of eligibility, of taxes paid during the period of exemption, excluding interest or penalties. This bill would have created significant implementation issues for localities, as the lookback period for the property tax exemption would go back to 2011, irrespective of when a person were to file for the tax exemption, creating a situation where someone could apply for the exemption in 2040 and the locality would have to process a refund all the way back to 2011, for example. This would be particularly problematic because records are not kept in perpetuity – per the current Library of Virginia Records Retention and Disposition Schedule, localities are required to destroy real estate tax exemption records three years after an event. If the bill had passed in its current form, a locality would essentially have to retain records for every residential property in the locality indefinitely, as the locality would never know who might seek an exemption in the future on any given property. Though concerns were raised about the potential impacts on local

governments when the bill was considered in the House, the specific records retention issues the County flagged later in the session were not discussed in the House. After crossover, detailed information about these implications was shared with Delegate Watts, as well as with members of the Senate Finance and Appropriations Committee, which was considering the bill. As a result of those concerns, the bill was ultimately carried over for the year, allowing legislators and localities time to try to find a workable solution to this issue in advance of the 2023 GA.

Separately, the County's legislative program included support for legislation allowing a small group of spouses of veterans killed on duty to continue receiving a real estate tax exemption in Fairfax County, which was initially granted as a result of confusing statutory language and limited guidance from the Virginia Department of Veterans Services. The County's position was that any expansion of local tax exemptions should be a local option, rather than a state mandate. In 2014, the voters of Virginia approved a Constitutional amendment exempting from taxation, under certain eligibility requirements, the real property of the surviving spouse of a member of the US armed forces killed in action, as defined by the US Department of Defense (the exemption became effective January 1, 2015).

It was recently discovered that a small group of surviving spouses in Fairfax County were, due to confusion regarding the language of the statute, inadvertently approved for the exemption and have been receiving it for several years. Their deceased veteran spouses died while serving in the armed forces, but they do not meet the federal definition of "killed in action." Some were 9/11 victims, and some died while deployed overseas, but they were not killed by an enemy in combat – the County was informed by the Commonwealth that the tax exemption could no longer be granted to these individuals without a change to the state Constitution and state law, and the County supported a narrowly crafted solution to assist those who believed they were eligible based on the prior approval of their applications (they have received the exemption for several years, and have planned their finances around its continuance).

HJ 83 (Tran) would have amended the Constitution of Virginia by allowing localities to exempt from the real property tax any surviving spouse of any member of the armed forces of the United States who was killed in the line of duty with a line of duty determination as determined by the US Department of Defense who occupies the real property as his or her principal place of residence. Under current law, the exemption is only available to the surviving spouse of a member of the armed forces who was killed in action. The bill was left in the House Privileges and Elections Committee prior to crossover.

HB 957 (Tran) states that, beginning with taxable year 2022, any locality may declare real property owned by a surviving spouse of a member of the Armed Forces of the United States who died in the line of duty with a line of duty determination from the US Department of Defense, if the death was not the result of criminal conduct, and if the spouse occupies the real property as his or her principal place of residence and does not remarry, a separate class of property for local taxation that may be taxed at a different rate than that imposed on the general class of real property. This is a local option, but will not allow the County to provide relief only to the small group of spouses that were initially granted property tax exemptions in Fairfax County, as that would require a change to the state Constitution and cannot be done through a legislative change. Because **HB 957** is a local option, it passed the GA easily.

Since 2009, the GA has approved or expanded a number of property tax exemptions, including for 100 percent disabled veterans, their surviving spouses, and the surviving spouses of veterans killed in action. While providing assistance to these groups is a worthy goal, it has long been the County's position that if the Commonwealth would like to provide such financial assistance it should also pay for that assistance directly, rather than imposing the cost on localities through mandatory property tax exemptions. It is important to note that property taxes are one of Virginia localities' few significant sources of revenue, due to the state's antiquated taxing structure. Such property tax exemptions can create significant impacts on local resources, which are used to fund core services like K-12 education, public safety, human services, the environment, and infrastructure, among others, and any future expansions of exemptions should be a local option.

Local Taxing Authority

HB 1010 (Durant) and **SB 620** (Cosgrove) were bills requested by Governor Youngkin. As introduced, they would have imposed new restrictions on the local budget process by requiring a referendum if growth in real estate assessments would generate more than 101 percent of the previous year's collections and the locality did not reduce the tax rate accordingly. Under current law, when any annual

assessment, biennial assessment, or general reassessment of real property by a county, city, or town would result in an increase of one percent or more in the total real property tax levied, the locality has two options: reduce the tax rate for the forthcoming tax year so as to produce no more than 101 percent of the previous year's real property tax levies, or, if deemed necessary by the governing body, a rate that produces more than 101 percent of the previous year's levies may be imposed after conducting a public hearing on the issue. Statutory provisions govern the timing and manner of public notice of the hearing, as well as the contents of the notice.

HB 1010/SB 620 would have eliminated the public hearing requirement, instead requiring any increase in the rate of levy above the reduced rate to be approved by a referendum. Such diminution of local taxing authority was strongly opposed by local governments throughout the state, particularly given the state's continued underfunding of shared state and local core services. Because of these concerns, **SB 620** was amended as it was being considered by the Senate Finance and Appropriations Committee, but when the patron and the Administration were unable to answer questions related to implementation, the bill was passed by indefinitely. **HB 1010** was subsequently amended to avoid many of these issues altogether, eliminating new requirements for localities' budget processes, and now only requires an additional notice of a public hearing separate from the budget hearing. In that form, **HB 1010** passed the GA easily.

Land Use

Eminent Domain

Three major eminent domain bills were considered by the GA this year, and all were successful. **SB 9** (Petersen) requires that funds due to a landowner at settlement or final determination must be paid within 30 days, and if they are not, the landowner is entitled to attorney's fees and interest from the date the funds became due. **SB 666** (Petersen), as introduced, would have made several changes to the definition of "lost access" and "lost profits" in eminent domain actions, substantially increasing the number of landowners who could bring cases against the state and localities for public use projects. **SB 666** was amended late in the session to remove changes to the definition of "lost access," and significantly narrow changes to the definition of "lost profits."

However, a different bill, **SB 694** (Obenshain), which originally only made changes to costs and procedures in eminent domain actions, was dramatically amended after it crossed over to the House, re-incorporating much of the "lost access" language that was struck from **SB 666**. Additional provisions detrimental to eminent domain procedures were also added. Most significantly, the definition of "lost access" was amended from the current statutory definition of "material impairment of direct access to property" to "a change of vehicular or pedestrian access to property...which results in a diminution of value of the property." Removing the "material impairment" to "direct access" requirement could result in a number of nuisance claims based on *de minimus* changes in value, since most large public projects change "vehicular access" to a property in one way or another. In other words, whereas before, a property owner would need to meet a damages standard of showing material impairment of direct access to his or her property, the House version of **SB 694** could allow any property owner near a public project to claim damages if their vehicular access to their property had changed. The amended bill also eliminated the requirement that any enhancement in a property's value by the project must be offset against any damages. Since many public projects change "vehicular access" to a property in one way or another, this could mean that even a property owner not directly affected by the project (even one who had benefited from the project) could recover damages if the vehicular access to the property changed in any way. **SB 694** would also have allowed property owners to "double recover" the same "lost access" damages in the compensation for the taking of the property itself, and to recover damages in cases when the changes in the access to their property are temporary – for example, damages would have to be paid in situations when a street is closed in the short-term for a festival, parade, or temporary utility project. After significant opposition was raised, the bill was sent to conference and the bill that emerged was improved. The provision that expressly provides that lost access damages cannot be duplicated in compensation for the taking itself was restored. In addition, temporary takings of seven days or less cannot provide a basis for compensation. However, the bill still raises concerns.

Agritourism

Under the Virginia Code, no locality is allowed to regulate the carrying out of activities at an "agricultural operation," including 1) agritourism, 2) the sale of agricultural products, 3) the preparation of food products, or 4) "other activities or events that are usual and customary at Virginia agricultural operations"

absent a substantial impact on the health, safety, or welfare of the public. **SB 678** (Stuart) would expand the definition of “agricultural operation” to include the mere housing of livestock (broadly defined within the Code). As a result, potentially all activities and events at any property housing animals would no longer be able to be regulated by a locality, meaning that a locality would no longer be able to require a special exception, administrative permit not required by state law, special use permit, or impose such additional requirements as ADA compliant restrooms and parking lots, even if the property is to be used primarily or frequently for events or commercial purposes where such requirements would typically be expected at public gathering places.

This bill seems to be a reaction to an existing court case in which a Fairfax County Circuit Court judge upheld the Fairfax County Board of Zoning Appeals’ determination that a County property owner seeking to construct a permanent stable, riding pens, and related equipment was not an “agricultural operation” simply because the owner sought to house livestock. The Circuit Court reached that conclusion using the current definition of agricultural operation in Virginia Code, because the owner did not produce the livestock or agricultural products, and was instead selling a service. That case is currently under appeal before the Supreme Court of Virginia. Though the GA often states a reluctance to step into an existing court case, that concern did not prevail in consideration of this legislation – in fact, when that argument was raised in the House, a provision was added stating that the change in definition is declarative of existing law, which will likely affect the very case that is on appeal. In spite of these and other concerns, the bill passed the GA.

Recovery Residences

Recovery residences are housing facilities that provide alcohol-free and illicit-drug-free housing to individuals with substance use disorders and individuals with co-occurring mental illnesses and substance use disorders, though they do not provide clinical treatment services. **SB 622** (Favola) and **HB 277** (Coyner) were introduced to require the operators of recovery residences to disclose to potential residents whether they are entering a certified recovery residence and, if so, the credentialing entity. If the credentialing entity is the National Alliance for Recovery Residences, the bills require disclosure of the level of support provided by the recovery residence and, if the credentialing entity is Oxford House, Inc., the bills require the recovery residence to disclose that it is self-governed and unstaffed. The bills also require such residences to be certified by the Department of Behavioral Health and Developmental Services (DBHDS). As introduced, both bills also included provisions requiring that local zoning ordinances consider recovery residences the same as residential occupancy by a single family, as is the case with group homes for individuals with mental illness, intellectual disabilities, development disabilities, or physical disabilities. However, group homes receive special protections under federal law, and a key factor in qualifying for such protections is that they are licensed by the Commonwealth, while recovery residences are not. The zoning provisions in the original bills would have effectively reduced local land use authority, which is fundamentally a local responsibility, raising significant concerns for local governments throughout the state. The zoning provisions in both bills were eventually removed, and the final bills that passed the GA focus solely on the credentialing standards for recovery residences.

Additional Land Use and Local Government Authority Bills

Among other land use and local government authority bills that passed the GA this year, **SB 501** (Lewis) and **HB 272** (Marshall) both extend by one year until July 1, 2023, the sunset date for various local land use approvals that were valid and outstanding as of July 1, 2020. **SB 286** (Ebbin), as introduced, would have granted a locality permissive authority to require that a survey of property lines be completed prior to a land purchase within any established historic district; the bill was later amended to only add surveys of property in the list of required disclosures in residential property disclosure statements. **HB 167** (Ransone) provides that a locality is deemed to have met statutory notice requirements to hold a public hearing if the locality submitted a timely notice of public hearing to a newspaper and the newspaper failed to publish the notice, so long as the notice was published in the next available edition. **HB 616** (Roem), as introduced, would have required a locality’s governing body to appropriate the funding needed by its local board of zoning appeals without making it clear which body has oversight of the amount or the reasonableness of the appropriation. The bill was amended to provide that upon a request of a local board of zoning appeals, a locality’s governing body shall consider appropriation of funds to meet the local board of zoning appeals’ staffing needs. If the local board of zoning appeals has staffing needs that surpass that budgeted amount, the locality’s governing body shall review the board’s request for additional funds. **HB 648** (Kory), as introduced, would have required a planning commission to hold a public hearing for every determination made under Virginia Code §15.2-2232, instead of leaving the

requirement for a public hearing at the planning commission's discretion or at the governing body's direction. The bill was amended to leave the planning commission's discretion unchanged, and to only add "parks" to "public areas, facilities, and uses" that may be deemed a feature already shown on a locality's adopted comprehensive plan and for which the governing body had either defined standards governing the construction, establishment or authorization of such places or approved through the acceptance of a proffer. **HB 1088** (Leftwich) amends the definition of "subdivision" to allow private property owners of adjacent parcels to enter into valid and enforceable boundary line agreements to resolve property line disputes. The bill was significantly amended once it crossed over to the Senate to impose restrictions on what can be included in such agreements, making it clear that such agreements cannot create an additional lot, alter the existing boundary lines of localities, result in greater street frontage, interfere with recorded easements, or result in any nonconformity with local ordinances and health department regulations.

A number of other bills related to land use and local government authority were defeated this year. **SB 132** (Edwards) would have granted localities the authority to limit smoking to designated areas in outdoor parks, recreation facilities, and playgrounds. **SB 602** (DeSteph) would have limited a locality's authority to impose conditions in its short-term lodging ordinance, such as parking or occupation conditions, while **HB 1362** (Wiley) would have allowed short-term rentals to operate in any locality that had not already restricted them by ordinance. **HB 568** (Kory) would have expanded local authority to establish green banks by allowing two or more localities to enter into agreements to provide for regional green banks. **HB 626** (Roem) would have extended the required disclosures that must be made in land use proceedings in Fairfax County and Loudoun County to the rest of the Commonwealth. **HB 739** (Krizek) would have prohibited permit regulations, local ordinances, or local wetlands boards from requiring the repair or maintenance of an existing shoreline improvement with a living shoreline, if it would substantially detract from the established use and enjoyment of the property. **HB 778** (Williams) would have required a locality that voted to remove, relocate, contextualize, or cover any war monument or memorial to initiate a process to gift that monument to a nonprofit organization most related to the mission or spirit of the monument, as well as to establish an independent committee to make that decision.

A pair of bills that would have expanded the number of persons who could sue a locality were also unsuccessful. **SB 206** (Petersen) sought to address issues surrounding an application for development in an area of the locality of known historic significance, allowing any affected property owner or any resident of the locality who provided public input to appeal the governing body's decision to the circuit court. The filing of such an application would also stay the locality from issuing any permit to raze or demolish the proposed historic landmark until 30 days after the governing body's final decision. **SB 208** (Petersen) would have introduced a new definition of "standing" to sue in a civil action by including both an individual with an ownership of an affected property interest or an individual who had suffered an injury unique to the individual (current law requires that an individual meet both criteria).

State Facilities and Community Engagement

Current law requires a state agency responsible for construction, operation or maintenance of a public facility to notify a locality that a new capital improvement project will be initiated in the locality, and allows the locality to request a copy of the plans from the state. **HB 437** (Bulova) will add an additional option to improve public participation, by allowing a locality to request that the state conduct at least one public meeting in the locality to solicit public input during the planning phase of the project. This issue came to light over a recent case in Fairfax County, at the site of the former Northern Virginia Training Center, and this legislation will provide residents with an additional opportunity to provide feedback to the state at an early stage of the process when new state facilities are under consideration.

Wireless Communications Infrastructure

As introduced, both **SB 446** (Boysko) and **HB 445** (Murphy) would have granted a locality the authority to adopt an ordinance to require broadband service and associated infrastructure to be installed whenever new residential or commercial development is permitted. Both bills were amended to instead direct the state Department of Housing and Community Development to convene a stakeholder advisory group in the next year to evaluate local and state policies and ordinances to facilitate the expansion of high-speed broadband service in new residential and commercial development.

SB 255 (Bell) would have prevented a locality from disapproving new wireless communications infrastructure if the proposed new structure would provide additional wireless coverage or capacity for first

responders, or based on the fact that the proposed height of any wireless support structure were to exceed 200 feet above ground level (current law sets the limit at 50 feet above ground level). After numerous concerns were raised by localities, the bill was continued to the 2023 GA.

(5.) State Budget

Principle: The Commonwealth should rebalance its resources and responsibilities so that the funding partnership with localities is restored, ensuring the delivery of critically needed services in communities throughout Virginia. State established standards for locally delivered services must be accompanied by adequate state funding to successfully provide those services, and reciprocal accountability for successes and failures, ensuring both the state and localities accept responsibility commensurate with their respective roles.

Highlights of Fairfax County Priorities in 2022-2024 Budget

The state budget, particularly in a long GA session when a new biennium budget is crafted, is always the single most important piece of legislation considered by the GA. At the start of the 2022 GA session, there was considerable uncertainty about the budget. Typically, the Governor's budget undergoes significant changes throughout the legislative process. However, budgets after the election of a new Governor often experience an increased degree of change, as Virginia has an unusual budget process for new Governors. It is the departing Governor, in this case Governor Northam, who has proposed the official Governor's budget to the 2022 GA. But it is the incoming Governor, Governor Youngkin, who has been in a position to work with the GA on the budget throughout the session, as well as make legislative decisions about the final budget after the session has concluded. He will also be the Governor who implements the 2022-2024 biennium budget.

It is often believed that budgeting during difficult economic times when revenues are stagnating, or worse declining, is particularly challenging. And while reduced resources make prioritization more crucial and require a spirit of cooperation to bridge the gap between available revenues and critical needs, it is equally true that budgeting in times of substantial surplus can create significant challenges as well. That is the case for the 2022 GA, where a feeling that the size of the surplus and the influx of federal funding resulting from the pandemic present a generational opportunity to make progress on a number of policy priorities – the problem at present is that there is not agreement on what those priorities should be and where compromises can be made, as the House and Senate budgets are approximately \$3 billion apart.

To begin with, Governor Northam's budget includes extensive spending priorities, tax cuts, and refunds, that were built on the Commonwealth's record-breaking surplus of \$2.6 billion, the largest in Virginia's history. Governor Northam attributed this surplus not just to recent influxes of one-time federal funding, but also the significant increase in state revenues, reflecting the Commonwealth's record economic growth. The Senate maintains the foundation set by Governor Northam's budget proposal, believing it reflects a roadmap for the long-term success of the state. As a result, the Senate budget sustains, and in many cases expands upon, Governor Northam's proposed investments in K-12 education, behavioral health, and economic development. The Senate budget also largely supports Governor Northam's approach to tax cuts and refunds. Most critically for localities, the Senate budget maintains the partial repeal of the sales tax on groceries, protecting the one-percent local option.

Alternatively, the House budget significantly overhauls Governor Northam's proposal, partially rolling back many spending initiatives and adding significant tax cuts and refunds supported by Governor Youngkin. The House budget's inclusion of a policy change to double the state's standard income tax deduction is the largest single item responsible for the more than \$3 billion gap between the House and Senate budgets. The House budget also includes a full repeal of the sales tax on groceries, including the local portion. Although both bodies have indicated that they intend to backfill the revenues from their respective proposals to eliminate the sales tax on groceries, addressing any potential revenue loss through GF appropriations that must be reapproved each year is not an adequate replacement for the dedicated revenues provided by the existing tax, as those appropriations will be vulnerable to caps or reductions in future years. Additionally, at this time neither proposal addresses the proposed elimination of revenues generated by the portion of the existing sales tax on groceries that is dedicated to transportation, a significant concern at a time when the state is not adequately funding transportation needs.

As the final days of the session drew near, it became clear that a budget would not be agreed prior to the scheduled adjournment date of the GA. Budget conferees indicated that the complexity of the changes to revenue policy and spending would require additional time for negotiation. Typically, when budget negotiations reach a stalemate, the most productive path forward is for legislators to take a break from the rigors of the session, allowing budget conferees to continue negotiating, with the full GA returning for a special session when the final budget conference report has been agreed to by the conference committee. It appears that the GA will follow that formula this year as well. Although numerous, sizable, unresolved questions remain for the state budget, both the House and Senate proposals represent a dramatic shift from the pandemic-focused, cost-cutting actions of the past two years.

Priority Budget Items for Fairfax County 2022-2024 House and Senate Biennium Budgets

K-12 Funding

Compensation Increases

The Governor's budget includes a five percent salary increase each year, allowing school divisions to receive a prorated payment if a minimum local increase of 2.5 percent is provided each year. To receive the FY 2024 funding, divisions must have provided the minimum 2.5 percent increase in both FY 2023 and FY 2024. The Senate maintains this approach, while the House provides a four percent salary increase and one percent bonus each year (though the House does require school divisions to provide at least a 2.5 percent increase each year to qualify for state funding in FY 2024). Both the Governor's budget and Senate would provide FCPS approximately \$47 million in state funding over two years for a five percent salary increase each year, while requiring approximately \$209 million in local funding – the large local share is due in part to the Local Composite Index (LCI), which, while purportedly designed to measure local "ability to pay," fails to account for the impact of the high cost of living in areas like Northern Virginia. The local cost is driven even higher because the state only funds positions recognized in the Standards of Quality (SOQ) and only provides funds based on a weighted statewide average salary – leaving localities to pay the full costs of any positions exceeding state requirements and the full cost of any portion of salary beyond those weighted averages. The House budget provides less funding for FCPS, because the one percent bonus in FY 2023 would not be built into the base for FY 2024.

House: Provides approximately \$247 million GF in FY 2023 for the state's share of a four percent salary increase and one percent bonus for instructional and support positions, effective July 1, 2022. Provides approximately \$453.6 million GF for an additional four percent salary increase and one percent bonus in FY 2024, with an effective date of July 1, 2023. Divisions may receive a prorated payment if a minimum local increase of 2.5 percent is provided each year. To receive the FY 2024 funding, divisions must have provided the minimum 2.5 percent increase in both FY 2023 and FY 2024. For FY 2023, the cost to provide a five percent salary increase totals approximately \$124.9 million – approximately \$24 million of that cost would be provided by the state and the net cost to Fairfax County would be approximately \$100.9 million.

Senate: Provides approximately \$137.4 million in FY 2022 for a 1.9 percent bonus for funded SOQ instructional and support positions (which equals approximately \$1,000 per position) on June 1, 2022, from federal American Rescue Plan Act (ARPA) funding. Localities would not be required to provide a local match, and FCPS would receive approximately \$21.2 million in FY 2022. It is important to note that FCPS would have to cover 100 percent of the cost of providing bonuses to non-SOQ covered positions. Providing bonuses to all FCPS employees would cost approximately \$30.9 million – after accounting for state funding, the net cost to FCPS would be \$9.7 million (excluding hourly employees).

Support Cap

Senate: Provides approximately \$109.4 million GF in FY 2023 and approximately \$162.4 million GF in FY 2024 to increase the number of funded K-12 support positions (funding 2,744 positions in FY 2023 and 3,980 positions in FY 2024 statewide). This increases state funding for support positions, partially removing the cap implemented in FY 2010. The current cap costs FCPS approximately \$36 million annually, and this budget amendment is estimated to restore approximately one-third of those revenues (approximately \$10.2 million).

HB 599

Senate: Provides approximately \$2.3 million in FY 2022 in HB 599 funding for localities with police departments, reflecting the projected GF revenue growth rate (not accounting for tax proposals) of 4.9 percent in FY 2022. The FY 2022 appropriation is prorated to a quarterly amount to account for the timing of the payment. Additionally, provides an increase of approximately \$19.1 million in FY 2023 and approximately \$27.9 million in FY 2024 for HB 599, also reflecting the projected GF revenue growth rate (not accounting for tax proposals) of 4.8 percent in FY 2023 and 4.2 percent in FY 2024. This would provide the County additional state funding of approximately \$323,000 in FY 2022, \$2.3 million in FY 2023, and \$1.2 million in FY 2024.

School Construction

House: Provides approximately \$291.7 million GF and \$250 million from the Literary Fund in FY 2023 to establish the School Construction Loan Rebate Program, which would provide competitive loan rebate grants for school construction and modernization. These grants would provide 30 percent loan rebates for \$1 billion in construction projects, along with interest buydown grants to provide zero-interest financing for another \$1 billion in construction projects. Grant selection would be based on demonstrated poor building conditions, commitment, and need for projects financed through the Virginia Public School Authority pooled bond program, or pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002.

Senate: Maintains the funding for school construction included in the Governor's budget, while also allowing school divisions to use construction grant funds for debt service payments on school projects that have been initiated or completed over the last ten years. The Senate also includes language prohibiting the use of such funding for parking lot repairs/replacement or for facilities that are predominantly used for extracurricular athletic activities. This is estimated to provide FCPS approximately \$32.9 million in construction grants.

Grocery Tax

House and Senate: Both budgets include amendments related to the sales tax on groceries, which is a worthy policy goal. However, it is essential that the state fully replace the revenue to K-12, localities, and transportation, as the state continues to underfund core services in those areas, even with current revenues. Addressing any potential revenue loss through GF appropriations that must be reapproved each year is not an adequate replacement for the dedicated revenues provided by the existing tax, as those appropriations will be vulnerable to caps or reductions in future years. The current sales tax on groceries generates approximately \$60-70 million per year in Fairfax County, with a significant portion being dedicated to K-12 funding.

Further, the current proposals do not mitigate the projected \$135 million annual reduction in sales taxes directed to transportation through the CTF, which provides vital funding to road maintenance and construction, as well as to public transportation. The 2018 GA diverted \$102 million in annual regional transportation funding to WMATA. That action addressed WMATA funding needs at the expense of other critical projects throughout Northern Virginia. The GA has successfully restored approximately \$63.5 million, annually, but NVTAs has not yet been made whole. At the same time, transportation project costs continue to increase significantly. Several County projects have already been impacted, including: the Fairfax County Parkway widening, the Frontier Drive extension, the Davis Drive extension, and numerous bicycle and pedestrian projects throughout the County.

It is essential that state funding for core services increase, to ensure that additional funding obligations are not merely diverted to localities, leading to the very real possibility that state tax cuts will merely need to be replaced by local tax increases, as the actual costs of vital programs and services will not be reduced simply because the state does not pay its appropriate share (see page 18).

Stormwater Local Assistance Fund (SLAF)

The Governor's budget provided \$100 million GF in FY 2023. Unfortunately, both the House and Senate budgets reduce the Governor's proposal for SLAF, but the House reduction is much more substantial.

House: Removes \$75 million GF in FY 2023 for SLAF and reverts to the funding level provided in FY 2022.

Senate: Removes \$50 million GF in FY 2023 for SLAF. Although this reduces the funding included in the Governor's budget, the Senate does provide an increase from the current FY 2022 funding level.

Community Services Board (CSB)

House: Provides approximately \$25.5 million from federal ARPA funds in FY 2023 and approximately \$25.5 million GF in FY 2024 for targeted salary increases for direct care staff working for CSBs or a Behavioral Health Authority.

Senate: Provides approximately \$37.8 million GF in FY 2023 for recruitment and retention bonuses for CSB staff. The funding will be used to provide \$1,000 quarterly recruitment bonuses to support 1,593 new direct care hires statewide, and \$1,000 quarterly retention bonuses to support 7,847 existing CSB direct care employees statewide. The funding will be distributed based on the number of full-time staff employed by CSBs and the staff hired each quarter.

Virginia Housing Trust Fund (VHTF)

House: Eliminates the \$70 million GF increase in FY 2023 and the \$120 million GF increase in FY 2024 for VHTF included in the Governor's budget.

Senate: Retains the funding increase in the Governor's budget for VHTF. Additionally, establishes a stakeholder work group to develop model guidelines for a program to provide long-term rental assistance to low-income, very low-income, and extremely low-income renters, to enable them to afford housing costing 30 percent of their income.

Virginia Preschool Initiative (VPI)

House: Removes approximately \$1.9 million GF in FY 2023 and approximately \$2 million GF in FY 2024 by excluding the Cost of Competing Adjustment (COCA) in the implementation of the biennial re-benchmarking of VPI per pupil payments. Additionally, removes approximately \$6 million GF in FY 2023 and approximately \$13.4 million GF in FY 2024 for additional support to localities to serve three-year-old children. Based on the current VPI service level in Fairfax County, the House would only provide the County approximately \$693,000 in additional funding (increasing the per pupil level by \$704, to a total of \$8,359).

Medicaid Waivers and Provider Rates

Medicaid Waivers

Senate: Removes approximately \$13 million GF and approximately \$13 million NGF each year, eliminating 600 additional waiver slots included in the Governor's budget for FY 2023. The Senate maintains the 600 slots included in the Governor's budget for FY 2024.

Provider Rates

House: Provides approximately \$37.9 million GF in FY 2023 and approximately \$43.3 million GF in FY 2024, and approximately \$39.9 million in FY 2023 and approximately \$45.7 million in FY 2024, from matching federal Medicaid and other NGFs, to rebase the Medicaid rates for Developmental Disability (DD) waiver services that were not included in the Governor's budget, including services provided in group homes serving five to 12 persons, Group Day Support, and Group Supported Employment. Also, adds language setting out the appropriation for DD waiver rebasing, totaling \$375.5 million GF and \$389 million in federal Medicaid matching funds and other NGF over the biennium. Language also provides the Department of Medical Assistance Services (DMAS) with authority to update rates based on recent rebasing estimates, though first a review of the model assumptions must be conducted and reported (the review and report are due by June 15, 2022). The rates must be reflective of tiered payments contained in the rebasing model.

Senate: Provides approximately \$13.5 million GF and approximately \$13.8 million NGF in FY 2023, and approximately \$15.4 million GF and approximately \$15.9 million NGF in FY 2024, to fund rate increases for all DD waiver services, consistent with the rate study conducted by DBHDS. The Governor's budget only included funding for select services.

Transportation Funding

As introduced, the Commonwealth's transportation budget was larger than what was approved in 2021, due largely to increases from 2021 projections, as well as substantial federal funding expected to be directed to Virginia through the recently passed IIJA. As such, many programs including public transit, highway construction, and highway maintenance are projected to receive increased revenues for many of their programs. However, as previously noted, various tax proposals would decrease state funds to the CTF – specifically, efforts to reduce the statewide gasoline tax for a period of time (during the session, proposals to eliminate the gas tax for one year were also considered – see page 7) and efforts to eliminate the sales tax on groceries and personal hygiene products (see page 16). Both budgets include the statutory language to enact their respective sales tax on groceries proposals, and the House budget includes statutory language related to their gas tax proposal (**HB 1144**). The Senate budget also includes reductions to the CTF of over \$190 million to reflect the elimination of the sales tax on groceries.

Further, after the session had concluded, Governor Youngkin announced a plan to send emergency legislation suspending the entire statewide gas tax, in response to the current spike in gas prices, which is at least in part resulting from the Russian invasion of Ukraine and the ongoing conflict in that region. The bill, which he would like the GA to consider during the upcoming special session, would impact the state tax of 26.2 cents per gallon for gasoline and 27 cents per gallon for diesel (which is deposited into the CTF), reducing state transportation revenues by approximately \$437-476 million. Though the gas tax suspension would be temporary, the Governor's plan would also cap the annual adjustment to the gas tax at no more than two percent per year, potentially creating a permanent reduction in state revenues. This proposal could have a significant impact on state transit operations funding, affecting the Fairfax Connector, WMATA, and the Virginia Railway Express (VRE), as well as transit capital and roadway funding. While the Governor indicated that the goal of this plan is to combat high gas prices, there is no guarantee that suspending the state gas tax would have any impact on gas prices, as retailers are not required to pass the reduction on to consumers.

In addition to the larger discussions about revenues, there has also been language specifying how certain revenues would be allocated. The Governor's budget included \$207.2 million from the GF to support the planning, development, and construction of multi-use trails in the Commonwealth, including the Fall Line Trail in central Virginia, the Shenandoah Valley Rail Trail, and the Eastern Shore Rail Trail.

The House budget reduces that amount to \$61.7 million, directing that funding to specific projects including:

- \$21.7 million for the Fall Line Trail in central Virginia and the Craig Valley Railbed Trail;
- Up to \$30 million for enhancements to I-64 between Richmond and Williamsburg; and,
- Up to \$10 million from the GF to expedite the replacement of the Norris and McMullen bridges.

The Senate budget reduces the amount proposed by the Governor to \$25 million, directing that funding to specific projects including:

- \$20 million for the establishment of the State Trails Office within VDOT, with up to \$1.5 million to support initial operation overhead costs. Additionally, it set aside \$20 million in each year from the federal Transportation Alternatives Program for regional multi-use trails. The budget also specifies that priority will be given to new regional trails, projects to improve connectivity of existing trail networks, and geographic diversity.
- \$5 million for the Transit Ridership Incentive Fund for regional connectivity programs focused on congestion reduction and mitigation through the provision of long-distance commuter routes.

In 2021, the GA directed federal COVID-19 relief funds, in addition to some funding from the GF to a Transportation Funding Initiative, which funded specific projects and programs, many of them benefitting Northern Virginia. Similar efforts have continued in 2022, as Governor Northam recommended adding \$115.8 million to the Initiative and directing the funding to various projects mostly outside of Northern Virginia. The House budget retains the \$115.8 million included by the Governor, directing some of it in a similar manner while making some changes as well. The Senate added an additional \$190 million,

directing most of the money to projects outside of Northern Virginia. However, the Senate did include some provisions that could benefit the County, including:

- Increasing funding to support the planning, development, and construction of multi-use trails throughout the Commonwealth to \$30 million, prioritizing new regional trails, projects to improve connectivity of existing trail networks, geographic diversity, and the establishment of a State Trails office; and,
- Adding up to \$5 million for the Transit Ridership Incentive Fund, which emphasizes regional connectivity programs focused on congestion reduction and mitigation through the provision of long-distance commuter routes.

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Estimated Impact to Fairfax County - Increase/Decrease Over Prior Fiscal Year (\$ Million)

Direct County Impact	Governor's Budget		House		Senate	
	FY 2023	FY 2024	FY 2023	FY 2024	FY 2023	FY 2024
Governor and Senate: Provide 5% salary increase for Constitutional officers and state supported local employees in FY 2023 and 5% increase in FY 2024.	\$1.77	\$1.86	--	--	\$1.77	\$1.86
House: Provide a 4% salary increase in FY 2023 and a 1% bonus (bonus effective September 1, 2022), as well as a 4% salary increase in FY 2024 and a 1% bonus (bonus effective December 1, 2023) for Constitutional officers and state supported local employees.	--	--	\$1.72	\$1.69	--	--
Compression adjustments for sworn deputy sheriffs	\$0.54	--	\$0.54	--	\$0.54	--
HB 599 Funding	--	--	--	--	\$2.30	\$1.20
Increase per diem rates	--	--	\$0.22	--	\$0.28	--
TOTAL DIRECT IMPACT	\$2.31	\$1.86	\$2.48	\$1.69	\$4.89	\$3.06
TOTAL OVER BIENNIUM	\$4.17		\$4.17		\$7.95	
Impact to the Fairfax County Public Schools' (FCPS) FY 2023 Operating Fund Budget:						
<p>Governor's Introduced Budget: Compared to FCPS' FY 2023 Budget Forecast, presented to the School Board and the Board of Supervisors on November 23, 2021, and the FY 2022 Approved Budget, the introduced budget includes \$23.6 million more in sales tax and \$64.3 million more in state aid, which is contingent on providing an average salary increase of 5%. Without the compensation supplement, state aid would increase by approximately \$40.4 million. It should be noted that several items would require additional expenditures for the local share, which were not assumed in FCPS' FY 2023 Budget Forecast. FCPS' FY 2023 Proposed Budget was released on January 13, 2022, and reflects the revenue increases in sales tax and state aid identified above.</p>						
<p>House Amendments: Compared to FCPS' FY 2023 Advertised Budget, approved on February 24, 2022, the House amendments include a reduction of \$18.5 million in sales tax revenue offset by an increase of \$18.3 million in state aid for FY 2023. Compared to FY 2022, the House amendments provide an increase of \$87.8 million in state funding.</p>						
<p>Senate Amendments: Compared to FCPS' FY 2023 Advertised Budget, approved on February 24, 2022, the Senate amendments include a \$15.4 million increase in state aid and a \$0.3 million decrease in sales tax revenue for FY 2023. Compared to FY 2022, the Senate amendments provide an increase of \$103 million in state funding.</p>						

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General

Source	Amendment	Fairfax County Impact
Compensation		
<i>Governor</i> Item 483 U.1	Provides funding to support a 5% across-the-board salary increase in FY 2023 for Constitutional officers, regional jail superintendents, finance directors, and their Compensation Board-funded employees effective July 1, 2022, as well as a 5% across-the-board increase for all state-supported employees effective July 1, 2023. The funding is contingent on the local governing body using the funding to support the provision of salary increases.	Positive. The County would receive approximately \$1.77 million in additional state funding in FY 2023 and \$1.86 million in additional state funding in FY 2024.
<i>House</i> Item 483 #2h	Adjusts funding included in the introduced budget for employee compensation to provide a 4% salary increase in FY 2023 and a 1% bonus (bonus effective September 1, 2022), as well as a 4% salary increase in FY 2024 and a 1% bonus (bonus effective December 1, 2023). The funding is contingent on the local governing body using the funding to support the provision of salary increases.	Positive. The County would receive approximately \$1.72 million in additional state funding in FY 2023 and \$1.69 million in additional state funding in FY 2024.
<i>Senate</i> Item 483	No change. Retains salary increase proposal for state-supported local employees as included in the introduced budget.	
<i>Governor</i> Item 72.R	Provides \$15.6 million over the biennium in compression adjustments for sworn deputy sheriffs and regional jail officers of \$100 for each year of service (for incumbent personnel with three or more years continuous state service, up to 30 years of service).	Positive. The County would receive approximately \$540,000 in additional state funding in FY 2023 from the Compensation Board.
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 72.Q	Provides \$74 million over the biennium to increase entry-level salaries of sworn deputy sheriffs and regional jail officers to \$42,000 (including increases to the new minimum for positions currently budgeted below that level), effective July 1, 2022.	Positive. Sheriffs' compensation is based on the County's pay plan, with a minimum salary of \$53,190. This would result in additional state funding in FY 2023 from the Compensation Board.
<i>House/Senate</i>	No change.	
Judiciary/Public Safety		
<i>Governor</i> Item 483	Provides funding to support a 5% across-the-board salary increase in FY 2023 for all state	Included in this appropriation is funding for court personnel salary increases. Support for

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	employees effective July 1, 2022, as well as a 5% across-the-board increase for all state employees effective July 1, 2023.	sufficient funding for salaries of court personnel, a state responsibility, is included in the County's legislative program. This proposal will have a local fiscal impact of \$72,000, as the County provides salary supplements for certain court personnel.
House Item 483 #2h	Adjusts funding included in the introduced budget for employee compensation to provide a 4% salary increase and 1% bonus in each year of the biennium for state employees.	This proposal will have a local fiscal impact of \$57,600 for a 4% salary increase, as the County provides salary supplements for certain court personnel.
Senate	No change.	
Governor Item 45	Provides an increase of \$7.8 million GF each year to support additional staffing in general district court clerks' offices.	TBD. The allocation of staff by the Supreme Court of Virginia to each court has not yet been determined – the last District Courts of Virginia Clerk Staffing Needs Report identified that 11 additional positions are needed in Fairfax County. If all 11 positions are received, the increased cost to the County would be approximately \$90,000 (which includes 15% salary supplements and computer equipment for the new positions). Support for adequate funding for Virginia's court system, a critical state responsibility, is included in the County's legislative program.
House	No change.	
Senate Item 39 #3s	Provides approximately \$5.3 million GF each year to provide a \$2,500 wage or salary increase to all district court clerks, effective June 10, 2022, for the July 1, 2022, payday.	While these are state positions, the County administers a 15% salary supplement to state clerk positions in General District Court. If the base salary increases, so will the 15% supplement amount the County provides. The estimated cost to the County is approximately \$34,000 if the 91 clerks' salaries the County provides a supplement to are increased by \$2,500.
Governor Item 48	Provides approximately \$3.9 million GF in FY 2023 and over \$4 million GF in FY 2024 to increase the base annual salary for current magistrates to \$54,000, and provide salary enhancements for length of service to address recruitment and retention challenges.	While the item does not provide direct additional revenue to the County, it adds additional state funding for magistrates. Support for adequate funding for Virginia's court system, a critical state responsibility, is included in the County's legislative program.
House/Senate	No change.	
Governor Item 42	Provides \$1 million GF in FY 2023 and approximately \$980,000 GF in FY 2024 for the costs of visual and spoken language interpreters to ensure uniform statewide interpreter services throughout the court system.	Positive. Currently, the state does not fund all necessary interpreters, so the County uses a mix of local dollars and volunteers to provide interpreters for certain proceedings. Support for adequate funding for Virginia's court

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		system, a critical state responsibility, is included in the County’s legislative program
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 408	Provides \$1 million GF per year for pre-release and post-incarceration services.	Positive. It is unclear how this funding will be allocated.
<i>House</i>	No change.	
<i>Senate</i> Item 408 #3s	Provides an additional \$500,000 each year for local pretrial services and community corrections.	Positive. It is unclear how this funding will be allocated.
<i>Governor</i> Item 410	Level-funds aid to localities with police departments (“HB 599”) in FY 2023 and FY 2024, rather than allowing funding to increase with the growth in the state General Fund. State funding levels have been frozen since FY 2020.	Based on growth in the state’s GF, the County should receive additional HB 599 funding. If state funding had consistently increased with state revenues, as is required, Fairfax County would have received approximately \$85.7 million in additional funding over the past twelve years.
<i>House</i>	No change.	
<i>Senate</i> Item 410 #1s Item 408 #1s in SB29	Provides an increase of \$19.1 million in FY 2023 and \$27.9 million in FY 2024 for HB 599, reflecting the projected GF revenue growth rate, not accounting for tax proposals, of 4.9% in FY 2022, 4.8% in FY 2023, and 4.2% in FY 2024. The Caboose bill, SB 29, provides \$2.3 million in FY 2022 for HB 599. The purpose is to reflect the projected GF revenue growth rate, not accounting for tax proposals, of 4.9% in FY 2022. The FY 2022 appropriation is prorated to a quarterly amount to account for the timing of the payment.	Positive. The County would receive approximately \$2.3 million in additional state funding in FY 2023 and \$1.2 million in FY 2024. The County would receive an increase of approximately \$323,000 in FY 2022.
<i>House</i> Item 408 #1h	Provides \$25.8 million in each year of the biennium to support additional funding for School Resource Officer Incentive Grants.	TBD. Appears that grant funding would be available for new SRO positions. Requires a local match.
<i>House</i> Item 486 #1h	Provides \$100 million from federal American Rescue Plan Act (ARPA) funding in FY 2023 for one-time grants to state and local law enforcement agencies for training and equipment. No less than \$80 million of this appropriation shall be provided for support of local law enforcement agencies.	TBD. The County could potentially apply for a grant from this fund.
<i>Governor</i> Item 412	Provides level funding of \$2.5 million GF each year for the Emergency Shelter Upgrade Assistance Fund, which aids local governments in proactively preparing for emergency sheltering situations.	Positive. The County plans to apply for a grant from this fund in FY 2022 to support electrical system upgrades at the Fairfax County Park Authority, Lee District Rec. Center in support of congregate sheltering needs (total funding is

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		\$562,500, which includes a local cash match of \$122,500).
House/Senate	No change.	
Governor Item 72.P	Provides \$18 million GF in FY 2023 and \$19.7 million GF in FY 2024 for new behavioral health case manager positions, and the state's share of medical and treatment positions that are currently unfunded. These positions are intended to assist with compliance for new behavioral health care standards under consideration by the Board of Local and Regional Jails.	Positive. Would result in additional funding from the Compensation Board; however, the exact amount is not clear. The Sheriff's Office currently has one Behavioral Health Manager position that is vacant (with a mid-range salary of approximately \$97,000).
House Item 72 #1h	Reduces funding by approximately \$11.5 million GF in FY 2023 and approximately \$3.3 million GF in FY 2024 to reflect a phasing-in of behavioral health positions provided to meet new standards for mental and behavioral health adopted by the Board of Local and Regional Jails. Specifically, this amendment allocates funding to support the authorization of one-quarter of the total proposed positions every six months.	
Senate Item 72 #2s	Reduces funding by approximately \$11.3 million GF in FY 2023 and approximately \$9.8 million GF in FY 2024 to reflect a phasing-in of behavioral health positions provided to meet new standards for mental and behavioral health adopted by the Board of Local and Regional Jails.	
Governor Item 44	Provides an increase of approximately \$979,000 GF per year for Circuit Court Clerks' operating budgets.	Positive. Funding will ultimately go into the Circuit Court Clerk's Technology Trust Fund, with no direct impact to the County's General Fund budget. Support for adequate funding for Virginia's court system, a critical state responsibility, is included in the County's legislative program.
House	No change.	
Senate Item 44 #3s	Provides \$1.5 million GF in each year to increase daily compensation from \$30 to \$50, pursuant to SB 730 (Lewis).	The County will incur additional costs of approximately \$104,000 as a result of the increased rate.
Governor Multiple items under the Compensation Board	Provides approximately \$786,000 GF in FY 2023 and \$857,000 GF in FY 2024 to fund participation in career development programs for all qualified Constitutional officers and employees, as identified in the FY 2022 budget cycle.	TBD.

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<i>House/Senate</i>	No change.	
<i>Governor</i> Item 73	Reduces existing appropriation for per diem payments to local and regional jails due to revised local- and state-responsible inmate population forecast and anticipated expenditures – reduction of \$10.9 million in FY 2023 and \$10.5 million in FY 2024.	No impact. This budget item adjusts the state appropriation based on actual expenditures. Support for adequate compensation for localities at a level commensurate with the state’s responsibility for local jail operations is included in the County’s legislative program.
<i>House</i> Item 73 #1h	Provides approximately \$9.3 million GF in FY 2023 and approximately \$9.4 million GF in FY 2024 to increase the per diem for every state-responsible inmate housed at a local or regional jail by \$4/day. A state-responsible inmate is defined as a person convicted of one or more felony offenses for which the sum of consecutive sentences is more than one year. At present, the state provides local and regional jails with a stipend of \$12 per inmate day for each state-responsible inmate.	The County would receive an increase of approximately \$217,500 from the state.
<i>Senate</i> Items 73 #2s and #3s	Provides approximately \$6.6 million GF in FY 2023 and approximately \$6.7 million GF in FY 2024 to increase the per diem payments to local and regional jails for housing local-responsible inmates with state charges from the current rate of \$4 per day to \$5 per day, and for inmates at jail farms from \$18 per day to \$19 per day. In addition, provides \$4.6 million GF in FY 2023 and \$4.7 million GF in FY 2024 to increase the per diem paid to local and regional jails for state-responsible inmates from \$12 per day to \$14 per day.	The County would receive an increase of approximately \$167,000 for the local-responsible inmates and an increase of approximately \$109,000 for the state-responsible inmates.
<i>Senate</i> Item 36 #1s	Provides \$100,000 GF in FY 2023 for a Joint Legislative Audit and Review Commission (JLARC) study to review the feasibility and cost of a statewide system of public defender offices, and the staffing and pay associated with all court-appointed criminal legal counsel and defense.	The amendment was in response to various bills such as SB 282 (Ebbin), related to public defender salary supplements.
Elections		
<i>Governor</i> Item 89	Provides approximately \$1.3 million in each year of the biennium for election public education.	TBD. Support for increasing access to voting is included in the County’s legislative program. Similar funding was included in FY 2022, but the funding was not provided directly to localities. Decisions about the education campaign and how to allocate funding were made at the state level, and none

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		of the FY 2022 funding was spent in Fairfax County.
House Items 86 #1h; 89 #1h	Eliminates proposed funding for voter education and outreach, including support for one full-time position.	None.
House Item 89 #2h	Provides \$2.2 million GF in FY 2023 for the Department of Elections (ELECT) to notify all registered voters of recent changes made to the Commonwealth's legislative districts during the redistricting process.	TBD. The notification mailing is projected to cost the County \$500,000. This state funding may mitigate some of those costs.
House Items 86 #1h (2020-2022); 89 #8h (2022- 2024)	Removes language allowing ELECT to continue to reimburse localities for absentee ballot prepaid postage costs and eliminates the corresponding state funding.	Negative. The County received approximately \$40,000 in reimbursements from the state for the 2021 election cycle.
Senate	No change.	
Economic Development/Workforce		
Governor Item 115 Q.1	Provides \$5 million GF for the Community Development Financial Institutions Fund in FY 2023; this fund provides grants to community development financial institutions (CDFIs), community development enterprises (CDEs), or other similar entities whose primary purpose is to provide financing in the form of loans, grants or forgivable loans to small businesses or community revitalization real estate projects.	Positive. The Community Business Partnership in Fairfax County is a CDFI. Additional capital for CDFIs could potentially benefit small businesses in the County.
House Item 115 #9h	Removes \$5.3 million GF in FY 2023 and \$300,000 GF in FY 2024 from the introduced budget for the CDFI Fund. The 2021 GA provided one-time funding of \$10 million to capitalize this fund.	Negative. Reduces appropriations from the introduced budget.
Senate Item 115 #3s	Removes \$2.5 million GF in FY 2023 included in the introduced budget for the CDFI Fund.	Negative. Reduces appropriations from the introduced budget.
Governor Item 116	Provides \$3.7 million GF per year for the Enterprise Zone program.	None. The County is not included in the current Enterprise Zones. At this time, the program is not incorporating additional zones.
House Item 116 #1h	Removes \$2 million GF each year from the introduced budget for the Enterprise Zone Grant Program.	Reduces appropriations from the introduced budget.
Senate Item 116 #1s	Removes \$1 million GF each year from the introduced budget, for the Enterprise Zone Grant Program.	Reduces appropriations from the introduced budget.
Governor Item 113	Provides nearly \$43 million GF each year as reserves for required payments from the Major	Although there is no direct fiscal impact to the County, since the Major HQ Workforce Grant Fund was established specifically for

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	Headquarters Workforce Grant Fund for the new Amazon headquarters.	incentives related to the HQ2 project located in Arlington County, there is significant potential for regional benefits. For example, County residents may benefit from access to new high-paying employment opportunities. Additionally, the County may benefit from the multiplier effects of a major tech player locating in the region (this could include Amazon purchases of products, services, and technologies from local firms), as well as the potential attraction or retention of other tech firms that want to be close to Amazon. The funds are provided to Amazon for new full-time jobs created. The approved levels are \$22,000 per new full-time job created for the first 25,000 new jobs, then \$15,564 per new full-time job for the next 12,850 jobs, with a total cap of \$750 million total awarded. Amazon has 20 years to meet these goals (expires December 31, 2038).
House Item 113 #4h	Provides an additional \$35.5 million GF in FY 2023 for the Major Headquarters Workforce Grant Fund in anticipation of large future payments for the Amazon HQ2 project.	Expands upon the introduced budget.
Senate Item 113 #2s	Establishes an ongoing appropriation of \$25 million per year for grants to eligible political subdivisions through the Virginia Business Ready Sites Program Fund for the preparation of sites for industrial or commercial development.	TBD. The new Business Ready Sites Program and ongoing appropriation has the potential to make Fairfax County less suitable for Fund awards. The proposed new fund (Business Ready Sites Program) is focused on 100+ acre sites, or a brownfield, for industrial or commercial uses. These are rare in Fairfax County, though there are some brownfield sites that could qualify. The program would allow for up to \$500,000 to assist with site remediation.
Governor Item 121	Provides \$30 million GF in FY 2023 to fund the Low-to-Moderate Income Solar Loan and Rebate Pilot Program.	Positive. The program could help County residents, with household incomes at or below 80% of the state median income or regional median income (whichever is greater), to secure solar loans or rebates.
House Item 121 #1h	Removes \$30 million GF in FY 2023 from the introduced budget to fund the Low-to-Moderate Income Solar Loan and Rebate Pilot Program.	Negative. Reduces appropriations from the introduced budget.
Senate Item 121 #2s	Removes \$20 million GF in FY 2023 from the introduced budget to fund the Low-to-Moderate Income Solar Loan and Rebate Pilot Program.	Negative. Reduces appropriations from the introduced budget.

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	Still provides \$10 million GF in FY 2023 for the initial capitalization of the Low-to-Moderate Income Solar Loan and Rebate Fund.	
<i>Senate</i> Item 121 #1s	Provides \$10 million GF in FY 2023 for initial capitalization of the Driving Decarbonization Grant Program and Fund. The program and fund are designed to assist developers with non-utility costs associated with the installation of electric vehicle charging stations. Of these amounts, \$5 million will be reserved for eligible projects in historically economically disadvantaged communities.	
<i>Governor</i> Item 127	Provides an increase of \$3 million GF per year to capitalize the Regional Innovation Fund, which may be used to provide sustaining funding to promising entrepreneurial ecosystem projects identified by the GO Virginia Board.	Positive. Increased funding is beneficial to support entrepreneurial ecosystems, though requiring entities to receive GO Virginia funding first creates a challenge, as such funding is typically difficult to attain.
<i>House</i> Item 127 #1h	Removes \$1.5 million GF each year from the introduced budget, for the Regional Innovation Fund.	Negative. Reduces appropriations from the introduced budget.
<i>Senate</i> Item 127 #3s	Removes \$2 million GF each year from the introduced budget, for the Regional Innovation Fund.	Negative. Reduces appropriations from the introduced budget.
<i>Senate</i> Item 127 #1s	Provides \$100.7 million GF in FY 2023 in support of a statewide initiative to establish regional innovation clusters in biotechnology, life sciences, pharmaceutical manufacturing, and data analytics through innovative public-private partnerships with Virginia institutions of higher education and existing or emerging industries.	Positive. However, it is unclear if Fairfax County would benefit as specific areas are identified in the amendment to receive the funds. The language identifies that up to \$35 million will be provided to the Greater Richmond and Greater Petersburg areas, \$25 million to the College of William and Mary, \$20 million to UVA, \$15 million to Roanoke, and \$20 million may be used for business incubation space.
<i>Governor</i> Item 212 Y.1	Provides \$24 million GF in FY 2023 and \$14 million GF in FY 2024 for G3 Innovation Grants; the Virginia Community College System is directed to award grants to community colleges in order to increase their capacity to meet regional labor market needs, expand access to G3 programs, and pilot accelerated learning models.	Positive. Support for workforce development is included in the County's legislative program.
<i>House</i> Item 212 #1h	Removes \$28 million GF in FY 2023 and \$15 million GF in FY 2024 included in the introduced budget for G3 Innovation Grants.	Negative. Reduces appropriations from the introduced budget.

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Senate Item 212 #4s	Removes \$14 million GF in FY 2024 included in the introduced budget for G3 Innovation Grants.	Negative. Reduces appropriations from the introduced budget.
Governor Item C-7; C-8; C-9	Provides FY 2022 capital budget investments for the Fairfax Campus of George Mason University (GMU): <ul style="list-style-type: none"> • \$150 million GF for a new Science and Engineering Building. • \$30 million GF for a Student Innovation Factory Building. • Approximately \$14.3 million GF and approximately \$9.8 million NGF for telecom and network upgrades to improve virtual and online delivery. 	Positive. These items include significant capital construction projects at the Fairfax Campus of GMU to assist with implementation of their recently adopted Master Plan.
House Item 485 #4h	Provides \$400,000 GF in FY 2023 to support the purchase of equipment and other infrastructure for the new Lee District Community Workforce Development Center in Fairfax County.	Positive. Support for workforce development is included in the County’s legislative program. The amendment supports the implementation of the Countywide Strategic Plan, the Fairfax County Economic Recovery Framework, and recommendations from the Chairman’s Task Force on Equity and Opportunity.
Housing and Community Development		
Governor Item 114 E.1	Provides additional positions and funding for the Virginia Housing Trust Fund (VHTF) (\$70 million and 10 positions in FY 2023; \$120 million and 15 positions in FY 2024) to support creation or preservation of affordable housing units through construction financing and grants.	Positive. Affordable housing has been a top County priority for many years. This investment would bring the total funding level for the VHTF to \$125 million in FY 2023, and \$175 million in FY 2024.
House Item 114 #1h	Removes \$70 million GF in FY 2023 and \$120 million GF in FY 2024 from the introduced budget for the VHTF. This would level fund the VHTF at \$55 million in each year.	Negative. Reduces appropriations from the introduced budget. Affordable housing has been a top County priority for many years, and support for increasing funding for the VHTF to \$125 million is included in the County’s legislative program.
Senate Item 114 #2s	No change from the introduced budget for VHTF funding. Also establishes a stakeholder workgroup to develop model guidelines for a program to provide long-term rental assistance to low-income, very low-income, and extremely low-income renters to enable them to afford housing costing 30% of their income.	

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Governor Item 114 I	Continues the Eviction Prevention and Diversion Pilot Program with \$3.3 million each year for competitive grants to support local or regional eviction programs, including a systems approach with linkages to local departments of social services and legal aid resources. Priority will be given to applications that provide a local match in an amount deemed appropriate by the Department of Housing and Community Development (DHCD).	Positive. Support to expand resources available to ensure legal assistance and aid to tenants facing eviction is included in the County's legislative program.
Governor Item 114	Includes \$190 million NGF over the biennium for the Housing Innovations in Energy Efficiency (HIEE) program.	Positive. Support for efforts to reduce greenhouse gas emissions and operational demands for energy through efficiency, conservation, renewable energy, education, and other measures is included in the County's legislative program.
House Item 114 #4h	Removes \$95 million NGF each year to reflect the repeal of the Clean Energy and Community Flood Preparedness Act pursuant to HB 1301 (Kilgore).	Negative. The County opposes HB 1301. The Clean Energy and Community Flood Preparedness Act allows the state to participate in RGGI, which the County has historically supported. Additionally, Virginia's participation in RGGI helps achieve statewide greenhouse gas emission reductions goals.
Senate	No change.	
House/Senate Items 114 #2h and #1s	Directs DHCD to develop a model lot lease for use by residents renting lots in manufactured home parks.	Support for changes to state law to protect residents of mobile home parks is included in the County's legislative program.
House Item 114 #3h	Requires DHCD to review the feasibility of using resources in the VHTF to develop manufactured home parks as a source of affordable housing.	TBD.
Broadband		
Governor Item 115 P.1	Creates a staff position responsible for collecting, maintaining, and reporting statewide broadband coverage data in compliance with recent legislation. Continues funding of \$424,000 each year to support the creation of a Statewide Broadband Map to show where there is service and the approximate maximum speeds of broadband in service areas.	Positive. This budget item has the potential to increase accessibility to more accurate data regarding broadband coverage and speeds across the Commonwealth. Support for targeted state investments in broadband infrastructure, an increasingly critical utility, to ensure access to reliable, affordable, high-speed service is included in the County's legislative program.
Governor Item 486	Provides \$8 million in federal ARPA/ State and Local Fiscal Recovery Fund (SLFRF) funds in FY 2023 to continue the Line Extension Customer Assistance Program, which supports	Positive. Support for targeted state investments in broadband infrastructure is included in the County's legislative program.

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	the extension of existing broadband networks to low-to-moderate income residents.	
Governor Item 115 L.1	Provides \$99.5 million over the biennium for the Virginia Telecommunication Initiative (VATI) to continue to expand broadband. This funding is in addition to the \$700 million in federal ARPA funding already allocated for broadband infrastructure in FY 2022.	Positive. Support for targeted state investments in broadband infrastructure, an increasingly critical utility, to ensure access to reliable, affordable, high-speed service is included in the County's legislative program.
House/Senate	No change.	
Natural and Historic Resources		
Governor Item 99	Provides \$2.9 million over the biennium to support the Agriculture and Forestry Industries Development Fund (including a staff position as well as additional grant funding).	Positive. The funding was a recommendation of a work group created by the 2021 GA to improve tree preservation in urban areas, which the County supported.
House Item 108 #2h	Removes \$3 million GF each year from the introduced budget that was intended to provide grant funding to localities to support tree planting and maintenance.	Negative. Reduces appropriations from the introduced budget.
Senate Item 108 #2s	Removes \$1.5 million GF each year from the introduced budget that was intended to provide grant funding to localities to support tree planting and maintenance.	Negative. Reduces appropriations from the introduced budget.
Governor Item 100	Provides \$600,000 GF in FY 2023 and \$575,000 GF in FY 2024 to provide additional funding and seasonal staff to detect and prevent the spread of harmful invasive species.	Positive. The County supported legislation to study the issue of invasive plant species during the 2021 GA.
House	No change.	
Senate Item 100 #1s	Removes \$300,000 GF each year for the invasive species detection program.	Negative. Reduces appropriations from the introduced budget.
Governor Item 374	Appropriates \$313 million GF for the mandatory deposit to the Water Quality Improvement Fund (WQIF) in FY 2023.	Positive. Support for WQIF funding is included in the County's legislative program.
House/Senate	No change.	
Governor Item 375	Provides \$10 million GF in FY 2023 to increase funding for the Virginia Land Conservation Fund.	Positive. Support for the conservation of open space is included in the County's legislative program.
House Item 375 #7h	Removes \$10 million GF in FY 2023 from the introduced budget for the Virginia Land Conservation Fund.	Negative. Eliminates funding increase from the introduced budget.
Senate Item 375 #1s	Provides an additional \$12 million GF in FY 2023 and \$10 million GF in FY 2024 to increase funding for the Virginia Land Conservation Fund.	Positive. Support for the conservation of open space is included in the County's legislative program.
Governor Item 374	Includes \$26.5 million GF in FY 2024 for a discretionary deposit to the WQIF to support	TBD.

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	matching grants for the implementation of agricultural best management practices.	
House Item 374 #3h	Removes \$26.5 million GF in FY 2024 for the discretionary deposit to the WQIF.	TBD.
Senate Item 374 #5s	Removes \$26.5 million GF in FY 2024 for the discretionary deposit to the WQIF.	TBD.
Governor Item 374	Deposits \$20 million GF in FY 2023 for the Dam Safety, Flood Prevention and Protection Assistance Fund.	TBD.
House Item 374 #4h	Removes \$20 million GF in FY 2023 for the Dam Safety, Flood Prevention and Protection Assistance Fund.	TBD.
Governor Item C-80	Provides \$100 million GF for the Stormwater Local Assistance Fund (SLAF) in FY 2023.	Positive. Support for SLAF funding is included in the County's legislative program.
House Item C-80 #1h	Removes \$75 million GF in FY 2023 for SLAF. Reverts to funding level provided in FY 2022.	Negative. Reduces appropriations from the introduced budget.
Senate Item C-80 #1s	Removes \$50 million GF in FY 2023 for SLAF.	Negative. Reduces appropriations from the introduced budget, though funding would be increased from the current FY 2022 funding level.
Governor Item 374	Includes \$170 million NGF over the biennium for the Community Flood Preparedness Fund.	TBD.
Governor Item 374	Maintains FY 2022 levels of support by providing approximately \$7.6 million each year of the biennium to Virginia Soil and Water Conservation Districts for administrative and operational support, and \$4.6 million each year to Virginia Soil and Water Conservation Districts for technical assistance.	TBD.
House Item 374 #1h	Provides an additional \$3.6 million GF each year for Soil and Water Conservation Districts.	TBD.
House Item 374 #6h	Provides \$25 million in FY 2023 from unobligated special fund balances to capitalize the Resilient Virginia Revolving Loan Fund established pursuant to HB 1309 (Bulova).	TBD.
Senate Item 374 #4s	Provides \$10 million GF in FY 2023 to establish a revolving loan fund for resilience in Virginia for property owners and government entities consistent with the provisions of SB 756 (Lewis).	
House Item C-43 #1h	Reduces by \$20 million GF in FY 2023 the proposed amounts included in the introduced budget for soil and water district dam rehabilitation.	

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House Item 378 #2h	Provides \$3 million GF in FY 2023 to Prince William County to assist with the connection of Bristow Manor to the County's wastewater collection system.	SB 567 (Stuart) attempts to address the same issue as this budget item. This item would alleviate the need to amend the Occoquan Policy document, which has stood unchanged since 1971 to protect water quality in the Occoquan, a significant concern to Fairfax Water.
Governor Item 379	Provides \$11.2 million NGF over the biennium for the Department of Environmental Quality (DEQ) to administer the Commonwealth's participation in the Regional Greenhouse Gas Initiative (RGGI), and for the agency's utilization of a portion of the proceeds in climate change planning and mitigation activities, as established in the Clean Energy and Community Flood Preparedness Act.	Positive. The County supported legislation that passed during the 2020 GA session regarding RGGI.
House Item 374 #5h	Removes \$85 million NGF each year to reflect the repeal of the Clean Energy and Community Flood Preparedness Act pursuant to HB 1301 (Kilgore).	Negative. The County opposes HB 1301. The Clean Energy and Community Flood Preparedness Act allows the state to participate in RGGI, which the County has historically supported. Additionally, Virginia's participation in RGGI helps achieve statewide greenhouse gas emission reductions goals.
House Item 379 #2h	Removes \$5.6 million NGF each year to reflect repeal of the Clean Energy and Community Flood Preparedness Act pursuant to HB 1301 (Kilgore).	Negative. The County opposes HB 1301. The Clean Energy and Community Flood Preparedness Act allows the state to participate in RGGI, which the County has historically supported. Additionally, Virginia's participation in RGGI helps achieve statewide greenhouse gas emission reductions goals.
Senate	No change.	
House/Senate Items 377 #1h and #1s	Delays the phased prohibition of polystyrene containers until July 1, 2030. The amendment further requires the Department of Environmental Quality to conduct a recycling economic and environmental impact assessment related to the use of polystyrene containers.	Monitor.
Other Items of Interest		
Governor Item 470	Provides over \$450,000 in FY 2023 and over \$470,000 in FY 2024 to increase salaries for Department of Veterans Services employees in Northern Virginia.	TBD.
House/Senate	No change.	
Governor Item 417	Provides \$225,000 GF in FY 2023 and \$275,000 GF in FY 2024 to support the	No fiscal impact to the County, but may benefit County residents.

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	expansion of Gunston Hall's Virginia History exhibits and development of curriculum and expansion of educational opportunities.	
House Item C-29 #1h	Removes \$350,000 GF in FY 2023 for a project to design and expand history exhibits at Gunston Hall.	Reduces appropriations from the introduced budget.
Senate	No change.	
Governor Item 136	Provides \$275,000 GF in FY 2023 and \$575,000 GF in FY 2024 in additional support for the Wolf Trap Foundation for the Performing Arts to administer STEM Arts and early literacy programs for preschool, kindergarten, and first grade students in currently served divisions (which includes FCPS, as well as most school divisions in Northern Virginia, and a number of others in the Commonwealth) and to establish new services in unserved divisions.	No fiscal impact to the County, but may benefit County residents.
House/Senate	No change.	
Governor Item 275 D.1	Directs the Department of Taxation to study and develop a proposal to require that all individuals who conduct local property tax assessments receive state certification and ongoing recertification.	TBD. The County's Department of Tax Administration places a high value on state licensure and invests significantly in continuing education programs.
House/Senate	No change.	
Governor Item 408	Provides approximately \$15 million GF in FY 2023 and approximately \$12.5 million GF in FY 2024 to fund and staff the Virginia Center for Firearm Violence Intervention and Prevention.	Positive. Support for community violence intervention programs is included in the County's legislative program.
House Item 408 #3h	Removes approximately \$15 million GF in FY 2023 and approximately \$12.5 million GF in FY 2024 to fund and staff the Virginia Center for Firearm Violence Intervention and Prevention.	Negative. Support for community violence intervention programs is included in the County's legislative program.

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Senate Item 408 #6s	No change in the funding included in the introduced budget. The amendment establishes that the Virginia Center for Firearm Violence Intervention and Prevention shall serve as a resource for research, data, and best practices on firearm prevention and intervention. The Department of Criminal Justice Services is directed to coordinate with other relevant agencies to identify and serve target populations, including, but not limited to, veterans and survivors of domestic violence. The Center shall report annually on recommendations to address firearm violence in the Commonwealth.	Positive. Maintains funding from the Governor’s introduced budget. Language mirrors SB 487 (McClellan), which the County supports.
Governor Item 397	Provides nearly \$12 million GF in FY 2023 and nearly \$22 million GF in FY 2024 to staff and operate the Virginia Cannabis Control Authority.	TBD.
House Item 397 #1h	Reduces by \$1.6 million GF in FY 2023 and \$7.7 million GF in FY 2024 the proposed amounts included in the introduced budget for the establishment of the Virginia Cannabis Control Authority. A total of \$10.3 million in FY 2023 and \$14.1 million in FY 2024 would be provided for establishment of the Authority.	
Senate Item 397 #1s	Removes the GF appropriation in FY 2024 for the Virginia Cannabis Equity Business Loan Fund, which is no longer necessary due to significant additional revenue allocated to loans for qualified social equity applicants, pursuant to SB 391 (Ebbin).	
Governor Item 468	Provides \$10 million GF in FY 2023 to fund a State Military Community Infrastructure program that may be established by legislation in the 2022 GA. The program would provide state matching dollars for localities receiving federal grant funding – qualifying grants will be aimed at supporting local economies, funding infrastructure projects, and strengthening Virginia's military bases.	TBD.
House/Senate Items 468 #1h and #1s	Removes \$5 million GF in FY 2023 to fund the Virginia Military Community Infrastructure Program established pursuant to HB 354 (Tata).	Reduces appropriations from the introduced budget.
Governor Item 267	Provides \$1.1 billion for the mandatory deposit to the Revenue Stabilization Fund in FY 2023.	No fiscal impact to the County.

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House/Senate	No change.	
Governor Item 269	Provides \$924 million GF in FY 2023 to make a deposit to the Virginia Retirement System to reduce unfunded liabilities, contingent on revenue estimates being met as assessed in July 2022.	Additional information is included in the Public Education section.
House Item 269 #1h	Redirects \$924 million included in the introduced budget for lump sum deposits for the VRS retirement system in FY 2023. A companion amendment in FY 2022 provides a \$500 million payment to VRS. Making the payment a year earlier than originally proposed will allow the funds to be invested a year earlier, realizing an additional year of investment returns prior to the next valuation.	Improving the funded status of the VRS will provide long-term financial savings for the state and localities.
Senate Item 269 #1s	Adds an additional \$76 million GF in FY 2023 to provide a total of \$1 billion deposit to the VRS to reduce the unfunded liabilities associated with retirement plans and other post-employment benefits plans.	Improving the funded status of the VRS will provide long-term financial savings for the state and localities.
House Item C-19.10 #1h	Provides approximately \$17.9 million GF in FY 2023 for improvements to space on the INOVA campus in Fairfax County for the University of Virginia to expand educational programs and offerings in Northern Virginia.	
Tax Changes and Refunds		
Governor Item 137	Eliminates the state portion of the Sales Tax on groceries, effective January 1, 2023. Includes \$158 million GF over the biennium as a one-time payment to hold school divisions harmless for the portion of this funding that would be distributed based on school-age population. Does not impact the Local Option 1% Sales Tax on groceries. Reduces GF revenues by \$106.2 million in FY 2023 and \$262.3 million in FY 2024.	Additional information is included in the Public Education section.
House Item 4-14 #3h	Includes language eliminating the sales tax on groceries consistent with the provisions of HB 90 as it passed the House.	HB 90 eliminates the tax on groceries (food for human consumption and essential personal hygiene products) entirely (both the 1.5% state portion and the 1% local option), effective July 1, 2022. As a replacement for the revenue loss from the 1% local option, it would provide for a distribution to cities and counties that would be derived from 0.182% of the unrestricted General Fund portion of state sales and use

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		<p>tax. This figure was derived from the Department of Taxation’s estimate of the amount of funding needed to cover local losses associated with the removal of sales taxes on groceries. The bill labels this payment a “supplemental school payment.”</p> <p>It should be noted that the local option sales tax revenue is deposited into the County’s General Fund and supports County expenditures, including the County transfer to FCPS. The estimated revenue derived from the local option sales tax on groceries is approximately \$36 million in FY 2023.</p>
Governor Adjustments and Modifications to Tax Collections section	Eliminates the requirement for certain retailers to make an accelerated sales tax (AST) payment, effective June 30, 2022 (the AST was created after the 2008 recession and requires retailers to pre-pay sales taxes to the state on an accelerated schedule).	
House Item 3-5.06 #1h	Deletes language from the introduced budget eliminating the accelerated sales tax (AST) in FY 2023. A companion amendment eliminates the AST in FY 2022 and therefore the language is no longer needed in HB 30.	
Senate	No change.	
Governor Additional Enactments section	Authorizes certain qualifying households to claim a refundable income tax credit up to 15% of the amount claimed under the federal Earned Income Tax Credit. Similar language is included in the caboose budget. Reduces GF revenues by \$159 million in FY 2023 and \$156 million in FY 2024.	If all of the tax changes and refunds are enacted, this would represent a substantial reduction in state revenues at a time when the state continues to underfund vital core services, from K-12 to human services to public safety, among others.
Governor Additional Enactments section	Includes provisions for full conformity with the Internal Revenue Code regarding the tax treatment of federal COVID-19 response initiatives such as Paycheck Protection Program Loans, Emergency EIDL Grants and Targeted EIDL Advances, Shuttered Venue Operator Grants, and Restaurant Revitalization Grants. Similar language is included in the caboose budget. Reduces GF revenues by \$35.6 million in FY 2023 and \$0.6 million in FY 2024.	If all of the tax changes and refunds are enacted, this would represent a substantial reduction in state revenues at a time when the state continues to underfund vital core services, from K-12 to human services to public safety, among others.

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Governor Item 3-5.22	Provides a one-time tax rebate of \$250 for individuals and \$500 for married couples. Reduces GF revenues by \$1.05 billion in FY 2023.	If all of the tax changes and refunds are enacted, this would represent a substantial reduction in state revenues at a time when the state continues to underfund vital core services, from K-12 to human services to public safety, among others.
House Item 3-5.22 #1h	Provides a tax rebate for individuals who file a Taxable Year 2021 individual income tax return of up to \$300 for an individual or \$600 for married persons filing a joint return.	
House Item 3-5.24 #2h	Deposits \$150 million in FY 2023 to the Taxpayer Relief Fund established by the 2019 GA.	
Senate Item 4-14 #2s	Increases the refundability of the Virginia Earned Income Tax Credit from 15% to 20% of the federal Earned Income Tax Credit.	
Senate Item 4-14 #3s	Increases the Virginia individual and corporate income tax deduction for business interest to 30% of the business interest disallowed as a deduction under the business interest limitation. Under current law, such deduction is equal to 20% of disallowed business interest.	
Senate Item 4-14 #4s	Provides an individual income tax subtraction for up to \$5,000 of military benefits in 2022, up to \$10,000 in 2023, up to \$15,000 in 2024, and up to \$20,000 in 2025, and each taxable year thereafter. The subtraction is limited to recipients of such military benefits that are age 60 or older.	

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Public Education

Source	Amendment	Fairfax County Impact
Recalculation of Local Composite Index for 2022-2024		
Governor Item 137	The Local Composite Index (LCI) is calculated every two years for the state's biennium budget. Counties and cities with a lower LCI receive more state funding, while those with a higher LCI receive less funding.	FCPS' LCI decreased from 0.6541 to 0.6532 for the new biennium. The impact of the funding change associated with changes in the LCI for FCPS cannot be isolated at this time. However, total net impact has been included, primarily in SOQ accounts.
House/Senate	No change.	
Update Costs of the Standards of Quality (SOQ), Sales Tax and Basic Aid		
Governor Item 137	<p>Provides approximately \$154.1 million GF in FY 2023 and approximately \$177.5 million GF in FY 2024 to fully fund the biennial rebenchmarking of K-12 SOQ costs. These increases do not reflect changes in policy but adjust the cost of continuing current programs with the required data revisions.</p> <p>The sales tax estimates are approximately \$178.5 million higher in FY 2023 and \$82.2 million higher in FY 2024 than the FY 2022 estimate. The amount of the Basic Aid offset depends on each division's LCI. The state's share of Basic Aid decreases approximately \$99.6 million in FY 2023 and \$45.8 million in FY 2024 due to the revised sales tax estimates. The net change in state funding to school divisions (due to both the estimated sales tax revenue increase and the Basic Aid offset) is an increase of \$78.9 million in FY 2023 and an increase of \$36.3 million in FY 2024.</p>	<p>The total impact of rebenchmarking cannot be isolated at this time. The funding is included across multiple line items in the overall SOQ accounts.</p> <p>Sales tax results in additional funding of \$23.6 million as compared to the FY 2023 fiscal forecast presented on November 23, 2021, and the FY 2022 Approved Budget.</p> <p><i>Note: A separate one-time grocery tax hold harmless was provided to school divisions and represents the projected net decrease in state payments to offset the impact of eliminating the 1.5% state sales tax on groceries.</i></p>
House	Includes an additional reduction to sales tax in both years for groceries and personal hygiene products, as a result of accelerating the effective date of the elimination of the sales tax on groceries to July 1, 2022, and eliminating the sales tax for personal hygiene products. The total reductions to sales tax distributions are \$129.8 million in FY 2023 and \$2.8 million in FY 2024. These reductions generate a \$72.4 million increase in GF support for Basic Aid in FY 2023, and a \$1.6 million increase in FY 2024. The net effect is a decrease of \$57.4	<p>This results in a decrease of \$18.5 million in sales tax to FCPS as compared to the FY 2023 Advertised Budget.</p> <p><i>Note: A separate sales tax hold harmless was provided to school divisions, and represents the projected net decrease in state payments to offset the impact of eliminating the 1.5% state sales tax on groceries and the elimination of sales tax for personal hygiene products.</i></p>

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	million in FY 2023 and \$1.2 million in FY 2024.	
Senate	Includes an additional reduction to sales tax in both years for personal hygiene products, and an exemption for veterinarians pursuant to SB 516. The total reductions to sales tax distributions are \$2.4 million in FY 2023 and \$4.4 million in FY 2024. These adjustments generate a \$1.3 million increase in GF support for Basic Aid in FY 2023 and a \$2.5 million increase in FY 2024. The net effect of the decrease in sales tax distributions is a decrease of \$1.1 million in FY 2023 and \$1.9 million in FY 2024.	<p>This results in a decrease of \$0.3 million in sales tax as compared to the FY 2023 Advertised Budget.</p> <p><i>Note: A separate sales tax hold harmless was provided to school divisions, and represents the projected net decrease in state payments to offset the impact of eliminating the 1.5% state sales tax on groceries and the elimination of sales tax for personal hygiene products. The Senate amends the calculation of the hold harmless payment to be distributed based on school-age population, like the existing methodology for sales tax.</i></p>
Sales Tax Hold Harmless		
Governor Item 137	<p>Provides approximately \$45.5 million GF in FY 2023 and approximately \$112.5 million GF in FY 2024 to hold divisions harmless for the increase in Basic Aid local share from the elimination of the 1.5% state grocery tax effective January 1, 2023, 1% of which is dedicated to public education and flows through the Basic Aid formula. It is distributed as a separate line-item. Distributions are not subject to subsequent technical updates.</p> <p>School divisions may use these funds for any eligible cost within the SOQ.</p>	<p>In FY 2023, funding of \$9.6 million is included for a one-time grocery sales tax hold harmless provided to school divisions and represents the projected net decrease in state payments to offset the impact of eliminating the 1.5% state grocery sales tax.</p> <p>It is important to note that FCPS receives over \$20 million each year from the grocery sales tax. The Governor’s proposed budget currently includes the one-time hold harmless funds through FY 2024, but there is no indication how or if the state will address the ongoing shortfall after FY 2024.</p> <p>It is essential that the state fully and permanently replace revenues to K-12, localities, and transportation, as the state continues to underfund core services in those areas, even with current revenues.</p>
House Items 137 #5h and #6h	Provides funding of \$57.4 million in FY 2023 and \$1.2 million in FY 2024 to supplement payment adjustments holding school divisions harmless from the net impact of HB 90, which exempts food purchased for human consumption and essential personal hygiene products from all state, regional, and local sales taxes effective July 1, 2022.	Accelerates the effective date of the elimination of the sales tax on groceries to July 1, 2022, and eliminates the sales tax for personal hygiene products. This represents an increase of \$12.1 million to FCPS in hold harmless funding as compared to the FY 2023 Advertised Budget.

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		It is essential that the state fully and permanently replace revenues to K-12, localities, and transportation, as the state continues to underfund core services in those areas, even with current revenues.
<i>Senate</i>	Amends the calculation of the hold harmless payment to be distributed based on school-age population within the Basic Aid formula, like the existing methodology for sales tax. The sales tax hold harmless payment also accounts for the reductions related to personal hygiene products. The net effect of these changes is a \$0.5 million increase in FY 2023 and a \$1.2 million increase in FY 2024.	This represents an increase of \$5.2 million over the FY 2023 Advertised Budget. It is essential that the state fully and permanently replace revenues to K-12, localities, and transportation, as the state continues to underfund core services in those areas, even with current revenues.
Rebenchmarking Hold Harmless		
<i>Governor</i> Item 137	Provides approximately \$177.1 million GF each year for hold harmless state funding. This action is necessary due to certain FY 2020 or FY 2021 data elements within special education, pupil transportation, and non-personal support costs that were affected by the pandemic and thus impacted the cost of the biennial rebenchmarking process.	This provision provides \$15.6 million to hold FCPS harmless for rebenchmarking. This funding is based on the state's share of SOQ Basic Aid and Special Education payments to school divisions in the 2022-2024 biennium in response to unanticipated reductions in the base year rebenchmarking data for special education, pupil transportation, and non-personal support costs. The projected data supporting this state payment shall remain constant for the 2022-2024 biennium, and no subsequent technical updates shall be made to the data during the biennium that affect the appropriated amounts.
<i>House/Senate</i>	No change.	
Update Lottery Proceeds		
<i>Governor</i> Item 137	Provides updated estimates for lottery revenue over the biennium. Total lottery proceeds are projected to increase by approximately \$73.8 million for a total of \$764.7 million in FY 2023, and by approximately \$73.8 million for a total of \$764.7 million in FY 2024, compared to the FY 2022 lottery estimate. This revenue stream is being used to fund the state share of the cost of various programs, including Infrastructure & Operations Per Pupil Fund, Early Reading Intervention, K-3 Primary Class Size Reduction, Special Education Regional Tuition, and SOL Algebra Readiness.	This results in an increase of \$4.9 million for FCPS as compared to the FY 2023 budget forecast presented on November 23, 2021, and the FY 2022 Approved Budget.
<i>House</i>	Adds \$29.5 million each year from the Lottery Proceeds Fund to increase the Infrastructure	This results in an increase of \$2.6 million over the FY 2023 Advertised Budget.

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Item 137 #21h	and Operations Per Pupil Payments by approximately \$43 each year. This action ensures that 40% of lottery proceeds are returned to school divisions to address infrastructure and operations costs.	The amendment would also increase the amount of lottery proceeds that must be used for non-recurring expenses from 40% to 50%.
<i>Senate</i>	No change.	
Update Employer Contribution Rates for Virginia Retirement System (VRS)		
<i>Governor</i> Item 483	<p>Provides approximately \$924 million GF to reduce unfunded VRS liabilities. Included in that amount is an estimated \$545 million GF in FY 2023 that is specifically dedicated to the VRS Teacher Retirement Plan, which provides retirement benefits for K-12 employees.</p> <p>Most VRS fringe benefit rates proposed for 2022-2024 are unchanged from the FY 2022 rates. The introduced budget proposes the same employer contribution rates for instructional retirement benefits in 2022-2024 (16.62% for FY 2023 and 2024) as was funded for FY 2022.</p>	<p>The VRS actuarial rates for K-12 employees decreased significantly from the current level, but the Governor opted to maintain the higher rates to create liquidity for the state in case of a potential financial downturn in the future.</p> <p>In the FY 2023 budget forecast presented on November 23, 2021, FCPS already assumed the higher VRS rates proposed by the Governor. FCPS could have realized projected savings totaling \$32.5 million had the Governor used the lower actuarial VRS rates. However, maintaining the higher rate, combined with the additional Literary Fund payment to VRS, will improve the funded status of the Teacher Retirement Plan, which will provide long-term financial savings for the state and localities.</p>
<i>House/Senate</i>	No change to the VRS rates included in the introduced budget.	
Salary Increase in FY 2023 and FY 2024		
<i>Governor</i> 137	<p>Provides approximately \$248.9 million GF in FY 2023 for the state's share of a 5% salary increase for instructional and support positions, effective July 1, 2022. Provides approximately \$512.8 million GF for a second 5% salary increase in FY 2024, with an effective date of July 1, 2023.</p> <p>Divisions may receive a prorated payment if a minimum local increase of 2.5% is provided each year. To receive the FY 2024 funding, divisions must have provided the minimum 2.5% increase in both FY 2023 and FY 2024.</p>	<p>A required local match based on the division's LCI is required in FY 2023 and FY 2024.</p> <p>The proposal would provide state funding of approximately \$47 million over two years to provide a 5% salary increase each year, while requiring approximately \$209 million in local funding – more than seven cents on the real estate tax rate.</p> <p>For FY 2023 the cost to provide a 5% salary increase totals \$124.9 million. After accounting for state funding, the net cost to FCPS would be \$100.9 million. Based on the FY 2023 budget forecast presented on November 23, 2021, FCPS would be eligible for the full state funding.</p>

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		(FCPS must pay 100% of any salary increase for non-SOQ positions).
House Item 137 #3h	Provides approximately \$247 million GF in FY 2023 for the state’s share of a 4% salary increase and 1% bonus for instructional and support positions, effective July 1, 2022. Provides approximately \$453.6 million GF for a second 4% salary increase and 1% bonus in FY 2024, with an effective date of July 1, 2023. Divisions may receive a prorated payment if a minimum local increase of 2.5% is provided each year. To receive the FY 2024 funding, divisions must have provided the minimum 2.5% increase in both FY 2023 and FY 2024.	The proposed 4% increase and 1% bonus net to a reduction of \$0.4 million from the FY 2023 Advertised Budget. Over the biennium, the Senate methodology of funding salary increases results in more overall funding than the House approach of funding salary increase plus bonus (\$75.5 million from the Senate to FCPS over the biennium versus \$67.4 million from the House).
Senate Item 137	No change from the introduced budget for salary increases for instructional and support positions.	The Senate includes an additional one-time “fully funded” \$1,000 bonus for each SOQ covered position in FY 2022 (\$21.2 million in FY 2022 to FCPS, but would require additional local funds to cover the cost of bonuses for non-SOQ positions).
Items 145 #1s and 479.20 #2s (2020-2022)	Provides approximately \$137.4 million in FY 2022 for the distribution of approximately a \$1,000 bonus per position on June 1, 2022, from federal ARPA funding. The funds provided cover the full cost of a 1.9 percent bonus for the funded SOQ instructional and support positions. Localities are not required to provide a local match for these funds.	The cost to provide a \$1,000 bonus to full-time and contracted employees is estimated at \$30.9 million. After accounting for state funding, the net cost to FCPS would be \$9.7 million (excluding hourly employees).
Senate Item 486 #3s	Provides \$15 million in FY 2023 from federal ARPA funding to support teacher recruitment incentive payments to fill unfilled instructional positions in the 2022-2023 school year. Incentive payments will be based on \$2,500 per position, or \$5,000 per position for hard-to-fill positions and hard-to-staff schools.	TBD. This is likely positive. The funding is contingent both on the number of school divisions that choose to participate as well as on how many positions are filled in participating divisions between August 15, 2022, and November 30, 2022. Given these variables, at this time it is difficult to determine how much funding might be available for FCPS for incentive payments.
At-Risk Add-on		
Governor Item 137	Provides approximately \$194.2 million GF in FY 2023 and approximately \$74.2 million in FY 2024 for the At-Risk Add-on, to support the additional costs of educating at-risk students based on increasing the Basic Aid per pupil add-on maximum percentages from 26% in FY 2022 to 49.5% in FY 2023, and from 26% to 36% in FY 2024.	This results in an increase of \$7 million for FCPS as compared to the FY 2023 budget forecast presented on November 23, 2021, and the FY 2022 Approved Budget. This action requires an additional local share of \$13.3 million, generating a net cost of approximately \$6.3 million. The funds must be used on students who are educationally at risk.

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House Item 137 #9h	Removes approximately \$165.4 million GF in FY 2023 and approximately \$45 million GF in FY 2024 included in the introduced budget as a result of only increasing the At-Risk Add-on maximum add-on percentages from 26% in FY 2022 to 31% in FY 2023 and FY 2024. In total, provides \$28.8 million in FY 2023 and \$29.5 million in FY 2024.	This results in a decrease of \$4.9 million for FCPS as compared to the FY 2023 budget forecast presented on November 23, 2021, and the FY 2022 Approved Budget. While the Governor’s approach presents local match challenges, there is a benefit for students who are educationally at risk. These programs may include: teacher recruitment programs and incentives, Dropout Prevention, community and school-based truancy officer programs, Advancement Via Individual Determination (AVID), Project Discovery, Reading Recovery, programs for ESL students, hiring additional school guidance counselors, testing coordinators, and licensed behavior analysts, or programs related to increasing the success of disadvantaged students in completing a high school degree and providing opportunities to encourage further education and training.
Senate	No change.	
Expand Early Reading Initiative to K-5		
Governor Item 137	Provides approximately an additional \$31.5 million GF each year to support additional instruction for students in fourth and fifth grades. The program currently only supports services for students in kindergarten through third grade.	This results in an increase of \$3.4 million for FCPS as compared to the FY 2023 budget forecast presented on November 23, 2021, and the FY 2022 Approved Budget. This action requires an additional local share of \$5.9 million, generating a net cost of approximately \$2.5 million.
House Item 137 #18h	Provides \$32 million each year to provide one reading specialist for every 550 students in kindergarten through third grade. This amendment is in lieu of the proposed expansion of the Early Reading Initiative to K-5 included in the introduced budget.	This results in a decrease of \$3 million for early reading expansion for grades 4-5 as compared to the FY 2023 Advertised Budget, but a net increase of \$0.4 million in state funding compared to the FY 2022 Approved Budget. Of this funding, \$2.6 million is redirected to provide the state’s share of one reading specialist for every 550 students. FCPS currently meets this requirement.
Senate Item 137 #3s and #7s	Provides approximately \$31 million GF in FY 2023 and approximately \$31.8 million GF in FY 2024 to provide one reading specialist per every 550 students in kindergarten through third grade.	This results in a decrease of \$3 million for early reading expansion for grades 4-5 as compared to the FY 2023 Advertised Budget. Of that funding, \$2.7 million is redirected to provide the state’s share of one reading specialist for every 550 students. This results in a net decrease of \$0.4 million.

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	Removes \$31.5 million GF in FY 2023 and \$31.6 million GF in FY 2024 included in the introduced budget for the proposed expansion of the Early Reading Initiative to K-5 included in the introduced budget.	FCPS currently meets this requirement.
Staffing Ratios for English as a Second Language (ESL) Program		
<i>Governor</i> Item 137	Increases the staffing ratio for the English as a Second Language (ESL) program in FY 2023 and FY 2024. This action increases the number of funded positions from 20 per 1,000 students in FY 2022 to 22 per 1,000 students in FY 2023 and FY 2024. This change increases state funding for the ESL program by \$9.7 million in FY 2023 and by \$10.5 million in FY 2024.	This results in an increase of \$3 million as compared to the FY 2023 budget forecast presented on November 23, 2021, and the FY 2022 Approved Budget. FCPS' staffing for ESL teachers in FY 2023 would meet the new staffing ratio requirement.
<i>House</i> Item 137 #10h	Removes approximately \$10.3 million GF in FY 2023 and approximately \$11.7 million GF in FY 2024 from the introduced budget. Maintains the current teacher ratio of 20 teachers per 1,000 students for the ESL program.	This results in a decrease of \$2 million from the FY 2023 Advertised Budget.
<i>Senate</i>	No change.	
Staffing Ratio for Principals in Elementary Schools		
<i>House</i> Item 137 #16h	Provides approximately \$10 million GF in FY 2023 and approximately \$10.2 million GF in FY 2024 for the state share of one full-time school principal position for each elementary school. The current ratio provides a half-time principal position for elementary schools with fewer than 300 students.	This results in an increase of \$64,770 from the FY 2023 Advertised Budget. FCPS currently meets this requirement.
Staffing Ratio for Assistant Principals		
<i>House</i> Item 137 #17h	Provides approximately \$40.9 million GF in FY 2023 and approximately \$42.5 million GF in FY 2024 for the state share to amend staffing standards for assistant principals to provide one position for every 500 students. Currently, there are different standards for elementary, middle, and high schools.	This results in an increase of \$5.2 million from the FY 2023 Advertised Budget. FCPS currently meets this requirement.
Support Positions		
<i>Senate</i> Item 137 #2s	Provides approximately \$109.4 million GF in FY 2023 and approximately \$162.4 million GF in FY 2024 to increase the number of funded support positions. This would increase the funded ratio from 17.75 support positions per 1,000 students to funded SOQ instructional positions to 20 support positions per 1,000 ADM to funded SOQ instructional positions in	This results in an increase of \$10.2 million from the FY 2023 Advertised Budget, and is also an increase of \$10.2 million from the FY 2022 Adopted Budget. This increases state funding for support positions, partially removing the cap implemented in FY 2010. The current cap costs

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	FY 2023, and 21 support positions per 1,000 ADM to funded SOQ instructional positions in FY 2024. This increases state support for support positions and partially removes the funding cap placed on support positions beginning in FY 2010.	FCPS approximately \$36 million annually, and this budget amendment is estimated to restore approximately one-third of those revenues (approximately \$10.2 million). The County strongly supports fully eliminating the support cap, which has artificially lowered the state’s funding contributions for critical educational support positions for more than a decade.
School Division Construction Grants		
Governor Item 137	<p>Includes \$500 million GF in FY 2023 only for school construction grants. All school divisions receive a base \$1 million allocation in the funding formula, with remaining funds distributed to school divisions on the basis of weighted Average Daily Membership (a combination of projected ADM and the LCI).</p> <p>Eligible expenditures under this program shall be nonrecurring in nature and may include school construction, additions, infrastructure, site acquisition, renovations, technology, and other expenditures related to modernizing classroom equipment, school safety equipment or school safety renovations, and debt service payments on school projects completed within the last ten years.</p> <p>There is no local match required and there is a carryover provision of unspent funds into FY 2024 and FY 2025.</p>	Results in FCPS receiving \$32.9 million in Construction Grants. This funding will not be in the Operating Fund but will likely be managed in the Construction Fund.
House	Establishes the School Construction Loan Rebate Program – see next item.	This action would reduce school construction funding to FCPS by \$32.9 million as compared to the Governor’s introduced budget, repurposing school construction grants to a construction loan subsidy program. The current impact of a construction loan subsidy program for FCPS is unknown.
Senate Item 137 #5s	Includes language to allow local school divisions to use the School Construction Grants Program funds, as introduced, for debt service payments on school projects that have been completed or initiated during the last ten years, and clarifies that funds shall not be used for parking lot repairs or replacement or for facilities that are predominantly used for extracurricular athletic activities.	

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Literary Funds for School Construction Loans		
Governor Item 137	Allows the Board of Education to award up to \$200 million in each year of the biennium for school construction loans or subsidy grants, subject to available funds. Increases the maximum loan from \$7.5 million to \$25 million. It also requires loan interest rates to be benchmarked against market rates, but not to exceed 2% for school divisions with an LCI less than 0.3000. The current Literary Fund loan program bases the interest rate a school division is charged on their LCI, making it less attractive for school divisions with high LCIs.	The impact for FCPS cannot be delineated at this time, but as a higher LCI jurisdiction FCPS would likely not qualify for lower than market rates under this proposal.
House Item 137 #19h	Provides \$291.7 million GF and \$250 million from the Literary Fund in FY 2023 to establish the School Construction Loan Rebate Program, to provide competitive loan rebate grants for school construction and modernization. These grants provide 30% loan rebates for \$1 billion in construction projects. Grant selection is based on demonstrated poor building conditions, commitment, and need for projects financed through the Virginia Public School Authority pooled bond program or pursuant to the Public-Private Education Facilities and Infrastructure Act of 2002. The grant program is in lieu of the school construction cash grants and Literary Fund proposals included in the introduced budget.	FCPS would likely not qualify for this program.
Senate	No change.	
Communities in Schools		
Governor Item 136	Provides \$760,000 GF each year to increase support for Communities in Schools, to allow for expansion of integrated student supports to at least 10 additional Title I schools, serving approximately 9,000 more students in Hampton Roads, Northern Virginia, the Richmond region, Petersburg, and Southwest Virginia.	FCPS does not currently receive any VDOE Community in Schools grants. As these are grant funds, there may be opportunities in the future to apply and receive funds.
House/Senate	No change.	
Other Items of Interest		
House Item 137 #2h	Requires school divisions to report their intended uses of federal COVID-19 ESSER funds.	FCPS would be able to comply with the requirement.
House Item 137 #22h	Deposits \$150 million GF in FY 2023 into the College Partnership Laboratory Schools (CPLS) Fund. Existing law directs the Board of	Although the impact for FCPS cannot be delineated at this time, the funding for CPLS could be utilized to address other more direct

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	<p>Education to establish criteria for distribution of these funds, which could include grants to establish a CPLS. Existing law further specifies that state and federal funds for CPLS students shall "follow the student," to each CPLS, but does not establish how the local share of funding is provided. This amendment directs that the required local spending for such students would be provided through disbursements from the CPLS Fund rather than the local school division. The amendment further clarifies that for the purposes of determining per pupil funding amounts for CPLS students, such students shall be considered to be enrolled in their school division of residence.</p>	<p>K-12 funding priorities, particularly as many remain underfunded. For example, \$150 million would be sufficient to eliminate nearly half of the state K-12 support cap in FY 2023. Opposition to diverting funding away from local public schools and toward alternative options is reflected in the County's 2022 Legislative Program.</p>
<p><i>Senate</i> Item 36 #2s</p>	<p>Directs JLARC to review the cost of competing adjustment (COCA) in their review of SOQ standards and funding.</p>	<p>Expands the scope of the JLARC study of the true cost of education in the Commonwealth authorized by SJ 294 (Lewis) during the 2021 GA session. The County supported the resolution.</p>

Impact to the Fairfax County Public Schools' (FCPS) FY 2023 Operating Fund Budget:

Governor's Introduced Budget:

Compared to FCPS' FY 2023 Budget Forecast, presented to the School Board and the Board of Supervisors on November 23, 2021, and the FY 2022 Approved Budget, the introduced budget includes \$23.6 million more in sales tax and \$64.3 million more in state aid, which is contingent on providing an average salary increase of 5%. Without the compensation supplement, state aid would increase by approximately \$40.4 million.

It should be noted that several items would require additional expenditures for the local share, which were not assumed in FCPS' FY 2023 Budget Forecast.

FCPS' FY 2023 Proposed Budget was released on January 13, 2022, and reflects the revenue increases in sales tax and state aid identified above.

House Amendments:

Compared to FCPS' FY 2023 Advertised Budget, approved on February 24, 2022, the House amendments include a reduction of \$18.5 million in sales tax revenue offset by an increase of \$18.3 million in state aid for FY 2023. Compared to FY 2022, the House amendments provide an increase of \$87.8 million in state funding.

Senate Amendments:

Compared to FCPS' FY 2023 Advertised Budget, approved on February 24, 2022, the Senate amendments include a \$15.4 million increase in state aid and a \$0.3 million decrease in sales tax revenue for FY 2023. Compared to FY 2022, the Senate amendments provide an increase of \$103 million in state funding.

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Health and Human Services

Source	Amendment	Fairfax County Impact
Medicaid Waivers		
<i>Governor</i> Item 304	Provides approximately \$13 million GF and approximately \$13 million NGF to support 100 Community Living (CL) and 500 Family and Individual Support (FIS) waiver slots in FY 2023. Also, provides approximately \$26 million GF and approximately \$26 million NGF to support an additional 100 CL and 500 FIS waiver slots in FY 2024. The total number of additional slots funded over the biennium is 1,200.	TBD. In FY 2023 the Fairfax-Falls Church Community Services Board (CSB) is already projected to receive 140 new slots. With the addition of the 600 slots projected statewide for FY 2023, the Fairfax-Falls Church CSB's allocation is projected to increase by 84 slots, for an overall total of 224 slots (typically this CSB receives 12-14% of total state allocation). The FY 2024 projections are consistent with FY 2023. The County supports increasing Medicaid Developmental Disability (DD) waiver slots to address the Priority One (P1) waiting list, which averages over 3,000 annually in Virginia (the current P1 waiting list in Fairfax County is 949). The slot increases afford greater capacity for much needed services; however, they also call for an increase in support coordinators (+24) and supervisors (+2), and given persistent workforce issues across the state, the CSB will likely be challenged to balance competing demands.
<i>Governor</i> Item 304	Provides over \$137 million GF and approximately \$141 million NGF in FY 2023, and approximately \$157 million GF and approximately \$162 million NGF in FY 2024, to increase Medicaid reimbursement rates for those developmental disability waiver services necessary to promote compliance with the US Department of Justice settlement agreement.	TBD. The targeted increases have the potential to enhance support coordination and service provider competitiveness to address hiring and retention issues. As the increase will not be on pace with the progressive shortfall in prior years, particularly for the Northern Virginia region, a shortfall will remain and will continue to compromise provider capacity to expand services to meet demands generated by the availability of more slots (providers of Day Support and Group Supported Employment waivers may raise concerns, as these services are excluded from the budget proposal and represent some of the more costly services).
<i>House</i> Item 304 #2h	Provides approximately \$386,000 GF and approximately \$418,000 NGF in FY 2023 and approximately \$462,000 GF and approximately	Positive. This is a positive step toward waiver rates covering the actual costs for service in Northern Virginia.

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	\$503,000 NGF in FY 2024, to make permanent the FY 2022 temporary 12.5% Medicaid rate increase for adult care services.	
Senate Item 304 #2s	Provides approximately \$43.9 million GF in FY 2023 and approximately \$43.1 million GF in FY 2024, and approximately \$47.7 million in FY 2023 and approximately \$47.1 million in FY 2024 from federal Medicaid matching funds, to increase the Medicaid reimbursement rates for personal care, respite and companionship services by 5% for consumer-directed attendants and 10% for agency-directed attendants.	Positive. A rate increase would attract more qualified staff and increase provider capacity. Increased waiver rates could also allow for more individualized alternatives to day services, like the Self-Directed Services program. This program aligns with DOJ settlement agreement guidance, is in demand by individuals currently in day placements, and is also a less expensive option than traditional day services.
House/Senate Item 304 #4h and #19s	Extends the provision of Medicaid reimbursement of parents/spouses of Medicaid-eligible minor children to provide personal care/personal assistance services that have been available during the pandemic through a Medicaid Appendix K waiver and approved by the federal government.	Generally, this is positive for children and families to ensure continuity of care and to relieve some of the financial burden of families. Sufficient training, communication, and coordination must be available as children’s needs become more intensive and may necessitate an increase in supports beyond a family member’s awareness and/or capacity.
House Item 304 #6h	Extends the provision of Medicaid telehealth and virtual and/or distance learning for individuals in Medicaid DD Waiver programs permanently. These services were implemented during the pandemic through Medicaid Appendix K waivers and approved by the federal government.	Virtual services 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.
House Item 304 #16h	Provides approximately \$37.9 million GF in FY 2024 and approximately \$43.3 million GF in FY 2024, and approximately \$39.9 million in FY 2023 and approximately \$45.7 million in FY 2024 from matching federal Medicaid and other NGFs, to rebase the Medicaid rates for DD waiver services that were not included in the introduced budget, including services provided in group homes serving 5 to 12 persons, group day support, and group supported employment. The amendment also adds language setting out the appropriation for the DD waiver rebasing totaling \$375.5 million from the GF and \$389 million from federal Medicaid matching funds and other NGFs over the biennium. Language also provides the Department of Medical	TBD. The targeted increases have the potential to enhance support coordination and service provider competitiveness to address hiring and retention issues. As the increase will not be on pace with the progressive shortfall in prior years, particularly for the Northern Virginia region, a shortfall will remain and will continue to compromise provider capacity to expand services to meet demands generated by the availability of more slots. Service providers, including the CSB, are cautiously optimistic.

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	Assistance Services (DMAS) with the authority to update the rates based on recent rebasing estimates after a review of the model assumptions is conducted and reported, no later than June 15, 2022. Language further clarifies that the rates shall be reflective of tiered payments contained in the rebasing model.	
<i>Senate</i> Item 304 #14s	Directs DMAS to develop a plan for a 1915(i) state plan amendment to provide limited home and community-based services (HCBS) to older Virginians who are not currently eligible for Medicaid HCBS waivers. There are a growing number of older Virginians in need of HCBS aging services, but only 12% of older Virginians in need of these services are eligible for Medicaid. States are allowed to target the HCBS benefit to one or more specific populations with higher financial limits and lower functional limits than the current Medicaid HCBS waivers. States can determine what services are covered, how reimbursement rates are set, utilization limits on services, and whether they will allow any or all of the services to be self-directed. States are required to offer these 1915(i) services equally and cannot limit services to certain localities or cap enrollment.	Positive. This would provide limited services to older adults who are ineligible for Medicaid HCBS and have a positive impact on older adults in Fairfax County. The County currently funds a similar program, the DFS Home Based Care program, which serves adults (700+ annually) who typically do not meet Medicaid functional and/or financial eligibility. The County's \$3 million budget for the Home-Based Care program could potentially be offset by this additional state-funded program.
<i>Senate</i> Item 304 #20s	Directs DMAS to conduct a feasibility study of the addition of a 1915(k) waiver that contains complementary core services for those with developmental disabilities, without the requirement to meet nursing facility criteria. Core services will include personal assistance, respite, companion, services facilitation, in-home supports, and assistive technology in both consumer-directed and agency-directed where applicable.	Positive. In general, extending comprehensive services and supports to those in need who are not nursing facility eligible is significantly positive. The addition of another waiver would require more CSB staff to effectively manage supports. There would be no impact to the CSB, however, if the Managed Care Organizations (MCOs) would be responsible for management, as with the Commonwealth Coordinated Care Plus (CCC+) Waiver.
<i>Senate</i> Item 304 #21s	Provides approximately \$39.4 million GF and approximately \$58.2 million NGF in FY 2023, and approximately \$45 million GF and approximately \$66.8 million NGF in FY 2024, to continue the temporary FY 2021 rate increase that was provided to most Medicaid home and community-based providers with exceptions for	TBD. In order to be in line with the costs for services in Northern Virginia, the rate rebase and proposed rates would need to be increased by an additional 12.5%.

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	DD waiver services and personal care, respite, and companion care services.	
<i>Senate</i> Item 304 #23s	Provides approximately \$13.5 million GF and approximately \$13.8 million NGF in FY 2023, and approximately \$15.4 million GF and approximately \$15.9 million NGF in FY 2024, to fund rate increases for all DD waiver services, consistent with the rate study conducted by the Department of Behavioral Health and Developmental Services (DBHDS). The introduced budget only included funding for select services.	Positive. This includes Medicaid waiver rate increases for six additional services (Group Day support, Group Supported Employment, Community Guide, Benefits Planning, CD Service Facilitation, Workplace Assistance) – most at 100% of the recommended rate. The inclusion of Group Day Support is particularly beneficial for the County since the majority of individuals served by the CSB receive this service.
<i>Senate</i> Item 304 #25s	Reflects a delay in adding DD waiver slots. The introduced budget includes 600 new slots each year. This amendment reflects maintaining 600 slots in FY 2024. The COVID-19 pandemic and resulting labor shortages have resulted in significant provider disruption, and another amendment provides rate increases to stabilize the provider network. After the provider network is stabilized and capacity exists to absorb additional slots, the GA will consider adding the additional slots in the 2023 session.	TBD.
<i>Senate</i> Item 304 #28s	Provides \$5 million GF and \$5 million NGF in FY 2024 and directs DMAS to amend the Family and Individual Supports, Community Living, Building Independence, and Commonwealth Coordinated Plus waivers to combine the \$5,000 annual dollar limits by individual service for assistive technology, electronic home-based support services, and environmental modifications to allow individuals more flexibility in accessing the services.	This would benefit individuals who may need costly assistive technology items, environmental modifications, or home-based services as the current \$5,000 limit does not always cover the entire cost.
<i>Senate</i> Item 311 #7s	Transfers the authority and oversight of all DD waiver services from DBHDS to DMAS.	TBD. Collaboration with CSBs for clarity in advance of any significant changes is recommended. There is concern that DMAS/MCO oversight might create challenges for the DOJ settlement agreement-supported person-centered service approach, as well as individualized support in emergency situations. More

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		information is needed regarding the potential impact to CSBs and CSB services.
<i>Senate</i> Item 311 #8s	Directs DBHDS to, in any fiscal year that new DD waiver slots are authorized, allocate such slots to the CSBs and a Behavioral Health Authority by the first day of the fiscal year, so that the slots can be assigned to eligible individuals on the Priority One waiting list to access services as soon as possible. In FY 2022, DBHDS delayed the allocation of 890 waiver slots pending a review of individuals on the waiting list, which resulted in a nearly seven-month delay in releasing the slots.	Consistency in slot allocation authorizations to CSBs is generally favorable for proper planning and implementation, particularly given budgetary and workforce challenges. Delays in FY 2022, along with stagnancy in provider capacity and workforce reductions, amplify the burden on CSBs to readily implement new waivers under stringent DMAS requirements.
<i>House</i> Item 313 #3h	Directs DMAS to review the recently completed rate study for DD waiver services, in consultation with DBHDS, for rates effective July 1, 2022, and make changes as appropriate to model assumptions.	TBD.
Children's Services Act (CSA)		
<i>Governor</i> Item 284	Provides an additional \$50,000 GF each year for the annual CSA conference and additional online training services.	Positive. The annual conference and other trainings provide benefit to County systems and staff.
<i>Senate</i> Item 284 #1s	Provides \$1 million GF each year for local administrative costs of CSA programs.	Positive. Additional state support to administer local CSA programs would be helpful, as local costs greatly exceed the annual allocation of state administrative funds.
<i>Governor</i>	Removes requirement that local CSA programs use the Office of the Attorney General (OAG) to pursue claims against parents or legal guardians who do not pay agreed-upon sums pursuant to agreements for services.	Positive, with no net fiscal impact. The stricken provision has never been used and there is no process currently in place to make a claim in this manner. The County has developed its own means for collections, and it makes sense to remove a state requirement that is impractical.
<i>Governor</i> Item 285	Provides \$100,000 GF each year for the Office of Children's Services (OCS) to establish a contract to assist in implementing rate setting for private day special education rates. Directs OCS to implement statewide rates for private day special education services effective July 1, 2022.	TBD. This proposal requires careful monitoring and study because it may allow the state to limit its fiscal obligation to CSA services (currently the state and localities are required to appropriate sufficient funds to serve children mandated to receive services through CSA under a sum sufficiency requirement). Prior attempts at rate setting resulted in Fairfax County Public Schools (FCPS) having to bear additional costs for

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		Virginia children placed in Maryland’s private day programs where rate setting is established. The proposed methodology for rate setting has not been tested, making it difficult to assess the fiscal impact to the County without additional information and review.
Senate Item 285 #1s	Delays the implementation of rate setting for private day special education services until July 1, 2023. In addition, directs the Office of Children’s Services to use the available first year funding to validate and determine any fiscal impact that may result from the implementation of rate setting for private day special education services by July 1, 2022.	Positive. The delayed implementation of rate setting will permit validation of the proposed methodology and allow for fiscal impact analysis.
Early Childhood Services		
Governor Item 129	Provides over \$1 million GF each year to fully implement the pre-kindergarten version of the Virginia Kindergarten Readiness Program (VKRP) for four-year-olds enrolled in publicly funded pre-kindergarten programs, and to pilot the use and development of VKRP for three-year-old children enrolled in publicly funded pre-kindergarten programs.	TBD. Further analysis is needed to determine full impacts to the County.
Governor Item 129	Provides approximately \$73.7 million NGF each year from the Child Care and Development Fund (CCDF) based on an increase in administrative costs, projected increases in subsidy program participation, and higher per-child costs.	TBD. The CCDF provides funding for the state child care subsidy program (families in Fairfax County receiving subsidies have an annual median income of nearly \$30,000, while the cost of full-time care for a preschooler at a child care center ranges from over \$15,000 to over \$21,000 per year). Although the impact of this funding is not clear at this time, it may support serving additional children in the state subsidy program, and if per child costs are increased, this would benefit child care programs throughout the County. There is no projected fiscal impact to the County, as the Virginia Department of Social Services makes direct payments to child care programs for state funded child care assistance.
House Item 129 #7h	Directs the Department of Education to maximize the use of federal Child Care Development Funds to eliminate the waitlist for child care subsidy assistance, and to maintain the expanded family income eligibility	TBD.

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	requirements for child care subsidies for the 2022-2024 biennium. Currently, such expanded eligibility is scheduled to end May 31, 2022.	
Governor Item 136	Provides \$5 million GF each year for the Early Childhood Educator Incentive grant program, to increase the number of recipients and award amounts.	Positive. This will benefit early childhood educators throughout the Commonwealth and may help programs in the County address recruitment and retention issues.
Governor Item 136	Provides approximately \$2 million GF in FY 2023 and approximately \$4.7 million GF in FY 2024 to increase state support for the Virginia Early Childhood Foundation (VECF) Mixed Delivery pre-kindergarten program to serve additional at-risk three- and four-year-old children, and to establish a pilot for up to 200 infant and toddler slots each year.	Positive. Fairfax County is a past recipient of a VECF Mixed Delivery grant. This provides another potential grant opportunity for the County.
House Item 136 #10h	Removes approximately \$2 million GF in FY 2023 and approximately \$4.7 million GF in FY 2024 for the mixed delivery pilot serving infants and toddlers administered by VECF.	Negative. Reduces appropriations from the introduced budget. Fairfax County is a past recipient of a VECF Mixed Delivery grant.
Governor Item 136	Provides approximately \$1 million GF each year to establish early childhood education grow-your-own licensed educator grant programs to create a pipeline of well-prepared early childhood educators in partnership with school divisions and institutions of higher education.	Positive. This provides another potential grant opportunity for the County.
House Item 136 #9h	Removes \$7.3 million GF in FY 2023 and \$3.3 million GF in FY 2024 for the early childhood education grow-your-own licensed educator grant program.	Negative. Reduces appropriations from the introduced budget.
Governor Item 137	Provides approximately \$13.7 million GF each year to rebenchmark the Virginia Preschool Initiative (VPI) per pupil amount.	Positive. Rebenchmarking of the VPI per pupil amount could result in per pupil funding that better reflects the cost of providing VPI services in the County. Based upon the current County VPI service level (FY 2022), the County would draw down approximately an additional \$1.3 million in state revenue (the per pupil level would increase by \$1,334 to a total of \$8,989). Including the required local match, the total increase to the grant would be approximately \$2.6 million.
House Item 137 #11h	Removes approximately \$1.9 million GF in FY 2023 and approximately \$2 million GF in FY 2024 by implementing biennial rebenchmarking of Virginia Preschool Initiative per pupil	Negative. The County would only draw down approximately an additional \$693,000 (the per pupil level would only increase by \$704 to a total of \$8,359). Including the

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	payments while excluding Cost of Competing Adjustments (COCA) as the introduced budget proposed. The LCI is capped at .5000 for VPI payments, rather than the traditional .8000 cap. The per pupil amount will increase from \$7,655 to \$8,359.	required local match, the total increase to the grant would be approximately \$1.4 million.
Governor Item 137	Provides approximately \$6 million GF in FY 2023 and approximately \$13.4 million GF in FY 2024 for additional support to localities to serve three-year-old children through VPI.	Positive. The County currently serves three-year-old children in the VPI program, and this would provide the opportunity to enroll additional children.
House Item 137 #13h	Removes approximately \$6 million GF in FY 2023 and approximately \$13.4 million GF in FY 2024 for additional support to localities to serve three-year-old children through VPI.	Negative. Reduces appropriations from the introduced budget. The County currently serves three-year-old children in the VPI program, and the funding would have provided the opportunity to enroll additional children.
Governor Item 137	Authorizes expanded eligibility for VPI to include certain five-year-olds who did not have access to an adequate preschool experience, with final placement based on family and program leader input.	Positive. This provides additional flexibility for the County.
Governor Item 137	Authorizes expanded eligibility for VPI to include all children with disabilities or delays who are eligible for special education services.	Positive. This provides additional flexibility for the County.
Governor Item 137	Provides over \$3.4 million GF in FY 2024 in support of community add-on grants for children served in a community-based early childhood setting, and requires the Department of Education to make recommendations on mixed-delivery preschool community provider add-on grant amounts.	Positive. The add-on grants augment the cost per child and promote the participation of community early childhood programs in VPI.
House Item 137 #14h	Removes approximately \$5.5 million GF in FY 2024 for flexible early childhood funds that were provided to allow VPI and various early childhood expansion initiatives to be responsive to demand among each of the initiatives. Amendment is in response to increased administrative flexibility provided during the 2021 Special Session I to shift funds from undersubscribed early childhood initiatives to higher-demand early childhood initiatives.	TBD.
Senate Item 313 #2s	Provides \$2.9 million GF each year for Part C early intervention services for children who do not have Medicaid.	TBD.

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Child Welfare		
<i>House</i> Item 114 #5h	Directs \$564,000 each year from the Housing Trust Fund to VDSS to provide homeless assistance funding for youth ages 18-21 who are transitioning from the foster care system.	
<i>Governor</i> Item 343	Provides approximately \$19.7 million NGF in FY 2023 and approximately \$20 million NGF in FY 2024 to support the design, development, and implementation of a modernized child support technology system.	None.
<i>Governor</i> Item 345	Provides approximately \$18 million GF and approximately \$6.6 million NGF each year to cover the cost of providing foster care and adoption subsidy payments.	Positive. Foster care payments are a shared expense between the state (77%) and the County (23%) – the state pays a higher share of community-based services like foster care in order to incentivize their use to the extent possible. Adoption subsidies are either 100% state funded or funded through a combination of state and federal funds (Title IV-E).
<i>Governor</i> Item 345	Provides approximately \$3.5 million GF and approximately \$3.5 million NGF in FY 2023 and approximately \$7.1 million GF and approximately \$7.1 million NGF in FY 2024 to develop a comprehensive child welfare information system compliant with federal requirements.	Positive. Development of a new system is critical, as the current system used by the Virginia Department of Social Services (VDSS) for the past 23 years is inadequate, inefficient, and time consuming for both County and state staff.
<i>Senate</i> Item 345 #2s	Provides approximately \$847,000 GF in FY 2023 and approximately \$1.5 million GF in FY 2024 to address the fiscal impact of Foster Care Prevention Program payments for relatives. The funding includes program payments to relatives, one-time systems costs, the costs for local departments of social services and one position at the Department of Social Services to administer the program. Funding included in the introduced budget of \$8.5 million GF each year for relative maintenance payments brings total program funding to \$9.3 million in FY 2023 and \$9.9 million in FY 2024.	TBD.
Health Departments		
<i>Governor</i> Item 292	Provides \$500,000 GF in FY 2023 to establish a workgroup to study primary care workforce issues and potential solutions, including the feasibility of loan forgiveness programs.	None. No direct fiscal impact to the County, but could potentially assist with primary care workforce issues.

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<i>Governor</i> Item 294	Provides approximately \$2.8 million GF in FY 2023 and approximately \$5.7 million GF in FY 2024 to complete the phase-in of local match rate changes created by the revisions to the JLARC rate formula for the Cooperative Health Budget.	TBD. Further analysis is needed to determine full impacts to the County.
<i>Governor</i> Item 294	Provides approximately \$878,000 GF and approximately \$650,000 NGF in FY 2023 and approximately \$893,000 GF and approximately \$662,000 NGF in FY 2024 to support local health districts that are expecting significant cost increases due to moving to new facilities or rent increases in existing facilities.	Current state support for the Fairfax County Health Department does not cover the full cost of local facilities, but the limited size of this appropriation seems unlikely to adequately address this issue, if at all.
<i>Senate</i> Item 294 #1s	Limits transfers from the Community Health Services item, which supports the local health districts, unless specifically authorized in the budget.	TBD.
<i>Senate</i> Item 296 #1s	Provides approximately \$1.8 million from indirect cost recoveries in FY 2023 and \$1 million GF in FY 2024 to fund a budget shortfall in the Office of Drinking Water. Decisions in the past few years by the office resulted in increased operational expenses that were temporarily funded from NGF balances until those balances were exhausted in FY 2022. To cover the shortfall in FY 2022, \$850,000 GF was transferred from the budget for the local health districts to support the Office of Drinking Water. This amendment provides funding to ensure the operations of the office in the first year and requires a thorough analysis of how the office is funded to ensure adequate funding for the office going forward.	Positive. This item will have a significant positive impact on overall protection of Fairfax County’s public water supply. The Office of Drinking Water is an essential support and collaborative agency that works with Environmental Health to ensure the County’s drinking water (both public and private) has oversight and questions from the community can be answered.
Department for Aging and Rehabilitative Services (DARS)		
<i>Governor</i> Item 331	Provides approximately \$2.7 million GF in FY 2023 and approximately \$2.6 million in FY 2024 for 300 additional public guardianship slots and to cover the cost of rebasing slots to a statewide minimum. The funding also covers the cost of an additional DARS oversight position and a legislative study.	None.
<i>Governor</i>	Provides approximately \$600,000 GF each year for an additional adult protective services position in each of DARS’ five regional offices. The positions are focused on improving	No significant impact on the County.

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	oversight of adult protective services provided by local departments of social services.	
Governor Item 331	Provides \$600,000 GF each year to contract with Area Agencies on Aging to support the Virginia Insurance Counseling and Assistance Program for counseling to Medicare beneficiaries about health insurance options and plans.	No significant impact on the County.
Senate Item 331 #2s	Provides approximately \$1.7 million GF each year to fund legislation implementing the JLARC recommendations from the October 2021 report, “Improving Virginia’s Adult Guardian and Conservator System.”	Positive. This additional funding is likely to have a positive impact on ward care and oversight across the state. The County’s local guardianship reporting program may also benefit from additional funding to conduct any new LDSS requirements likely to result from the JLARC recommendations.
Senate Item 331 #3s	Provides \$250,000 GF in FY 2023 for DARS to quantify the unmet need for aging services across the Commonwealth.	TBD. The quantification of unmet needs for aging services could potentially affect future funding formulas for state funding of local services.
Senate Item 332 #1s	Provides \$125,000 GF in FY 2023 and \$250,000 GF in FY 2024 to expands DARS’ voucher program for the Senior Farmers Market Nutrition to area agencies on aging that currently do not provide this service. Currently, only 11 of the 25 area agencies on aging have such a program.	Positive. There is no direct fiscal impact, but this additional funding may enable the Fairfax Area Agency on Aging Congregate Meals Program to offer Senior Farmers Market vouchers to low-income older adults.
Governor Item 335	Provides \$100,000 GF each year to replace expired federal grant support for legal services provided through the Senior Legal Helpline, which services low-income seniors and offers basic legal advice and referrals to other legal aid programs.	No significant impact on the County, though County residents may benefit from these services.
Senate Item 335 #1s	Provides approximately \$916,000 GF each year and 12 positions to increase staffing for the state’s Long-Term Care Ombudsman Program.	Positive. Increasing funding and positions for the state’s Long-Term Care Ombudsman Program will positively impact the amount of technical and policy support provided to the Northern Virginia Long-Term Care Ombudsman Program.
Behavioral Health		
Senate Item 283 #1s	Directs the Secretary of Health and Human Resources to establish a workgroup to evaluate the current structure of DBHDS and make recommendations on modifications to the Department’s structure that improves the delivery of behavioral health and DD services.	TBD. This will need to be carefully monitored as the impact is unclear, and it would not address the state psychiatric hospital bed crisis directly.

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Governor Item 311	Provides approximately \$3 million GF in FY 2023 for a pilot project through the Virginia Health Care Foundation to remove barriers to the mental health workforce, including the payment of supervision costs for individuals seeking degrees in social work or counseling.	TBD. Further analysis is needed to determine full impacts to the County. There is currently a nationwide shortage in behavioral health workers, and while it is unlikely that this funding is sufficient to fully address that issue in Virginia, it is clear that it will not be able to address the current crisis as quickly as necessary.
Governor Item 311	Provides \$1 million GF in FY 2023 to conduct a comprehensive study of the state and local public behavioral healthcare system, as well as \$100 million GF in FY 2024 to implement the recommendations of the study.	TBD. Further analysis is needed to determine full impacts to the County. These efforts may be duplicative of multiple efforts over the past decade that have studied the state and local public behavioral health system. Although the state has made substantial investments in behavioral health in the past, they have not been large enough, the change has not been comprehensive enough, and the funding has not been sustained to ensure that the behavioral health care system is transformed.
House/Senate Item 311 #1h and #4s	Eliminates \$1 million GF in FY 2023 and associated language in the introduced budget for a comprehensive study of the state and local behavioral health systems.	TBD.
Governor Item 311	Provides approximately \$1 million GF each year for regional dementia behavioral specialists to provide crisis and diversion services targeted to individuals with dementia who are at risk of institutionalization.	Positive. This provides a more appropriate level of care for individuals with dementia.
Governor Item 311	Appropriates approximately \$1.7 million NGF each year from the Crisis Call Center Fund (generated by a surcharge on wireless service enacted in 2021), for costs associated with the establishment and operation of the 988 Crisis Call Center.	TBD. Further analysis is needed to determine full impacts to the County. Given the operational needs of call centers statewide, it is likely that this change will not fully fund the ongoing needs for statewide call centers.
Senate Item 311 #2s	Provides \$5 million GF each year for DBHDS and partners to provide technical assistance to school divisions seeking guidance on integrating mental health services, and to make grants to school divisions to contract for community-based mental health services for students from public or private community-based providers. These funds can enhance	TBD.

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	current school-based mental health services by offering more flexible clinical capacity for service and programming needs beyond the scope of school-based personnel. The funds can also be used to continue new programs and interventions supported by federal recovery funds.	
<i>Senate</i> Item 311 #3s	Directs DBHDS to use existing staff to support the Early Psychosis Intervention and Coordinated Specialty Care Program Advisory Board.	TBD. It is unclear if the existing DBHDS staff will be adequate to support these programs. Currently, the County has both an early intervention program and a program to address individuals at risk of psychosis.
<i>Governor</i> Item 312	Provides approximately \$1.7 million GF in FY 2024 to continue a pilot program for individuals with dementia who may otherwise be admitted to a state facility. The program is funded through federal ARPA SLFRF dollars in FY 2023.	TBD. This potentially creates more capacity for those with serious illness in need of psychiatric hospitalization, and provides a more appropriate level of care for individuals with dementia. Further analysis is needed to determine full impacts to the County. Currently, there is very little public information available as to the effectiveness of the existing pilot program. Additionally, at this time the program has not been made available to individuals in the Northern Virginia region.
<i>Governor</i> Item 312	Provides approximately \$3.7 million GF in FY 2023 and approximately \$3.3 million GF in FY 2024 for discharge assistance planning. Included in this appropriation is funding for a contract to study and implement rates for services funded by Discharge Assistance Planning (DAP) funds. Additionally, it includes funding to cover costs of moving, tracking, and monitoring of DAP funds and Local Inpatient Purchase of Service (LIPOS) funds to an internet-based solution.	TBD. Further analysis is needed to determine full impacts to the County. The County is in the process of developing a cost tracking system, which may effectively duplicate state efforts.
<i>Governor</i> Item 312	Provides \$1 million GF each year to expand a pilot program providing transportation for individuals returning from state behavioral health facilities to their homes.	TBD. Further analysis is needed to determine full impacts to the County. Currently, there is very little public information available as to the effectiveness of the existing pilot program and how DBHDS has deployed the existing funds to assist with discharge planning.
<i>Governor</i> Item 312	Provides approximately \$1.9 million GF each year to fund the remaining costs of implementing the existing contract for alternative transportation of individuals under a	TBD. Further analysis is needed to determine full impacts to the County. Currently, law enforcement spends hundreds of hours transporting individuals under a

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	temporary detention order (TDO) to ensure 24/7 coverage on a statewide basis.	TDO to an inpatient bed, affecting resources needed for other public safety duties. This alternative transportation initiative has been hampered by restrictive criteria for contractors to transport individuals experiencing acute crises, reducing the capacity for alternatives to transport by law enforcement.
Governor Item 312	Provides approximately \$2.9 million GF each year to support the Virginia Mental Health Access Program, which expands access to mental health services for children.	TBD. Further analysis is needed to determine full impacts to the County.
House Item 312 #4h	Reduces introduced budget by approximately \$1.4 million GF each year for the Virginia Mental Health Access Program.	TBD.
House Item 312 #5h	Provides \$2.5 million GF in FY 2023 to establish a crisis receiving center (CRC) in Prince William County. CRCs provide a more comprehensive response because they operate on a 23/7 basis to avert behavioral health crises, thus decreasing the role of law enforcement and reducing overreliance on institutional care including state hospitals.	TBD. If the Prince William CRC accepts out-of-county individuals, this would be beneficial to the County.
Governor Item 312	Provides approximately \$3.4 million GF in FY 2024 to expand alternative custody options for individuals under TDOs by requiring DBHDS to create and implement a plan (including any necessary legislation) to increase alternative custody options for individuals under a TDO awaiting transport to an inpatient bed.	TBD. Further analysis is needed to determine full impacts to the County. Currently, law enforcement spends hundreds of hours transporting individuals under a TDO to an inpatient bed, affecting resources needed for other public safety duties.
House Item 312 #6h	Provides \$2 million GF in FY 2023 to implement a program of alternative custody for individuals subject to a TDO who are awaiting transport to an inpatient bed.	TBD. Expands upon the introduced budget. Concerns remain about the underlying bed crisis. If unresolved, additional resources for alternative transportation alone will not be helpful, as there will not be a hospital to receive the individual who is transported.
Senate Item 312 #1s	Shifts approximately \$1.7 million GF from FY 2024 included in the introduced budget to FY 2023 to provide approximately \$1.7 million each year to support a program of alternative custody for individuals under a TDO who are awaiting transport to an inpatient bed. In addition, it provides \$1 million GF each year to	TBD. Concerns remain about the underlying bed crisis. If unresolved, additional resources for alternative transportation alone will not be helpful, as there will not be a hospital to receive the individual who is transported.

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	reimburse local law enforcement agencies that utilize auxiliary police officers as alternative custody options for emergency custody orders or TDOs.	
<i>Governor</i> Item 313	Provides \$3 million GF each year to fund the implementation of a local Marcus Alert System for an additional five localities. Combined with previous allocations, this adjustment means that each local or regional implementation area program will receive \$600,000 per year in state support.	TBD. Further analysis is needed to determine full impacts to the County. Fairfax County is included in the additional five localities covered by this item. When compared to Fairfax County’s anticipated initial cost of approximately \$6.3 million, it seems clear that Marcus Alert will be underfunded from its inception, as was STEP-VA (System Transformation, Excellence and Performance in Virginia). If that is the case, each year that funding gap will likely widen as the funding burden on localities grows.
<i>Governor</i> Item 313	Provides \$2 million GF in FY 2023 and \$22 million GF in FY 2024 for crisis services, including support for the expansion of Crisis Intervention Team Assessment Centers or Crisis Stabilization Units into 23-hour crisis receiving or observation centers. \$20 million in federal ARPA funds supports these efforts in FY 2023.	TBD. Further analysis is needed to determine full impacts to the County. The County requires additional funding to expand crisis stabilization beds to 16 additional 23-hour beds. This funding could potentially assist with that effort.
<i>Governor</i> Item 313	Provides approximately \$11.3 million GF in FY 2023 and approximately \$19 million GF in FY 2024 for permanent supportive housing for individuals with serious mental illness, which includes a \$2.5 million annual set aside for housing in the Northern Virginia region.	Positive. The need for permanent supportive housing for individuals with serious mental illness in the County is very high. It is important that this funding include wrap around case management for individuals, as housing alone will not be sufficient. Wrap-around case management services would help ensure that those individuals are successful in maintaining their housing.
<i>House</i> Item 313 #3h	Removes approximately \$5.6 million GF in FY 2023 and approximately \$9.5 million GF in FY 2024 from the introduced budget for permanent supportive housing for individuals with serious mental illness.	Negative. The need for permanent supportive housing for individuals with serious mental illness in the County is very high and resources are needed to address this issue.
<i>Governor</i> Item 313	Provides \$5 million GF in FY 2024 for substance use disorder-specific training of the intellectual disability and developmental disability provider workforce, the development and implementation of substance use disorder services specific to transition-age youth (up to age 25), and additional substance use disorder	TBD. Further analysis is needed to determine full impacts to the County. This allocation appears to be targeted at satisfying an existing US Department of Justice requirement. The restrictions on the types of trainings included in the item may limit its benefit to the County.

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	services related to the COVID-19 pandemic. Funding in the first year is provided through federal APRA dollars.	
Governor Item 313	Provides approximately \$1 million GF in FY 2023 and approximately \$2.7 million GF in FY 2024 for the state rental assistance program to provide rental subsidies for individuals with intellectual or developmental disabilities.	Positive. This funding is related to the State Rental Assistance Program (SRAP) that currently supports 120 tenant-based certificates (similar to housing choice vouchers) and approximately 10 project-based certificates that will be placed at two properties currently under development (Arrowbrook and The Arden) in Fairfax County. Additional funding will help with the development and preservation of affordable housing for this vulnerable population. Support for additional funding for affordable housing is included in the County’s legislative program.
Governor Item 313	Provides \$650,000 GF each year for mental health dockets to expand and provide additional support to existing mental health dockets.	TBD. Further analysis is needed to determine full impacts to the County. Support for mental health dockets is included in the County’s legislative program.
Governor Item 313	Provides approximately \$1.8 million GF each year for additional permanent supportive housing for pregnant or parenting women with substance use disorders. This funds rental subsidies and support services for 75 additional pregnant or parenting women.	TBD. Additional permanent supportive housing is needed and critical for County residents. Further analysis is needed to determine full impacts to the County. Setting aside funding for specific populations may affect the impact of the funding to the County and its residents.
Governor Item 313	Provides DBHDS authority to promulgate emergency regulations related to the structure of the Individual and Family Supports Program (IFSP).	TBD. Further analysis is needed to determine full impacts to the County. Any emergency regulations promulgated by DBHDS should be done in partnership with the CSBs and community providers.
Governor Item 313	Provides approximately \$22.2 million GF and approximately \$4.7 million NGF in FY 2023 and approximately \$28.3 million GF and approximately \$7.5 million NGF in FY 2024 to continue the implementation of STEP-VA, the Commonwealth’s behavioral health transformation plan. The funding is partially targeted towards implementing the remaining three of nine services required by STEP-VA. Additionally, funds are provided for local infrastructure and regional management of STEP-VA services.	TBD. Further analysis is needed to determine full impacts to the County. At no point during the four years of STEP-VA implementation has the Commonwealth provided adequate funding to implement any of the newly mandated services.

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House Items 486 #4h and 313 #6h	Provides approximately \$25.5 million from federal ARPA funds in FY 2023 and approximately \$25.5 million GF in FY 2024 for targeted salary increases for direct care staff working for CSBs and a Behavioral Health Authority.	TBD. This is likely to have a positive impact and may help address recruitment and retention issues. The full impact to the County cannot be determined since the amendment does not provide detail as to how the salary increases will be distributed.
Senate Item 313 #1s	Provides approximately \$37.8 million GF in FY 2023 for recruitment and retention bonuses for CSB staff. The funding will be used to provide \$1,000 quarterly recruitment bonuses to support 1,593 new direct care hires and \$1,000 quarterly retention bonuses to support 7,847 existing CSB direct care employees. The funding will be distributed based on the number of full-time staff employed by CSBs and the staff hired each quarter.	Positive. This funding would help address recruitment and retention issues.
House Item 313 #2h	Expands use of approximately \$3.7 million GF provided each year in the introduced budget for discharge planning at jails for individuals with serious mental illness to also include emergency client assistance resources. As such, it allows the funds to be used for either new staff positions or for emergency client assistance resources. Additionally, it permits the use of funding in additional jails meeting the criteria for funding.	TBD. It is unclear how this funding would be distributed, though the statewide amount is likely insufficient to fully fund these services.
Senate Item 313 #3s	Modifies budget language to enable DBHDS to allocate funds to a greater number of CSBs and jails for the purpose of providing discharge planning and resources.	TBD. It is unclear how this funding would be distributed, though the statewide amount is likely insufficient to fully fund these services.
Governor Item 318	Provides approximately \$1.8 million GF each year for additional security staff at Eastern State Hospital and Northern Virginia Mental Health Institute in order to improve patient and staff safety.	TBD. Further analysis is needed to determine full impacts to the County. Since these funds are targeted at state facilities, they may have minimal impact on the County.
House/Senate Items 485 #1h and #4s	Eliminates \$100 million GF in FY 2024 for unidentified behavioral health services based on a study included in the introduced budget.	TBD.
Governor Item 486	Provides approximately \$3.3 million GF in FY 2023 for overtime costs at state behavioral health facilities. An additional approximately \$4.2 million GF was provided in FY 2022 in the Caboose Bill to cover overtime costs.	TBD. Further analysis is needed to determine full impacts to the County. Since these funds are targeted at state facilities, they may have minimal impact on the County.

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House Item 486 #2h	Provides a one-time allocation of \$13 million in ARPA funds in FY 2023 for hospital trauma centers funded through the Trauma Center Fund for pandemic-related costs experienced by emergency departments. Allocations will be consistent with the formula used for the Fund, except that this one-time allocation will only be distributed to hospitals in which the number of individuals subject to TDOs served by the hospital have increased since FY 2014.	TBD. Further analysis is needed to determine full impacts to the County. It is unclear how these funds will be used.
Department of Social Services (DSS)		
Governor Item 340	Provides \$4 million GF each year for a pilot program administered by the Office of New Americans to competitively award grants to immigrant-serving and refugee-serving organizations. The grants will provide intensive case management to limited English proficiency individuals to assist them with applying for critical public services. Grants will also be awarded to refugee resettlement agencies to ensure that immigrants and refugees receive equitable services by expanding the agencies' capacity to provide legal services, case management, and assistance finding health care, housing, education, and employment.	Positive. The three resettlement agencies serving Fairfax County have had to rapidly expand their capacity to serve an unprecedented number of newcomers from Afghanistan – due to the significant influx of Afghans resettling in Northern Virginia, the County has been contacted by individuals and families who are working with a local resettlement agency but still require help obtaining basic needs due to the resettlement agencies' capacity constraints. This additional funding will help address those unmet needs.
House Item 340 #1h	Removes \$4 million GF each year for a new initiative creating a public benefit navigator pilot program in the Office of New Americans.	Negative. Reduces appropriations from the introduced budget.
Governor Item 340	Directs DSS to establish a workgroup to study Temporary Assistance for Needy Families (TANF) block grant spending to recommend changes necessary to ensure annual structural balance in state TANF spending.	None. Likely no direct/immediate impact to the County. There has been a surplus in state block grant funding for the last several years.
Senate Item 340 #1s	Provides approximately \$1.1 million GF and approximately \$8.6 million from the TANF block grant in FY 2023, and approximately \$1.2 million GF and approximately \$9.8 million from the TANF block grant in FY 2024, for a 10% increase in the TANF standards of assistance. The budget adopted by the 2021 GA included language providing for annual increases for TANF until it was 50% of the federal poverty level.	Positive. Support for increases to the TANF standards of assistance is included in the County's Human Services Issues Paper. Additional TANF funds will further support low-income families.
Governor Item 344	Provides \$1.35 million GF each year for the Virginia Sexual and Domestic Violence Prevention Fund.	Positive. This fund would enable the County to apply for sexual and domestic violence prevention funding. Prevention programs

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		can stop violence before it happens, and historically have been underfunded. Sexual and domestic violence prevention efforts include evidence-informed, public health strategies to prevent violence, which is needed to counteract the effects of the pandemic and undo family and community risk factors for violence.
House Item 344 #1h	Reduces \$350,000 GF each year from the introduced budget for the Virginia Sexual and Domestic Violence Prevention Fund.	Negative. Reduces appropriations from the introduced budget.
Senate Item 344 #1s	Provides \$2.7 million GF annually for the Virginia Sexual and Domestic Violence Prevention Fund, which is used to develop and support programs that prevent sexual and domestic violence.	Positive. Increases appropriations from the introduced budget.
House Item 408 #4h	Provides \$1.4 million GF each year to support the Virginia Sexual and Domestic Violence Victim Fund.	TBD.
Governor Item 345	Provides \$400,000 GF and approximately \$3.55 million NGF in FY 2023, and approximately \$831,000 GF and approximately \$4 million NGF in FY 2024, to fund implementation of the Family First Prevention Services Act, including fidelity monitoring and evaluation of evidence-based prevention services.	TBD.
Governor Item 346	Provides \$59.5 million NGF in FY 2023 and \$122 million NGF in FY 2024 to fund the Percentage of Income Payment Program, which provides utility payments to eligible low-income households.	Positive. Likely no direct fiscal impact, however overall, this is positive for the County and its residents.
House Item 347 #1h	Provides \$1 million each year from the federal TANF block grant for support of Community Action Agencies.	Positive. Fairfax County operates one of 31 Community Action programs.
House/Senate Item 347 #2h and #2s	Directs \$200,000 the first year from the TANF block grant in FY 2023 to be provided to Good Shepherd Housing and Family Services for housing, emergency services, children's services, budgeting, counseling and other resources for low-income families.	Positive. This funding would be provided directly to Good Shepherd Housing, a nonprofit with which the County partners to serve low-income families in the Mount Vernon district.

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	The Senate amendment provides an additional \$200,000 from the TANF block grant in FY 2024.	
House Item 347 #3h	Directs \$500,000 each year from the TANF block grant to be provided to Northern Virginia Family Service (NVFS) to deploy a neighborhood-based, mobile service delivery and outreach program. This model will address the immediate and long-term recovery needs of those who have been disproportionately impacted by the COVID-19 crisis, and leverage civic participation and community building. The funds will support a mobile service delivery and outreach van, a trauma-informed Community Outreach Team, helping community members by connecting them to tools and resources to improve financial well-being, and providing support through mini-grants and direct assistance.	Positive. This funding would be provided directly to NVFS, a nonprofit which serves low-income families in Fairfax County and surrounding localities in Northern Virginia.
Senate Item 347 #6s	Provides \$1 million from the TANF block grant each year to deploy a neighborhood-based, mobile service delivery and outreach program. This model will address the immediate and long-term recovery needs of those who have been disproportionately impacted by the COVID-19 crisis and leverage civic participation and community building. The funds will support a mobile service delivery and outreach van, a trauma-informed Community Outreach Team to help community members by connecting them to tools and resources to improve financial well-being and provide support through mini-grants and direct assistance.	Positive. This funding would be provided directly to NVFS, a nonprofit which serves low-income families in Fairfax County and surrounding localities in Northern Virginia.
Senate Item 347 #3s	Provides \$2 million each year from the federal TANF block grant to support Community Action Agencies.	Positive. Fairfax County operates one of 31 Community Action programs.
Senate Item 347 #5s	Provides \$5 million GF in FY 2023 to Fairfax County to establish a CASA vocational welcome center.	Positive. CASA provides employment services and placement to immigrant and working-class families. This funding will assist immigrant and working-class families in the community.

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Governor Item 350	Directs DSS to create a taskforce to ensure state level support for local criminal justice diversion initiatives. The taskforce is also directed to study effective types of diversion tools for use in local criminal justice diversion programs and explore potential federal funding that could be used for such initiatives.	Positive. The County has long supported criminal justice efforts, particularly through the County’s Diversion First program. The taskforce may identify potential federal funds that can support existing County efforts, as well as providing legislative authority that could enhance County programs and services.
Governor Item 350	Provides approximately \$2.6 million GF and approximately \$12.3 million NGF in FY 2023 and approximately \$8.5 million GF and approximately \$23.5 million NGF in FY 2024 to replace the Virginia Case Management System.	TBD. Improved technology for the case management system is potentially beneficial to the County; however, more information is needed to determine the potential impact on County staff workload and services to County residents.
House/Senate Item 350 #1h and #1s	Removes funding in the introduced budget and defers replacement of the Virginia Case Management System, which was developed and implemented in 2014.	None. Current system remains available and functional for case management.
Governor Item 350	Requires the DMAS to amend the Virginia Family Access to Medical Insurance Security (FAMIS) State Plan to allow for the payment of prenatal, labor and delivery, and postpartum care pursuant to provisions in the federal 2009 Children’s Health Insurance Program (CHIP) Reauthorization Act, which includes care of all children who will be US citizens, US nationals, or qualified aliens at birth.	TBD. County staff projects that the new language will extend FAMIS eligibility to all pregnant women (including undocumented), as their child, upon birth, will be a US citizen. This has the potential to have a significant positive impact to County residents. More information is needed to determine any potential workload increases for County staff.
House/Senate Item 350 #1h and #1s (2020-2022)	Provides \$3 million GF in FY 2022 to the Unemployed Parents (UP) program to address a recent increase of enrollment.	Positive. Additional funding will support recent increase in enrollment.
Senate Item 350 #2s	Removes approximately \$966,000 GF each year and approximately \$3.2 million NGF each year included in the introduced budget to annualize the administrative funding for the Broad Based Categorical Eligibility (BBCE) program and the Department of Social Services' portion of the Virginia Facilitated Enrollment Program.	Negative. BBCE streamlines and expands SNAP eligibility by removing the resource requirement for eligible households. If administrative funds are removed and the program is kept, it would place an administrative burden on localities. More information is needed to determine whether VDSS would keep the program if funding is removed – this would also have a negative impact on County residents.

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Governor Item 352	Provides \$215,000 GF and \$215,000 NGF each year to fund a multi-lingual outreach campaign in order to reach more vulnerable households.	Positive. Likely no direct fiscal impact to the County; however, the County continues to provide multi-lingual outreach to County residents and additional resources could be beneficial.
Substance Use		
Senate Item 291 #1s	Removes \$620,000 GF in FY 2024 from the introduced budget for the Comprehensive Harm Reduction Program.	Negative. Reduces appropriation from introduced budget.
Senate Item 304 #1s	Requires DMAS to increase Medicaid reimbursement rates for certified peer recovery and family support services.	Positive. This would be helpful as current rates do not pay for the staff time for the services.
Governor Item 311	Provides approximately \$102,000 GF each year to increase retail tobacco outlet compliance checks to prevent underage tobacco sales.	Positive. Support for efforts to curb underage tobacco use is included in the County's legislative program.
Governor Item 311	Provides approximately \$1 million GF each year to support state oversight and coordination for an evidence-based prevention and youth media campaign and educational efforts related to marijuana legalization.	None.
House Item 312 #1h	Requires DBHDS to monitor credentialed recovery homes for regulatory compliance, and consult with the Virginia Association of Recovery Residences to keep the agency's public directory of credentialed recovery homes updated.	TBD. Further analysis is needed to determine if this would include Oxford Houses.
House Item 312 #3h	Removes \$1 million GF each year from the introduced budget for recovery residences.	TBD. Further analysis is needed to determine full impacts to the County. Additional information and guidance is needed from DBHDS regarding which individuals qualify for recovery support services.
House/Senate Item 313 #1h and #4s	Removes language that restricts the use of medication-assisted treatment to individuals with substance use disorders who are addicted to opioids. This will make this treatment option open to all individuals with substance use disorders.	Positive. Individuals with a substance use disorder in addition to opioid use disorder will now have access to medication assisted treatment and associated funding.

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Transportation

Source	Amendment	Fairfax County Impact
REGIONAL ITEMS		
Northern Virginia Transportation Authority (NVTVA) Funding		
<i>Governor</i> Items 451 (2020-22); 460 (2022-24)	<p>The Governor's proposed 2020-2022 Caboose budget includes the regional funds provided for in HB 2313 (2013), including approximately \$693.8 million for distribution of NVTVA Fund revenues over the 2020-2022 biennium (approximately \$58.5 million above what was previously projected for the biennium).</p> <p>The Governor's proposed 2022-2024 biennium budget includes approximately \$822.1 million for distribution of NVTVA Fund revenues over the biennium, approximately \$128.3 million above the revised projection included in the proposed Caboose budget.</p>	<p>The amount received by the County is dependent on actual collections from the revenue sources. Through its Six Year Program, NVTVA allocates 70% (approximately \$575.5 million in 2022-2024) to regional projects, and that funding has already been approved for projects through adoption of NVTVA's 2018-2023 Six Year Program.</p> <p>Fairfax County should receive approximately \$111 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 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>
<i>House/Senate</i>	No change.	
Regional Gas Tax		
<i>Governor</i> Item 444 (2022-2024)	Provides approximately \$207.4 million over the 2020-2022 biennium for regional gas taxes (for NVTC, PRTC). Estimates approximately \$110.5 million for NVTC over the 2022-2024 biennium, of which approximately \$22.2 million is transferred to the WMATA Capital Fund per HB 1539/SB 856 (2018).	The amount received by NVTC and the County is dependent on actual collections from the revenue sources.
<i>House/Senate</i>	No change	
STATEWIDE PROGRAMS		
Tax Provisions Impacting Commonwealth Transportation Fund		
<i>House</i> Item 4-14 (2022-2024)	Includes language lowering the tax rate on gasoline and diesel fuel for FY 2023, consistent with the provisions of HB 1144, as it passed the House.	Would reduce funding provided to the Commonwealth Transportation Fund (CTF) by approximately \$275 million in FY 2023, followed by a \$102 million reduction in FY 2024, and an

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		approximately \$60 million projected reduction each year thereafter.
House Item 4-14 (2022-2024)	Includes statutory language eliminating the state sales tax on groceries consistent with the provisions of HB 90 (McNamara) as it passed the House.	Will reduce funding provided to the CTF by approximately \$138 million annually.
Senate Item 4-14 (2022-2024)	Includes statutory language eliminating the state portion of sales tax on groceries and personal hygiene products, and providing that the amount of one percent dedicated to public education be replaced with a like amount of GF distributed based on school-age population, consistent with the distribution of sales tax, as provided in SB 451 (Boysko) as it passed the Senate.	Same as above.
Department of Rail and Public Transportation (DRPT)		
Governor Item 447 (2022-2024)	<p>Provides approximately \$1.16 billion for Public Transportation Programs (approximately \$105.9 million increase), including:</p> <ul style="list-style-type: none"> • Approximately \$213 million for Operating Assistance (approximately \$9 million decrease); • Approximately \$120 million for Capital Assistance (approximately \$2.5 million decrease); • Approximately \$357.7 million for WMATA operating and capital costs (state share of WMATA assistance) (approximately \$15.7 million increase); • \$4 million for federally mandated state safety oversight of fixed rail guideway transit agencies, i.e. the Metrorail Safety Commission (MSC); and, • \$50 million in each year as the state match for the federal Passenger Rail Investment and Improvement Act (PRIIA). <p>Includes approximately \$318.8 million for the WMATA Capital Fund, which includes the local and regional funding redirected as part of HB 1539/SB 856 (2018) (\$1.8 million decrease).</p>	The statewide Operating and Capital funding is subject to the transit prioritization process required by legislation passed in the 2018 GA, entitled MERIT, as well as the new programs created in HB 1414/SB 890 (2020), so the impact to Fairfax Connector and VRE is currently unclear.
House/Senate	No change.	
Governor	Includes language specifying that manufacturers that sell buses for the purposed of public	Clarifies that purchases can continue under existing procurement processes.

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Item 436 (2022-2022)/Item 440 (2022-2024)	transportation, as defined in US Code, in the Commonwealth are not required to obtain a manufacturers' and dealers' license from the Virginia Department of Motor Vehicles (DMV).	The County supports SB 281 (Ebbin), which addresses the same issue.
House Item 436 (2020-2022)/Item 440 (2022-2024)	Replaces the language in the introduced budget to more clearly state the intended policy, and to specify that the bus purchases are exempt from the license requirements of both the DMV and the Motor Vehicle Dealer Board.	Same as above.
Senate Item 436 (2020-2022)/Item 440 (2022-2024)	Similar to House language – clarifies that manufacturers of public transportation buses for sale in Virginia are exempt from the license requirements of both the DMV and the Motor Vehicle Dealer Board.	Same as above.
Virginia Passenger Rail Authority/Rail Programs		
Governor Items 445/448 (2022-2024)	Moves a significant amount of funding from DRPT Rail Programs to the new Rail Authority created in 2020 as part of HB 1414/SB 890 to promote, sustain, and expand passenger and commuter rail service. The new Authority will receive approximately \$621.8 million for passenger rail development and operation programs. The 2022-2024 budget does continue to include some funding for rail programs at DRPT, including approximately \$176.2 million for Financial Assistance for Rail Programs, including: \$6 million for Rail Industrial Access; approximately \$29 million for Rail Preservation Programs; and approximately \$141.2 million for Passenger and Freight Rail Financial Assistance Programs.	TBD.
House/Senate	No change.	
Virginia Department of Transportation (VDOT)		
<u>Environmental Monitoring and Evaluation</u>		
Governor Items 445 (2020-2022); 450 (2022-2024)	The Governor's proposed 2020-2022 Caboose budget provides approximately \$84.9 million for Environmental Monitoring and Evaluation (approximately \$2.9 million above what was previously projected for the biennium). The Governor's proposed 2022-2024 budget includes approximately \$30 million over the biennium, approximately \$30 million below the revised projection for the 2020-2022 biennium budget.	The funding change is minimal.

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	<p>The 2022-2024 budget includes approximately \$19.9 million for Environmental Monitoring and Compliance for Highway Projects (minimal change from the proposed Caboose budget) and approximately \$27.4 million for Municipal Separate Storm Sewer System (MS4) Compliance Activities (approximately \$30.6 million decrease from the proposed Caboose budget).</p>	
<i>House/Senate</i>	No change.	
<u>Highway Construction</u>		
<p>Governor Item 447 (2020-2022)</p>	<p>The Governor’s proposed 2020-2022 Caboose budget provides approximately \$8.05 billion for Highway Construction Programs, an approximate \$619.7 million increase from last year's budget. This includes: approximately \$697.4 million for State of Good Repair (approximately \$112 million increase); approximately \$656.7 million for the High Priority Projects Program (approximately \$138.1 million increase); approximately \$847.3 million for the Construction District Grant Program (approximately \$84.7 million increase); approximately \$5.07 billion for Specialized State and Federal Programs (approximately \$495.5 million increase); and, approximately \$689.7 million for Legacy Construction Formula Programs (approximately \$212.3 million decrease). Of the Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> • Approximately \$233.4 million in federal Regional Surface Transportation Program (RSTP) funds; • Approximately \$43.5 million in federal and state matching funds for a new federal resiliency program; • Approximately \$166.2 million in federal Congestion Mitigation and Air Quality (CMAQ) funds; • Approximately \$239.7 million for Revenue Sharing (approximately \$30 million increase); • Approximately \$40.4 million for the Surface Transportation Block Grant Program Set-Aside; 	<p>Many of these funds are subject to the Smart Scale or other prioritization processes, so the impact to Fairfax County is unclear.</p> <p>The \$30 million increase in Revenue Sharing will help bring the program closer to its original schedule, which the County supports in the legislative program.</p> <p>RSTP, CMAQ, HSIP, and Transportation Alternative funds are similar to what was allocated in previous years.</p>

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	<ul style="list-style-type: none"> • Approximately \$30.7 million for the Virginia Transportation Infrastructure Bank (VTIB); • Approximately \$20.1 million for the Transportation Partnership Opportunity Fund (TPOF); and, • Approximately \$34.1 million in federal and state matching funds for a new federal Carbon Reduction Program. <p>Additionally,</p> <ul style="list-style-type: none"> • Approximately \$2.32 billion represents estimated project participation costs from localities and regional entities; • \$218.4 million in the second year represents bond proceeds to be used for the Route 58 Corridor Development Program. Item 452 also provides \$120 million from the Transportation Trust Fund (TTF); and, • Included in the amounts for specialized state and federal programs is the reappropriation of approximately \$1.06 billion in bond proceeds from various bond programs. 	
<p><i>House/Senate</i> (2020-2022)</p>	<p>No change.</p>	
<p><i>Governor</i> Item 452 (2022-2024)</p>	<p>For the 2022-2024 biennium, provides approximately \$9.17 billion for Highway Construction Programs, a \$1.1 billion increase over the proposed 2020-2022 Caboose budget. This includes:</p> <ul style="list-style-type: none"> • Approximately \$152.4 million for the Virginia Highway Safety Improvement Program (\$46.1 million increase over the former federal Highway Safety Improvement Program funding); • Approximately \$438.1 million for the new Interstate Operations and Enhancement Program; 	<p>Many of these funds are subject to the Smart Scale or other prioritization processes, so the impact to Fairfax County is unclear.</p> <p>The \$165 million increase in Revenue Sharing will help bring the program closer to its original schedule, which the County supports in the legislative program.</p> <p>The \$125 million increase in CMAQ should benefit the County and Northern Virginia.</p>

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	<ul style="list-style-type: none"> • Approximately \$832.1 million for State of Good Repair (approximately \$134.7 million increase); • Approximately \$863.9 million for the High Priority Projects Program (approximately \$207.3 million increase); • Approximately \$1.02 billion for the Construction District Grant Program (approximately \$176.1 million increase), which includes \$209.7 million from the regional fuel tax collected in transportation districts that do not have a regional authority; • Approximately \$5.25 billion for Specialized State and Federal Programs (approximately \$187 million increase); and, • Approximately \$510.2 million for Legacy Construction Formula Programs (approximately \$179.5 million decrease). <p>Of the Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> • Approximately \$233.4 million for RSTP; • Approximately \$89.6 million in federal and state matching funds for a new federal resiliency program (approximately \$46 million increase); • Approximately \$291.9 million for CMAQ (approximately \$125 million increase); • Approximately \$405.4 million for Revenue Sharing (approximately \$165.7 million increase); • Approximately \$40.4 million for the Surface Transportation Block Grant Program Set-Aside; • Approximately \$30.7 million for the Virginia Transportation Infrastructure Bank (VTIB); • Approximately \$20.1 million for the Transportation Partnership Opportunity Fund (TPOF); and, • Approximately \$70.2 million federal and state matching funds for the new federal Carbon Reduction Program (approximately \$26.1 million increase). 	<p>RSTP and Transportation Alternative funds are similar to what was allocated in previous years.</p> <p>The new trail program could provide funding for projects in the County, but none of the projects specifically included in the budget language are located in Northern Virginia.</p>
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	<p>Additionally,</p> <ul style="list-style-type: none"> • Approximately \$2.32 billion represents estimated project participation costs from localities and regional entities; • \$152.2 million in the second year represents bond proceeds to be used for the Route 58 Corridor Development Program (\$66 million decrease). Item 452 also provides \$120 million from the Transportation Trust Fund (TTF) to the U.S. Route 58 Corridor Development Fund; and, • Included in the amounts for specialized state and federal programs is the reappropriation of approximately \$1.06 billion from bond proceeds from various bond programs. <p>The budget also provides \$207.2 million from the General Fund to support the planning, development, and construction of multi-use trails in the Commonwealth, including the Fall Line Trail in central Virginia, the Shenandoah Valley Rail Trail, and the Eastern Shore Rail Trail.</p>	
<p>House Item 452 (2022-2024)</p>	<p>Reduces the amount of GF in the first year that was originally directed to multi-use trails to \$61.7 million. Of that funding, provides:</p> <ul style="list-style-type: none"> • \$21.7 million for the Fall Line Trail in central Virginia and the Craig Valley Railbed trail; • Up to \$30 million for enhancements to I-64 between Richmond and Williamsburg; and, • Up to \$10 million from the GF to expedite the replacement of the Norris and McMullen bridges. 	<p>None of these projects are located in Northern Virginia.</p>

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<p>Senate Item 452 (2022-2024)</p>	<p>Reduces the amount of GF in the first year that was originally directed to multi-use trails to \$25 million. Of that funding, provides:</p> <ul style="list-style-type: none"> • \$20 million for the establishment of the State Trails Office within VDOT, with up to \$1.5 million to support initial operation overhead costs. Additionally, sets aside \$20 million in each year from the federal Transportation Alternatives Program for regional multi-use trails. Specifies that priority shall be given to new regional trails, projects to improve connectivity of existing trail networks, and geographic diversity. • \$5 million for the Transit Ridership Incentive Fund for regional connectivity programs focused on congestion reduction and mitigation through the provision of long-distance commuter routes. 	<p>The County could benefit from the funding provided for trails, though there is a policy question to be considered about whether Transportation Alternatives funding should be directed to trails rather than to all currently available uses. The County may also benefit from the funding directed for Transit Ridership Incentive Program (TRIP) regional connectivity funding.</p>
<p>House Item 452 (2022-2024)</p>	<p>No language is included changing projections to reflect elimination of the gasoline tax or sales tax on groceries.</p>	
<p>Senate Item 452 (2022-2024)</p>	<p>Reduces Commonwealth Transportation Fund revenues by \$190.1 million to reflect the elimination of the state portion of sales tax on groceries and personal hygiene products.</p>	<p>Will reduce the amount of funding available for maintenance, construction, transit and other transportation programs.</p>
<p>Governor Item 447.1 (2020-2022)</p>	<p>The Governor’s proposed 2020-2022 Caboose budget includes \$404.2 million from the following sources to create the 2021 Transportation Funding Initiative (\$115.8 million): \$233.4 million provided by the federal Coronavirus Response and Relief Supplemental Appropriations (CARES) Act; \$20 million in uncommitted balances in the Virginia Transportation Partnership Opportunity Fund; \$15 million in uncommitted balances previously allocated for Financial Assistance for Planning, Access Road, and Special Projects, and \$170.8 million from the GF, including the FY 2021 GF surplus directed to the Commonwealth Transportation Fund.</p>	<p>None of the new projects listed are in Northern Virginia. However, several projects/programs in the original Funding Initiative benefited the County and/or region.</p>

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	<p>The funding will be utilized for a variety of projects and programs including:</p> <ul style="list-style-type: none"> • Up to \$30 million for the Mid-Atlantic Regional Spaceport, to enhance capabilities and provide access to space for new customers and programs (new in the Caboose budget); • Up to \$25.8 million for regional trails, including for several specified trails, none of which are in Northern Virginia (new in the Caboose budget); • Up to \$20 million for the Air Terminal Interchange at-grade intersection project on I-564 in Hampton Roads (new in the Caboose budget); • Up to \$20 million to improve I-64 between Richmond and Williamsburg (new in the Caboose budget); • Up to \$10 million for TPOF to return funding previously provided for the Initiative (new in the Caboose budget); • Up to \$10 million to support efforts to address the loss of wildlife habitat impacted by transportation projects in Hampton Roads (new in the Caboose budget); • Up to \$83.5 million to improve commuter rail service on the VRE Manassas Line; • Up to \$32.4 million for the Commonwealth’s share of funding to the WMATA Capital Fund, as well as assistance for member jurisdictions to reduce their FY 2022 operational obligations; • Up to \$10 million for regional trails; • Up to \$10.9 million to establish pilot programs for fare-free transit; • Up to \$93.1 million for improvements to the Interstate 64 Corridor in the Hampton Roads and Richmond regions; • Up to \$10 million for a connected infrastructure redevelopment demonstration program within and adjacent to the Virginia Tech campus in the City of Falls Church; and, 	
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	<ul style="list-style-type: none"> • A requirement for the Commonwealth Transportation Board (CTB) to provide an interim report on the use of these funds by November 1, 2021, and a final report by June 30, 2022. <p>The budget also includes language restoring GFs allocated to this item if additional one-time, supplemental federal funds over \$55 million with similar eligibility requirements are made available prior to June 30, 2021.</p> <p>Similar language is not included in the 2022-2024 biennium budget.</p>	
<p>House Item 447.10 (2020-2022)</p>	<p>For the \$115.8 million in funding associated with the projects listed above as “new in the Caboose budget” does the following:</p> <ul style="list-style-type: none"> • Retains up to \$30 million for improvements to the Mid-Atlantic Regional Spaceport to enhance capabilities and provide access to space for new customers and programs; • Replaces up to \$25.8 million for regional trails, including for several specified trails, none of which are in Northern Virginia, with funding for two of the projects that were originally specified: Fall Line Trail in central Virginia (up to \$5.8 million) and Shenandoah Valley Rail Trail (up to \$30 million); • Retains up to \$20 million for the Air Terminal Interchange at-grade intersection project on I-564 in Hampton Roads; • Retains up to \$20 million to improve I-64 between Richmond and Williamsburg; • Adds up to \$10 million to support the extension of the Nimmo Parkway. • Removes language providing up to \$10 million for TPOF to return funding previously provided for the Initiative (new in the Caboose budget); and, • Removes language providing up to \$10 million to support efforts to address the loss of wildlife habitat impacted by 	<p>None of the specified projects are in Northern Virginia.</p>

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	transportation projects in Hampton Roads (new in the Caboose budget).	
<p>Senate: Item 447.10 (2020-2022)</p>	<p>Provides an additional \$190 million in GF in FY 2022 and modifies the proposed allocation of \$115.8 million associated with the projects listed above as “new in the Caboose budget” to the following:</p> <ul style="list-style-type: none"> • Replaces up to \$20 million to improve I-64 between Richmond and Williamsburg (new in the Caboose budget) with up to \$190 million for I-64 between exit 234 and mile marker 223); • Increases the amount provided to the Mid-Atlantic Regional Spaceport to enhance capabilities and provide access to space for new customers and programs to \$45 million, which will remain unallotted until certain circumstances are met; • Increases the amount of funding to support the planning, development, and construction of multi-use trails throughout the Commonwealth to \$30 million, with priority given to new regional trails, projects to improve connectivity of existing trail networks, geographic diversity, and for the establishment of a State Trails office – reference to specific trails is removed; • Reduces the funding to support efforts to address the loss of wildlife habitat impacted by transportation projects in Hampton Roads to \$5 million; • Adds up to \$30 million for one-time payments to localities for city road payments; • Adds up to \$5 million for the Transit Ridership Incentive Fund, for regional connectivity programs focused on congestion reduction and mitigation through the provision of long-distance commuter routes; and, • Adds up to \$796,000 for customer service enhancements and automation improvements at the DMV. 	<p>The County could benefit from the funding provided for multi-use trails and from the TRIP funding for regional connectivity. None of the other projects/programs specified will impact the County.</p>

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	<ul style="list-style-type: none"> Removes up to \$20 million for the Air Terminal Interchange at-grade intersection project on I-564 in Hampton Roads; and, Removes up to \$10 million for TPOF to return funding previously provided for the Initiative. 	
<i>Highway Maintenance</i>		
<i>Governor</i> Item 448 (2020-2022)	<p>The Governor’s proposed 2020-2022 Caboose budget provides approximately \$4.07 billion for Highway System Maintenance and Operations, a \$19.6 million decrease. This includes:</p> <ul style="list-style-type: none"> Approximately \$961.7 million for interstates (approximately \$9.3 million decrease); Approximately \$1.27 billion for primaries (approximately \$1.4 million decrease); Approximately \$1.22 billion for secondaries (approximately \$16.8 million decrease); and, Approximately \$435.8 million for Transportation Operations Services (approximately \$5.2 million increase). 	Using historical estimates, approximately \$2.3 million less may be available for maintenance and operations within Northern Virginia.
<i>Governor</i> Item 453 (2022-2024)	<p>The proposed 2022-2024 budget provides \$4.28 billion for Highway System Maintenance and Operations, a \$206.6 million increase from the proposed Caboose budget. This includes:</p> <ul style="list-style-type: none"> Approximately \$987.5 million for interstates (approximately \$25.7 million increase); Approximately \$1.54 billion for primaries (approximately \$270.8 million increase); Approximately \$1.20 billion for secondaries (approximately \$16.7 million decrease); and, Approximately \$400.4 million for Transportation Operations Services (approximately \$35.5 million decrease). 	Using historical estimates, approximately \$31 million more may be available for maintenance and operations within Northern Virginia.
<i>House/Senate</i>	No change.	
<i>Special Structures</i>		
<i>Governor</i>	The Governor’s proposed 2020-2022 Caboose budget provides \$30 million for this program, a \$25 million increase. The proposed 2022-2024	The Commonwealth’s report on the overall condition of special structures identified only one such structure in

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Items 449 (2020-2022); 454 (2022-2024)	budget provides approximately \$161.3 million for this program, an additional increase of approximately \$131.3 million from the proposed Caboose budget.	Northern Virginia, so this should have little impact on the region.
<i>House/Senate</i>	No change.	
<u>Toll Facilities</u>		
Governor Items 450 (2020-2022); 455 (2022-2024)	<p>The Governor’s proposed 2020-2022 Caboose budget includes approximately \$154.8 million for toll facilities (approximately \$22.5 million decrease), approximately \$3 million for Debt Service (no change); approximately \$78.3 million for Maintenance and Operations (approximately \$22.5 million decrease); and approximately \$73.5 million for the Revolving Fund (no change).</p> <p>The proposed 2022-2024 budget provides approximately \$196.9 million for toll facilities (approximately \$42.1 million decrease from the proposed Caboose budget, with no funding specified for Debt Service); approximately \$123.4 million for Maintenance and Operations (approximately \$45.1 million increase); and approximately \$73.5 million for the Revolving Fund (no change).</p>	TBD.
<i>House/Senate</i>	No change.	
Other		
House Item 257 (2022-2024)	Provides \$1 million from the GF in 2023 for efforts to secure federal grant funding provided by the Infrastructure Investment and Jobs Act (IIJA). Language specifies that activities will be in conjunction with entities identified by the Secretary of Finance including state agencies, local governments, and private sector representatives.	Could assist Commonwealth and localities in receiving IIJA grant funding.
Senate Item 257 (2022-2024)	Provides \$500,000 from GF in 2023 for efforts to secure federal grant funding provided by the IIJA. Language specifies that activities will be in conjunction with entities identified by the Secretary of Finance including state agencies, local governments, and private sector representatives.	Same as above.

OTHER LEGISLATION OF INTEREST

Constitutional Amendments

Constitutional amendments must pass the GA in identical form twice – once before and once after a GA election – before being placed on the ballot for consideration by the voters of Virginia. As a result, only two “second resolution” Constitutional amendments that had passed the 2021 GA were considered by the 2022 GA. Both bodies introduced two amendments that had passed the previous year. **HJ 57** (Sickles)/**SJ 5** (Ebbin) would have ensured marriage equality by repealing the Constitutional provision defining marriage as a union between one man and one woman. **HJ 28** (Herring)/**SJ 1** (Locke) would have allowed for the automatic restoration of rights (including voting rights) for convicted felons who have satisfactorily served their time.

During the 2021 GA, these amendments received bipartisan support. However, there was significant partisan opposition to these bills in 2022, particularly in the House. Early in the session, the House versions of both amendments failed to report from a House Privileges and Elections subcommittee on a party-line vote. The Senate versions of both amendments passed the Senate with some bipartisan support, but after crossing over they were also defeated in a House Privileges and Elections subcommittee. Numerous efforts were made to revive the amendments during the session, including proposals to change the House’s procedural rules in order to discharge the amendments from committee. None of these efforts were successful, and as a result, no Constitutional amendments will be included on the November 2022 ballot.

Elections

After several groundbreaking sessions expanding access to voting, due to the differing perspectives of the House and Senate majorities, the GA passed very few measures related to voter access. Both bodies considered numerous bills seeking to undo many of the voter access provisions passed over the last few years. Several bills were introduced to eliminate voting procedures originally adopted to address the impacts of the COVID-19 pandemic. For example, **HB 34** (Campbell) and **SB 236** (Chase) would have prohibited the use of drop-off locations for the return of voted absentee ballots. Those locations were critical during the pandemic because they provided convenient, no contact options for voters to return their absentee ballots in a safe and secure manner, but they also proved popular with voters, as they provided an easy way to return ballots in a timely manner to a location that is secure without requiring use of the US Postal Service, where delivery times have been fairly unreliable in recent years. **HB 34** passed the House (52-47) but was passed by indefinitely by the Senate Privileges and Elections (SPE) Committee, as was **SB 236**.

The GA also considered several bills related to election processes and accessibility. **HB 196** (Webert) and **SB 234** (Chase) would have repealed the current statute allowing any registered voter to apply to receive absentee ballots for all elections in which they are eligible to vote, and to remain on that list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status, or the voter moves to a different locality. Currently, Fairfax County has over 50,000 voters who have signed up for the permanent absentee list – a majority of them experience health or mobility challenges, and the expanded access provided by the permanent list has been particularly helpful to that population. **HB 196** passed the House (52-48) but was passed by indefinitely by the SPE Committee, as was **SB 234**. Other bills, including **HB 185** (Ransone) and **SB 235** (Chase), would have repealed same-day voter registration, which is set to be implemented for the 2022 general election. Currently, the same-day voter registration statute would allow any qualified person to register to vote in person up to, and including, the day of the election. **HB 185** passed the House (52-47), but was passed by indefinitely by the SPE Committee, as was **SB 235**. Several pieces of legislation, such as **HB 46** (Ware) and **SB 127** (Obenshain), sought to reinstate the requirement that voters present a form of identification containing a photograph in order to vote. **HB 46** passed the House (52-48) but was passed by indefinitely by the SPE Committee, as was **SB 127**.

In addition to discussions about voter access, the GA passed several pieces of legislation to address significant election administration reforms.

Risk Limiting Audit (RLA)

In response to a proliferation of misinformation about election integrity, the GA adopted legislation to require RLAs for certain types of elections. RLAs are a type of post-election audit that utilize statistical methods and a manual review of paper ballots to try to ascertain whether voting equipment accurately reported the correct outcome of an election. Current law allows for the state to conduct RLA pilot programs, but only after an election is certified. **HB 895** (Kilgore)/**SB 370** (Bell) require local electoral boards and general registrars to perform certain RLAs, under the supervision of the Department of Elections (ELECT) and in accordance with the procedures prescribed by the State Board of Elections (SBE). The legislation requires localities to participate in such audits at least once every five years, and requires ELECT to submit a report on the results of such audits to the SBE. The bills allow only certain types of contested races to be selected for an audit, and contested races that are subject to recounts cannot be included. Audits must be conducted before the certification of the selected election, and in order to accommodate that timeline, the legislation shifts the election certification deadline from the third Monday in November to the first Monday in December. Although the legislation was identical the votes were not, as **HB 895** passed both bodies with no opposition (though there were two abstentions in the Senate), while **SB 370** passed the Senate (25-14) with one abstention, but then passed the House unanimously.

Absentee Voting Reporting Requirements

During the 2021 session, multiple bills were considered to require registrars to sort absentee mail ballots and report the associated vote totals by precinct. According to the patrons, these bills were introduced in response to potential concerns about significant swings in vote totals over the course of the election night in November 2020, when the reporting of significant tranches of absentee ballots led to substantial shifts in election leads over the course of hours. Ultimately, the 2021 GA determined that although the underlying policy may be worth pursuing, the mechanics of how to achieve the goal of reporting absentee ballot vote totals by precinct on election night required more research, due to the projected impact on the operations of local registrars. The 2021 GA directed ELECT to conduct a work group on the subject, presenting their findings in advance of the 2022 session.

As a result, in 2022 the GA considered multiple measures targeted at achieving this policy goal. As introduced, **HB 441** (Sewell) and **SB 306** (Deeds), reflected the language recommended by the work group by requiring registrars to report absentee mail ballot vote totals by precinct without physically sorting the ballots, and directing ELECT to determine the necessary standards for localities to satisfy this requirement. Alternatively, as introduced, **HB 54** (Greenhalgh), **HB 398** (Freitas), **HB 927** (Robinson), and **SB 3** (Suetterlein) would have required that registrars first physically sort all the absentee mail ballots by precinct – though intended to assist with reporting the vote totals by precinct, this type of requirement was determined by the work group to be overly work intensive and unnecessary. During the 2022 GA session, the County opposed this language because of the significant workload requirements. Fairfax County also opposed legislation considered by the 2021 GA that included similar requirements due to workload issues, and during the 2021 general election cycle, the County’s registrar conducted a local pilot program that was able to implement an automated process allowing for the reporting of absentee mail ballot vote totals by precinct without the need for manual sorting. This automated process was supported by the language in **HB 441** and **SB 306**, though ultimately the SPE Committee chose **SB 3** as the Senate vehicle, amending the legislation to remove physical sorting requirements. Meanwhile, the HPE Committee determined that **HB 927** would serve as the House vehicle, retaining the problematic language related to physical sorting. In the end, the House patron of **HB 927**, at the urging of local registrars and electoral boards, agreed to remove the physical sorting requirements. As amended, **HB 927** and **SB 3** passed both bodies unanimously.

Witness Signature

During the COVID-19 pandemic, various communities were concerned about the requirement that absentee mail ballots be completed in the presence of a witness, who was required to sign the outside of the ballot envelope. Successful litigation was brought against the state during the 2020 election cycle by members of the disability community to waive this requirement in light of the ongoing global pandemic. In response, the GA passed legislation allowing for exceptions to this requirement in the case of a declared state of emergency related to a communicable disease of public health. This was largely viewed as a stop gap measure, and members of the GA indicated that they would return to address the issue in the future. During the 2022 session, the GA considered multiple bills on this topic, but **HB 177** (Bloxom) and **SB 273**

(Ebbin) were the surviving vehicles remaining at the end of session. **HB 177**, in its current form, maintains the existing witness signature requirement, strikes the state of emergency exemption, and additionally requires that an absentee voter include the last four digits of their Social Security Number (SSN) and their date of birth on the absentee ballot envelope, all purportedly to address misinformation claims regarding unfounded reports of absentee voter fraud. Alternatively, **SB 273**, in its current form, provides absentee voters the option to confirm their identity through the witness signature process or to provide the last four digits of their SSN and their date of birth on the absentee ballot envelope. Additionally, the legislation provides for the creation of a unique identifier for the several hundred voters in Virginia who reportedly do not have an SSN. Both bills are currently in conference and were carried over to the special session.

Restructuring the State Board of Elections (SBE)

In response to suggestions that ELECT has operated in a partisan manner in the past, the GA considered multiple measures seeking to depoliticize the agency, though **HB 305** (Ransone) and **SB 371** (Vogel) are the remaining vehicles in conference. The bills are very similar in that they both expand the size of the SBE, and allow the SBE, rather than the Governor, to appoint the Commissioner of ELECT. **HB 305**, in its current form, would expand the size of the SBE from five to seven members, with four members representing the party of the Governor and three members representing the party that received the second highest number of votes during the gubernatorial election. Alternatively, **SB 371**, in its current form, would expand the SBE to eight members, with equal representation for both major parties. In the case of a tie vote, **SB 371** would allow the Chief Justice of the Supreme Court of Virginia to designate a retired circuit court judge to serve as the tie breaker. The other substantive difference is that **HB 305** would require a supermajority of the SBE to appoint a Commissioner, while **SB 371** would only require a simple majority of the SBE. Both bills are currently in conference and were carried over to the special session.

Absentee Ballot Applications

SB 652 (Vogel), in its current form, would require an applicant for an absentee ballot to provide the last four digits of their SSN, except when completing the application in person. A failure to provide that information would be considered a material omission and grounds for rejection of the application. Currently, there is a debate in the local elections community about whether registrars are allowed to reject an absentee ballot application based on an error or omission related to the last four digits of the applicant's SSN. During the 2021 election cycle, ELECT issued clear guidance notifying registrars not to reject absentee mail ballot applications based on errors or omissions related to SSNs. Instead, they were directed to follow the best practices detailed in ELECT's General Registrar/Electoral Board (GREB) handbook. The handbook suggests that registrars should reach out to applicants who have made non-material omissions to secure the necessary information and confirm their identities in order to process their applications. In cases where the registrar is unable to contact the applicant, the registrar is then allowed to reject the application. The Fairfax County registrar adhered to this state-issued guidance, but according to the patron of the bill, other registrars did not, so this legislation was introduced to ensure uniformity across the state. Although the bill passed the Senate (29-11) with bipartisan support, it eventually raised concerns and was sent to conference, and was then carried over to the special session.

Environment/Energy

Trees

A number of bills were introduced that sought to expand the powers of local governments to adopt ordinances providing for the planting and replacement of trees during the development process. **HB 541** (Convirs-Fowler), **HB 706** (Keam), **HB 1316** (Hope), and **HB 1346** (Bulova) were all left on the table in a House Counties, Cities, and Towns subcommittee. In the Senate, **SB 537** (Marsden), began as the identical companion to **HB 1346**, but when that bill had trouble in the House, **SB 537** was amended to address some of the concerns that were raised, and was ultimately successful. **SB 537**, as amended, would provide other localities authority to adopt tree ordinances similar to Fairfax County's, but at lesser levels than the County's current authority. The bill also creates a work group of stakeholders that are directed to meet in the coming year, presenting a report to the 2023 GA about local tree ordinances. At the Board's direction, County staff will also work on possible proposals for expanding the County's existing tree authority, in the hope of crafting a proposal for consideration by the 2023 GA.

Energy Efficiency

Several bills passed the GA that would increase local authority in the field of energy improvements. **SB 13** (Favola) and **HB 1225** (Bulova) both allow roof replacements to now be included in energy performance-based contracts. Such contracts are used at County facilities to implement energy conservation and operational efficiency while reducing energy costs at the facilities. **HB 1325** (Reid) extends local government authority by amending the Commercial Property Assessed Clean Energy (C-PACE) financing program, allowing more eligible and resiliency improvements to be included in C-PACE programs, such as renewable energy, electric vehicle infrastructure, flood mitigation, energy storage, and living shorelines.

On the other hand, several bills that would have granted localities more authority regarding regulation of energy efficient improvements were unsuccessful. On the Senate side, **SB 452** (Boysko) would have required the State Board of Housing and Community Development to adopt optional building energy efficiency standards and allowed localities to adopt and enforce these standards. The bill failed to report from the Senate Local Government Committee. On the House side, **HB 905** (Lopez), would have granted localities the authority to adopt ordinances requiring energy efficiency standards in addition to, or more stringent than, the current standards in the Uniform Statewide Building Code, and **HB 998** (Kory) would have granted localities the authority to incentivize owners or operators to meet certain building energy efficiency standards. In addition, **HB 1337** (Kory) would have granted localities the authority to regulate the use of gas-powered leaf blowers by ordinance. All three bills were laid on the table in a House Counties, Cities, and Towns subcommittee.

Firearms

In an effort to overturn many of the sweeping gun reforms adopted during the past two sessions, multiple bills were considered to repeal a variety of recently implemented legislation. **HB 26** (Anderson), **HB 483** (Freitas), **HB 827** (Wilt), **HB 1033** (Davis), and **SB 74** (Chase) would have removed a locality's authority to prohibit the possession or carrying of firearms in any government building, property, or park, and would have limited the authority of localities to bring lawsuits against firearm manufacturers. **HB 26**, **HB 483** and **HB 1033** were referred to the House Public Safety Committee, but were never acted upon. **HB 827** passed the House (52-48) and was referred to the Senate Judiciary Committee, where it was passed by indefinitely, as was **SB 74**. This issue generated significant discussion at the GA, as legislators in both houses highlighted the importance of maintaining local control over firearms in public facilities, allowing localities to make decisions responsive to their residents on that topic, which could be very different from one part of the Commonwealth to another. Maintaining this new authority was vitally important in Fairfax County, where support for common sense gun reform was included in the legislative program for many years. The GA also considered **HB 133** (Cherry) to exempt certain types of preschools and licensed day care centers from existing firearm possession restrictions. **HB 133** was referred to the House Rules Committee, but was never acted upon.

The GA considered several measures to repeal new regulations regarding the responsibilities of firearm owners and the purchase of firearms. **HB 325** (Freitas), which would have repealed existing reporting requirements for lost or stolen firearms, passed the House (51-48), but was passed by indefinitely by the Senate Judiciary Committee. Additionally, three bills seeking to repeal restrictions on handgun purchases were unsuccessful. **HB 14** (Anderson), **HB 299** (Freitas), and **SB 364** (Reeves) would have removed the prohibition on any person seeking to purchase more than one handgun per month (an exemption is included for licensed firearms dealers). **HB 14** and **HB 299** were referred to the House Rules Committee, but were never acted upon, while **SB 364** was passed by indefinitely by the Senate Judiciary Committee.

The GA also deliberated legislation related to concealed carry permits. **SB 330** (Reeves) and **HB 288** (Freitas) would have allowed any person otherwise eligible to obtain a concealed handgun permit to openly carry a handgun without obtaining such a permit – this bill was particularly confusing, as it was difficult to discern what was meant by being “otherwise eligible,” but it seems clear that the intention was to reduce requirements for those seeking to carry their weapons in a concealed manner. **SB 330** was passed by indefinitely by the Senate Judiciary Committee, while **HB 288** was referred to the House Rules Committee, but was never acted upon.

Additionally, the GA considered legislation to repeal existing statutes related to firearms and protective orders, commonly referred to as “red flag laws.” **HB 509** (March) would have repealed the requirement that any person subject to a substantial risk order be prohibited from purchasing or possessing a firearm

while the order was in effect. After emotional debates on the House floor focused on the traumatic personal experiences of members that inspired the legislation authorizing the existing statute, the bill passed the House (52-47). However, the bill was passed by indefinitely in the Senate Judiciary Committee. The GA also considered similar legislation, **HB 1051** (Scott), which would have removed the prohibition that any person subject to a protective order be ordered to surrender any firearms within 24 hours, instead only prohibiting that person from carrying a firearm on his/her person but allowing them to continue to possess a firearm in his/her place of residence while the protective order is in effect. The bill was referred to the House Rules Committee, but was never acted upon.

Finally, **HB 1306** (Simon) sought to expand the prohibition on any person removing or altering a serial number on any firearm, making it a misdemeanor to knowingly possess, sell, or distribute such a firearm. The bill underwent a number of amendments in the House Public Safety and Senate Judiciary Committees, altering the classification of criminal violation from a Class 1 misdemeanor to Class 6 felony and exempting antique firearms. Because the House and Senate had different versions of this bill, it was sent to conference committee and ultimately carried over to the special session.

Freedom of Information Act (FOIA)

Electronic Meetings

The issue of electronic meetings among public bodies received a great deal of attention in recent sessions as a result of the COVID-19 pandemic, revealing gaps in Virginia's laws, which had never envisioned an ongoing public health crisis making in-person gatherings dangerous for months on end. Legislation allowing localities and regional bodies to meet electronically to conduct public business was passed last session, but only after a great deal of discussion occurred among interested stakeholders to find a path forward that would ensure essential public business could proceed in an open and safe manner for all involved. That legislation allows public bodies to meet electronically without a quorum physically assembled at one location when the Governor or the locality in which the public body is located has declared a state of emergency under certain conditions. But the pandemic triggered interest in an expansion of electronic meeting authority. The FOIA Council spent weeks and months discussing the related issues and necessary safeguards, but ultimately legislation emerged that had the endorsement of the FOIA Council and a wide range of stakeholders, including localities, open government advocates, and the Virginia Press Association.

HB 444 (Bennett-Parker) and **SB 214** (McPike), as introduced, would have allowed public bodies to conduct all-virtual public meetings where all of the members who participate do so remotely, as long as the public may access the meeting through electronic communications means. Definitions, procedural requirements, and limitations for all-virtual public meetings were included in the legislation. While **HB 444** passed the House without difficulty, **SB 214** had significant trouble on the Senate floor and was defeated on two separate occasions. With the understanding that **HB 444** could not pass the Senate in its current form, amendments were made after crossover to allay some of the concerns raised with the original bills, to add additional safeguards for virtual meetings. But ultimately those amendments alone were not enough, and the bill was further amended to allow electronic meetings for all public bodies except local governing bodies, local school boards, planning commissions, architectural review boards, zoning appeals boards or boards with the authority to deny, revoke, or suspend a professional or occupational license. A locality must still have an electronic meetings policy, and electronic meetings can only be used for two meetings or 25 percent of the meetings per year, with rules related to public access. The bill also directs the creation of another work group on the issue, to again include VACo, the Virginia Municipal League (VML), and open government and press groups, among others, to develop recommendations for best practices. If signed by the Governor, the law will be effective September 1, 2022, with the work group reporting back August 1, 2022.

Confidentiality of Complaints

HB 980 (Williams Graves) was introduced to add email addresses as information that, when made in confidence to the local governing body with respect to complainants in local investigations, is exempt from disclosure under the Virginia Freedom of Information Act. The bill would have expanded the applicability of the exemption to zoning enforcement complaints for all such complaints, not just individual enforcement complaints. The bill also would have added local public health and safety, nuisance, and waste and recycling complaints to the list of complainants whose personal information is exempt from disclosure. The bill was heard in a House General Laws subcommittee, but barely reported by a 4-3 vote.

Between subcommittee and consideration in full committee, enough concerns were raised about the legislation that the patron of the bill asked the full General Laws Committee to table the bill and send the issue to the FOIA Council for study in the off session, as it had become evident that this bill would not pass the GA this session.

General Transportation

Transportation Safety

As in most GA sessions, there were various bills related to transportation safety. One issue of particular interest to localities was related to local speed limits. In 2021, the GA passed legislation authorizing local governing bodies to reduce the speed limit to less than 25 miles per hour, but not less than 15 miles per hour, in a business district or residential district. Following adoption of the bill, VDOT opined that it had determined that legislation does not apply on streets that are in the state highway system, which essentially includes all roads within Fairfax County and other counties that do not maintain their own roads. In an effort to remedy the situation, Delegate Carr, the patron of the 2021 bill, introduced **HB 633** (Carr), which would have specifically expanded that authority to any locality, including for highways within the state highway system. **HB 261** (Wyatt) would have allowed any locality to reduce speed limits by up to 10 miles per hour if indicated by lawfully placed signs and based on a traffic engineering study and analysis. **SB 333** (Bell, J.) would have authorized localities to reduce speed limits, provided that such speed limit is indicated by lawfully placed signs. Both **HB 261** and **SB 333** also effectively expanded this authority to VDOT-maintained highways. **HB 633** and **HB 261** were tabled in a House Transportation subcommittee, while **SB 333** was stricken by request in the Senate Transportation Committee.

Legislation was also introduced in response to the new bicycle legislation passed in 2021. In 2021, the GA passed a bill that required the driver of a motor vehicle to change lanes when overtaking a bicycle or certain other vehicles if the lane of travel was not wide enough to pass by at least three feet to the left of the overtaken vehicle. That legislation also removed limitations on riding bicycles and certain other vehicles two abreast. This year the GA passed **SB 362** (Stuart), which amends the second provision of the 2021 legislation. As introduced, the bill would have prohibited those persons riding two abreast from impeding the normal and reasonable movement of traffic, specifying that they must: move into a single-file formation as quickly as practicable when being overtaken by a faster moving vehicle; and, must ride in a single lane when riding on a roadway divided into clearly marked lanes for traffic. The bill was modified on the Senate floor to remove the requirement to ride in a single lane and to add language regarding to possible civil actions. As amended, **SB 362** passed the Senate (35-4) and the House (65-34).

As in previous years, legislation was considered related to the use of traffic incident management vehicles. As originally introduced, **HB 793** (LaRock) would have allowed traffic incident management vehicles, when operated by persons who meet certain training requirements, to be equipped with flashing red or red and white secondary warning lights. It also would have added such vehicles to others exempt from certain traffic regulations (such as law enforcement or emergency medical services, who are allowed to disregard speed limits or proceed past traffic lights or stop signs, as long as they have due regard for safety of persons and property) when responding to an emergency. The bill was amended to remove the language specifically allowing the vehicles to be exempt from certain traffic regulations and then passed the House unanimously. In the Senate, **SB 450** (Boysko) was originally similar, but language was added in the Senate Transportation Committee to specifically state that the traffic regulation exemptions summarized above would not apply to the operation of these traffic incident management vehicles. As amended, **SB 450** passed the Senate (30-10) and the House unanimously. **HB 793** was conformed to the Senate language and also passed the Senate (29-11) and the House unanimously.

A late bill to be considered in the GA this session was **SB 777** (Peake). Introduced by unanimous consent on March 1st, **SB 777** is aimed at prohibiting a dangerous vehicle trend, known as the “Carolina squat,” and was written in response to a fatal accident in Mecklenburg County in mid-February. In that incident, a 27-year-old died after his truck was hit by another truck that was traveling in the other direction and crossed over the center line. The “Carolina squat,” which is essentially when a truck is modified so that its front end is higher than the rear, can significantly impair a driver’s ability to see beyond the hood of their car – according to news reports, authorities are investigating whether such modifications on the truck involved in the fatal accident were a contributing factor in the crash. As introduced, **SB 777** would have prohibited any vehicle from operating on a public highway if the suspension, frame, or chassis has been modified by any means causing the height of the front bumper to be four or more inches greater than the height of the rear bumper. The bill was amended in the Senate Transportation Committee to

restrict the prohibition to passenger cars, pickups, or panel trucks. An emergency clause was also added to the legislation, allowing it to go into effect immediately upon the Governor's signature. As amended, the bill moved quickly through the GA, passing the Senate unanimously, and the House (97-0-1).

Exhaust Noise

In 2020, the GA adopted various initiatives to address criminal justice reform. In an effort to address pretextual stops, the GA passed legislation that made various traffic offense secondary offenses, meaning that no law-enforcement officer could stop a vehicle for just one of these offenses. Included in that legislation was one requiring a vehicle to have an exhaust system in good working order. Since that time a number of neighborhoods, particularly in Northern Virginia, have experienced an increase in incidents of vehicles with loud exhaust systems. Various bills were introduced to address these "macho mufflers," as they were called by some, using a variety of mechanisms. As originally introduced, **HB 632** (Carr) would have prohibited the operation of a motor vehicle weighing up to 6,500 pounds with an exhaust system emitting noise in excess of 85 decibels, as measured from a distance of at least 50 feet, unless otherwise provided by law. **HB 632** also would have added the Richmond Regional Planning District to the list of local planning districts that may prohibit a vehicle from being operated within 500 feet of a residential district with an exhaust system that is not in good working order to prevent excessive noise (Northern Virginia already has this authority), and added motor vehicles to the list of types of vehicles that may be in violation of such local ordinances.

When the bill was before House Transportation, **HB 632** was amended to instead return some of the exhaust and noise violations to primary offenses. As amended, it then passed the House (71-28) and was sent to the Senate Transportation Committee, where it was further amended. The language requiring exhaust systems to be in good working order as a primary offense was retained, while the amendment removed the current requirement that no evidence discovered or obtained as a result of such a stop can be admissible in court. However, language was also added prohibiting a person from operating a vehicle, moped, or motorized skateboard or foot-scooter equipped with chambered pipes, or a straight exhaust, on the highways of the Commonwealth, in any driveway or on any premises of a church or other place of worship, school, recreational facility, or business, on any governmental property open to the public, on the premises of any industrial establishment providing parking space for customers, patrons, or employees, or on any highway under construction or not yet open to the public. It also expanded the provisions related to local ordinances beyond Northern Virginia, specifying that the ordinances can also regulate noise from a motor vehicle, motorcycle, moped, or motorized skateboard or scooter operated on a highway that is not equipped with a muffler and exhaust system if such noise may be hazardous to the health and well-being of its citizens. This bill was then passed by the Senate, but sent to conference by the House to continue discussions. The conference report that emerged retains the language requiring exhaust systems to be in good working order as a primary offense and removes the current requirement that no evidence discovered or obtained as a result of such a stop is admissible in court. It also amends the language allowing for local ordinances, instead allowing any locality to regulate noise from a vehicle operated on a highway that is not equipped with a muffler and exhaust system conforming to requirements that an exhaust system be in good working order, and prohibiting the use of vehicles equipped with a gutted muffler, muffler cutout, or straight exhaust. The final conference report for **HB 632** passed the House (79-18) and the Senate (32-8).

There were other bills related to this issue that that were ultimately unsuccessful, including **SB 180** (Saslaw), which was similar to **HB 632** as introduced. Another such bill was **HB 367** (Watts), which would have addressed exhaust noise through other mechanisms. Specifically, it would have prohibited the sale of any mechanical or electrical device that creates or amplifies noise emitted by a vehicle that is louder than the noise emitted by the vehicle as originally manufactured. It also would have prohibited any person from operating a motor vehicle with an exhaust system that emits noise in excess of 85 decibels, as measured from a distance of 50 feet. Additionally, it would have allowed the governing body of any locality within the Northern Virginia Planning District to provide by ordinance that no person may drive a vehicle within 500 feet of a residential district unless it is equipped with an exhaust system that is in good working order and that prevents excessive noise. Finally, the bill would have required the Virginia State Police to promulgate regulations related to these rules in the motor vehicle safety inspections process. Lastly, **HB 79** (Campbell), **HB 122** (Wyatt), **HB 960** (Wampler), and **HB 1030** (Austin) would have reverted the provisions related to exhaust noise back to primary offenses, as well as many of the other provisions included in the 2020 criminal justice reform package, which was a bridge too far for many in the GA.

Health

Food Codes

Under current law, two state agencies – the Virginia Department of Agriculture and Consumer Services (VDACS) and the Virginia Department of Health (VDH) – have overlapping authority to inspect and regulate those establishments where food is sold in the Commonwealth. **HB 837** (Wilt) was introduced purportedly to address this overlapping authority, and to clarify that the authority to inspect, regulate, and permit establishments known as “retail food establishments,” such as grocery stores, gas stations, and convenience stores, lies solely with VDACS. However, the bill also sought to eliminate the authority of localities that had adopted local food codes, transferring all inspection and permitting authority of retail food establishments to the state. Fairfax County has adopted a local food code by ordinance that covers inspections of all establishments where food is prepared and sold to the public for immediate consumption, which is also the case in multiple localities around the Commonwealth. The inspections are high-quality and protect public health and safety from the risk of foodborne illness at a low fiscal burden to local businesses. In contrast, data recently received from VDACS shows that the agency has been unable to fully inspect all such establishments in the County at the same level during the past several years.

HB 837 ended up in conference when the Senate and House versions took different forms. County staff, along with staff from VACo, VML, and other Northern Virginia localities worked with staff from the Governor’s office and stakeholders from grocery and convenience stores, seeking to exempt localities that have local food codes. However, negotiations took an unfortunate turn and the final conference report now includes a delayed enactment rather than a carve out, meaning that all localities with local food ordinances that include retail food establishments will lose authority on January 1, 2023. Some Northern Virginia legislators have made it clear that they will be watching to see how quickly VDACS ramps up the frequency and thoroughness of their inspections in these localities, as VDACS has not requested additional staffing for funding to perform these labor-intensive activities. This will be an issue to watch closely in the coming months, as foodborne illness is an issue the public tends to understand fairly well, and ensuring the safety of food for human consumption in the Commonwealth is critically important.

Human Services

Temporary Detention Orders

In recognition of the state hospital bed crisis and its impacts on local Community Services Boards (CSBs), the GA considered multiple measures that were aimed at addressing one aspect of this larger issue: the expansion of transportation and custody options for people experiencing behavioral health crises. Of the bills that were introduced, three main vehicles quickly emerged. The most comprehensive bill, **SB 268** (Favola), focused on alleviating the impacts of transportation and custody of patients experiencing a behavioral health crisis on law enforcement, by partially shifting responsibility in certain cases to alternative transportation providers. As introduced, the legislation allowed for law enforcement agencies to transfer custody to alternative transportation providers, who could then also transfer custody to local CSBs. This could have created significant challenges for local CSBs, whose staff are not equipped to handle custody or transport of these individuals. After hearing these concerns, the legislation was pared down to remove CSBs from the bill altogether, and **SB 268** passed the Senate and the House unanimously. **SB 593** (Newman), as introduced, included similar requirements as were included in the introduced version of **SB 268**, allowing for the transfer of custody to local CSBs. That bill was also amended to remove CSBs from the legislation and to expand the list of entities authorized to transport and maintain custody of people experiencing a behavioral health crisis, adding auxiliary police forces. With those changes, the bill passed both bodies unanimously.

Finally, **SB 202** (Newman) directs a joint study by the Secretary of Health and Human Resources and the Secretary of Public Safety and Homeland Security to develop options to increase the use of alternative custody arrangements for individuals subject to an emergency custody or temporary detention order, to reduce the burden on law enforcement. The report will be submitted to the Governor and the Chairs of the House Appropriations Committee, House Health, Welfare, and Institutions Committee, Senate Education and Health Committee, and Senate Finance and Appropriations Committee by October 1, 2022. **SB 202** passed both bodies unanimously. In advancing these measures, the GA acknowledged that the legislation represented temporary solutions to the challenges regarding transport and custody of

individuals experiencing a behavioral health crisis. The larger underlying state hospital bed crisis remains unresolved.

Marijuana

At the end of the 2021 session, the GA passed compromise legislation legalizing the possession of marijuana and the ability to grow a personal stock, but left many issues unresolved, including the regulation of retail sales. The stated intention at that time was for the 2022 GA to address the unresolved issues. However, the political change ushered in by the November 2021 elections meant that a different House majority and a new Governor created a very different dynamic compared to what was expected by those who negotiated the 2021 compromise. This session, multiple bills seeking to establish a regulated market were introduced in both the House and Senate. While the Senate settled on **SB 391** (Ebbin) as its vehicle, the House opted not to send any marijuana-related legislation to the Senate, allowing all of their bills to die at crossover. When **SB 391** crossed over to the House, it was referred to the House General Laws Committee, where Republicans indicated that the issues in the legislation were too complex to be resolved in the limited time of a session, while Democrats raised concerns that further delays in establishing a regulated retail market would make it more difficult to control the growing illicit market. **SB 391** was eventually carried over for the year on a party-line vote, leaving the question of retail sales, among other issues, open for another year.

The GA adopted **SB 591** (Hanger), which is aimed at addressing the proliferation of Delta-8 Tetrahydrocannabinol, a hemp-derived compound that is closely related to marijuana. The legislation expands the technical definition of marijuana to cover all substances that contain certain concentrations of tetrahydrocannabinol. This broader definition is intended to ensure that naturally occurring or synthetic compounds that contain elements of the psychoactive components of marijuana fall under the same regulations as traditional marijuana. The legislation was amended multiple times throughout the legislative process to ensure that hemp producers would not be negatively impacted. The bill also requires that the Virginia Cannabis Control Authority promulgate regulations prohibiting the production and sale of retail marijuana and retail marijuana products that depict, or are in the shape of, a human, animal, vehicle, or fruit. This provision was aimed at ensuring that marijuana and marijuana-like products are not designed in a way that appeals in particular to minors, as well as ensuring that products are not designed in a way that may lead to consumers accidentally ingesting them without awareness of their psychoactive effects. **SB 591** passed the House (89-7) and the Senate (33-7).

The GA rejected several notable measures related to unresolved criminal justice reforms and marijuana offenses. **SB 742** (Surovell) would have expanded on the actions taken by the 2021 GA in the sealing of marijuana-related offenses, included the automatic sealing of misdemeanor marijuana offenses and the petition-based sealing of certain felony marijuana offenses. The bill would have also required that any petition for expungement be kept under seal, allowing an indigent person to file a petition for expungement without paying fees (with the ability to request court-appointed counsel to be compensated from the Sealing Fee Fund). **SB 742** passed the Senate (21-19) but failed to report from a House Courts of Justice subcommittee on a party-line vote. **SB 745** (Surovell) would have established an automatic hearing process for those convicted of certain felony marijuana-related offenses committed prior to July 1, 2021, who remain incarcerated or on community supervision – that process would allow their sentencing to be reconsidered. The bill would also have extended parole eligibility to some currently incarcerated individuals, convicted of certain non-violent felonies that were enhanced because of felony marijuana convictions. **SB 745** passed the Senate (22-18), but failed to report from the House Appropriations Committee on a party-line vote.

Public Safety and Court Administration

Marcus Alerts

The Marcus Alert system was established during the 2020 GA Special Session. It was named for a young teacher who was tragically killed in 2018 while experiencing an acute behavioral health crisis. The Marcus Alert system is a statewide framework intended to improve the response to mental and behavioral health crises in Virginia by involving law enforcement and behavioral health professionals to de-escalate and work together to respond to individuals experiencing such a crisis.

As introduced, both **HB 1191** (Ransone) and **SB 361** (Stuart) would have made participation in the Marcus Alert system permissive for all localities, irrespective of size. Both bills underwent a number of amendments, as testimony during the session addressed both the burden on smaller localities to institute the Marcus Alert system and the benefit of having unified participation throughout the Commonwealth. Ultimately, both bills were amended to extend the deadline for all localities to establish a voluntary database, available to the Marcus Alert system, to July 1, 2023. They also reduced some of the requirements in the original legislation for localities with populations under 40,000. The bills further require that all localities, regardless of population, establish local protocols to divert calls from 9-1-1 dispatch to a crisis call center for risk assessment, if available. The final conference reports for both bills were adopted by the House (51-47) and by the Senate (39-1).

Expungement/Sealing

A criminal record can create significant consequences for individuals in a wide variety of ways, whether the record is for an arrest, conviction, or both. For example, employers and landlords commonly ask job applicants and rental applicants whether they have ever been convicted of (or perhaps even arrested for) a criminal offense. Expungement refers to the process of destroying arrest and conviction records so that they are not publicly available. In most states, there are laws that allow people to expunge arrests and convictions from their records. Though the details can vary from one state to another, most states' laws provide that once an arrest or conviction has been expunged, it need not be disclosed, including to potential employers or landlords. Sealing refers to a process where records are not destroyed but are segregated in a location where the public cannot access the records.

The GA took significant steps during the 2021 session on the issue of expungement and sealing. This session, the GA considered several more bills related to expungement and sealing of records. **SB 443** (Boysko) would have provided for the sealing of offenses in Class 4 felony convictions, or deferred and dismissed dispositions, if 1) the defendant had been diagnosed with an autism spectrum disorder or an intellectual disability, and 2) the court had found that the criminal conduct was caused by, or had a direct and substantial relationship to, the defendant's disorder or disability. **SB 443** passed the Senate (26-14), but was laid on the table (4-3) by a House Courts of Justice subcommittee. The GA also considered **HB 181** (Ransone) and **SB 543** (DeSteph), which would have repealed several Virginia Code sections relating to the sealing and expungement of criminal records of offenses adopted by the 2021 GA Special Session, such as marijuana possession and DNA profiles in cases where convictions had been reversed. Neither bill made it out of committee.

Protective Orders (PO)

The GA considered several bills that, as introduced, had the potential to weaken protections offered by emergency or preliminary protective orders. **SB 174** (Peake), as introduced, would have given a court the discretion to prohibit both the petitioner and respondent from contacting family members if the court deemed such a condition necessary for the health or safety of such persons. The bill was significantly narrowed in the Senate, only allowing a respondent to raise the first contact by a petitioner as an affirmative defense to a prosecution for violation of a protective order. Although the amended legislation passed the Senate (27-13), it was never acted upon in a House Courts of Justice subcommittee. **HB 1279** (Anderson) would have allowed a person who was the subject of an emergency or preliminary protective order to file a petition requesting expungement of the police and court records if no permanent protective order was issued once the earlier ones had dissolved or expired. The bill was referred to the House Courts of Justice Committee, but was not acted upon.

The GA also considered legislation intended to address challenges affecting businesses handling difficult customers during the COVID-19 pandemic. **HB 1015** (Durant), as introduced, would have added a new category of "workplace violence" protective orders to the Code, allowing an employer the option to petition a court for a protective order to protect the health and safety of its employees at their place of employment. In the House Courts of Justice Committee, the discussion surrounded pandemic-related incidents arising from employees facing customers that posed threats to their health and safety, and the bills were intended to provide employers another tool to protect their employees. However, **HB 1015** was carried over to 2023. **SB 486** was amended significantly to remove the new category of protective orders, but to allow any petitioner for a protective order to also include "employers." Although as amended **SB 486** reported out of the Senate Judiciary Committee, it was carried over to 2023 by the Senate Finance and Appropriations Committee.

Funding for Public Defenders and Juries

The GA considered legislation to address pay disparities between employees of Commonwealth's Attorneys' offices and those in Public Defenders' offices. Similar legislation had been introduced during the 2020 session, but was unsuccessful. Providing sufficient funding for the judicial system is a critical state responsibility, but for years the Commonwealth has ignored this obligation and failed to adequately fund the system, especially in the area of personnel, instead relying on localities to ensure the efficient and appropriate administration of justice. The County continues to provide salary supplements for both Commonwealth's Attorneys and Public Defenders, but the legislation considered this session would have taken away local discretion as to how to provide those supplements. **HB 862** (Lopez) and **SB 282** (Ebbin) would have required any locality that supplements the salaries of employees of the Commonwealth Attorney to also proportionally supplement the salaries of employees of the Public Defender. **HB 862** was laid on the table by a House Courts subcommittee, while **SB 282** was incorporated into other unrelated legislation, which was ultimately unsuccessful in the Senate Finance and Appropriations Committee.

The GA also considered legislation to increase juror compensation, which has been stagnant for decades. **SB 730** (Lewis) would have increased the daily compensation for jurors from \$30 to \$50 (this would have created a local cost as well, including approximately \$104,000 per year in Fairfax County). Though **SB 730** passed the Senate (40-0), it was tabled (13-9) by the House Appropriations Committee.

School Resource Officers (SROs)

A number of bills were introduced to establish new requirements for SROs, largely as a result of Governor Youngkin's pledge on the campaign trail to require an SRO in every public school in the Commonwealth. Such legislation would have created substantial fiscal implications for localities. After numerous concerns were raised, only one measure, **HB 873** (Greenhalgh) ended up progressing to final passage. As introduced, **HB 873** would have required each school board to employ at least one SRO or security officer in each public elementary and secondary school in the local school division. It also would have prohibited the Board of Education (BOE) from granting any school board a waiver from that requirement, but would have permitted the BOE to grant a partial waiver to allow the sharing of a single school resource officer or security officer by two different public schools in certain circumstances. In its introduced form, **HB 873** would have created a significant fiscal impact since FCPS already has one SRO in each high school and middle school, but not in elementary schools. The cost to the County of adding an SRO to each elementary school would have likely exceeded \$19 million. **HB 873** was amended significantly by the Senate Education and Health Committee. As amended, **HB 873** requires each division superintendent to include one SRO on the threat assessment team established for each public elementary and secondary school. The bill also requires the chief local law enforcement officer in a locality to designate an officer to undergo safety training provided by the Virginia Center for School and Campus Safety if that school division does not employ SROs. The officer would then serve as the law enforcement liaison to the school administrator. These amendments eliminate the fiscal impact to the County, and as amended, **HB 873** passed the Senate (25-14) and the House (80-17).

ONGOING ISSUES AND STUDIES

Studies

As in years past, the creation of new study commissions was kept to a minimum, with many studies being conducted by state agencies rather than legislative bodies. The 2022 GA was particularly sensitive to the issue of studies because in the past few sessions the GA has authorized several significant studies that will require substantial staff time and resources, such as the ongoing JLARC review of the true cost of public education, directed in 2021. A large number of study resolutions were tabled in the House, with members of the House Rules Committee sending letters requesting (but not requiring or directing) that certain topics be studied by executive agencies, subcommittees, and commissions. One example is **HJ 76** (Torian), which was a follow-up to a study on the feasibility of enhanced public transportation between the Franconia-Springfield Metro station and Quantico, completed by the Department of Rail and Public Transportation (DRPT) in late 2021. **HJ 76** would have requested DRPT to study Northern Virginia regional transit and develop a regional transit plan that includes an extension of WMATA service to Prince William County – rather than advancing this measure, the House Rules Committee agreed to ask DRPT to consider studying the issue. The County and other stakeholders have noted concerns that the study

would not have taken into consideration the core capacity issues of the existing system. While the legislation did not pass, if any study on this issue does advance through legislative or executive action, core capacity must be considered.

A select list of additional studies/work groups of interest to the County that passed the GA this year or were carried over to special session is provided below. County staff will be monitoring the progress of these studies throughout the year:

HB 669 (Hope) directs the Commissioner of Health to convene a work group to study whether swimming pools and other water recreational facilities for public use or use in conjunction with a tourist facility or health spa should be regulated by the Department of Health, and requires the work group to report its findings and recommendations to the Governor and the Chairmen of the House Health, Welfare, and Institutions Committee and Senate Education and Health Committee by November 1, 2023

HB 1053 (Shin)/**SB 581** (Morrissey) direct the State Board of Local and Regional Jails to convene a work group to study implementation of the reduction or elimination of certain fees associated with inmates in local correctional facilities. The work group is required to report its findings to the Chairmen of the Senate Rehabilitation and Social Services Committee and House Public Safety Committee by October 1, 2022. While the conference report for **SB 581** passed both the House and Senate, **HB 1053** was carried over to the special session – only the House passed that conference report before adjournment, though since the conference reports are identical it is not necessary for the GA to take further action on **HB 1053**, unless a decision is made to reopen the conference report to make additional changes. If the GA passes more than one bill addressing a particular issue, whichever bill is signed by the Governor last is the one that takes precedence.

SB 232 (Suetterlein) extends the work group established during the 2021 session directing DMAS to study and develop recommendations for the permanent use of virtual supports, and increasing access to virtual supports and services, for individuals with intellectual and developmental disabilities by promoting access to assistive technology and environmental modifications. The bill extends the deadline for the work group to report its findings and recommendations to the Governor and the GA from November 1, 2021, to November 1, 2022.

SJ 10 (Surovell) establishes a joint subcommittee to study pandemic response and preparedness in the Commonwealth. In conducting its study, the joint subcommittee is tasked with examining existing laws in the Commonwealth and developing recommendations regarding the pandemic response and future needs of the Governor, the GA, local governments, public and private health care systems and other facilities and providers, health districts, the judicial system, K-12 and higher education systems, and the business regulatory system.



SECTION II

FAIRFAX COUNTY
LEGISLATIVE SUMMARY

2022 GENERAL ASSEMBLY

March 14, 2022

Fairfax County Legislative Summary 2022 General Assembly

Board of Supervisors Report Key

Bill No. – Patron, (District No.) Bill Title	Committee/Floor Actions	
<p>HB 589 - Watts (39) Blue Star Memorial Highway; designating as portion of Old Keene Mill Road in Fairfax County.</p>	<p>1/10/2006 House: Referred to Committee on Transportation</p>	<p>12/5/2005</p>
<p>Initiate (067916260) Summary: Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway."</p>		

Bold = Date Position taken by full Board of Supervisors
[] = Date position taken by BOS Legislative Committee

Bold = Board Position, **[]** = BOS Legislative Committee Position (LD No. is version of bill on which position was taken)
Summary -- Reflects latest version of summary available on the Legislative Information System Web Site (If not noted otherwise, reflects summary as introduced)

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HB 443	Park authorities; authority to operate, etc., electric vehicle charging stations.	
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HB 177	Absentee voting; witness requirement for absentee ballots.	
Bloxom, Jr., R		
HB 791	Data centers; center fixtures are taxed as part of the real property where they are located, etc.	
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[HJ 76](#) Torian, L Northern Virginia regional transit plan; Department of Rail and Public Transportation to study.

[HJ 79](#) Reid, D Constitutional amdmt.; prop. tax exemption for surviving spouses of certain members of armed forces.

[HJ 83](#) Tran, K Constitutional amdmt.; prop. tax exemption for surviving spouses of soldiers killed in line of duty.

HJ 96 Wyatt, S	Constitutional amendment; real prop. tax exemption for certain spouses of members of armed forces.
SB 74 Chase, A	Firearms; control by localities of possession or carrying.
SB 133 Chase, A	Ballots; ballot fraud security measures.
SB 176 Peake, M	Emergency custody and temporary detention; transportation of person when transfer of custody.
SB 189 Chase, A	Employer-mandated vaccinations for COVID-19; discrimination prohibited, civil penalties.
SB 206 Petersen, J	Historic preservation; filing of a historic designation application.
SB 208 Petersen, J	Civil actions; standing.
SB 218 McPike, J	Local condemnation authority; locality may acquire property interests outside its boundaries, etc.
SB 234 Chase, A	Absentee voting; permanent absentee voter list repealed.
SB 235 Chase, A	Voter registration; registration permitted up to and including the day of the election.
SB 236 Chase, A	Absentee voting; return of absentee ballots, drop-off locations.
SB 246 Surovell, S	Law-enforcement officer; purpose of traffic stop.
SB 251 Surovell, S	Northern Virginia Transportation Authority; funds for pedestrian and bicyclist projects.
SB 282 Ebbin, A	Public defender; supplementing compensation.
SB 306 Deeds, R	Voting systems; reporting absentee results by precinct.
SB 330 Reeves, B	Carrying a concealed handgun; permit not required.
SB 331 Reeves, B	Overtime pay requirements; volunteers.
SB 339 Barker, G	Washington Metropolitan Area Transit Authority; alternate directors.
SB 364 Reeves, B	Handguns; limitation on purchases.
SB 365 Stuart, R	Virginia Overtime Wage Act; clarifies term "employee."
SB 374 Obenshain, M	Project labor agreements; prevailing wage, collective bargaining for employees of local governments.

SB 415 DeSteph, B	School boards; employment of at least one school resource officer in elementary & secondary schools.
SB 443 Boysko, J	Sealing of offenses; results in a deferred and dismissed disposition or conviction by petition.
SB 458 Chase, A	Face coverings; prohibits enforcement of policy, etc., to wear.
SB 460 Chase, A	Absentee voting; deadline for returning absentee ballot.
SB 488 McClellan, J	Transit Transition Fund and Program; established, report.
SB 532 Stuart, R	Clean Energy and Community Flood Preparedness Act; repeals Act.
SB 541 Peake, M	Gasoline and diesel fuel; lowers the rate of tax on July 1, 2022.
SB 543 DeSteph, B	Criminal records; sealing of records.
SB 552 Chase, A	Absentee voting; excuse required to vote absentee by mail, signature match.
SB 602 DeSteph, B	Short-term rental properties; definition, locality requirements and restrictions.
SB 605 Chase, A	Conduct of election; election results, post-election forensic audits.
SB 620 Cosgrove, Jr., J	Real property taxes; rate of increase.
SB 650 Hanger, Jr., E	Emergency custody and temporary detention; hospitals and providers of behavioral health services.
SB 669 Surovell, S	Law-enforcement employees; alleged wrongdoing.
SB 695 Stuart, R	Low-emissions and zero-emissions vehicle standards; repeals certain authority.
SB 708 Marsden, D	Driving Decarbonization Program and Fund; created.
SB 730 Lewis, Jr., L	Jurors; increases the daily compensation.
SB 732 Lewis, Jr., L	Climate resilience; locality's comprehensive plan to consider strategies to address.

Fairfax County Initiatives

***Bills Introduced
at Fairfax County's Request***

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 396</u> - Sullivan, Jr. (48) Electric utilities; municipal net energy metering.</p>	<p>1/11/2022 House: Referred to Committee on Commerce and Energy 2/8/2022 House: Reported from Commerce and Energy with substitute (22-Y 0-N) 2/11/2022 House: Committee on Commerce and Energy substitute rejected 22106330D-H1 2/11/2022 House: Substitute by Delegate Sullivan agreed to 22106434D-H2 2/14/2022 House: Read third time and passed House (99-Y 0-N) 2/16/2022 Senate: Referred to Committee on Commerce and Labor 2/28/2022 Senate: Reported from Commerce and Labor with amendment (15-Y 0-N) 3/3/2022 Senate: Passed Senate with amendment (39-Y 0-N) 3/7/2022 House: Senate amendment agreed to by House (97-Y 0-N) 3/10/2022 House: Enrolled 3/10/2022 House: Bill text as passed House and Senate (HB396ER)</p>	<p>1/25/2022</p>

Initiate (22103298D)

Summary: Updates provisions related to American Electric Power's participation in a municipal net energy metering pilot program and creates similar requirements for a municipal net energy metering pilot program for Dominion Energy, with a duration of the pilot program for Dominion Energy until July 1, 2028. The bill directs the State Corporation Commission to review the municipal net energy metering pilot program for Dominion Energy in 2024 and every two years thereafter. The bill clarifies that the aggregated capacity of generation facilities subject to a net metering pilot program conducted by any utility shall not be considered part of the aggregate net metering cap established pursuant to the Virginia Clean Economy Act. However, the aggregated capacity of generation facilities under each utility's pilot program that is part of a third-party power purchase agreement shall constitute a portion of the existing limit on pilot programs with third-party power purchase agreements.

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>HB 443 - Bulova (37) Park authorities; authority to operate, etc., electric vehicle charging stations.</p>	<p>1/11/2022 House: Referred to Committee on Commerce and Energy 2/1/2022 House: Referred from Commerce and Energy by voice vote 2/1/2022 House: Referred to Committee on Counties, Cities, and Towns 2/3/2022 House: Subcommittee recommends reporting (8-Y 1-N) 2/4/2022 House: Reported from Counties, Cities, and Towns (22-Y 0-N) 2/10/2022 House: Read third time and passed House (94-Y 6-N) 2/11/2022 Senate: Referred to Committee on Commerce and Labor 2/21/2022 Senate: Re-referred to Local Government 2/28/2022 Senate: Reported from Local Government (15-Y 0-N) 3/2/2022 Senate: Passed Senate (40-Y 0-N) 3/7/2022 House: Enrolled 3/7/2022 House: Bill text as passed House and Senate (HB443ER) 3/8/2022 House: Signed by Speaker 3/8/2022 Senate: Signed by President</p>	<p>1/25/2022</p>

Initiate (22101682D)
Summary: Park authorities; electric vehicle charging stations. Gives park authorities created by a locality the authority to locate, operate, regulate the use of, and install signage relating to electric vehicle (EV) charging stations on property under its jurisdiction. The bill adds park authorities to the list of entities for which provision of electricity for EV charging is exempt from the definition of retail sale of electricity. The bill adds park authorities to the list of entities that the State Corporation Commission cannot regulate or prescribe the rates, charges, and fees for retail EV charging service.

Fairfax County Positions
(Oppose or Amend)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 90 - McNamara (8) Sales tax; exemption for food purchased for human consumption & essential personal hygiene products.</p>	<p>1/6/2022 House: Referred to Committee on Finance 2/2/2022 House: Reported from Finance (13-Y 8-N) 2/2/2022 House: Referred to Committee on Appropriations 2/11/2022 House: Reported from Appropriations with substitute (18-Y 0-N) 2/15/2022 House: Read third time and passed House (80-Y 20-N) 2/16/2022 Senate: Referred to Committee on Finance and Appropriations 3/1/2022 Senate: Reported from Finance and Appropriations with substitute (14-Y 1-N) 3/2/2022 Senate: Passed Senate with substitute (38-Y 2-N) 3/2/2022 House: Senate substitute rejected by House 22107286D-S1 (0-Y 97-N) 3/2/2022 Senate: Senate insisted on substitute (34-Y 6-N) 3/2/2022 Senate: Senate requested conference committee 3/2/2022 House: House acceded to request 3/2/2022 House: Conferees appointed by House: Delegates: McNamara, Durant, Keam 3/2/2022 Senate: Conferees appointed by Senate: Senators: Boysko, Barker, Norment</p>	<p>3/8/2022</p>
<p>Amend (22106361D-H1) - Amend to ensure localities, schools, and transportation are not adversely impacted. While eliminating the sales tax on groceries is a worthy policy goal, it is essential that the state fully and permanently replace revenues to K-12, localities, and transportation, as the state continues to underfund core services in those areas, even with current revenues.</p> <p>Summary: Sales tax; exemption for food purchased for human consumption and essential personal hygiene products. Exempts food purchased for human consumption and essential personal hygiene products (the grocery tax) from all state, regional, and local sales taxes. The bill dedicates an amount equal to a 0.182 percent sales and use tax to cities and counties as a supplemental school payment. Such payment shall, from July 1, 2022 until July 1, 2024, be distributed based on each city and county's estimated average share of monthly distributions attributable to the tax on such food and hygiene products between February 2020 and December 2021. Beginning July 1, 2024, such payment shall be based upon each city and county's pro rate share of total local sales and use taxes.</p>		

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>HB 177 - Bloxom, Jr. (100) Absentee voting; witness requirement for absentee ballots.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections (HPE) 2/4/2022 House: Reported from HPE with substitute (14-Y 5-N) 2/10/2022 House: Read third time and passed House (52-Y 48-N) 2/11/2022 Senate: Referred to Committee on Privileges and Elections (SPE) 3/1/2022 Senate: Reported from SPE with substitute (15-Y 0-N) 3/3/2022 Senate: Passed Senate with substitute (39-Y 0-N) 3/7/2022 House: Senate substitute rejected by House 22107254D-S1 (0-Y 98-N) 3/8/2022 Senate: Senate insisted on substitute (38-Y 1-N) 3/8/2022 Senate: Senate requested conference committee 3/9/2022 House: House acceded to request 3/10/2022 House: Conferees appointed by House: Delegates: Bloxom, Ransone, Glass 3/10/2022 Senate: Conferees appointed by Senate: Senators: Ebbin, Boysko, Vogel</p>	<p>2/22/2022 1/25/2022</p>

Oppose (22106054D-H1) - Bill was amended to continue to require the witness signature and additional information from the voter. **Support** (~~22101654D~~)
Summary: Elections; absentee voting; witness signature requirement; additional information. Makes an absentee voter's failure to have a witness sign the absentee ballot envelope a material omission that renders the ballot void. Additionally, the bill requires an absentee voter to include the last four number of his social security number and his date of birth with the voter affirmation statement on such ballot envelope.

<p>HB 791 - McNamara (8) Data centers; center fixtures are taxed as part of the real property where they are located, etc.</p>	<p>1/11/2022 House: Referred to Committee on Finance 1/24/2022 House: Subcommittee recommends reporting (8-Y 0-N) 1/26/2022 House: Reported from Finance (22-Y 0-N) 2/1/2022 House: Read third time and passed House (99-Y 0-N) 2/2/2022 Senate: Referred to Committee on Finance and Appropriations (SFIN) 2/22/2022 Senate: Reported from SFIN (15-Y 0-N) 2/24/2022 Senate: Passed Senate (40-Y 0-N) 2/28/2022 House: Enrolled 2/28/2022 House: Bill text as passed House and Senate (HB791ER) 2/28/2022 House: Signed by Speaker 2/28/2022 Senate: Signed by President 3/9/2022 House: Enrolled Bill communicated to Governor on March 9, 2022 3/9/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>1/25/2022</p>
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Oppose (22104312D) - See also SB 513 (McPike).
Summary: Property tax; data centers. Provides that if data center fixtures are taxed as part of the real property where they are located, they shall be valued based on depreciated reproduction or replacement cost, rather than based on the amount of income they generate. This bill is identical to SB 513.

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>HB 927 - Robinson (27) Voting systems; reporting absentee results by precinct, definitions.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections 2/4/2022 House: Subcommittee recommends reporting (7-Y 1-N) 2/4/2022 House: Reported from Privileges and Elections (22-Y 0-N) 2/10/2022 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/11/2022 Senate: Referred to Committee on Privileges and Elections 3/1/2022 Senate: Reported from Privileges and Elections with substitute (15-Y 0-N) 3/3/2022 Senate: Passed Senate with substitute (39-Y 0-N) 3/7/2022 House: Senate substitute agreed to by House 22107263D-S1 (97-Y 0-N) 3/10/2022 House: Enrolled 3/10/2022 House: Bill text as passed House and Senate (HB927ER)</p>	<p>1/25/2022</p>
<p>Amend (22101352D) - Amend to remove requirements to separate ballots by precinct. See also HB 54 (Greenhalgh), HB 398 (Freitas), and SB 3 (Suetterlein). Summary: Elections; voting systems; reporting absentee results by precinct. Includes in the definition of "voting system" on-demand ballot printing systems and ballot marking devices used to manufacture or mark ballots to be cast by voters on electronic voting and counting machines. The bill also requires general registrars to report to the Department of Elections the number and results of absentee ballots cast by voters assigned to each precinct in the registrar's locality. The Department is directed by the bill to establish standards for ascertaining and reporting such information.</p>		
<p>HB 957 - Tran (42) Real property; classification, property owned by certain surviving spouses for tax purposes.</p>	<p>1/12/2022 House: Referred to Committee on Finance 2/4/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/7/2022 House: Reported from Finance with substitute (22-Y 0-N) 2/11/2022 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/14/2022 Senate: Referred to Committee on Finance and Appropriations 3/2/2022 Senate: Reported from Finance and Appropriations with amendment (15-Y 0-N) 3/4/2022 Senate: Passed Senate with amendment (39-Y 0-N) 3/8/2022 House: Senate amendment agreed to by House (97-Y 0-N) 3/10/2022 House: Enrolled 3/10/2022 House: Bill text as passed House and Senate (HB957ER)</p>	<p>2/8/2022</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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Amend (22100675D) - Amend to allow a small group of spouses of veterans killed on duty to continue receiving a real estate tax exemption in Fairfax County. Support for a narrowly crafted solution for this small group is included in the County's Legislative Program.

Summary: Classification of real property owned by certain surviving spouses for tax purposes. Provides that beginning with taxable year 2022, any locality may declare real property owned by a surviving spouse of a member of the armed forces of the United States who died in the line of duty with a line of duty determination from the U.S. Department of Defense, where such death was not the result of criminal conduct, and where the spouse occupies the real property as his principal place of residence and does not remarry, a separate class of property for local taxation of real property that may be taxed at a different rate than that imposed on the general class of real property, provided that the rate of tax is greater than zero and does not exceed the rate of tax on the general class of real property.

SB 451 - Boysko (33)
Retail Sales and Use tax; exemption for essential personal hygiene products.

1/11/2022 Senate: Referred to Committee on Finance and Appropriations
 2/10/2022 Senate: Incorporates SB380 (McDougle)
 2/10/2022 Senate: Incorporates SB571 (Newman)
 2/10/2022 Senate: Incorporates SB609 (DeSteph)
 2/10/2022 Senate: Reported from Finance and Appropriations with substitute (13-Y 2-N)
 2/15/2022 Senate: Read third time and passed Senate (37-Y 3-N)
 2/18/2022 House: Referred to Committee on Finance
 2/23/2022 House: Reported from Finance with substitute (20-Y 1-N)
 2/28/2022 House: Passed House with substitute (95-Y 4-N)
 2/28/2022 House: Reconsideration of House passage agreed to by House
 2/28/2022 House: Passed House with substitute (98-Y 1-N)
 3/2/2022 Senate: House substitute rejected by Senate (17-Y 23-N)
 3/2/2022 House: House insisted on substitute
 3/2/2022 House: House requested conference committee
 3/2/2022 Senate: Senate acceded to request (40-Y 0-N)
 3/2/2022 Senate: Conferees appointed by Senate: Senators: Boysko, Barker, Norment
 3/2/2022 House: Conferees appointed by House: Delegates: McNamara, Durant, Keam

3/8/2022

Amend (22106924D-H1) - Amend to ensure localities, schools, and transportation are not adversely impacted. While eliminating the sales tax on groceries is a worthy policy goal, it is essential that the state fully and permanently replace revenues to K-12, localities, and transportation, as the state continues to underfund core services in those areas, even with current revenues.

Summary: Sales tax; exemption for food purchased for human consumption and essential personal hygiene products. Provides a state sales and use tax exemption for food purchased for human consumption and essential personal hygiene products. The bill would also provide, beginning February 1, 2023, an allocation of state revenues to fund the distribution to localities for educational funding that would have been distributed to them absent the exemption created by the bill. Under current law, such products are taxed at a reduced state sales and use tax rate of 1.5 percent and the standard local rate of one percent. The bill has a delayed effective date of January 1, 2023.

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 513</u> - McPike (29) Data centers; center fixtures are taxed as part of the real property where they are located, etc.</p>	<p>1/12/2022 Senate: Referred to Committee on Finance and Appropriations 2/8/2022 Senate: Reported from Finance and Appropriations (14-Y 1-N 1-A) 2/11/2022 Senate: Read third time and passed Senate (39-Y 0-N) 2/21/2022 House: Referred to Committee on Finance 2/23/2022 House: Reported from Finance (20-Y 1-N) 2/28/2022 House: Passed House (98-Y 1-N) 3/2/2022 Senate: Enrolled 3/2/2022 Senate: Bill text as passed Senate and House (SB513ER) 3/2/2022 House: Signed by Speaker 3/3/2022 Senate: Signed by President 3/11/2022 Senate: Enrolled Bill Communicated to Governor on March 11, 2022 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>1/25/2022</p>

Oppose (22104161D) - See also HB 791 (McNamara).

Summary: Property tax; data centers. Provides that if data center fixtures are taxed as part of the real property where they are located, they shall be valued based on depreciated reproduction or replacement cost, rather than based on the amount of income they generate. This bill is identical to HB 791.

<p><u>SB 567</u> - Stuart (28) State Water Control Board; amending certain regulations relating to sewage treatment plants.</p>	<p>1/12/2022 Senate: Referred to Committee on Agriculture, Conservation, and Natural Resources 2/8/2022 Senate: Reported from Agriculture, Conservation, and Natural Resources with substitute (15-Y 0-N) 2/8/2022 Senate: Re-referred to Finance and Appropriations (SFIN) 2/10/2022 Senate: Reported from SFIN (15-Y 0-N) 2/14/2022 Senate: Passed Senate (40-Y 0-N) 2/22/2022 House: Referred to Committee on Agriculture, Chesapeake, and Natural Resources 2/28/2022 House: Subcommittee recommends reporting with amendments (10-Y 0-N) 3/2/2022 House: Reported from Agriculture, Chesapeake, and Natural Resources with amendment(s) (22-Y 0-N) 3/7/2022 House: Passed House with amendment (98-Y 0-N) 3/8/2022 Senate: House amendment agreed to by Senate (39-Y 0-N) 3/10/2022 Senate: Enrolled 3/10/2022 Senate: Bill text as passed Senate and House (SB567ER)</p>	<p>3/8/2022</p>
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Oppose (22106269D-S1)

Summary: State Water Control Board; regulations; issuance of certain permits. Directs the State Water Control Board to amend certain regulations to provide that Virginia Pollutant Discharge Elimination System permits may also be issued to an existing sewage treatment plant serving at least 10 houses but no more than 25 houses if such sewage treatment plant has a documented history of substantial noncompliance and cannot feasibly be connected to a publicly owned sewage treatment plant.

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 652</u> - Vogel (27) Absentee voting; application requirements, last four digits of social security number.</p>	<p>1/18/2022 Senate: Referred to Committee on Privileges and Elections 2/1/2022 Senate: Reported from Privileges and Elections with substitute (11-Y 4-N) 2/7/2022 Senate: Read third time and passed Senate (29-Y 11-N) 2/22/2022 House: Referred to Committee on Privileges and Elections 3/1/2022 House: Subcommittee recommends reporting with amendments (7-Y 3-N) 3/4/2022 House: Reported from Privileges and Elections with amendment(s) (12-Y 10-N) 3/10/2022 House: Passed House with amendments (52-Y 47-N) 3/10/2022 Senate: House amendments rejected by Senate (19-Y 21-N) 3/10/2022 House: House insisted on amendments 3/10/2022 House: House requested conference committee 3/10/2022 Senate: Senate acceded to request (40-Y 0-N) 3/10/2022 Senate: Conferees appointed by Senate: Senators: Vogel, McClellan, Boysko 3/10/2022 House: Conferees appointed by House: Delegates: Bloxom, Ransone, Glass</p>	<p>2/8/2022</p>

Oppose (22103317D)
Summary: Absentee voting; application requirements; last four digits of social security number. Requires an applicant for an absentee ballot to provide on the application the last four digits of his social security number, except when completing the application in person, and further provides that the failure to include such information shall be a material omission, grounds for rejection of the application.

<p><u>SB 678</u> - Stuart (28) Agricultural operation; amends definition.</p>	<p>1/20/2022 Senate: Referred to Committee on Agriculture, Conservation, and Natural Resources (SACNR) 2/1/2022 Senate: Reported from SACNR (12-Y 2-N 1-A) 2/7/2022 Senate: Read third time and passed Senate (37-Y 2-N 1-A) 2/22/2022 House: Referred to Committee on Agriculture, Chesapeake, and Natural Resources 2/23/2022 House: Subcommittee recommends reporting with amendments (6-Y 4-N) 3/2/2022 House: Reported from Agriculture, Chesapeake, and Natural Resources with amendment(s) (16-Y 6-N) 3/7/2022 House: Passed House with amendment (52-Y 45-N) 3/8/2022 Senate: House amendment agreed to by Senate (38-Y 0-N 1-A) 3/10/2022 Senate: Enrolled 3/10/2022 Senate: Bill text as passed Senate and House (SB678ER)</p>	<p>2/8/2022</p>
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Oppose (22104182D)
Summary: Definition of agricultural operation. Amends the definition of "agricultural operation" to including the housing of livestock.

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>SB 694 - Obenshain (26) Eminent domain; various changes to the laws pertaining to condemnation procedures.</p>	<p>1/20/2022 Senate: Referred to Committee on the Judiciary 2/2/2022 Senate: Reported from Judiciary with substitute (15-Y 0-N) 2/9/2022 Senate: Read third time and passed Senate (37-Y 0-N 1-A) 2/9/2022 Senate: Reconsideration of passage agreed to by Senate (37-Y 0-N) 2/9/2022 Senate: Passed Senate (38-Y 0-N) 2/23/2022 House: Referred to Committee for Courts of Justice 2/28/2022 House: Subcommittee recommends reporting with substitute (4-Y 3-N) 3/2/2022 House: Reported from Courts of Justice with substitute (11-Y 9-N) 3/7/2022 House: Passed House with amendment (52-Y 45-N) 3/8/2022 Senate: House substitute rejected by Senate (18-Y 20-N) 3/9/2022 House: House insisted on substitute 3/9/2022 House: House requested conference committee 3/10/2022 Senate: Senate acceded to request (40-Y 0-N) 3/10/2022 Senate: Conferees appointed by Senate: Obenshain, Petersen, McClellan 3/10/2022 House: Conferees appointed by House: Delegates: Bell, Coyner, Clarke 3/11/2022 Conference: Amended by conference committee 3/11/2022 Senate: Conference substitute printed 22107846D-S2 3/11/2022 Senate: Conference report agreed to by Senate (32-Y 8-N) 3/11/2022 House: Conference report agreed to by House (63-Y 34-N)</p>	<p>3/8/2022</p>

Oppose (22106877D-H1)

Summary: Eminent domain. Makes various changes to the laws pertaining to condemnation procedures, including (i) providing that localities shall not condition or delay the timely advancement or approval of any application for or grant of any permit or other approval for real property for the purpose of allowing the condemnation or acquisition of the property; (ii) requiring a condemnor to provide the property owner with a copy of its title report and all recorded instruments found in the title examination; (iii) requiring the clerk of court, when funds are paid into the court during a condemnation proceeding, to deposit such funds into an interest-bearing account; (iv) requiring the court to order the condemnor to reimburse the property owner for the reasonable costs and fees, not to exceed \$7,500, for a survey (under current law, this amount is capped at \$1,000); (v) requiring temporary construction easements to have an expiration date included in the recorded certificate and requiring condemnors to record a certificate of completion within 90 days upon completion of construction of any public use project for which a portion of private property was taken; (vi) requiring that a condemnor who has been sued for just compensation pursuant to a "quick-take" condemnation procedure to reimburse the property owner for his fees and costs incurred in filing the petition; and (vii) permitting the owner of property that the Commissioner of Highways has taken to petition the circuit court for the appointment of commissioners or the empanelment of a jury to determine just compensation under certain circumstances and requiring the Commission of Highways to reimburse the owner for his fees and costs incurred in filing the petition.

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>SB 739 - Dunnavant (12) Public elementary and secondary schools, etc.; student instruction.</p>	<p>1/21/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Reported from Education and Health with amendments (9-Y 6-N) 2/9/2022 Senate: Read third time and passed Senate (21-Y 17-N) 2/10/2022 House: Referred to Committee on Education 2/11/2022 House: Reported from Education (12-Y 10-N) 2/14/2022 House: Passed House (52-Y 48-N) 2/14/2022 Senate: Enrolled 2/14/2022 Senate: Bill text as passed Senate and House (SB739ER) 2/14/2022 Senate: Signed by President 2/14/2022 House: Signed by Speaker 2/14/2022 House: Enrolled Bill communicated to Governor 2/14/2022 Governor: Governor's Action Deadline 11:59 p.m., February 21, 2022 2/14/2022 Senate: Governor's recommendation received by Senate 2/15/2022 Senate: Senate concurred in Governor's recommendation #1, 3, and 4 (21-Y 19-N) 2/15/2022 Senate: Senate concurred in Governor's recommendation #2 (39-Y 0-N) 2/16/2022 House: House concurred in Governor's recommendation #1, 3 and 4 (52-Y 48-N) 2/16/2022 House: House concurred in Governor's recommendation #2 (77-Y 23-N) 2/16/2022 Governor: Emergency clause added by Governor's recommendation 2/16/2022 Governor: Governor's recommendation adopted 2/16/2022 Senate: Reenrolled 2/16/2022 Senate: Reenrolled bill text (SB739ER2) 2/16/2022 Senate: Signed by President as reenrolled 2/16/2022 House: Signed by Speaker as reenrolled 2/16/2022 Governor: Acts of Assembly Chapter text (CHAP0002)</p>	<p>2/22/2022</p>

Oppose (22106287D-S1)

Summary: Public elementary and secondary schools and public school-based early childhood care and education programs; student instruction; masks; emergency. Requires, except in the case of the 10 unscheduled remote learning days otherwise permitted by law or in certain cases of student discipline, each school board to offer in-person instruction, as defined in the bill, to each student enrolled in the local school division in a public elementary or secondary school for at least the minimum number of required annual instructional hours and to each student enrolled in the local school division in a public school-based early childhood care and education program for the entirety of the instructional time provided pursuant to such program. The bill permits, notwithstanding any other provision of law or any regulation, rule, or policy implemented by a school board, school division, school official, or other state or local authority, the parent of any child enrolled in a public elementary or secondary school, or in any school-based early childhood care and education program, to elect for such child to not wear a mask while on school property. The bill provides that no parent making such an election shall be required to provide a reason or any certification of the child's health or education status and no student shall suffer any adverse disciplinary or academic consequences as a result of this parental election. The bill requires each local school division to comply with the foregoing provisions relating to masks no later than March 1, 2022. The bill clarifies that none of the foregoing provisions shall be construed to affect the authority granted to the Governor to achieve the purposes of relevant emergency services and disaster law with regard to a communicable disease of public health threat. The bill contains an emergency clause.

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Fairfax County Positions
(Support)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 95 - Head (17) Adult protective services investigations; financial institutions to furnish records and information.</p>	<p>1/6/2022 House: Referred to Committee on Commerce and Energy 1/27/2022 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 2/1/2022 House: Reported from Commerce and Energy with substitute (21-Y 0-N) 2/7/2022 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/8/2022 Senate: Referred to Committee on Commerce and Labor 2/28/2022 Senate: Reported from Commerce and Labor with amendment (15-Y 0-N) 3/3/2022 Senate: Passed Senate with amendment (39-Y 0-N) 3/7/2022 House: Senate amendment agreed to by House (97-Y 0-N) 3/10/2022 House: Enrolled 3/10/2022 House: Bill text as passed House and Senate (HB95ER)</p>	<p>2/22/2022</p>
<p>Support (22105038D-H1) Summary: Adult protective services investigations; financial institutions; furnishing of records and information. Requires financial institutions to cooperate in any investigation of alleged adult abuse, neglect, or exploitation conducted by a local department of social services and to make any financial records or information relevant to such investigation available to the local department upon request. Financial institutions may also voluntarily report information relevant to an adult protective services investigation to the local department of social services or to a court-appointed guardian ad litem for the adult under investigation.</p>		
<p>HB 195 - Ransone (99) Polling places; location requirements, waiver in certain circumstances.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections (HPE) 1/21/2022 House: Reported from HPE (20-Y 1-N) 1/27/2022 House: Read third time and passed House (86-Y 13-N) 1/28/2022 Senate: Referred to Committee on Privileges and Elections (SPE) 2/8/2022 Senate: Reported from SPE with substitute (14-Y 1-N) 2/11/2022 Senate: Passed Senate with substitute (40-Y 0-N) 2/15/2022 House: Senate substitute agreed to by House 22106358D-S1 (92-Y 8-N) 2/16/2022 House: Enrolled 2/16/2022 House: Bill text as passed House and Senate (HB195ER) 2/16/2022 House: Signed by Speaker 2/16/2022 Senate: Signed by President 2/17/2022 House: Enrolled Bill communicated to Governor 2/17/2022 Governor: Governor's Action Deadline 11:59 p.m., February 24, 2022 2/23/2022 Governor: Approved by Governor-Chapter 5 (effective 7/1/22) 2/23/2022 Governor: Acts of Assembly Chapter text (CHAP0005)</p>	<p>2/8/2022</p>

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Bills	General Assembly Actions	Date of BOS Position
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Support (22101098D)

Summary: Polling places; location requirements; waiver in certain circumstances. Provides that in the event that there is no suitable building that could be used for a polling place within a precinct or within one mile of the precinct boundary, the general registrar or the governing body of the locality may request from the Department of Elections a waiver to establish a polling place that does not meet the location requirements. The bill provides that the Department shall grant such a waiver and may impose any conditions on the waiver that it deems necessary or appropriate to ensure accessibility and security of the polling place and compliance with any other requirements of state or federal law.

HB 277 - Coyner (62)
Recovery residences; disclosure to potential residents that residence is certified.

1/11/2022 House: Referred to Committee on Counties, Cities, and Towns
 2/3/2022 House: Subcommittee recommends reporting with substitute (6-Y 2-N)
 2/4/2022 House: Reported from Counties, Cities, and Towns with substitute (21-Y 1-N)
 2/10/2022 House: Read third time and passed House (98-Y 1-N)
 2/11/2022 Senate: Referred to Committee on Local Government
 2/21/2022 Senate: Re-referred to Rehabilitation and Social Services
 2/25/2022 Senate: Reported from Rehabilitation and Social Services with substitute (9-Y 3-N 3-A)
 3/1/2022 Senate: Committee on Rehabilitation and Social Services substitute rejected 22107122D-S1
 3/2/2022 Senate: Substitute by Senator Favola agreed to 22107373D-S3
 3/2/2022 Senate: Passed Senate with substitute (30-Y 10-N)
 3/4/2022 House: Senate substitute agreed to by House (98-Y 1-N)
 3/9/2022 House: Enrolled
 3/9/2022 House: Bill text as passed House and Senate (HB277ER)
 3/9/2022 House: Signed by Speaker
 3/10/2022 Senate: Signed by President

3/8/2022
~~2/22/2022~~

Support (22107373D-S3) - Bill was amended to remove the impact on local zoning ordinances, conforming to SB 622 (Favola), which the County supports. ~~**Amend** (22105975D-H1) — Amend to conform to SB 622 (Favola).~~

Summary: Recovery residences. Requires that all recovery residences be certified by the Department of Behavioral Health and Developmental Services (the Department) and that recovery residences, as a condition of such certification, comply with any minimum square footage requirements related to beds and sleeping rooms established by the credentialing entity, which shall be no less than the square footage requirements set forth in the Uniform Statewide Building Code. The bill requires every person who operates a recovery residence to disclose to potential residents its credentialing entity. If the credentialing entity is the National Alliance for Recovery Residences, the bill requires the recovery residence to disclose the level of support provided by the recovery residence and, if the credentialing entity is Oxford House, Inc., the bill requires the recovery residence to disclose that the recovery residence is self-governed and unstaffed. The bill also requires the Department to include such information on the list of all recovery residences maintained by the Department on its website. The bill exempts recovery residences from the provisions of the Virginia Landlord and Tenant Act. This bill is identical to SB 622.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 389 - Bulova (37) Early childhood care and education; regional entities, Child Care Subsidy Program Overpayment Fund.</p>	<p>1/11/2022 House: Referred to Committee on Education 2/2/2022 House: Subcommittee recommends reporting (8-Y 0-N) and referring to Committee on Appropriations 2/7/2022 House: Reported from Education (16-Y 6-N) 2/7/2022 House: Referred to Committee on Appropriations 2/9/2022 House: Subcommittee recommends reporting (8-Y 0-N) 2/9/2022 House: Reported from Appropriations (22-Y 0-N) 2/15/2022 House: Read third time and passed House (68-Y 31-N) 2/16/2022 Senate: Referred to Committee on Education and Health 3/3/2022 Senate: Reported from Education and Health (14-Y 1-N) 3/3/2022 Senate: Re-referred to Finance and Appropriations (SFIN) 3/3/2022 Senate: Reported from SFIN (15-Y 0-N) 3/8/2022 Senate: Passed Senate (39-Y 0-N) 3/10/2022 House: Enrolled 3/10/2022 House: Bill text as passed House and Senate (HB389ER)</p>	<p>2/22/2022</p>
<p>Support (22104067D) Summary: Early childhood care and education; regional entities; Child Care Subsidy Program Overpayment Fund established. Requires the Board of Education to establish a system of regional entities that will be responsible for coordinating early childhood care and education services, guiding quality improvement of such services and coordinated access to such services for families, and implementing the uniform measurement and improvement system. The bill establishes the Child Care Subsidy Program Overpayment Fund, consisting of all overpayment moneys collected or recovered by the Department of Education or any state or local agency contracted to administer the Child Care Subsidy Program, net of any refunds due to the federal government, to be used solely for the purpose of covering the cost of providing training and supports to early childhood care and education entities.</p>		
<p>HB 437 - Bulova (37) Localities; public meeting during state project planning phase.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities, and Towns (HCCT) 1/27/2022 House: Subcommittee recommends reporting (9-Y 0-N) 1/28/2022 House: Reported from HCCT (22-Y 0-N) 2/3/2022 House: Read third time and passed House (99-Y 0-N) 2/3/2022 House: Reconsideration of passage agreed to by House 2/3/2022 House: Passed House (100-Y 0-N) 2/4/2022 Senate: Referred to Committee on Local Government 2/21/2022 Senate: Reported from Local Government (14-Y 0-N) 2/23/2022 Senate: Passed Senate (40-Y 0-N) 2/25/2022 House: Enrolled 2/25/2022 House: Bill text as passed House and Senate (HB437ER) 2/25/2022 House: Signed by Speaker 2/25/2022 Senate: Signed by President 3/11/2022 House: Enrolled Bill communicated to Governor 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., 4/11/22</p>	<p>1/25/2022</p>
<p>Support (22101502D) Summary: Localities; public meeting; state project planning phase. Allows a locality the option to request a public meeting in the locality during the planning phase of a public facilities state project from the state agency or institution of higher education responsible for such project.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 444 - Bennett-Parker (45) Virginia Freedom of Information Act; meetings conducted through electronic meetings.</p>	<p>1/11/2022 House: Referred to Committee on General Laws 1/25/2022 House: Subcommittee recommends reporting (8-Y 0-N) 1/27/2022 House: Reported from General Laws (22-Y 0-N) 2/2/2022 House: Read third time and passed House (98-Y 0-N) 2/3/2022 Senate: Referred to Committee on General Laws and Technology (SGL) 3/2/2022 Senate: Reported from SGL with substitute (12-Y 3-N) 3/10/2022 Senate: Amendments #1, #2, and #3 by Senator Petersen agreed to 3/10/2022 Senate: Passed Senate with substitute with amendments (25-Y 15-N) 3/10/2022 House: Senate substitute with amendments agreed to by House 22107153D-S1 (97-Y 0-N)</p>	<p>2/8/2022</p>

Support (22104056D)

Summary: Amends existing provisions concerning electronic meetings by keeping the provisions for electronic meetings held in response to declared states of emergency, repealing the provisions that are specific to regional and state public bodies, and allowing public bodies to conduct all-virtual public meetings where all of the members who participate do so remotely and that the public may access through electronic communications means. Definitions, procedural requirements, and limitations for all-virtual public meetings are set forth in the bill, along with technical amendments.

<p>HB 445 - Murphy (34) High-speed broadband service; expanding to new residential & commercial development.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities, and Towns (HCCT) 2/3/2022 House: Subcommittee recommends reporting with substitute (8-Y 1-N) 2/4/2022 House: Reported from HCCT with substitute (21-Y 1-N) 2/10/2022 House: Read third time and passed House (99-Y 0-N) 2/11/2022 Senate: Referred to Committee on Commerce and Labor 2/21/2022 Senate: Re-referred to Local Government 2/28/2022 Senate: Reported from Local Government (15-Y 0-N) 3/2/2022 Senate: Passed Senate (40-Y 0-N) 3/7/2022 House: Enrolled 3/7/2022 House: Bill text as passed House and Senate (HB445ER) 3/8/2022 House: Signed by Speaker 3/8/2022 Senate: Signed by President</p>	<p>2/8/2022</p>
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Support (22103045D) - See also SB 446 (Boysko).

Summary: Broadband service; new residential and commercial development; stakeholder advisory group. Provides that the Department of Housing and Community Development (the Department) shall convene a stakeholder advisory group for the purpose of evaluating local and state policies, procedures, or ordinances to facilitate the expansion of high-speed broadband service and associated infrastructure in new residential and commercial development. The stakeholder advisory group shall be composed of representatives from the commercial and residential land development and construction industry, local government, high-speed broadband providers, and other stakeholders as determined by the Department and shall report its findings and recommendations to the Broadband Advisory Council no later than September 30, 2022.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 482 - Austin (19) Commonwealth Transportation Board; performance standards for review of certain plans.</p>	<p>1/11/2022 House: Referred to Committee on Transportation 1/25/2022 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 1/27/2022 House: Reported from Transportation with amendment(s) (22-Y 0-N) 2/2/2022 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/3/2022 Senate: Referred to Committee on Transportation 2/17/2022 Senate: Reported from Transportation (15-Y 0-N) 2/22/2022 Senate: Passed Senate (40-Y 0-N) 2/24/2022 House: Enrolled 2/24/2022 House: Bill text as passed House and Senate (HB482ER) 2/25/2022 House: Signed by Speaker 2/25/2022 Senate: Signed by President 3/9/2022 House: Enrolled Bill communicated to Governor 3/9/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>2/8/2022</p>

Support (22104104D)
Summary: Directs the Department of Transportation to adopt performance standards for the review and approval of subdivision and commercial development plans by January 1, 2025. The bill requires the Department to submit a report on such standards to the Chairman of the Commonwealth Transportation Board and to make such standards available for public view on the Department's website, updated quarterly.

<p>HB 731 - Ward (92) Juvenile law-enforcement records; inspection of records.</p>	<p>1/11/2022 House: Referred to Committee for Courts of Justice 2/4/2022 House: Subcommittee recommends reporting (8-Y 0-N) 2/7/2022 House: Reported from Courts of Justice (20-Y 0-N) 2/11/2022 House: Read third time and passed House (99-Y 0-N) 2/14/2022 Senate: Referred to Committee on the Judiciary 2/23/2022 Senate: Reported from Judiciary with amendment (8-Y 0-N) 2/28/2022 Senate: Passed Senate with amendment (40-Y 0-N) 3/2/2022 House: Senate amendment agreed to by House (98-Y 0-N) 3/7/2022 House: Enrolled 3/7/2022 House: Bill text as passed House and Senate (HB731ER) 3/8/2022 House: Signed by Speaker 3/8/2022 Senate: Signed by President</p>	<p>1/25/2022</p>
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Support (22103598D) - See also SB 149 (Norment).
Summary: Juvenile law-enforcement records; inspection. Provides that a juvenile, the parent, guardian, or other custodian of the juvenile, and counsel for the juvenile may inspect a law-enforcement record concerning such juvenile if (i) no other law or rule of the Supreme Court of Virginia requires or allows withholding of the record; (ii) the parent, guardian, or other custodian requesting the record is not a suspect, offender, or person of interest in the record; and (iii) any identifying information of any other involved juveniles is redacted. This bill is identical to SB 149.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 813 - Williams (9) Law-enforcement agencies; acquisition and use of military property.</p>	<p>1/12/2022 House: Referred to Committee on Public Safety (HPS) 2/10/2022 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/11/2022 House: Reported from HPS with substitute (11-Y 10-N) 2/15/2022 House: Read third time and passed House (52-Y 47-N) 2/16/2022 Senate: Referred to Committee on the Judiciary (SJUD) 2/28/2022 Senate: Reported from SJUD with substitute (14-Y 1-N) 3/2/2022 Senate: Passed Senate with substitute (38-Y 2-N) 3/4/2022 House: Senate substitute rejected by House 22107190D-S1 (0-Y 99-N) 3/8/2022 Senate: Senate insisted on substitute (37-Y 2-N) 3/8/2022 Senate: Senate requested conference committee 3/9/2022 House: House acceded to request 3/10/2022 House: Conferees appointed by House: Delegates: Williams, Wilt, Williams Graves 3/10/2022 Senate: Conferees appointed by Senate: Senators: Reeves, Petersen, Morrissey 3/11/2022 Conference: Amended by conference committee 3/11/2022 Senate: Conference report agreed to by Senate (40-Y 0-N) 3/11/2022 House: Conference report agreed to by House (91-Y 5-N)</p>	<p>2/8/2022</p>
<p>Support (22107190D-S1) - See also SB 328 (Reeves). Summary: Acquisition and use of certain military property by law-enforcement agencies. Removes the provisions prohibiting a state or local law-enforcement agency from acquiring or purchasing (i) armored multi-wheeled vehicles that are mine-resistant, ambush-protected, and configured for combat from a surplus program operated by the federal government; (ii) firearms of .50 caliber or higher; or (iii) ammunition of .50 caliber or higher. The bill also removes the prohibition on the use of kinetic impact munitions except in situations where their use is necessary to protect a law-enforcement officer or another person from bodily injury.</p>		
<p>HB 1065 - Krizek (44) Manufactured home lot rental agreements and public notices; work group to develop sample documents.</p>	<p>1/12/2022 House: Referred to Committee on General Laws (HGL) 2/3/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/8/2022 House: Reported from HGL with substitute (21-Y 1-N) 2/14/2022 House: Read third time and passed House (70-Y 30-N) 2/16/2022 Senate: Referred to Committee on General Laws and Technology 2/23/2022 Senate: Reported from General Laws and Technology (15-Y 0-N) 2/28/2022 Senate: Passed Senate (39-Y 1-N) 3/3/2022 House: Enrolled 3/3/2022 House: Bill text as passed House and Senate (HB1065ER) 3/3/2022 House: Signed by Speaker 3/4/2022 Senate: Signed by President 3/11/2022 House: Enrolled Bill communicated to Governor 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>1/25/2022</p>

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Bills	General Assembly Actions	Date of BOS Position
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Support (22102276D) - Board has historically supported.
Summary: Department of Housing and Community Development; manufactured home parks; sample documents. Directs the Department of Housing and Community Development to convene a work group consisting of representatives from the Virginia Housing Development Authority, manufactured home park owners and residents, attorneys with relevant expertise, and other relevant stakeholders for the purposes of developing a sample manufactured home lot rental agreement and sample manufactured home park notices regarding an intent to sell.

<p>HB 1225 - Bulova (37) Energy performance-based contracts; roof replacement.</p>	<p>1/19/2022 House: Referred to Committee on Agriculture, Chesapeake, and Natural Resources 2/7/2022 House: Subcommittee recommends reporting (10-Y 0-N) 2/9/2022 House: Reported from Agriculture, Chesapeake, and Natural Resources (21-Y 0-N) 2/15/2022 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/16/2022 Senate: Referred to Committee on Agriculture, Conservation, and Natural Resources 2/22/2022 Senate: Reported from Agriculture, Conservation, and Natural Resources (15-Y 0-N) 2/25/2022 Senate: Passed Senate (39-Y 0-N) 2/25/2022 Senate: Reconsideration of Senate passage agreed to by Senate (39-Y 0-N) 2/25/2022 Senate: Passed Senate (39-Y 0-N) 3/1/2022 House: Enrolled 3/1/2022 House: Bill text as passed House and Senate (HB1225ER) 3/1/2022 House: Signed by Speaker 3/2/2022 Senate: Signed by President 3/11/2022 House: Enrolled Bill communicated to Governor on March 11, 2022 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>1/25/2022</p>
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Support (22103378D) - See also SB 13 (Favola).
Summary: Allows procurement of a roof replacement as part of a larger energy conservation or operational efficiency measure if such replacement is either necessary for the installation of such measure or if the contracting entity determines that the replacement of more than 20 percent of the roof is necessary to install such measure. The bill requires such procurement to be publicly noticed on the Department of General Services' central electronic procurement website. Such procurement shall be designed by a licensed architect or professional engineer. Current law prohibits the inclusion of a roof replacement project as part of an energy performance-based contract. This bill is identical to SB 13.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1238 - Helmer (40) Valluvar Way; designating Brentwall Drive in Fairfax County.</p>	<p>1/19/2022 House: Referred to Committee on Transportation 2/1/2022 House: Reported from Transportation with amendment(s) (22-Y 0-N) 2/7/2022 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/8/2022 Senate: Referred to Committee on Transportation 2/17/2022 Senate: Reported from Transportation (15-Y 0-N) 2/22/2022 Senate: Passed Senate (40-Y 0-N) 2/24/2022 House: Enrolled 2/24/2022 House: Bill text as passed House and Senate (HB1238ER) 2/25/2022 House: Signed by Speaker 2/25/2022 Senate: Signed by President 3/9/2022 House: Enrolled Bill communicated to Governor on March 9, 2022 3/9/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>2/8/2022</p>
<p>Support (22104412D) Summary: Valluvar Way. Designates Brentwall Drive in Fairfax County as "Valluvar Way."</p>		
<p>HB 1325 - Reid (32) Local governments; additional powers, Commercial Property Assessed Clean Energy financing programs.</p>	<p>1/21/2022 House: Referred to Committee on Counties, Cities, and Towns 2/10/2022 House: Subcommittee recommends reporting with substitute (8-Y 1-N) 2/11/2022 House: Reported from Counties, Cities, and Towns with substitute (18-Y 4-N) 2/15/2022 House: Read third time and passed House (72-Y 28-N) 2/16/2022 Senate: Referred to Committee on Local Government 2/28/2022 Senate: Reported from Local Government (14-Y 0-N) 3/2/2022 Senate: Passed Senate (40-Y 0-N) 3/7/2022 House: Enrolled 3/7/2022 House: Bill text as passed House and Senate (HB1325ER) 3/8/2022 House: Signed by Speaker 3/8/2022 Senate: Signed by President</p>	<p>2/22/2022</p>
<p>Support (22105767D-H1) Summary: General Powers of local governments; additional powers; Commercial Property Assessed Clean Energy (C-PACE) financing programs. Changes the existing authorization for local governments to finance, by ordinance, clean energy, resiliency, and stormwater management programs to authorize the financing of eligible improvements to eligible properties, as defined in the bill, under C-PACE loan programs. The bill allows localities to delegate billing, collection, and remittance of C-PACE loan payments to a third party.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 3 - Suetterlein (19) Voting systems; reporting absentee results by precinct, definitions.</p>	<p>11/22/2021 Senate: Referred to Committee on Privileges and Elections 2/1/2022 Senate: Incorporates SB306 (Deeds) 2/1/2022 Senate: Reported from Privileges and Elections with substitute (15-Y 0-N) 2/1/2022 Senate: Re-referred to Finance and Appropriations 2/8/2022 Senate: Reported from Finance and Appropriations (16-Y 0-N) 2/10/2022 Senate: Passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Privileges and Elections 2/25/2022 House: Reported from Privileges and Elections with substitute (13-Y 8-N) 3/2/2022 House: Passed House with substitute (56-Y 44-N) 3/4/2022 Senate: House substitute rejected by Senate (0-Y 39-N) 3/7/2022 House: House insisted on substitute 3/7/2022 House: House requested conference committee 3/8/2022 Senate: Senate acceded to request (39-Y 0-N) 3/8/2022 Senate: Conferees appointed by Senate: Senators: Deeds, Surovell, Suetterlein 3/10/2022 House: Conferees appointed by House: Delegates: Ransone, Robinson, Simonds 3/10/2022 Conference: Amended by conference committee 3/10/2022 House: Conference report agreed to by House (99-Y 0-N) 3/11/2022 Senate: Conference report agreed to by Senate (40-Y 0-N)</p>	<p>2/22/2022 1/25/2022</p>

Support (22106024D-S1) - Bill has been amended to remove requirement to separate ballots by precinct. **Amend** (22100577D) – ~~Amend to remove requirements to separate ballots by precinct. Conform language to HB 441/SB 306. See also HB 54 (Greenhalgh), HB 398 (Freitas), and HB 927 (Robinson).~~
Summary: Elections; voting systems; reporting absentee results by precinct. Includes in the definition of "voting system" on-demand ballot printing systems and ballot marking devices used to manufacture or mark ballots to be cast by voters on electronic voting and counting machines. The bill also requires general registrars to report to the Department of Elections the number and results of absentee ballots cast by voters assigned to each precinct in the registrar's locality. The Department is directed by the bill to establish standards for ascertaining and reporting such information. This bill incorporates SB 306.

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 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>SB 13 - Favola (31) Energy performance-based contracts; roof replacement.</p>	<p>12/19/2021 Senate: Referred to Committee on Agriculture, Conservation, and Natural Resources 1/18/2022 Senate: Reported from Agriculture, Conservation, and Natural Resources with substitute (12-Y 0-N 1-A) 1/18/2022 Senate: Re-referred to General Laws and Technology 2/2/2022 Senate: Reported from General Laws and Technology (14-Y 1-N) 2/8/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Agriculture, Chesapeake, and Natural Resources 2/23/2022 House: Reported from Agriculture, Chesapeake, and Natural Resources (22-Y 0-N) 2/28/2022 House: Passed House BLOCK VOTE (99-Y 0-N) 3/2/2022 Senate: Enrolled 3/2/2022 Senate: Bill text as passed Senate and House (SB13ER) 3/2/2022 House: Signed by Speaker 3/3/2022 Senate: Signed by President 3/11/2022 Senate: Enrolled Bill Communicated to Governor 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>1/25/2022</p>
<p>Support (22101604D) - See also HB 1225 (Bulova). Summary: Allows procurement of a roof replacement as part of a larger energy conservation or operational efficiency measure if such replacement is either necessary for the installation of such measure or if the contracting entity determines that the replacement of more than 20 percent of the roof is necessary to install such measure. The bill requires such procurement to be publicly noticed on the Department of General Services' central electronic procurement website. Such procurement shall be designed by a licensed architect or professional engineer. Current law prohibits the inclusion of a roof replacement project as part of an energy performance-based contract. This bill is identical to HB 1225.</p>		
<p>SB 47 - Locke (2) Income tax, state; housing opportunity tax credits.</p>	<p>12/29/2021 Senate: Referred to Committee on Finance and Appropriations (SFIN) 2/10/2022 Senate: Reported from SFIN with substitute (16-Y 0-N) 2/14/2022 Senate: Passed Senate (40-Y 0-N) 2/18/2022 House: Referred to Committee on Finance 2/23/2022 House: Referred from Finance by voice vote 2/23/2022 House: Referred to Committee on Appropriations (HAPP) 2/28/2022 House: Reported from HAPP with substitute (22-Y 0-N) 3/2/2022 House: Passed House with substitute (100-Y 0-N) 3/2/2022 Senate: House substitute rejected by Senate (1-Y 36-N) 3/2/2022 House: House insisted on substitute 3/2/2022 House: House requested conference committee 3/2/2022 Senate: Senate acceded to request (40-Y 0-N) 3/2/2022 Senate: Conferees appointed by Senate: Senators: Locke, Lucas, Hanger 3/2/2022 House: Conferees appointed by House: Delegates: Bloxom, Marshall, Reid</p>	<p>2/22/2022</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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Support (22101688D) - Board has historically supported.
Summary: Income tax; housing opportunity tax credits. Removes the \$15 million credit cap imposed on the Virginia Housing Opportunity Tax Credit and allows taxpayers to receive a state-level credit in an amount substantially similar to the amount of federal credit allocated or allowed by the Virginia Housing Development Authority for ten years. Under current law, the Virginia Housing Development Authority is required to allocate the credit for one year only.

SB 148 - Norment, Jr. (3)
 Public health emergencies; expands immunity for health care providers.

1/9/2022 Senate: Referred to Committee on the Judiciary (SJUD)
 2/9/2022 Senate: Reported from SJUD with substitute (11-Y 3-N)
 2/14/2022 Senate: Read third time and passed Senate (36-Y 4-N)
 2/22/2022 House: Referred to Committee for Courts of Justice (HCT)
 2/23/2022 House: Subcommittee recommends reporting (5-Y 3-N)
 2/25/2022 House: Reported from HCT with amendment(s) (14-Y 5-N)
 3/2/2022 House: Passed House with amendments (73-Y 24-N)
 3/7/2022 Senate: House amendments agreed to by Senate (36-Y 3-N)
 3/10/2022 Senate: Enrolled
 3/10/2022 Senate: Bill text as passed Senate and House (SB148ER)

2/8/2022
1/25/2022

Support (22106420D-S1) ~~**Monitor** (22102585D)~~
Summary: Public health emergencies; immunity for health care providers. Expands immunity provided to health care providers responding to a disaster to include actions or omissions taken by the provider as directed by any order of public health in response to such disaster when a local emergency, state of emergency, or public health emergency has been declared.

SB 149 - Norment, Jr. (3)
 Juvenile law-enforcement records; inspection of records.

1/9/2022 Senate: Referred to Committee on the Judiciary
 1/19/2022 Senate: Reported from Judiciary (15-Y 0-N)
 1/25/2022 Senate: Read third time and passed Senate (40-Y 0-N)
 2/21/2022 House: Referred to Committee for Courts of Justice
 2/21/2022 House: Reported from Courts of Justice (20-Y 0-N)
 2/24/2022 House: Amendment by Delegate Bell agreed to
 2/24/2022 House: Passed House with amendment (97-Y 0-N)
 2/28/2022 Senate: House amendment agreed to by Senate (40-Y 0-N)
 3/2/2022 Senate: Enrolled
 3/2/2022 Senate: Bill text as passed Senate and House (SB149ER)
 3/2/2022 House: Signed by Speaker
 3/3/2022 Senate: Signed by President
 3/11/2022 Senate: Enrolled Bill Communicated to Governor
 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022

1/25/2022

Support (22103601D) - See also HB 731 (Ward).
Summary: Juvenile law-enforcement records; inspection. Provides that a juvenile, the parent, guardian, or other custodian of the juvenile, and counsel for the juvenile may inspect a law-enforcement record concerning such juvenile if (i) no other law or rule of the Supreme Court of Virginia requires or allows withholding of the record; (ii) the parent, guardian, or other custodian requesting the record is not a suspect, offender, or person of interest in the record; and (iii) any identifying information of any other involved juveniles is redacted. This bill is identical to HB 731.

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 273</u> - Ebbin (30) Absentee voting; verification by social security number or unique identifier.</p>	<p>1/11/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Reported from Privileges and Elections with substitute (14-Y 0-N 1-A) 1/31/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/22/2022 House: Referred to Committee on Privileges and Elections 3/1/2022 House: Subcommittee recommends reporting with substitute (8-Y 2-N) 3/4/2022 House: Reported from Privileges and Elections with substitute (17-Y 5-N) 3/9/2022 House: Passed House with substitute (53-Y 46-N) 3/10/2022 Senate: House substitute rejected by Senate (17-Y 23-N) 3/10/2022 House: House insisted on substitute 3/10/2022 House: House requested conference committee 3/10/2022 Senate: Senate acceded to request (40-Y 0-N) 3/10/2022 Senate: Conferees appointed by Senate: Senators: Ebbin, Boysko, Vogel 3/10/2022 House: Conferees appointed by House: Delegates: Bloxom, Ransone, Glass</p>	<p>1/25/2022</p>

Support (22100443D)

Summary: Elections; absentee voting; verification by social security number or unique identifier in lieu of witness signature. Requires the State Board of Elections to promulgate regulations for providing a unique identifier to any qualified voter who lacks a social security number and provides that such unique identifier can be accepted in place of a social security number for the purposes of voting absentee. The bill makes optional the current absentee ballot witness signature requirement by giving the voter the option to provide the last four digits of the voter's social security number and the voter's date of birth in lieu of a witness signature. The bill clarifies that verification of the required voter affirmation on absentee ballots by the general registrar includes matching any date of birth and last four digits of the social security number or assigned unique identifier provided as part of the voter affirmation against the information in the voter's registration record.

<p><u>SB 281</u> - Ebbin (30) Transit buses; exempts a manufacturer, etc., engaged in distribution from certain requirements.</p>	<p>1/11/2022 Senate: Referred to Committee on Transportation (STRAN) 1/27/2022 Senate: Reported from STRAN with amendments (15-Y 0-N) 2/2/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/22/2022 House: Referred to Committee on Transportation 3/1/2022 House: Subcommittee recommends reporting with amendments (9-Y 0-N) 3/1/2022 House: Reported from Transportation with amendment(s) (22-Y 0-N) 3/4/2022 House: Passed House with amendments (99-Y 0-N) 3/8/2022 Senate: House amendments agreed to by Senate (39-Y 0-N) 3/10/2022 Senate: Enrolled 3/10/2022 Senate: Bill text as passed Senate and House (SB281ER)</p>	<p>1/25/2022</p>
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Support (22100708D)

Summary: Transit buses. Exempts a manufacturer, factory branch, distributor, distributor branch, or factory or distributor representative engaged in the manufacture or distribution of transit buses from the requirements of obtaining a license from the Department of Motor Vehicles to engage in business. The bill also exempts transit buses from dealer's license plate and temporary license plate requirements.

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>SB 328 - Reeves (17) Law-enforcement agencies; acquisition of military property.</p>	<p>1/11/2022 Senate: Referred to Committee on the Judiciary 1/24/2022 Senate: Reported from Judiciary with amendments (14-Y 0-N 1-A) 1/28/2022 Senate: Read third time and passed Senate (39-Y 0-N) 2/22/2022 House: Referred to Committee on Public Safety 3/3/2022 House: Subcommittee recommends reporting with substitute (9-Y 1-N) 3/4/2022 House: Reported from Public Safety with substitute (12-Y 10-N) 3/9/2022 House: Passed House with substitute (53-Y 46-N) 3/10/2022 Senate: House substitute rejected by Senate (0-Y 40-N) 3/10/2022 House: House insisted on substitute 3/10/2022 House: House requested conference committee 3/10/2022 Senate: Senate acceded to request (40-Y 0-N) 3/10/2022 Senate: Conferees appointed by Senate: Senators: Reeves, Petersen, Morrissey 3/10/2022 House: Conferees appointed by House: Delegates: Williams, Wilt, Williams Graves 3/11/2022 Conference: Amended by conference committee 3/11/2022 Senate: Conference report agreed to by Senate (40-Y 0-N) 3/11/2022 House: Conference report agreed to by House (90-Y 5-N)</p>	<p>2/8/2022 1/25/2022</p>
<p>Support (22101125D-E) - Amended to address ammunition. See also HB 813 (Williams). Amend (22101125D) –Amend language to include associated ammunition. Summary: Acquisition of military property by law-enforcement agencies. Changes the limitation on the acquisition or purchase of military property by a law-enforcement agency from firearms of .50 caliber or higher to rifles of .50 caliber or higher and from ammunition of .50 caliber or higher to rifle ammunition of .50 caliber or higher.</p>		
<p>SB 446 - Boysko (33) High-speed broadband service; expanding to new residential & commercial development.</p>	<p>1/11/2022 Senate: Referred to Committee on Commerce and Labor 1/17/2022 Senate: Re-referred to Local Government 2/7/2022 Senate: Reported from Local Government with substitute (14-Y 0-N) 2/10/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Counties, Cities, and Towns 2/25/2022 House: Reported from Counties, Cities, and Towns (22-Y 0-N) 3/2/2022 House: Passed House BLOCK VOTE (100-Y 0-N) 3/7/2022 Senate: Enrolled 3/7/2022 Senate: Bill text as passed Senate and House (SB446ER) 3/8/2022 Senate: Signed by President 3/8/2022 House: Signed by Speaker</p>	<p>2/8/2022</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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Support (22102502D) - See also HB 445 (Murphy).
Summary: Broadband service; new residential and commercial development. Directs the Department of Housing and Community Development to convene a stakeholder advisory group, assisted by the Department, Broadband Advisory Council, and Commission on Local Government, to evaluate policies, procedures, or ordinances and make recommendations on existing state law to facilitate the expansion of high-speed broadband service and associated infrastructure in new residential and commercial development. The bill provides that the Department shall report its findings and the information and recommendations compiled by the advisory group to the Broadband Advisory Council no later than September 30, 2022.

<p>SB 487 - McClellan (9) Firearm Violence Intervention and Prevention, Virginia Center; established.</p>	<p>1/11/2022 Senate: Referred to Committee on the Judiciary 2/2/2022 Senate: Reported from Judiciary (9-Y 6-N) 2/2/2022 Senate: Re-referred to Finance and Appropriations 2/9/2022 Senate: Reported from Finance and Appropriations (12-Y 3-N 1-A) 2/14/2022 Senate: Read third time and passed Senate (24-Y 16-N) 2/21/2022 House: Referred to Committee on Public Safety 3/3/2022 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 3/4/2022 House: Reported from Public Safety with substitute (16-Y 6-N) 3/9/2022 House: Passed House with substitute (61-Y 38-N) 3/10/2022 Senate: House substitute rejected by Senate (17-Y 23-N) 3/10/2022 House: House insisted on substitute 3/10/2022 House: House requested conference committee 3/10/2022 Senate: Senate acceded to request (40-Y 0-N) 3/10/2022 Senate: Conferees appointed by Senate: Senators: McClellan, Lucas, Vogel 3/10/2022 House: Conferees appointed by House: Delegates: Wilt, Cordoza, Bulova</p>	<p>1/25/2022</p>
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Support (22103607D)
Summary: Virginia Center for Firearm Violence Intervention and Prevention; Virginia Firearm Violence Intervention and Prevention Fund; creation. Establishes the Virginia Center for Firearm Violence Intervention and Prevention (the Center) within the Department of Criminal Justice Services and transfers to the Center the administration of the existing Virginia Gun Violence Intervention and Prevention Fund.

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 622</u> - Favola (31) Recovery residences; disclosure to potential residents that residence is certified.</p>	<p>1/14/2022 Senate: Referred to Committee on Rehabilitation and Social Services 2/4/2022 Senate: Reported from Rehabilitation and Social Services with substitute (15-Y 0-N) 2/9/2022 Senate: Read third time and passed Senate (37-Y 0-N 1-A) 2/9/2022 Senate: Reconsideration of passage agreed to by Senate (37-Y 0-N) 2/9/2022 Senate: Passed Senate (38-Y 0-N) 2/21/2022 House: Referred to Committee on Counties, Cities, and Towns 2/24/2022 House: Subcommittee recommends reporting with substitute (9-Y 0-N) 2/25/2022 House: Reported from Counties, Cities, and Towns with substitute (20-Y 2-N) 3/2/2022 House: Committee on Counties, Cities, and Towns substitute rejected 22107085D-H1 3/2/2022 House: Substitute by Delegate Coyner agreed to 22107376D-H2 3/2/2022 House: Passed House with substitute (97-Y 1-N) 3/9/2022 Senate: Enrolled 3/9/2022 Senate: Bill text as passed Senate and House (SB622ER) 3/9/2022 House: Signed by Speaker 3/10/2022 Senate: Signed by President</p>	<p>2/22/2022</p>

Support (22105949D-S1)
Summary: Certified recovery residences. Requires every person who operates a recovery residence to disclose to potential residents whether the recovery residence is a certified recovery residence and, if so, the credentialing entity. If the credentialing entity is the National Alliance for Recovery Residences, the bill requires the recovery residence to disclose the level of support provided by the recovery residence and, if the credentialing entity is Oxford House, Inc., the bill requires the recovery residence to disclose that the recovery residence is self-governed and unstaffed. The bill also requires the Department of Behavioral Health and Developmental Services (the Department) to include such information on the list of all certified recovery residences maintained by the Department on its website. The bill exempts certified recovery residences from the provisions of the Virginia Landlord and Tenant Act.

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Fairfax County Positions
(Monitor)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 272 - Marshall, III (14) Local land use approvals; extension of approvals to address the COVID-19 pandemic.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities, and Towns (HCCT) 1/27/2022 House: Subcommittee recommends reporting (7-Y 2-N) 1/28/2022 House: Reported from HCCT (20-Y 2-N) 2/3/2022 House: Read third time and passed House (91-Y 9-N) 2/4/2022 Senate: Referred to Committee on Local Government 2/21/2022 Senate: Reported from Local Government (13-Y 0-N) 2/23/2022 Senate: Passed Senate (40-Y 0-N) 2/25/2022 House: Enrolled 2/25/2022 House: Bill text as passed House and Senate (HB272ER) 2/25/2022 House: Signed by Speaker 2/25/2022 Senate: Signed by President 3/11/2022 House: Enrolled Bill communicated to Governor on March 11, 2022 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>1/25/2022</p>

Monitor (22104168D) - See also SB 501 (Lewis).

Summary: Extends from July 1, 2022, to July 1, 2023, the sunset date for various local land use approvals that were valid and outstanding as of July 1, 2020. The bill also provides that its provisions shall not be construed to extend previous extensions related to the COVID-19 housing crisis.

<p>HB 450 - Bennett-Parker (45) Parking of vehicles; electric vehicle charging spots, civil penalties.</p>	<p>1/11/2022 House: Referred to Committee on Transportation 1/19/2022 House: Subcommittee recommends reporting with amendments (7-Y 0-N) 1/25/2022 House: Reported from Transportation with amendment(s) (20-Y 0-N) 1/31/2022 House: Read third time and passed House (73-Y 24-N) 2/1/2022 Senate: Referred to Committee on Transportation 2/17/2022 Senate: Reported from Transportation (12-Y 3-N) 2/23/2022 Senate: Passed Senate (28-Y 12-N) 2/25/2022 House: Enrolled 2/25/2022 House: Bill text as passed House and Senate (HB450ER) 2/25/2022 House: Signed by Speaker 2/25/2022 Senate: Signed by President 3/11/2022 House: Enrolled Bill communicated to Governor on March 11, 2022 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>1/25/2022</p>
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Monitor (22102584D)

Summary: Parking of vehicles; electric vehicle charging spots; civil penalties. Prohibits a person from parking a vehicle not capable of receiving an electric charge in a space clearly marked as reserved for charging electric vehicles. A violation is subject to a civil penalty of no more than \$50. This bill is identical to SB 278.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 616 - Roem (13) Zoning appeals, board of; funding.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities, and Towns 2/10/2022 House: Subcommittee recommends reporting with amendments (8-Y 1-N) 2/11/2022 House: Reported from Counties, Cities, and Towns with amendment(s) (22-Y 0-N) 2/15/2022 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/16/2022 Senate: Referred to Committee on Local Government 2/21/2022 Senate: Reported from Local Government (14-Y 0-N) 2/23/2022 Senate: Passed Senate (40-Y 0-N) 2/25/2022 House: Enrolled 2/25/2022 House: Bill text as passed House and Senate (HB616ER) 2/25/2022 House: Signed by Speaker 2/25/2022 Senate: Signed by President 3/11/2022 House: Enrolled Bill communicated to Governor on March 11, 2022 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>2/22/2022 2/8/2022</p>

Monitor (22101257D-E) - Bill has been amended to address County's concerns. ~~**Oppose**~~ (22101257D)
Summary: Board of zoning appeals; funding. Provides that upon request of the board of zoning appeals (BZA), a governing body shall consider appropriation of funds so that the BZA may employ or contract for secretaries, clerks, legal counsel, consultants, and other technical and clerical services. The bill also provides that if a BZA has needs that surpass the budgeted amount, the governing body shall review the BZA's request. Existing law allows such BZA expenditures "within the limits of funds appropriated by the governing body."

<p>HB 648 - Kory (38) Comprehensive plan; public hearing.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities, and Towns 2/10/2022 House: Subcommittee recommends reporting with amendments (8-Y 1-N) 2/11/2022 House: Reported from Counties, Cities, and Towns with substitute (22-Y 0-N) 2/15/2022 House: Read third time and passed House (100-Y 0-N) 2/16/2022 Senate: Referred to Committee on Local Government 2/28/2022 Senate: Reported from Local Government (15-Y 0-N) 3/2/2022 Senate: Passed Senate (40-Y 0-N) 3/7/2022 House: Enrolled 3/7/2022 House: Bill text as passed House and Senate (HB648ER) 3/8/2022 House: Signed by Speaker 3/8/2022 Senate: Signed by President</p>	<p>2/22/2022 2/8/2022</p>
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Monitor (22106527D-H1) - Bill has been amended to address County's concerns. ~~**Oppose**~~ (22103147D)
Summary: Comprehensive plan; substantial accord; parks. Clarifies provisions related to whether certain public facilities are substantially in accord with the adopted comprehensive plan by adding parks to the types public uses that may, with certain types of land use applications, be excepted from the requirement for submittal to and approval by the planning commission or the governing body for the purpose of determining substantial accord.

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 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 793</u> - LaRock (33) Traffic incident management vehicles; certain vehicles exempt when en route to scene of an accident.</p>	<p>1/11/2022 House: Referred to Committee on Transportation 1/25/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/27/2022 House: Reported from Transportation with substitute (22-Y 0-N) 2/2/2022 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/3/2022 Senate: Referred to Committee on Transportation 2/17/2022 Senate: Reported from Transportation with amendment (10-Y 5-N) 2/22/2022 Senate: Passed Senate with amendment (29-Y 11-N) 2/24/2022 House: Senate amendment agreed to by House (98-Y 0-N) 2/28/2022 House: Enrolled 2/28/2022 House: Bill text as passed House and Senate (HB793ER) 2/28/2022 House: Signed by Speaker 2/28/2022 Senate: Signed by President 3/11/2022 House: Enrolled Bill communicated to Governor on March 11, 2022 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>1/25/2022</p>

Monitor (22102735D) - Board has historically monitored. See also SB 450 (Boysko).
Summary: Traffic incident management vehicles. Authorizes traffic incident management vehicles, defined in the bill, operated by persons who complete certain training and recertification requirements to be equipped with flashing red or red and white secondary warning lights. This bill is identical to SB 450.

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 837</u> - Wilt (26) Food and drink law; permitting requirements.</p>	<p>1/12/2022 House: Referred to Committee on Agriculture, Chesapeake, and Natural Resources 1/26/2022 House: Subcommittee recommends reporting with amendments (10-Y 0-N) 2/2/2022 House: Reported from Agriculture, Chesapeake, and Natural Resources with amendment(s) (22-Y 0-N) 2/8/2022 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/8/2022 House: Reconsideration of passage agreed to by House 2/8/2022 House: Passed House BLOCK VOTE (99-Y 0-N) 2/9/2022 Senate: Referred to Committee on Agriculture, Conservation, and Natural Resources 3/1/2022 Senate: Reported from Agriculture, Conservation, and Natural Resources with amendment (14-Y 1-N) 3/7/2022 Senate: Passed Senate with amendment (38-Y 0-N) 3/8/2022 House: Senate amendment rejected by House (0-Y 97-N) 3/9/2022 Senate: Senate insisted on amendment (39-Y 0-N) 3/9/2022 Senate: Senate requested conference committee 3/10/2022 House: House acceded to request 3/10/2022 House: Conferees appointed by House: Delegates: Wilt, Ware, Gooditis 3/10/2022 Senate: Conferees appointed by Senate: Senators: Marsden, Mason, Suetterlein 3/11/2022 Conference: Amended by conference committee 3/12/2022 House: Conference report agreed to by House (52-Y 46-N) 3/12/2022 Senate: Conference report agreed to by Senate (30-Y 10-N)</p>	<p>3/8/2022 2/22/2022</p>

Monitor (SACNR Amendments) - Bill was amended to add an enactment clause stating that it would not become effective unless reenacted by the 2023 GA. If the bill were to be amended in conference, continue to support an amendment to exempt localities that have adopted a local food code. ~~Amend (22104157D-E) Amend to exempt localities that have adopted a local food code based on the U.S. Food and Drug Administration food code.~~

Summary: Requires any food manufacturer, food storage warehouse, and retail food establishment to obtain a permit from the Commissioner of Agriculture and Consumer Services prior to operating. Any such entity issued a permit would be exempt from any other license, permit, or inspection required for the sale, preparation, or handling of food. The bill requires the Commissioner to notify such entities of the reason for denial of a permit and requires that any denial, suspension, or revocation of a permit be carried out in accordance with the Administrative Process Act.

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 873</u> - Greenhalgh (85) Public elementary and secondary schools; threat assessment team membership, etc.</p>	<p>1/12/2022 House: Referred to Committee on Education 2/7/2022 House: Subcommittee recommends reporting (5-Y 3-N) 2/7/2022 House: Subcommittee recommends referring to Committee on Appropriations 2/7/2022 House: Reported from Education (12-Y 10-N) 2/7/2022 House: Referred to Committee on Appropriations 2/9/2022 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 2/9/2022 House: Reported from Appropriations with substitute (12-Y 10-N) 2/15/2022 House: Read third time and passed House (52-Y 48-N) 2/16/2022 Senate: Referred to Committee on Education and Health 3/3/2022 Senate: Reported from Education and Health with substitute (11-Y 4-N) 3/3/2022 Senate: Re-referred to Finance and Appropriations 3/3/2022 Senate: Reported from Finance and Appropriations (8-Y 7-N) 3/8/2022 Senate: Passed Senate with substitute (25-Y 14-N) 3/9/2022 House: Senate substitute agreed to by House 22106977D-S1 (80-Y 17-N) 3/11/2022 House: Enrolled 3/11/2022 House: Bill text as passed House and Senate (HB873ER)</p>	<p>3/8/2022 2/22/2022</p>

Monitor (22106977D-S1) - Bill has been amended to eliminate requirement to employ at least one school resource officer in every school. ~~**Oppose** (22104063D) – Board has historically opposed.~~

Summary: Public elementary and secondary schools; threat assessment team membership; law-enforcement liaison for certain school administrators. Requires, in the case of any public elementary or secondary school in which a school resource officer is employed, the threat assessment team for such school to include at least one such school resource officer. The bill requires the chief local law-enforcement officer for any local school division in which a public elementary or secondary school does not employ a school resource officer to designate a law-enforcement officer to receive, either in-person or online, the school safety training for public school personnel conducted by the Virginia Center for School and Campus Safety in accordance with relevant law and requires such officer to serve as the law-enforcement liaison for the school administrator in such a school who has also received such training as prescribed by relevant law.

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 895</u> - Kilgore (1) Elections; local electoral boards & general registrars to perform certain risk-limiting audits, etc.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections 2/9/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/11/2022 House: Reported from Privileges and Elections with substitute (22-Y 0-N) 2/15/2022 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/16/2022 Senate: Referred to Committee on Privileges and Elections 2/22/2022 Senate: Reported from Privileges and Elections (15-Y 0-N) 2/25/2022 Senate: Passed Senate (39-Y 0-N) 2/25/2022 Senate: Reconsideration of Senate passage agreed to by Senate (39-Y 0-N) 2/25/2022 Senate: Passed Senate (37-Y 0-N 2-A) 3/1/2022 House: Enrolled 3/1/2022 House: Bill text as passed House and Senate (HB895ER) 3/1/2022 House: Signed by Speaker 3/2/2022 Senate: Signed by President 3/11/2022 House: Enrolled Bill communicated to Governor on March 11, 2022 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>2/8/2022</p>

Monitor (22104191D) - See also SB 370 (Bell).
Summary: Elections; conduct of election; election results; risk-limiting audits. Requires local electoral boards and general registrars to perform certain risk-limiting audits, defined in the bill, under the supervision of the Department of Elections and in accordance with the procedures prescribed by the State Board of Elections. The bill provides that localities are required to participate in such audits at least once every five years. The bill also provides that the Department shall submit a report on the results of such audits to the State Board. The provisions of the bill requiring that such audits be conducted (i) for at least one randomly selected contested race for the General Assembly in the year of a general election for members of the General Assembly and (ii) for any other contested race that is necessary to ensure that each locality participates in a risk-limiting audit of an office within its jurisdiction at least once every five years or that the State Board finds appropriate have a delayed effective date of July 1, 2023. The provision of the bill requiring that such audits be conducted for at least one randomly selected contested race for an office that requires certification by the State Board in the year of general election for any local office has a delayed effective date of July 1, 2024. This bill is identical to SB 370.

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1010 - Durant (28) Real property taxes; notice of proposed increase, notice of public hearing.</p>	<p>1/12/2022 House: Referred to Committee on Finance (HFIN) 2/10/2022 House: Reported from HFIN with substitute (11-Y 10-N) 2/15/2022 House: Read third time and passed House (53-Y 46-N) 2/16/2022 Senate: Referred to Committee on Finance and Appropriations 2/22/2022 Senate: Reported from Finance and Appropriations (16-Y 0-N) 2/24/2022 Senate: Passed Senate (40-Y 0-N) 2/28/2022 House: Enrolled 2/28/2022 House: Bill text as passed House and Senate (HB1010ER) 2/28/2022 House: Signed by Speaker 2/28/2022 Senate: Signed by President 3/9/2022 House: Enrolled Bill communicated to Governor 3/9/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022 3/11/2022 Governor: Approved by Governor-Chapter 29 (effective 7/1/22)</p>	<p>3/8/2022 2/8/2022</p>
<p>Monitor (22106435D-H1) - Bill has been amended to eliminate new requirements for localities' budget processes, and now only requires an additional notice of a public hearing separate from the budget hearing. Oppose (22103864D) - See also SB 620 (Cosgrove). Summary: Real property taxes; notice of proposed increase. Adjusts the notice requirements for public hearings held to increase property taxes in localities that conduct their reassessment of real estate more than once every four years. The bill requires such localities to provide notice of any such hearing on a different day and in a different notice from any notice published for the annual budget hearing. Under current law, such hearings are required when a locality seeks to raise its property tax rate above a rate that would collect more than 101 percent of the amount of taxes collected for the previous year.</p>		
<p>HB 1088 - Leftwich (78) Planning; definition of subdivision, boundary line agreement.</p>	<p>1/12/2022 House: Referred to Committee on Counties, Cities, and Towns 2/10/2022 House: Subcommittee recommends reporting with amendments (9-Y 0-N) 2/11/2022 House: Reported from Counties, Cities, and Towns with amendment(s) (22-Y 0-N) 2/15/2022 House: Read third time and passed House (100-Y 0-N) 2/16/2022 Senate: Referred to Committee on Local Government 2/28/2022 Senate: Reported from Local Government with amendments (15-Y 0-N) 3/2/2022 Senate: Passed Senate with amendments (40-Y 0-N) 3/4/2022 House: Senate amendments agreed to by House (98-Y 1-N) 3/9/2022 House: Enrolled 3/9/2022 House: Bill text as passed House and Senate (HB1088ER) 3/9/2022 House: Signed by Speaker 3/10/2022 Senate: Signed by President</p>	<p>3/8/2022 2/22/2022</p>

Bold – Indicates BOS formal action
[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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Monitor (HB1088ER) - Bill was amended to address impact on local ordinances. **Oppose** (22103287D)
Summary: Planning; subdivision of land and zoning. Changes the definition of "subdivision" to provide that it does not preclude different owners of adjacent parcels from entering into a valid and enforceable boundary line agreement with one another so long as such agreement is only used to resolve a bona fide property line dispute, the boundary adjustment does not move by more than 250 feet from the center of the current platted line or alter either parcel's resultant acreage by more than five percent of the smaller parcel size, and such agreement does not create an additional lot, alter the existing boundary lines of localities, result in greater street frontage, or interfere with a recorded easement.

<p>HB 1131 - Williams (9) Virginia Code Commission; work group to review public notices required to be published.</p>	<p>1/12/2022 House: Referred to Committee on Rules 2/7/2022 House: Subcommittee recommends reporting (6-Y 0-N) 2/7/2022 House: Subcommittee recommends referring to Committee on Appropriations 2/8/2022 House: Reported from Rules (18-Y 0-N) 2/8/2022 House: Referred to Committee on Appropriations 2/9/2022 House: Subcommittee recommends reporting (7-Y 0-N) 2/9/2022 House: Reported from Appropriations (22-Y 0-N) 2/15/2022 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/16/2022 Senate: Referred to Committee on Rules 3/4/2022 Senate: Reported from Rules (16-Y 0-N) 3/8/2022 Senate: Passed Senate (39-Y 0-N) 3/10/2022 House: Enrolled 3/10/2022 House: Bill text as passed House and Senate (HB1131ER)</p>	<p>1/25/2022</p>
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Monitor (22104386D) - See also SB 417 (Stanley).
Summary: Virginia Code Commission; work group to review public notices required to be published by localities. Directs the Virginia Code Commission to convene a work group to review requirements throughout the Code of Virginia for localities to provide public notice for intended actions and events, including (i) the varying frequency for publishing notices in newspapers and other print media, (ii) the number of days required to elapse between the publications of notices, and (iii) the amount of information required to be contained in each notice, and make recommendations for uniformity and efficiency. The bill requires the Commission to submit a report to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology summarizing the work and any recommendations of the work group by November 1, 2022. This bill is identical to SB 417.

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1257 - Kilgore (1) Natural gas utilities; retail supply choice.</p>	<p>1/20/2022 House: Referred to Committee on Commerce and Energy 2/8/2022 House: Reported from Commerce and Energy with amendment(s) (12-Y 10-N) 2/14/2022 House: Read third time and passed House (55-Y 45-N) 2/14/2022 House: Reconsideration of passage agreed to by House 2/14/2022 House: Passed House (54-Y 46-N) 2/16/2022 Senate: Referred to Committee on Agriculture, Conservation, and Natural Resources 3/1/2022 Senate: Reported from Agriculture, Conservation, and Natural Resources with substitute (14-Y 0-N 1-A) 3/7/2022 Senate: Passed Senate with substitute (38-Y 1-N) 3/8/2022 House: Senate substitute rejected by House 22107334D-S1 (0-Y 98-N) 3/9/2022 Senate: Senate insisted on substitute (39-Y 0-N) 3/9/2022 Senate: Senate requested conference committee 3/10/2022 House: House acceded to request 3/10/2022 House: Conferees appointed by House: Delegates: Kilgore, O'Quinn, Reid 3/10/2022 Senate: Conferees appointed by Senate: Senators: McClellan, Morrissey, Stanley 3/12/2022 Conference: Amended by conference committee 3/12/2022 House: Conference substitute printed 22107968D-H1 3/12/2022 House: Conference report agreed to by House (92-Y 0-N)</p>	<p>3/8/2022 {2/25/2022}</p>

Monitor (22107334D-S1) - Bill was amended to address the County’s concerns regarding the impact on local authority and the environment. ~~[Oppose] (22104724D-E)~~

Summary: Allows every person access to distribution service or retail natural gas from a natural gas company authorized to provide natural gas service to the area where the service will be received. The bill bars public entities from adopting an ordinance, resolution, or other requirement that limits or prohibits customers from acquiring natural gas service and supply from both utility and non-utility gas companies. The bill prohibits public entities from denying building permits solely based on a proposed utility provider and directs public entities to ensure that all applicable permits and fees are reasonable, as compared to other utility providers, and do not restrict an applicant's ability to use the services of an authorized utility provider. The bill also requires any public entity to satisfy certain requirements prior to discontinuing natural gas utility services generally or to any class of customers.

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1290 - Hayes, Jr. (77) Public bodies; security of government databases and data communications, report.</p>	<p>1/20/2022 House: Referred to Committee on Communications, Technology and Innovation (HTECH) 1/31/2022 House: Reported from HTECH with amendment(s) (19-Y 2-N) 2/4/2022 House: HTECH amendment rejected 2/4/2022 House: Substitute by Delegate Hayes agreed to 2/7/2022 House: Read third time and passed House (93-Y 7-N) 2/8/2022 Senate: Referred to Committee on Rules 2/25/2022 Senate: Reported from Rules (17-Y 0-N) 3/1/2022 Senate: Passed Senate (40-Y 0-N) 3/3/2022 House: Enrolled 3/3/2022 House: Bill text as passed House and Senate (HB1290ER) 3/3/2022 House: Signed by Speaker 3/4/2022 Senate: Signed by President 3/11/2022 House: Enrolled Bill communicated to Governor 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>2/22/2022</p>

Monitor (22106070D-H1) - See also SB 764 (Barker).

Summary: Public bodies; security of government databases and data communications. Requires every public body to report to the Virginia Fusion Intelligence Center all known incidents that threaten the security of the Commonwealth's data or communications or result in exposure of data protected by federal or state laws and all other incidents compromising the security of the public body's information technology systems with the potential to cause major disruption to normal activities of the public body or other public bodies. The bill requires such reports to be made to the Virginia Fusion Intelligence Center within 24 hours of the discovery of the incident and that the Virginia Fusion Intelligence Center share such reports with the Chief Information Officer promptly upon receipt. The bill requires the Chief Information Officer to convene a work group to review current cybersecurity reporting and information sharing practices and report any legislative recommendations to the Governor and the Chairmen of the Senate Committee on General Laws and Technology and the House Committee on Communications, Technology and Innovation by November 15, 2022. This bill is identical to SB 764.

<p>SB 172 - Peake (22) County boards of supervisors; salaries.</p>	<p>1/10/2022 Senate: Referred to Committee on Local Government 1/17/2022 Senate: Reported from Local Government with amendments (15-Y 0-N) 1/20/2022 Senate: Read third time and passed Senate (39-Y 1-N) 2/22/2022 House: Referred to Committee on Counties, Cities, and Towns (HCCT) 2/25/2022 House: Subcommittee recommends reporting (9-Y 0-N) 3/4/2022 House: Reported from HCCT (22-Y 0-N) 3/9/2022 House: Passed House BLOCK VOTE (100-Y 0-N) 3/11/2022 Senate: Enrolled 3/11/2022 Senate: Bill text as passed Senate and House (SB172ER)</p>	<p>2/22/2022</p>
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Monitor (22102602D-E)

Summary: Requires county boards of supervisors, prior to July 1 of each year, to set a maximum annual compensation, which will become effective as of January 1 of the year following the next regularly scheduled elections.

Bills	General Assembly Actions	Date of BOS Position
<p>SB 268 - Favola (31) Emergency custody and temporary detention; transportation, transfer of custody, alternative custody.</p>	<p>1/11/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/3/2022 Senate: Re-referred to Finance and Appropriations (SFIN) 2/8/2022 Senate: Incorporates SB176 (Peake) 2/8/2022 Senate: Incorporates SB650 (Hanger) 2/8/2022 Senate: Incorporates SB682 (Deeds) 2/8/2022 Senate: Reported from SFIN with substitute (16-Y 0-N) 2/10/2022 Senate: Committee on Education and Health substitute rejected 22104684D-S1 2/10/2022 Senate: SFIN substitute rejected 22106256D-S2 2/10/2022 Senate: Substitute by Senator Favola agreed to 22106457D-S3 2/10/2022 Senate: Passed Senate (40-Y 0-N) 2/22/2022 House: Referred to Committee for Courts of Justice 2/23/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/23/2022 House: Subcommittee recommends referring to Committee on Appropriations 2/25/2022 House: Reported from Courts of Justice with substitute (20-Y 0-N) 2/25/2022 House: Referred to Committee on Appropriations 3/1/2022 House: Subcommittee recommends reporting with amendments (7-Y 1-N) 3/2/2022 House: Reported from Appropriations with amendment(s) (21-Y 0-N) 3/7/2022 House: Passed House with substitute with amendments BLOCK VOTE (98-Y 0-N) 3/8/2022 Senate: House substitute with amendments agreed to by Senate (39-Y 0-N) 3/10/2022 Senate: Enrolled 3/10/2022 Senate: Bill text as passed Senate and House (SB268ER)</p>	<p>2/8/2022</p>

Monitor (22103833D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County’s Human Services Issue Paper. **Summary:** Emergency custody and temporary detention; transportation; transfer of custody. Requires a magistrate to consider all alternative transportation options when designating the person who will provide transportation for a person subject to an emergency custody order, and provides that the magistrate shall only designate the local law enforcement agency as the transportation provider if no alternative transportation provide is available. The bill provides that in cases in which transportation is provided by an alternative transportation provider designated in an emergency custody order or a temporary detention order, the law enforcement officer who executed the order may transfer custody of the person to the alternative transportation provider immediately upon execution of the order. The bill also provides that when a state hospital is designated as the facility of temporary detention, the state hospital may designate an available alternative transportation provider to assume custody of the person who is the subject of the temporary detention order and transport the person to the state hospital. The bill also requires the Department of Behavioral Health and Developmental Services to amend its existing contract for the provision of alternative transportation of a person who is subject to an emergency custody or temporary detention order to ensure sufficient availability of sufficient staff to take custody of and transport person subject to emergency custody and temporary detention orders in accordance with the provisions of the bill.

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>SB 278 - Ebbin (30) Parking of vehicles; electric vehicle charging spots, civil penalties.</p>	<p>1/11/2022 Senate: Referred to Committee on Transportation 1/13/2022 Senate: Reported from Transportation (12-Y 2-N) 1/19/2022 Senate: Read third time and passed Senate (28-Y 12-N) 2/21/2022 House: Referred to Committee on Transportation 2/24/2022 House: Reported from Transportation with substitute (21-Y 1-N) 3/1/2022 House: Passed House with substitute (71-Y 28-N 1-A) 3/2/2022 Senate: House substitute agreed to by Senate (33-Y 7-N) 3/7/2022 Senate: Enrolled 3/7/2022 Senate: Bill text as passed Senate and House (SB278ER) 3/7/2022 Senate: Bill text as passed Senate and House reprinted (SB278ER) 3/8/2022 Senate: Signed by President 3/8/2022 House: Signed by Speaker</p>	<p>1/25/2022</p>

Monitor (22101360D)

Summary: Parking of vehicles; electric vehicle charging spots; civil penalties. Prohibits a person from parking a vehicle not capable of receiving an electric charge in a space clearly marked as reserved for charging electric vehicles. A violation is subject to a civil penalty of no more than \$50. This bill is identical to HB 450.

<p>SB 370 - Bell (13) Elections; local electoral boards & general registrars to perform certain risk-limiting audits, etc.</p>	<p>1/11/2022 Senate: Referred to Committee on Privileges and Elections 2/1/2022 Senate: Reported from Privileges and Elections with substitute (10-Y 5-N) 2/1/2022 Senate: Re-referred to Finance and Appropriations (SFIN) 2/8/2022 Senate: Reported from SFIN (16-Y 0-N) 2/11/2022 Senate: Read third time and passed Senate (25-Y 14-N 1-A) 2/21/2022 House: Referred to Committee on Privileges and Elections 2/25/2022 House: Reported from Privileges and Elections (20-Y 1-N) 3/2/2022 House: Passed House (100-Y 0-N) 3/7/2022 Senate: Enrolled 3/7/2022 Senate: Bill text as passed Senate and House (SB370ER) 3/8/2022 Senate: Signed by President 3/8/2022 House: Signed by Speaker</p>	<p>2/8/2022</p>
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Monitor (22104252D) - See also HB 895 (Kilgore).

Summary: Elections; conduct of election; election results; risk-limiting audits. Requires local electoral boards and general registrars to perform certain risk-limiting audits, defined in the bill, under the supervision of the Department of Elections and in accordance with the procedures prescribed by the State Board of Elections with a risk limit of at least 10 percent. The bill provides that localities are required to participate in such audits at least once every five years. The bill also provides that the Department shall submit a report on the results of such audits to the State Board. The provisions of the bill requiring that such audits be conducted (i) for at least one randomly selected contested race for the General Assembly in the year of a general election for members of the General Assembly and (ii) for any other contested race that is necessary to ensure that each locality participates in a risk-limiting audit of an office within its jurisdiction at least once every five years or that the State Board finds appropriate have a delayed effective date of July 1, 2023. The provision of the bill requiring that such audits be conducted for at least one randomly selected contested race for an office that requires certification by the State Board in the year of general election for any local office has a delayed effective date of July 1, 2024. The bill also requires the Department to convene a work group to consider and propose a process and timeline for implementing risk-limiting audits of statewide contests. This bill is identical to HB 895.

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 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 417</u> - Stanley, Jr. (20) Virginia Code Commission; work group to review public notices required to be published.</p>	<p>1/11/2022 Senate: Referred to Committee on Rules 1/28/2022 Senate: Reported from Rules (13-Y 0-N) 2/2/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Rules 2/28/2022 House: Subcommittee recommends reporting (6-Y 0-N) 3/3/2022 House: Reported from Rules (18-Y 0-N) 3/8/2022 House: Passed House BLOCK VOTE (98-Y 0-N) 3/10/2022 Senate: Enrolled 3/10/2022 Senate: Bill text as passed Senate and House (SB417ER)</p>	<p>1/25/2022</p>

Monitor (22102649D) - See also HB 1131 (Williams).

Summary: Virginia Code Commission; work group to review public notices required to be published by localities. Directs the Virginia Code Commission to convene a work group to review requirements throughout the Code of Virginia for localities to provide public notice for intended actions and events, including (i) the varying frequency for publishing notices in newspapers and other print media, (ii) the number of days required to elapse between the publications of notices, and (iii) the amount of information required to be contained in each notice, and make recommendations for uniformity and efficiency. The bill requires the Commission to submit a report to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology summarizing the work and any recommendations of the work group by November 1, 2022. This bill is identical to HB 1131.

<p><u>SB 450</u> - Boysko (33) Traffic incident management vehicles; certain vehicles exempt when en route to scene of an accident.</p>	<p>1/11/2022 Senate: Referred to Committee on Transportation 1/27/2022 Senate: Reported from Transportation with amendment (10-Y 3-N) 2/2/2022 Senate: Read third time and passed Senate (30-Y 10-N) 2/22/2022 House: Referred to Committee on Transportation 2/24/2022 House: Reported from Transportation (22-Y 0-N) 3/1/2022 House: Passed House BLOCK VOTE (100-Y 0-N) 3/4/2022 Senate: Enrolled 3/4/2022 Senate: Bill text as passed Senate and House (SB450ER) 3/4/2022 Senate: Signed by President 3/4/2022 House: Signed by Speaker 3/11/2022 Senate: Enrolled Bill Communicated to Governor on March 11, 2022 3/11/2022 Governor: Governor's Action Deadline 11:59 p.m., April 11, 2022</p>	<p>1/25/2022</p>
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Monitor (22100453D) - Board has historically monitored. See also HB 793 (LaRock).

Summary: Traffic incident management vehicles. Authorizes traffic incident management vehicles, defined in the bill, operated by persons who complete certain training and recertification requirements to be equipped with flashing red or red and white secondary warning lights. This bill is identical to HB 793.

Bills	General Assembly Actions	Date of BOS Position
<p>SB 501 - Lewis, Jr. (6) Local land use approvals; extension of approvals to address the COVID-19 pandemic.</p>	<p>1/12/2022 Senate: Referred to Committee on Local Government 1/31/2022 Senate: Reported from Local Government (15-Y 0-N) 2/3/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Counties, Cities, and Towns (HCCT) 2/25/2022 House: Reported from HCCT (21-Y 1-N) 3/2/2022 House: Passed House (90-Y 10-N) 3/7/2022 Senate: Enrolled 3/7/2022 Senate: Bill text as passed Senate and House (SB501ER) 3/8/2022 Senate: Signed by President 3/8/2022 House: Signed by Speaker</p>	<p>1/25/2022</p>

Monitor (22103949D) - See also HB 272 (Marshall).

Summary: Extends from July 1, 2022, to July 1, 2023, the sunset date for various local land use approvals that were valid and outstanding as of July 1, 2020. The bill also provides that its provisions shall not be construed to extend previous extensions related to the COVID-19 housing crisis.

<p>SB 537 - Marsden (37) Trees; replacement and conservation during development process, powers of local government.</p>	<p>1/12/2022 Senate: Referred to Committee on Agriculture, Conservation, and Natural Resources 2/8/2022 Senate: Reported from Agriculture, Conservation, and Natural Resources with substitute (10-Y 5-N) 2/14/2022 Senate: Read third time and passed Senate (24-Y 15-N) 2/23/2022 House: Referred to Committee on Counties, Cities, and Towns (HCCT) 3/3/2022 House: Subcommittee recommends reporting with substitute (7-Y 2-N) 3/4/2022 House: Reported from HCCT with substitute (18-Y 4-N) 3/9/2022 House: Passed House with substitute (77-Y 18-N) 3/10/2022 Senate: House substitute agreed to by Senate (23-Y 17-N)</p>	<p>3/8/2022 1/25/2022</p>
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Monitor (22107424D-H1) - Bill was amended to ensure existing Fairfax County authority is preserved. ~~**Amend** (22102580D) - Amend to ensure existing Fairfax County authority is preserved. Support for increasing local tree authority is included in the County's Legislative Program.~~

Summary: Powers of local government; trees during development process; replacement and conservation. Expands to all localities provisions that currently only allow certain localities to adopt an ordinance providing for the planting and replacement of trees during the development process. The bill adds more flexibility for implementation and management of tree canopy banks, tree canopy credits, and tree canopy requirements. The bill changes and updates standards, reference documents, and published reference texts. The bill expands options for localities to disburse funds to charitable organizations. The bill adds percentage specifications for ordinances related to cemeteries. The bill removes the prohibition of invalidating local ordinances adopted before July 1, 1990, the allowance of 10-year minimum requirements for pre-1990 ordinances, and the inability to invalidate an ordinance adopted pursuant to the section relating to the replacement of trees during development process in certain localities. The bill provides guidelines for the Stakeholder Advisory Group, established by the bill to provide recommendations on the provisions of the bill, and its meetings; exemptions from the Administrative Process Act, section-specific definitions for public comment; and the Virginia Freedom of Information Act. The main provisions of the bill have a delayed enactment date of January 1, 2023; the remaining provisions are effective in due course.

Bold – Indicates BOS formal action
[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>SB 593 - Newman (23) Emergency custody or temporary detention order; custody and transportation of persons, etc.</p>	<p>1/12/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Reported from Education and Health with amendments (15-Y 0-N) 2/3/2022 Senate: Re-referred to Finance and Appropriations 2/8/2022 Senate: Reported from Finance and Appropriations (16-Y 0-N) 2/10/2022 Senate: Passed Senate (40-Y 0-N) 2/22/2022 House: Referred to Committee for Courts of Justice 2/23/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/23/2022 House: Subcommittee recommends referring to Committee on Appropriations 2/25/2022 House: Reported from Courts of Justice with substitute (20-Y 0-N) 2/25/2022 House: Referred to Committee on Appropriations 3/1/2022 House: Subcommittee recommends reporting (8-Y 0-N) 3/2/2022 House: Reported from Appropriations (21-Y 0-N) 3/7/2022 House: Passed House with substitute BLOCK VOTE (98-Y 0-N) 3/8/2022 Senate: House substitute agreed to by Senate (39-Y 0-N) 3/10/2022 Senate: Enrolled 3/10/2022 Senate: Bill text as passed Senate and House (SB593ER)</p>	<p>2/8/2022</p>

Monitor (22104326D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County’s Human Services Issue Paper.

Summary: Custody and transportation of persons subject to emergency custody or temporary detention order; alternative custody; auxiliary police officers. Allows auxiliary police officers to provide transportation for a person subject to an emergency custody or temporary detention order. The bill also directs the Department of Criminal Justice Services to establish compulsory minimum training standards for auxiliary police officers who are called into service solely for the purpose of providing transportation for such person subject to an emergency custody order or providing transportation for a person in the temporary detention process.

Bills	General Assembly Actions	Date of BOS Position
<p>SB 666 - Petersen (34) Eminent domain; redefines lost access and lost profits.</p>	<p>1/19/2022 Senate: Referred to Committee on the Judiciary (SJUD) 2/2/2022 Senate: Reported from SJUD with substitute (14-Y 0-N) 2/2/2022 Senate: Re-referred to Finance and Appropriations (SFIN) 2/9/2022 Senate: Reported from SFIN (12-Y 4-N) 2/14/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/22/2022 House: Referred to Committee for Courts of Justice 2/23/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) and referring to Committee on Appropriations 2/25/2022 House: Reported from Courts of Justice with substitute (20-Y 0-N) 2/25/2022 House: Referred to Committee on Appropriations 2/28/2022 House: Reported from Appropriations (20-Y 2-N) 3/2/2022 House: Passed House with substitute (99-Y 1-N) 3/9/2022 Senate: Enrolled 3/9/2022 Senate: Bill text as passed Senate and House (SB666ER) 3/9/2022 House: Signed by Speaker 3/10/2022 Senate: Signed by President</p>	<p>3/8/2022 2/8/2022</p>

Monitor (22106867D-H1) - Bill was amended to address the County’s concerns on changes to lost access law.

~~**Oppose**~~ (22104185D)

Summary: Eminent domain; lost profits. Redefines "lost profits" for the purposes of determining just compensation in eminent domain cases.

<p>SB 764 - Barker (39) Public bodies; security of government databases and data communications, report.</p>	<p>1/21/2022 Senate: Referred to Committee on General Laws and Technology 2/2/2022 Senate: Reported from General Laws and Technology with amendments (13-Y 0-N 1-A) 2/8/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Communications, Technology and Innovation 3/3/2022 House: Reported from Communications, Technology and Innovation with amendment(s) (22-Y 0-N) 3/8/2022 House: Passed House with amendment (93-Y 5-N) 3/9/2022 Senate: House amendment agreed to by Senate (39-Y 0-N) 3/11/2022 Senate: Enrolled 3/11/2022 Senate: Bill text as passed Senate and House (SB764ER)</p>	<p>2/22/2022</p>
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Monitor (22104425D-E) - See also HB 1290 (Hayes).

Summary: Public bodies; security of government databases and data communications. Requires every public body to report to the Virginia Fusion Intelligence Center all known incidents that threaten the security of the Commonwealth's data or communications or result in exposure of data protected by federal or state laws and all other incidents compromising the security of the public body's information technology systems with the potential to cause major disruption to normal activities of the public body or other public bodies. The bill requires such reports to be made to the Virginia Fusion Intelligence Center within 24 hours of the discovery of the incident and that the Virginia Fusion Intelligence Center share such reports with the Chief Information Officer promptly upon receipt. The bill requires the Chief Information Officer to convene a work group to review current cybersecurity reporting and information sharing practices and report any legislative recommendations to the Governor and the Chairmen of the Senate Committee on General Laws and Technology and the House Committee on Communications, Technology and Innovation by November 15, 2022. This bill is identical to HB 1290.

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 [] Indicates BOS Legislative Committee Action

Fairfax County Positions

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*Legislation
No Longer Under Consideration
(Continued to 2023)*

Bills	General Assembly Actions	Date of BOS Position
HB 778 - Williams (9) Monument and memorials; relocation.	1/11/2022 House: Referred to Committee on Counties, Cities, and Towns (HCCT) 2/4/2022 House: Subcommittee recommends continuing to 2023 by voice vote 2/11/2022 House: Continued to 2023 in HCCT by voice vote	2/8/2022
<p>Oppose (22102285D) Summary: Relocation of monument and memorials. Requires a locality that votes to remove, relocate, contextualize, or cover certain war monuments or memorials to initiate a process to gift the monument or memorial to a nonprofit organization that is most related to the mission and spirit of the monument or memorial, at the locality's expense. The bill provides that the placement of the monument or memorial shall be decided by an independent committee and that a majority vote by the committee as to the relocation of the memorial is binding on the locality and shall be carried out within six months from the date of the committee's decision.</p>		
HB 1168 - Watts (39) Real property; tax exemption for certain disabled veterans and surviving spouses.	1/14/2022 House: Referred to Committee on Finance 1/24/2022 House: Subcommittee recommends reporting (8-Y 0-N) 1/26/2022 House: Reported from Finance (22-Y 0-N) 2/1/2022 House: Read third time and passed House (99-Y 0-N) 2/2/2022 Senate: Referred to Committee on Finance and Appropriations (SFIN) 3/2/2022 Senate: Continued to 2023 in SFIN (15-Y 0-N)	3/8/2022
<p>Amend (22103495D) - Amend to address implementation issues. Summary: Real property tax; exemption for disabled veterans and surviving spouses. Provides that a person who is eligible for the real property tax exemption for certain disabled veterans and surviving spouses is entitled to a refund, retroactive to his date of eligibility, of taxes paid during the period of exemption, excluding interest or penalties. Under the bill, the refund is exempt from the statute of limitations for applications for correction of an assessment.</p>		
HJ 59 - Wampler III (4) Uniform electronic filing system; studying feasibility of establishing for various courts.	1/11/2022 House: Referred to Committee on Rules 2/7/2022 House: Subcommittee recommends reporting (6-Y 0-N) 2/8/2022 House: Reported from Rules (18-Y 0-N) 2/11/2022 House: Agreed to by House BLOCK VOTE (96-Y 0-N) 2/14/2022 Senate: Referred to Committee on Rules 3/4/2022 Senate: Continued to 2023 in Rules by voice vote	2/22/2022
<p>Monitor (22101187D) Summary: Study; OES to study feasibility of establishing a uniform electronic filing system for all state circuit, general district, and juvenile and domestic relations courts and provide a plan for the establishment of such system; report. Requests the Office of the Executive Secretary of the Supreme Court of Virginia to (i) determine the cost of the creation and implementation of a uniform filing system for all state circuit, general district, and juvenile and domestic relations district courts; (ii) identify any potential challenges of and concerns relating to establishing a statewide electronic filing system, such as Internet availability in certain parts of the state, balancing accessibility and transparency while maintaining confidentiality as required for certain cases, security concerns, system failure or outages, and training for users of the system, and determine possible solutions for identified concerns; (iii) analyze the current federal electronic filing system and plans implemented in other states to determine best practices for developing and implementing a statewide system for all circuit and district courts in the Commonwealth; and (iv) develop a plan for the establishment of a uniform electronic filing system in all circuit and district courts in the Commonwealth.</p>		

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[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>SB 132 - Edwards (21) Smoking; local regulation in outdoor parks, recreation facilities, and playgrounds.</p>	<p>1/7/2022 Senate: Referred to Committee on Local Government 1/31/2022 Senate: Continued to 2023 in Local Government (15-Y 0-N)</p>	<p>1/25/2022</p>
<p>Support with Amendment (22102261D) - Amend to include Park Authority property. County supports local authority to ban smoking in parks. Summary: Local regulation of smoking; outdoor parks, recreation facilities, and playgrounds. Allows localities to designate smoking areas within 100 feet of sports fields, recreation centers, and playgrounds in outdoor parks. The bill requires signs regarding designated smoking areas to be posted at the entrances to such parks.</p>		
<p>SB 165 - Peake (22) Jails, local; compensation for cost of incarceration.</p>	<p>1/10/2022 Senate: Referred to Committee on Rehabilitation and Social Services 1/21/2022 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 1/21/2022 Senate: Re-referred to Finance and Appropriations 2/2/2022 Senate: Continued to 2023 in Finance and Appropriations (16-Y 0-N)</p>	<p>1/25/2022</p>
<p>Support (22102223D) - Board has historically supported. Language in support of state funding for jail costs is included in the County's Legislative Program. Summary: Compensation of local jails for cost of incarceration. Provides for local jails to be compensated for the actual cost of incarcerating convicted felons at the rate calculated in the Compensation Board's annual jail cost report. Current law provides for jails to be compensated for the cost of incarceration of convicted felons as provided for in the general appropriation act.</p>		
<p>SB 255 - Bell (13) Zoning; wireless communications infrastructure, application process.</p>	<p>1/11/2022 Senate: Referred to Committee on Local Government 1/24/2022 Senate: Reported from Local Government with substitute (9-Y 6-N) 1/27/2022 Senate: Recommitted to Local Government 1/31/2022 Senate: Continued to 2023 in Local Government (15-Y 0-N)</p>	<p>1/25/2022</p>
<p>Oppose (22103784D) Summary: Zoning; wireless communications infrastructure; application process. Provides that in its consideration of certain communications infrastructure applications, a locality shall not disapprove an application if (i) the proposed new structure provides additional wireless coverage or capacity for first responders or (ii) the proposed tower is not within a four-mile radius of an existing tower that is part of the applicant's network. Additional changes in the bill provide that a locality shall not be prohibited from disapproving certain applications for any zoning approval required for non-administrative review-eligible projects on the basis of the fact that the proposed height of any wireless support structure, wireless facility, or wireless support structure with attached wireless facilities exceeds 200 feet above ground level. Current law sets the limit at 50 feet above ground level.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 373</u> - Deeds (25) Emergency custody; magistrate may extend custody order, medical testing, observation, or treatment.</p>	<p>1/11/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Continued to 2023 in Education and Health (15-Y 0-N)</p>	<p>2/8/2022</p>
<p>Monitor (22101375D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper. Summary: Emergency custody; extension; medical testing, observation, or treatment. Provides that a magistrate may, upon the sworn petition of the Commissioner or his designee, issue an order extending an emergency custody order for a period of up to 48 hours upon finding that probable cause exists to believe that the behaviors upon which a finding that the person meets the criteria for emergency custody are the result of a medical or physical condition, including substance intoxication or withdrawal, and that the medical standard of care for such medical or physical condition calls for testing, observation, or treatment to prevent harm to the person resulting from such medical or physical condition. Upon issuance of an order extending the period of emergency custody, the person shall be transported to and detained in an appropriate medical care facility for testing, observation, and treatment.</p>		
<p><u>SB 456</u> - Locke (2) Practitioners, licensed; continuing education related to implicit bias and cultural competency.</p>	<p>1/11/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Continued to 2023 in Education and Health (13-Y 2-N)</p>	<p>1/25/2022</p>
<p>Support (22103132D) Summary: Board of Medicine; implicit bias and cultural competency. Requires all practitioners licensed by the Board of Medicine to complete two hours of continuing education in each biennium on topics related to implicit bias and cultural competency.</p>		
<p><u>SJ 19</u> - Reeves (17) Constitutional amendment; real prop. tax exemption for certain spouses of members of armed forces.</p>	<p>1/11/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Continued to 2023 in Privileges and Elections (15-Y 0-N)</p>	<p>1/25/2022</p>
<p>Amend (22101963D) - Amend to support as a state tax credit; Board has historically recommended amendment. Summary: Constitutional amendment (first reference); real property tax; exemption for certain surviving spouses of members of the armed forces. Authorizes the General Assembly to exempt from tax the real property of a surviving spouse of a member of the armed forces who died in the line of duty while performing official military activities. The amendment provides that such exemption is only available when the death of such member of the armed forces did not result from criminal conduct. The current Constitution exempts the real property of a surviving spouse of a member of the armed forces who was killed in action, a disabled veteran, and the surviving spouse of a disabled veteran.</p>		

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Fairfax County Positions

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Legislation

No Longer Under Consideration

(Failed to Report, Incorporated into other Legislation, Tabled, etc.)

Bills	General Assembly Actions	Date of BOS Position
<p>HB 14 - Anderson (83) Handguns; limitation on purchases.</p>	<p>12/20/2021 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules</p>	<p>1/25/2022</p>
<p>Oppose (22100807D) - Board has historically opposed. See also HB 299 (Freitas) and SB 364 (Reeves). Summary: Purchase of handguns; limitation on handgun purchases. Removes the prohibition on any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period. Current law makes it a Class 1 misdemeanor for a violation of this provision, subject to certain exemptions.</p>		
<p>HB 15 - Ware (65) Elections administration; requests made pursuant to the FOIA, deferment of response.</p>	<p>12/20/2021 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Support (22100306D) Summary: Elections administration; requests made pursuant to the Freedom of Information Act; deferment of response when request received during certain period of time. Allows local electoral boards and general registrars to defer providing a response to a request received under the Freedom of Information Act on or after the first day of in-person absentee voting for any election and before the tenth day following the local electoral board's certification of such election. The bill requires that notice of the deferment be provided to the requestor.</p>		
<p>HB 24 - Walker (23) Voter identification; identification containing a photograph required.</p>	<p>12/27/2021 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Oppose (22100435D) - Board has historically opposed. Summary: Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot.</p>		
<p>HB 26 - Anderson (83) Firearms; control by localities of possession or carrying.</p>	<p>12/28/2021 House: Referred to Committee on Public Safety 2/15/2022 House: Left in Public Safety</p>	<p>2/22/2022</p>
<p>Oppose (22100806D) - Board has historically opposed. Summary: Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 27 - Anderson (83) COVID-19 vaccination status; mandatory COVID-19 vaccination prohibited, discrimination prohibited.</p>	<p>12/29/2021 House: Referred to Committee on Health, Welfare, and Institutions 2/15/2022 House: Left in Health, Welfare, and Institutions</p>	<p>2/22/2022</p>
<p>Oppose (22100819D) - Board has historically opposed. Summary: COVID-19 vaccination status; mandatory COVID-19 vaccination prohibited; discrimination prohibited. Prohibits the State Health Commissioner and the Board of Health, the Board of Behavioral Health and Developmental Services, the Department of Health Professions and any regulatory board therein, and the Department of Social Services from requiring any person to undergo vaccination for COVID-19 and prohibits discrimination based on a person's COVID-19 vaccination status with regard to education or public employment and in numerous other contexts.</p>		
<p>HB 34 - Campbell (24) Absentee voting; return of absentee ballots, drop-off locations.</p>	<p>12/29/2021 House: Referred to Committee on Privileges and Elections 2/1/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/4/2022 House: Reported from Privileges and Elections (12-Y 10-N) 2/10/2022 House: Read third time and defeated by House (49-Y 51-N) 2/10/2022 House: Reconsideration of defeated action agreed to by House 2/11/2022 House: Read third time and passed House (52-Y 47-N) 2/14/2022 Senate: Referred to Committee on Privileges and Elections 2/22/2022 Senate: Passed by indefinitely in Privileges and Elections (8-Y 6-N)</p>	<p>1/25/2022</p>
<p>Oppose (22102594D) - Board has historically opposed. Summary: Absentee voting; return of absentee ballots; drop-off locations. Repeals the provisions of law providing for the establishment of drop-off locations for the return of absentee ballots.</p>		
<p>HB 35 - Campbell (24) Absentee voting; excuse required to vote absentee by mail, etc.</p>	<p>12/29/2021 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Oppose (22102778D) - Board has historically opposed. Summary: Absentee voting; excuse required to vote absentee by mail; excuse required to vote absentee in person prior to the second Saturday preceding an election. Requires a registered voter to provide a reason for being absent or unable to vote at his polling place on election day in order to receive an absentee ballot to vote by mail. Registered voters offering to vote absentee in person are similarly required by the bill to provide a reason until the second Saturday immediately preceding an election, at which time an excuse is not required to vote absentee in person. The bill provides that an application for an absentee ballot is required to receive an absentee ballot by mail and to vote absentee in person before the second Saturday immediately preceding an election. The bill also repeals the permanent absentee voter list and limits the special annual application to those voters with an illness or disability.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 36 - Campbell (24) Absentee voting; permanent absentee voter list repealed.</p>	<p>12/29/2021 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Oppose (22102784D) - Board has historically opposed. Summary: Repeals the provisions of law by which any registered voter may apply to receive absentee ballots for all elections in which he is eligible to vote and remains on the list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status pursuant to law, or the voter moves to a different address not in the same county or city of his registration.</p>		
<p>HB 37 - Anderson (83) School boards; employment of at least one school resource officer in public middle and high school.</p>	<p>12/30/2021 House: Referred to Committee on Education 2/15/2022 House: Left in Education</p>	<p>2/22/2022</p>
<p>Oppose (22103455D) - Board has historically opposed. Summary: School boards; school resource officers; employment; threat assessment. Requires each school board to enter into a collaborative agreement with the local law-enforcement agency to employ at least one school resource officer in each public middle and high school in the local school division and at least one school resource officer per five public elementary schools in the local school division, who is required to serve in each such elementary school on a rotating basis. The bill also requires each division superintendent to include on the threat assessment team established for each public elementary and secondary school in the local school division at least one school resource officer employed in the school.</p>		
<p>HB 39 - Scott (88) Absentee voting in person; available beginning on the fourteenth day prior to election.</p>	<p>12/30/2021 House: Referred to Committee on Privileges and Elections 2/1/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/4/2022 House: Reported from Privileges and Elections (12-Y 10-N) 2/10/2022 House: Read third time and passed House (52-Y 48-N) 2/11/2022 Senate: Referred to Committee on Privileges and Elections 2/22/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)</p>	<p>1/25/2022</p>
<p>Oppose (22101282D) - Board has historically opposed. Summary: Absentee voting in person; available beginning on the fourteenth day prior to election; hours of operation. Limits absentee voting in person to the two weeks immediately preceding an election. During these two weeks, the bill requires that absentee voting in person be available Monday through Saturday, from 7:00 a.m. to 7:00 p.m. each day.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 46</u> - Ware (65) Voter identification; identification containing a photograph required.</p>	<p>12/31/2021 House: Referred to Committee on Privileges and Elections 1/25/2022 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/8/2022 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/11/2022 House: Reported from Privileges and Elections with substitute (12-Y 10-N) 2/15/2022 House: Read third time and passed House (52-Y 48-N) 2/16/2022 Senate: Referred to Committee on Privileges and Elections 2/22/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)</p>	<p>1/25/2022</p>
<p>Oppose (22102903D) - Board has historically opposed. Summary: Elections; voter identification containing a photograph required; availability of absentee voting in person; processing returned absentee ballots; permanent absentee voter list repealed. Requires presentation of a form of identification containing a photograph in order to vote. A voter who does not show an accepted form of identification is entitled to cast a provisional ballot. The bill limits the period that absentee voting in person is available to the twenty-one days prior to an election and allows localities to offer extended hours for absentee voting in person. Additionally, the bill repeals the provision that allows an absentee ballot that is returned after the close of polls to be counted if it is postmarked by election day and arrives by the Friday after the election. The bill makes changes to the pre-processing of absentee ballots and repeals the permanent absentee voter list.</p>		
<p><u>HB 54</u> - Greenhalgh (85) Absentee voting; ballots to be sorted and results to be reported by precinct.</p>	<p>1/3/2022 House: Referred to Committee on Privileges and Elections 2/4/2022 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Amend (22102608D) - Amend to remove requirements to separate ballots by precinct. Conform language to HB 441/SB 306. See also HB 398 (Freitas), HB 927 (Robinson), and SB 3 (Suetterlein). Summary: Elections; absentee voting; ballots to be sorted and results to be reported by precinct. Provides that absentee ballots processed at a central absentee precinct must be sorted by the precinct to which the voter who cast the absentee ballot is assigned and that the resulting vote totals from such ballots must be reported separately for each voter precinct.</p>		
<p><u>HB 58</u> - Davis (84) Local government; prohibits certain practices that would require contractors to provide benefits.</p>	<p>1/3/2022 House: Referred to Committee on General Laws 1/18/2022 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 1/25/2022 House: Reported from General Laws with substitute (12-Y 10-N) 2/4/2022 House: Read third time and passed House (52-Y 48-N) 2/7/2022 Senate: Referred to Committee on General Laws and Technology 2/23/2022 Senate: Passed by indefinitely in General Laws and Technology (8-Y 7-N)</p>	<p>2/8/2022</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (22104664D-H1) - Board has historically opposed. Summary: Prohibits local governing bodies from establishing provisions related to procurement of goods, professional services, or construction that would require a wage floor or any other employee benefit or compensation above what is otherwise required by state or federal law to be provided by a contractor to one or more of the contractor's employees as part of a contract with the locality. The bill provides that the prohibition shall not affect contracts between a locality and another party that were executed prior to January 1, 2023, or the renewal or future rebids of services thereof. The bill provides that localities shall not be prohibited from entering into contracts for economic development incentives in which the company receiving the incentives is required to maintain a certain stated wage level for its employees.</p>		
<p>HB 68 - Anderson (83) Voter registration; presumption of domicile, members of a uniformed service and others.</p>	<p>1/4/2022 House: Referred to Committee on Privileges and Elections 2/11/2022 House: Reported from Privileges and Elections (21-Y 1-N) 2/15/2022 House: Read third time and passed House (97-Y 2-N) 2/16/2022 Senate: Referred to Committee on Privileges and Elections 3/1/2022 Senate: Reported from Privileges and Elections (10-Y 5-N) 3/4/2022 Senate: Re-referred to Finance and Appropriations 3/12/2022 Senate: Left in Finance and Appropriations</p>	<p>1/25/2022</p>
<p>Support (22101715D) Summary: Voter registration; presumption of domicile; members of a uniformed service and others. Provides that a member of a uniformed service who is on active duty with permanent orders stationing him in the Commonwealth shall be presumed to have established domicile for purposes of satisfying the residency requirements for voter registration, if he has also established physical presence and a place of abode in the Commonwealth, unless he expressly states otherwise. The bill provides for the same presumption for his spouse and any dependent residing with him. The bill defines "uniformed service," the same way the term is defined in the Uniform Military and Overseas Voter Act, as the (i) active and reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States; (ii) Merchant Marine, commissioned corps of the Public Health Service, or commissioned corps of the National Oceanic and Atmospheric Administration of the United States; or (iii) Virginia National Guard.</p>		
<p>HB 75 - Ware (65) Localities; restricts authority to impose transient occupancy tax at rate that exceeds five percent.</p>	<p>1/4/2022 House: Referred to Committee on Finance 1/31/2022 House: Subcommittee recommends laying on the table (9-Y 0-N) 2/15/2022 House: Left in Finance</p>	<p>1/25/2022</p>
<p>Oppose (22101468D) - Board has historically opposed. Summary: Local taxing authority. Restricts localities from imposing a transient occupancy tax at a rate that exceeds five percent and provides that any tax revenues from a rate of greater than two percent but less than five percent shall be spent solely for tourism-related and travel-related purposes. The bill also lowers the amount of food and beverage tax that counties can impose from six percent to a total of four percent. Under the bill, a county is able to impose a food and beverage tax at up to two percent without restriction, but that would require approval via a referendum in order to impose the tax at four percent.</p>		
<p>HB 76 - Ware (65) Absentee voting; reimbursement of costs to counties and cities for cost of conducting.</p>	<p>1/4/2022 House: Referred to Committee on Privileges and Elections 1/21/2022 House: Reported from Privileges and Elections (21-Y 0-N) 1/21/2022 House: Referred to Committee on Appropriations 2/15/2022 House: Left in Appropriations</p>	<p>1/25/2022</p>

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Bills	General Assembly Actions	Date of BOS Position
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Amend (22102196D) - Amend to add clarifying language that safeguards local control over absentee voting operations and access.
Summary: Absentee voting; reimbursement of costs. Requires the General Assembly to establish in the general appropriation act a reimbursement plan to reimburse counties and cities, fully and annually, for the cost of conducting absentee voting in the locality.

<p>HB 118 - Freitas (30) Electric utilities; regulation, development of renewable energy facilities.</p>	<p>1/7/2022 House: Referred to Committee on Commerce and Energy 2/3/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/10/2022 House: Reported from Commerce and Energy (10-Y 9-N) 2/15/2022 House: Read third time and passed House (52-Y 48-N) 2/16/2022 Senate: Referred to Committee on Commerce and Labor 2/28/2022 Senate: Passed by indefinitely in Commerce and Labor (12-Y 3-N)</p>	<p>2/22/2022</p>
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Oppose (22100091D) - Board has historically opposed.
Summary: Regulation of electric utilities; development of renewable energy facilities; powers of State Air Pollution Control Board; powers of State Corporation Commission. Repeals provisions (i) requiring the State Air Pollution Control Board to adopt regulations to reduce carbon dioxide emissions from any electricity generating unit in the Commonwealth and authorizing the Board to establish an auction program for energy allowances; (ii) prohibiting the State Corporation Commission from approving any new utility-owned generation facilities that emit carbon dioxide as a by-product of energy generation, in certain circumstances; (iii) declaring that statutory allowances for energy derived from sunlight, onshore wind, offshore wind, and storage facilities are in the public interest; and (iv) relating to the development of solar and wind generation and energy storage capacity, development of offshore wind capacity, and generation of electricity from renewable and zero carbon sources. The bill provides that planning and development activities for new nuclear generation facilities are in the public interest.

<p>HB 121 - Wyatt (97) Elections; voter identification containing photograph required, etc.</p>	<p>1/7/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
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Oppose (22101554D) - Board has historically opposed.
Summary: Elections; voter identification containing photograph required; who may register up to and including the day of the election; availability of absentee voting in person; return of absentee ballots. Requires presentation of a form of identification containing a photograph in order to vote and provides that a voter who does not have one of the required forms of identification is entitled to cast a provisional ballot. The bill repeals a provision that would permit any person who is qualified to register to vote to do so in person up to and including the day of the election and limits the persons who are entitled to register to vote after the close of registration records to members of a uniformed service of the United States on active duty, persons who are residing temporarily outside of the United States, and their spouses and dependents. The bill limits the period during which absentee voting in person is available from 45 days to the 10 days immediately preceding the date of the election, including both Saturdays. The bill requires that absentee ballots returned by mail be returned to the office of the general registrar by the close of polls on election day and be postmarked on or before the Saturday preceding the date of the election. The bill eliminates the use of drop-off locations for the return of absentee ballots. The bill requires absentee ballot applications to contain the last four digits of the applicant's social security number and provides that the failure of an absentee ballot to include a witness signature is a material omission, rendering the ballot void.

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Bills	General Assembly Actions	Date of BOS Position
HB 133 - Cherry (66) Firearms or other weapons; possession on school property.	1/7/2022 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules	2/22/2022
<p>Oppose (22102275D) - Board has historically opposed. Summary: Possession of firearms or other weapons on school property. Removes preschools and licensed child day centers that are not operated at the residence of the provider or of any of the children from the list of schools where possessing a firearm or other weapon on school property or on a school bus is prohibited.</p>		
HB 135 - Cherry (66) Emergency custody and temporary detention; transportation of person when transfer of custody.	1/7/2022 House: Referred to Committee for Courts of Justice 1/24/2022 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 1/24/2022 House: Subcommittee recommends referring to Committee on Appropriations 1/28/2022 House: Reported from Courts of Justice with amendment(s) (18-Y 0-N) 1/28/2022 House: Referred to Committee on Appropriations 2/1/2022 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/15/2022 House: Left in Appropriations	2/8/2022
<p>Monitor (22102457D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper. Summary: Emergency custody and temporary detention; transportation; transfer of custody. Provides that, in cases in which transportation of a person subject to an emergency custody order or temporary detention 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 also 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.</p>		
HB 149 - Runion (25) Absentee ballots; witness requirement, printed name and residence address.	1/8/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections	1/25/2022
<p>Oppose (22101276D) Summary: Absentee ballots; witness requirement; printed name and residence address. Requires that a witness to a voter's absentee ballot provide, in addition to his signature, his printed name, his date of birth, the last four digits of his social security number, and his residence address.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 156</u> - Byron (22) Health, Department of; certain communication prohibited.</p>	<p>1/9/2022 House: Referred to Committee on Health, Welfare, and Institutions 2/3/2022 House: Subcommittee recommends reporting (5-Y 4-N) 2/8/2022 House: Reported from Health, Welfare, and Institutions (12-Y 10-N) 2/15/2022 House: Read third time and passed House (52-Y 47-N) 2/16/2022 Senate: Referred to Committee on Education and Health 3/3/2022 Senate: Re-referred to Rules 3/4/2022 Senate: Passed by indefinitely in Rules (12-Y 4-N)</p>	<p>2/22/2022</p>
<p>Oppose (22102263D) Summary: Department of Health; certain communication prohibited. Prohibits any person employed by or who has entered into a contract to provide services on behalf of the Department of Health or a local department of health from initiating communication regarding health-related matters with a minor on behalf of the Department or local department of health without the consent of the minor's parent, except as otherwise required by law.</p>		
<p><u>HB 159</u> - Byron (22) Emergency custody and temporary detention orders; transportation of minor, acceptance of custody.</p>	<p>1/9/2022 House: Referred to Committee for Courts of Justice 2/15/2022 House: Left in Courts of Justice</p>	<p>2/8/2022</p>
<p>Monitor (22103519D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County’s Human Services Issue Paper. Summary: Emergency custody and temporary detention orders; custody. Requires a facility or location to which a minor or adult who is subject to an emergency custody or temporary detention order is transported to accept custody of the minor or adult upon completion of transportation and arrival of the minor or adult at the facility and specifies that the primary law-enforcement agency shall provide transportation of a person who is involved in the involuntary commitment process, rather than a sheriff, as provided under current law .</p>		
<p><u>HB 163</u> - Ransone (99) Emergency custody and temporary detention; governing transportation & custody of minors and adults.</p>	<p>1/10/2022 House: Referred to Committee for Courts of Justice 2/4/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/7/2022 House: Reported from Courts of Justice with substitute (20-Y 0-N) 2/7/2022 House: Referred to Committee on Appropriations 2/8/2022 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/15/2022 House: Left in Appropriations</p>	<p>2/8/2022</p>
<p>Monitor (22103592D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County’s Human Services Issue Paper.</p>		

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Bills	General Assembly Actions	Date of BOS Position
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Summary: Emergency custody and temporary detention; transportation and custody. Amends numerous sections governing emergency custody and temporary detention of minors and adults to clarify duties of law-enforcement agencies and mental health facilities with regard to custody. The bill requires facilities to take custody of a minor or person who is the subject of an emergency custody order or temporary detention order immediately upon completion of transportation and arrival of the minor or person at the facility; specifies that if a facility does not take custody of a minor or person immediately upon completion of transportation and arrival at the facility, the order is void and the minor or person shall be released; provides that emergency custody orders shall not be extended; and makes other changes to clarify the role and obligations of law enforcement in the emergency custody and temporary detention process.

<p>HB 175 - Bloxom, Jr. (100) Absentee voting; annual absentee voter list, applications for ballots.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 2/4/2022 House: Subcommittee recommends reporting with substitute (7-Y 1-N) 2/4/2022 House: Reported from Privileges and Elections with substitute (13-Y 9-N) 2/11/2022 House: Read third time and passed House (52-Y 46-N) 2/14/2022 Senate: Referred to Committee on Privileges and Elections 3/1/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)</p>	<p>1/25/2022</p>
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Oppose (22101651D) - Board has historically opposed.
Summary: Absentee voting; annual absentee voter list; absentee ballots; return of ballots. Removes the permanent absentee voter list and provides for an annual absentee voter list by which any eligible voter who annually files an application and is enrolled on the list receives an absentee ballot for any election in which he is eligible to vote in the ensuing calendar year. The application for the annual absentee voter list requires, at a minimum, the voter to provide his printed name, date of birth, and the last four digits of his social security number. The bill makes an absentee voter's failure to have a witness sign the absentee ballot envelope a material omission and renders his ballot void. Current law allows a late absentee ballot to be counted if it is received by the Friday after the election and postmarked on or before the day of the election; the bill modifies this provision, requiring a postmark on or before the Saturday immediately preceding the day of the election.

<p>HB 178 - Bloxom, Jr. (100) Absentee voting in person; available beginning on the fourteenth day prior to election.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
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Oppose (22101653D) - Board has historically opposed.
Summary: Absentee voting in person; available beginning on the fourteenth day prior to election; hours of operation. Limits absentee voting in person to the two weeks immediately preceding an election. During these two weeks, the bill requires that absentee voting in person be available Monday through Saturday, from 7:00 a.m. to 7:00 p.m. each day.

Bills	General Assembly Actions	Date of BOS Position
<p>HB 181 - Ransone (99) Criminal records; sealing of records.</p>	<p>1/10/2022 House: Referred to Committee for Courts of Justice 2/15/2022 House: Left in Courts of Justice</p>	<p>1/25/2022</p>
<p>Oppose (22102320D) - Board has historically supported the concept of expungement for certain crimes, with sufficient state funding for implementation. See also SB 543 (DeSteph). Summary: Criminal records; sealing of records; repeal. Repeals provisions not yet effective allowing for the automatic and petition-based sealing of police and court records for certain convictions, deferred dispositions, and acquittals and for offenses that have been nolle prossed or otherwise dismissed.</p>		
<p>HB 185 - Ransone (99) Voter registration; registration permitted up to and including the day of the election.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 1/25/2022 House: Subcommittee recommends reporting (6-Y 4-N) 1/28/2022 House: Reported from Privileges and Elections (12-Y 8-N) 2/3/2022 House: Read third time and passed House (52-Y 47-N) 2/4/2022 Senate: Referred to Committee on Privileges and Elections 2/22/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)</p>	<p>1/25/2022</p>
<p>Oppose (22102235D) - Board has historically opposed. Summary: Repeals a provision that would permit any person who is qualified to register to vote to register to vote in person up to and including the day of the election, notwithstanding any deadline for the close of registration records. The repeal will limit the persons who are entitled to register to vote after the close of registration records to (i) any member of a uniformed service of the United States who is on active duty, (ii) any person residing temporarily outside of the United States, and (iii) the spouse or dependent residing with someone listed in (i) or (ii).</p>		
<p>HB 187 - McGuire, III (56) Voter registration; registration permitted up to and including the day of the election.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Oppose (22103041D) - Board has historically opposed. Summary: Repeals a provision that would permit any person who is qualified to register to vote to register to vote in person up to and including the day of the election, notwithstanding any deadline for the close of registration records. The repeal will limit the persons who are entitled to register to vote after the close of registration records to (i) any member of a uniformed service of the United States who is on active duty, (ii) any person residing temporarily outside of the United States, and (iii) the spouse or dependent residing with someone listed in (i) or (ii).</p>		
<p>HB 196 - Webert (18) Absentee voting; permanent absentee voter list repealed.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 2/1/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/4/2022 House: Reported from Privileges and Elections (12-Y 10-N) 2/10/2022 House: Read third time and passed House (52-Y 48-N) 2/11/2022 Senate: Referred to Committee on Privileges and Elections 2/22/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)</p>	<p>1/25/2022</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (22100301D) - Board has historically opposed. Summary: Repeals the provisions of law by which any registered voter may apply to receive absentee ballots for all elections in which he is eligible to vote and remains on the list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status pursuant to law, or the voter moves to a different address not in the same county or city of his registration.</p>		
<p>HB 198 - Webert (18) Absentee voting; permanent absentee voter list, annual notice required, reasons for removal.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Oppose (22103907D) - Board has historically opposed. Summary: Absentee voting; permanent absentee voter list; annual notice required; reasons for removal. Requires general registrars to send, by December 15 of each year, notice to each voter enrolled on the permanent absentee voter list that the voter is currently enrolled on the permanent absentee voter list and will remain enrolled on such list unless the voter requests to be removed. The notice shall include a return card, properly addressed and postage prepaid, by which the voter may request to be removed. The bill also requires the removal of a voter enrolled on the permanent absentee voter list if such voter offers to vote absentee in person for any election.</p>		
<p>HB 288 - Freitas (30) Carrying a concealed handgun; permit not required.</p>	<p>1/11/2022 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules</p>	<p>1/25/2022</p>
<p>Oppose (22100089D) - See also SB 330 (Reeves). Summary: 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.</p>		
<p>HB 297 - McNamara (8) Regional fuels tax; suspends the imposition of any tax.</p>	<p>1/11/2022 House: Referred to Committee on Finance 2/15/2022 House: Left in Finance</p>	<p>1/25/2022</p>
<p>Oppose (22101106D) Summary: Suspension of regional fuels tax. Suspends the imposition of any regional fuels tax in the Commonwealth on and after July 1, 2022, but before July 1, 2023.</p>		
<p>HB 299 - Freitas (30) Handguns; limitation on purchases.</p>	<p>1/11/2022 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules</p>	<p>1/25/2022</p>
<p>Oppose (22102181D) - Board has historically opposed. See also HB 14 (Anderson) and SB 364 (Reeves). Summary: Purchase of handguns; limitation on handgun purchases. Removes the prohibition on any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period. Current law makes it a Class 1 misdemeanor for a violation of this provision, subject to certain exemptions.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 310 - Ransone (99) Absentee voting; application requirements, absentee ballot requirements.</p>	<p>1/11/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Oppose (22102510D) - Board has historically opposed. Summary: Absentee voting; application requirements; absentee ballot requirements. Requires an applicant for an absentee ballot to provide the last four digits of his social security number on the application regardless of whether he is completing the application in person and makes the failure of the absentee voter to have a witness sign his absentee ballot envelope a material omission that renders the ballot void. The bill removes the permanent absentee voter list and reinstates the special annual application for voters with a disability or illness. The bill also removes the requirement that the absentee voter return envelope be sent to absentee voters with prepaid postage.</p>		
<p>HB 325 - Freitas (30) Firearms; reporting lost or stolen, civil penalty.</p>	<p>1/11/2022 House: Referred to Committee on Public Safety 2/3/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/4/2022 House: Reported from Public Safety (12-Y 10-N) 2/10/2022 House: Read third time and passed House (51-Y 48-N) 2/11/2022 Senate: Referred to Committee on the Judiciary 2/28/2022 Senate: Passed by indefinitely in Judiciary (8-Y 7-N)</p>	<p>2/22/2022</p>
<p>Oppose (22102189D) Summary: Reporting lost or stolen firearms; civil penalty. Repeals the requirement that, if a firearm is lost or stolen from a person who lawfully possessed it, such person shall report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 48 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. Under current law, a violation is punishable by a civil penalty of not more than \$250.</p>		
<p>HB 351 - Sullivan, Jr. (48) Driving Decarbonization Program and Fund; created.</p>	<p>1/11/2022 House: Referred to Committee on Agriculture, Chesapeake, and Natural Resources 2/2/2022 House: Subcommittee recommends reporting (5-Y 1-N) 2/2/2022 House: Subcommittee recommends referring to Committee on Appropriations 2/9/2022 House: Reported from Agriculture, Chesapeake, and Natural Resources (16-Y 5-N) 2/9/2022 House: Referred to Committee on Appropriations 2/11/2022 House: Tabled in Appropriations (12-Y 6-N)</p>	<p>2/8/2022</p>
<p>Monitor (22100264D) - See also SB 708 (Marsden). Summary: Driving Decarbonization Program and Fund. Establishes a driving decarbonization program and fund to assist developers with non-utility costs associated with the installation of electric vehicle charging stations. A developer would be eligible to grants of 50 to 70 percent of the non-utility costs, depending on where the charging station is located in the Commonwealth. The total amount of grants awarded in a fiscal year is capped at \$20 million, with at least \$5 million in grants reserved for charging stations located in historically economically distressed communities.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 367 - Watts (39) Exhaust systems; excessive noise.</p>	<p>1/11/2022 House: Referred to Committee on Transportation 2/3/2022 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/15/2022 House: Left in Transportation</p>	<p>1/25/2022</p>
<p>Support with Amendment (22103587D) - Support provisions prohibiting the sale and use of devices that create or amplify noise emitted by a vehicle louder than originally manufactured, and provisions related to vehicle safety inspections. Summary: Prohibits any individual from operating a motor vehicle with a gross weight of 10,000 pounds or less with an exhaust system that emits noise equivalent to noise in excess of 85 decibels measured from a distance of 50 feet. The bill also allows the governing body of any county, city, or town located within the Northern Virginia Planning District to provide by ordinance that no person shall operate any motor vehicle on a highway or on public or private property within 500 feet of any residential district unless such motor vehicle is equipped with an exhaust system of a type installed as standard equipment, or comparable to that designed for use on that particular vehicle or device as standard factory equipment, in good working order and in constant operation to prevent excessive noise. The bill also requires the Superintendent of State Police to promulgate regulations for the inspection of motor vehicles to ensure that no motor vehicle is equipped with a gutted muffler, muffler cutout, or straight exhaust or any mechanical or electronic device that creates or amplifies noise emitted by the motor vehicle that is louder than the noise emitted by such motor vehicle as originally manufactured.</p>		
<p>HB 380 - Freitas (30) License taxes, local; elimination of authority to impose.</p>	<p>1/11/2022 House: Referred to Committee on Finance 1/31/2022 House: Subcommittee recommends laying on the table (9-Y 0-N) 2/15/2022 House: Left in Finance</p>	<p>1/25/2022</p>
<p>Oppose (22100093D) - Board has historically opposed. Summary: Local license taxes; elimination of authority to impose. Prohibits any county, city, or town from imposing any license tax or fee in any taxable year beginning on or after January 1, 2023. The bill does not apply to any severance tax that is levied as a license tax.</p>		
<p>HB 398 - Freitas (30) Absentee voting; ballots to be sorted and results to be reported by precinct.</p>	<p>1/11/2022 House: Referred to Committee on Privileges and Elections 2/4/2022 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Amend (22103206D) - Amend to remove requirements to separate ballots by precinct. Conform language to HB 441/SB 306. See also HB 54 (Greenhalgh), HB 927 (Robinson), and SB 3 (Suetterlein). Summary: Elections; absentee voting; ballots to be sorted and results to be reported by precinct. Provides that absentee ballots processed at a central absentee precinct must be sorted by the precinct to which the voter who cast the absentee ballot is assigned and that the resulting vote totals from such ballots must be reported separately for each voter precinct.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 438 - Sewell (51) Virginia Public Procurement Act; architectural and professional engineering term contracting.</p>	<p>1/11/2022 House: Referred to Committee on General Laws 2/1/2022 House: Subcommittee recommends incorporating (HB429-Bulova) by voice vote 2/3/2022 House: Incorporated by General Laws (HB429-Bulova) by voice vote</p>	<p>2/8/2022</p>
<p>Support with Amendment (22102706D) - Amend to clarify language in bill to improve implementation. Summary: Virginia Public Procurement Act; architectural and professional engineering term contracting; limitations. Provides that limitations imposed upon certain single-project fees shall not apply to localities with a population in excess of 400,000.</p>		
<p>HB 441 - Sewell (51) Voting systems; reporting absentee results by precinct.</p>	<p>1/11/2022 House: Referred to Committee on Privileges and Elections 2/4/2022 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Support (22102652D) - See also SB 306 (Deeds). Summary: Elections; voting systems; reporting absentee results by precinct. Includes in the definition of "voting system" on-demand ballot printing systems and ballot marking devices used to manufacture or mark ballots to be cast by voters on electronic voting and counting machines. The bill also requires general registrars to report to the Department of Election the number and results of absentee ballots cast by voters assigned to each precinct in the registrar's locality. The Department will establish standards for ascertaining and reporting such information.</p>		
<p>HB 456 - Bennett-Parker (45) Virginia Passenger Rail Authority; membership.</p>	<p>1/11/2022 House: Referred to Committee on Transportation 1/25/2022 House: Subcommittee recommends laying on the table (5-Y 3-N) 2/15/2022 House: Left in Transportation</p>	<p>1/25/2022</p>
<p>Support (22102832D) Summary: Makes mandatory instead of discretionary the provisions that the members of the Virginia Passenger Rail Authority selected by the Governor to represent the Northern Virginia Transportation District and the Potomac-Rappahannock Transportation District be selected from lists recommended by the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission, respectively. The bill requires such lists to include at least six persons.</p>		
<p>HB 483 - Freitas (30) Firearms; control by localities of possession or carrying.</p>	<p>1/11/2022 House: Referred to Committee on Public Safety 2/15/2022 House: Left in Public Safety</p>	<p>2/8/2022</p>
<p>Oppose (22101822D) - Board has historically opposed. See also HB 827 (Wilt) and HB 1033 (Davis). Summary: Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 509 - March (7) Firearms; removal from persons posing substantial risk, penalties.</p>	<p>1/11/2022 House: Referred to Committee on Rules 2/3/2022 House: Referred from Rules by voice vote 2/3/2022 House: Referred to Committee on Public Safety 2/10/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/11/2022 House: Reported from Public Safety (11-Y 10-N) 2/15/2022 House: Read third time and passed House (52-Y 47-N) 2/16/2022 Senate: Referred to Committee on the Judiciary 2/28/2022 Senate: Passed by indefinitely in Judiciary (9-Y 6-N)</p>	<p>2/22/2022</p>
<p>Oppose (22101051D) - Board has historically opposed. Summary: Firearms; removal from persons posing substantial risk; penalties. Repeals the procedure by which any attorney for the Commonwealth or law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. The bill also removes the substantial risk order registry for the entry of orders issued.</p>		
<p>HB 520 - Bulova (37) Climate resilience; locality's comprehensive plan to consider strategies to address.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities, and Towns 2/10/2022 House: Subcommittee recommends laying on the table (5-Y 4-N) 2/15/2022 House: Left in Counties, Cities, and Towns</p>	<p>2/8/2022</p>
<p>Support (22101720D) - See also SB 732 (Lewis). Summary: Comprehensive plan; climate resilience. Requires a locality's comprehensive plan to consider strategies to address climate resilience in order to anticipate, prepare for, respond to, and adapt to changing conditions and hazardous events.</p>		
<p>HB 568 - Kory (38) Green banks; regional agreements.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities, and Towns 2/4/2022 House: Subcommittee recommends laying on the table (5-Y 4-N) 2/15/2022 House: Left in Counties, Cities, and Towns</p>	<p>2/8/2022</p>
<p>Support (22100317D) - Board has historically supported. Summary: Provides that any two or more localities may enter into agreements with one another for joint action to establish a green bank to promote investment in clean energy technologies and provide financing for clean energy technologies. The governing bodies of participating localities must each adopt an ordinance to approve such agreement before the agreement takes effect. The existing green bank enabling statute is silent on the issue of regional agreements.</p>		
<p>HB 633 - Carr (69) Speed limits; expands authority of any locality to reduce to less than 25 miles per hour, etc.</p>	<p>1/11/2022 House: Referred to Committee on Transportation 2/1/2022 House: Subcommittee recommends laying on the table (5-Y 3-N) 2/15/2022 House: Left in Transportation</p>	<p>2/8/2022</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (22100393D) Summary: 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, provided that such reduced speed limit is indicated by lawfully placed signs, to include highways within the state highway system.</p>		
<p>HB 697 - Keam (35) Stormwater management service districts; rate of taxation.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities, and Towns 2/3/2022 House: Subcommittee recommends laying on the table (9-Y 0-N) 2/15/2022 House: Left in Counties, Cities, and Towns</p>	<p>1/25/2022</p>
<p>Monitor (22102937D) Summary: Provides that if a locality located within a stormwater management service district requires, by ordinance, that certain property owners maintain private stormwater management facilities, the rate of tax imposed by such service district on such property owners shall be half of the amount imposed on property owners not required to maintain private stormwater management facilities.</p>		
<p>HB 701 - Kory (38) Uniform Statewide Building Code; local building codes and regulations, etc.</p>	<p>1/11/2022 House: Referred to Committee on General Laws 2/10/2022 House: Subcommittee recommends passing by indefinitely (8-Y 0-N) 2/15/2022 House: Left in General Laws</p>	<p>2/8/2022</p>
<p>Support (22101692D) Summary: Uniform Statewide Building Code; local building codes and regulations; energy efficiency and conservation standards. Provides that the Uniform Statewide Building Code (the Building Code) shall not supersede the building code provisions and regulations adopted by a locality that are related to energy efficiency and conservation if the standards outlined in such provisions and regulations are as or more stringent than those contained in the Building Code. The bill defines a standard to be as stringent as one contained in the Building Code if such standard would perform the same function as the standard contained in the Building Code without using more energy than would be used under the provisions of the Building Code.</p>		
<p>HB 739 - Krizek (44) Shoreline improvements, existing; repair and maintenance.</p>	<p>1/11/2022 House: Referred to Committee on Agriculture, Chesapeake, and Natural Resources 1/24/2022 House: Subcommittee recommends laying on the table (10-Y 0-N) 2/15/2022 House: Left in Agriculture, Chesapeake, and Natural Resources</p>	<p>1/25/2022</p>
<p>Monitor (22104128D) Summary: Repair and maintenance of existing shoreline improvements. Provides that no regulation shall require the replacement of an existing shoreline improvement with a living shoreline if the application is to restore or maintain the existing improvement and that no permitting decision shall require the replacement of an existing shoreline improvement if the living shoreline would substantially detract from established use and enjoyment of the property. The bill also provides that, for purposes of a wetlands permit, a project shall be deemed not suitable for a living shoreline if the proposed work is to maintain or repair an existing shoreline improvement.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 779 - Williams (9) Elections; photo identification required, time for in-person absentee.	1/11/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections	1/25/2022
<p>Oppose (22102174D) - Board has historically opposed.</p> <p>Summary: Elections; photo identification required; time for in-person absentee; absentee ballots not accepted after election day; repeal of permanent absentee voter list. Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot. The bill also limits absentee voting in person to the week immediately preceding an election. The bill repeals the provisions of law by which any registered voter may apply to receive absentee ballots for all elections in which he is eligible to vote and remains on the list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status pursuant to law, or the voter moves to a different address not in the same county or city of his registration. The bill also removes provisions allowing absentee ballots received after the close of polls to be counted.</p>		
HB 780 - Williams (9) Voter registration; registration permitted up to and including the day of the election.	1/11/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections	1/25/2022
<p>Oppose (22102178D) - Board has historically opposed.</p> <p>Summary: Repeals a provision that would permit any person who is qualified to register to vote to register to vote in person up to and including the day of the election, notwithstanding any deadline for the close of registration records. The repeal will limit the persons who are entitled to register to vote after the close of registration records to (i) any member of a uniformed service of the United States who is on active duty, (ii) any person residing temporarily outside of the United States, and (iii) the spouse or dependent residing with someone listed in (i) or (ii).</p>		
HB 827 - Wilt (26) Firearms; control by localities of possession or carrying.	1/12/2022 House: Referred to Committee on Public Safety 1/27/2022 House: Subcommittee recommends reporting (6-Y 4-N) 1/28/2022 House: Reported from Public Safety (12-Y 10-N) 2/3/2022 House: Read third time and passed House (52-Y 48-N) 2/4/2022 Senate: Referred to Committee on the Judiciary 2/28/2022 Senate: Passed by indefinitely in Judiciary (9-Y 6-N)	2/8/2022
<p>Oppose (22100614D) - Board has historically opposed. See also HB 483 (Freitas) and HB 1033 (Davis).</p> <p>Summary: Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 843 - Bloxom, Jr. (100) Income tax, state; housing opportunity tax credits.</p>	<p>1/12/2022 House: Referred to Committee on Finance 2/4/2022 House: Subcommittee recommends reporting (6-Y 2-N) 2/4/2022 House: Subcommittee recommends referring to Committee on Appropriations 2/7/2022 House: Reported from Finance (20-Y 0-N) 2/7/2022 House: Referred to Committee on Appropriations 2/15/2022 House: Left in Appropriations</p>	<p>2/22/2022</p>
<p>Support (22103943D) - Board has historically supported. Summary: Income tax; housing opportunity tax credits. Provides that for award cycles, defined in the bill as the 12-month period during which the Virginia Housing and Development Authority (the Authority) awards tax credits to eligible projects, beginning on and after January 1, 2021, but before July 1, 2025, and upon approving a federal low-income housing tax credit for a qualified project pursuant to the Authority's qualified allocation plan, the Authority shall award a housing opportunity tax credit for the owner of the qualified project so long as doing so will not result in exceeding the award cycle cap, defined as the sum of (i) \$150 million, (ii) the amount, if any, by which the award cycle cap for the preceding award cycle exceeds the tax credits awarded by the Authority in that award cycle, and (iii) the amount of tax credits recaptured or otherwise disallowed in the preceding fiscal year. The bill provides that the housing opportunity tax credit award shall not be less than one-half of the aggregate amount of the federal low-income housing tax credit approved for the qualified project under the Authority's qualified allocation plan for all years of the project's credit period. The bill requires the Authority to send written notice of the award to the owner of the qualified project and provides that a housing opportunity tax credit shall be allowed for such qualified project for each year of the credit period, in an amount equal to the lesser of (a) the amount of federal low-income housing tax credit allocated or allowed by the Authority to such qualified project, except that there shall be no reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2), or (b) one-tenth of the tax credit amount stated in the award notice.</p>		
<p>HB 862 - Lopez (49) Public defender; supplementing compensation.</p>	<p>1/12/2022 House: Referred to Committee on Counties, Cities, and Towns 2/4/2022 House: Subcommittee recommends laying on the table (5-Y 4-N) 2/15/2022 House: Left in Counties, Cities, and Towns</p>	<p>1/25/2022</p>
<p>Monitor (22103011D) - Support for adequate funding for Virginia's court system, a critical state responsibility, is included in the County's Legislative Program. See also SB 282 (Ebbin). Summary: Supplementing compensation of public defender. Requires the governing body of any county or city that elects to supplement the compensation of the attorney for the Commonwealth, or any of his deputies or employees, above the salary of any such attorney for the Commonwealth, deputy, or employee, to proportionally supplement the compensation of the public defender, or any of his deputies or employees, commensurate with the compensation of the attorney for the Commonwealth, or any of his deputies or employees.</p>		
<p>HB 905 - Lopez (49) Energy efficiency standards; more stringent energy efficiency requirements.</p>	<p>1/12/2022 House: Referred to Committee on Counties, Cities, and Towns 2/10/2022 House: Subcommittee recommends laying on the table (5-Y 4-N) 2/15/2022 House: Left in Counties, Cities, and Towns</p>	<p>2/8/2022</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (22103256D) Summary: Allows a locality by ordinance to create and require stretch codes, defined in the bill as energy efficiency standards that are in addition to or more stringent than those in the Uniform Statewide Building Code, and use them as an alternative means of compliance with a locality's building requirements. The bill requires periodic review of the codes and allows the locality to make amendments.</p>		
<p>HB 934 - LaRock (33) COVID-19; Employer-mandated vaccinations, required exemptions, civil penalties.</p>	<p>1/12/2022 House: Referred to Committee on Commerce and Energy 2/15/2022 House: Left in Commerce and Energy</p>	<p>2/22/2022</p>
<p>Oppose (22102764D) - Board has historically opposed. Summary: Employer-mandated vaccinations for COVID-19; required exemptions; civil penalties. Prohibits an employer from requiring its employees to receive a vaccine for the prevention of COVID-19 unless such employer provides individual exemptions that allow an employee to opt out from such requirement on the basis of (i) medical reasons, including pregnancy or anticipated pregnancy; (ii) religious reasons; (iii) immunity from COVID-19; (iv) periodic testing; or (v) the use of employer-provided personal protective equipment. The bill provides requirements for an employee to claim such exemptions. The bill prohibits an employer from discrimination against an employee who claims such an exemption. The bill also provides for civil penalties not to exceed \$10,000 by an employer with fewer than 100 employees or \$50,000 by an employer with 100 or more employees for violations of the bill's requirements.</p>		
<p>HB 941 - LaRock (33) Voter registration; registration permitted up to and including the day of the election.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Oppose (22102622D) - Board has historically opposed. Summary: Repeals a provision that would permit any person who is qualified to register to vote to register to vote in person up to and including the day of the election, notwithstanding any deadline for the close of registration records. The repeal will limit the persons who are entitled to register to vote after the close of registration records to (i) any member of a uniformed service of the United States who is on active duty, (ii) any person residing temporarily outside of the United States, and (iii) the spouse or dependent residing with someone listed in (i) or (ii).</p>		
<p>HB 942 - LaRock (33) Voter identification; identification containing a photograph required.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Oppose (22102770D) - Board has historically opposed. Summary: Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 945 - LaRock (33) Absentee voting in person; available beginning on the tenth day prior to election.	1/12/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections	1/25/2022
<p>Oppose (22102781D) - Board has historically opposed. Summary: Limits absentee voting in person to the ten days immediately preceding an election.</p>		
HB 969 - Simonds (94) Comprehensive plan; adoption of an environmental justice strategy.	1/12/2022 House: Referred to Committee on Counties, Cities, and Towns 2/4/2022 House: Stricken from docket by Counties, Cities, and Towns (22-Y 0-N)	2/8/2022
<p>Monitor (22102311D) Summary: Comprehensive plan; environmental justice strategy. Requires cities with populations greater than 20,000 and counties with populations greater than 100,000 to consider, at the next and all subsequent reviews of the comprehensive plan, adopting an environmental justice strategy. The bill provides that the locality's strategy shall be to identify environmental justice and fenceline communities within the jurisdiction of the local planning commission and identify objectives and policies to reduce health risks, to promote civic engagement, and to prioritize improvements and programs that address the needs of the environmental justice and fenceline communities.</p>		
HB 1033 - Davis (84) Firearms; control by localities of possession or carrying.	1/12/2022 House: Referred to Committee on Public Safety 2/15/2022 House: Left in Public Safety	2/8/2022
<p>Oppose (22101875D) - Board has historically opposed. See also HB 483 (Freitas) and HB 827 (Wilt). Summary: Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.</p>		
HB 1037 - Sewell (51) Emergency custody and temporary detention; transportation of person when transfer of custody.	1/12/2022 House: Referred to Committee for Courts of Justice 2/15/2022 House: Left in Courts of Justice	2/8/2022
<p>Monitor (22102701D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>Summary: Emergency custody and temporary detention; transportation; transfer of custody. Provides that, in cases in which transportation of a person subject to an emergency custody order or temporary detention 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 also 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.</p>		
<p>HB 1051 - Scott (88) Protective orders; possession of firearms.</p>	<p>1/12/2022 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules</p>	<p>2/22/2022</p>
<p>Oppose (22102583D) - Board has historically opposed. Summary: Allows a person subject to a protective order to continue to possess any firearm while in his place of residence that was possessed by such person at the time of service, provided that he is not otherwise prohibited by law from possessing a firearm. The bill removes the requirement that any person subject to a protective order must surrender his firearms within 24 hours of being served with a protective order.</p>		
<p>HB 1059 - Cordoza (91) Gasoline and diesel fuels; suspension of the imposition of taxes.</p>	<p>1/12/2022 House: Referred to Committee on Finance 2/2/2022 House: Tabled in Finance (20-Y 0-N)</p>	<p>1/25/2022</p>
<p>Oppose (22102010D) Summary: Suspension of the imposition of taxes on gasoline and diesel fuels; emergency. Suspends the imposition and collection of the state and regional taxes on gasoline and diesel fuel until July 1, 2023. The bill contains an emergency clause.</p>		
<p>HB 1090 - Webert (18) Voter identification; identification containing a photograph required.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections 2/1/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/4/2022 House: Reported from Privileges and Elections (12-Y 10-N) 2/10/2022 House: Read third time and passed House (52-Y 48-N) 2/11/2022 Senate: Referred to Committee on Privileges and Elections 2/22/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)</p>	<p>1/25/2022</p>
<p>Oppose (22100305D) - Board has historically opposed. Summary: Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1141 - Walker (23) Absentee voting; return of absentee ballots, drop-off locations.</p>	<p>1/13/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p>Oppose (22103539D) - Board has historically opposed. Summary: Absentee voting; return of absentee ballots; drop-off locations. Repeals the provisions of law providing for the establishment of drop-off locations for the return of absentee ballots.</p>		
<p>HB 1144 - Webert (18) Gasoline and diesel fuel; lowers the rate of tax on July 1, 2022.</p>	<p>1/13/2022 House: Referred to Committee on Finance 2/2/2022 House: Reported from Finance (11-Y 10-N) 2/2/2022 House: Referred to Committee on Appropriations (HAPP) 2/11/2022 House: Reported from HAPP with amendment(s) (10-Y 8-N) 2/15/2022 House: Read third time and passed House (52-Y 48-N) 2/16/2022 Senate: Referred to Committee on Finance and Appropriations (SFIN) 3/1/2022 Senate: Passed by indefinitely in SFIN (12-Y 4-N)</p>	<p>1/25/2022</p>
<p>Oppose (22101053D) Summary: Rate of tax on gasoline and diesel fuel. Lowers the rate of tax on gasoline and diesel fuel on July 1, 2022, from 26.2 cents per gallon to 21.2 cents per gallon on gasoline and from 27 cents per gallon to 20.2 cents per gallon on diesel fuel, the rates that were in effect before July 1, 2021. The bill provides that the rate of tax on gasoline and diesel fuel will return to 26.2 and 27 cents per gallon, respectively, on July 1, 2023, and will be indexed based on the change in the United States Average Consumer Price Index for both 2021 and 2022; thereafter, the rate will be indexed annually.</p>		
<p>HB 1147 - Bell (58) Temporary detention; alternative custody.</p>	<p>1/13/2022 House: Referred to Committee for Courts of Justice 1/24/2022 House: Subcommittee recommends reporting (8-Y 0-N) and referring to Committee on Appropriations 1/28/2022 House: Reported from Courts of Justice (18-Y 0-N) 1/28/2022 House: Referred to Committee on Appropriations 2/1/2022 House: Subcommittee recommends reporting with amendments (9-Y 0-N) 2/2/2022 House: Reported from Appropriations (22-Y 0-N) 2/8/2022 House: Referred to Committee for Courts of Justice 2/8/2022 House: Motion to refer to committee agreed to 2/15/2022 House: Left in Courts of Justice</p>	<p>2/8/2022</p>
<p>Monitor (22103534D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper. Summary: Provides that if the facility indicated on a temporary detention order is a state facility, no bed for the person detained or in custody pursuant to the temporary detention order is immediately available at such state facility, and an employee or designee of such state facility is available to take custody of such person, such employee or designee of the state facility may assume custody of such person wherever such person is located and maintain custody of such person and transport such person to such state facility or to an alternative facility of temporary detention. The bill also provides that a person who is an inmate who is subject to an order authorizing treatment shall remain in law-enforcement custody at all times prior to admission to the facility designated for treatment of the person pursuant to such order.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1267 - Wilt (26) Low-emissions and zero-emissions vehicle standards; regulations shall be withdrawn and repropose.</p>	<p>1/20/2022 House: Referred to Committee on Agriculture, Chesapeake, and Natural Resources (HAG) 2/7/2022 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/9/2022 House: Reported from HAG with substitute (11-Y 10-N) 2/15/2022 House: Read third time and passed House (52-Y 48-N) 2/16/2022 Senate: Referred to Committee on Agriculture, Conservation, and Natural Resources 3/1/2022 Senate: Failed to report (defeated) in Agriculture, Conservation, and Natural Resources (7-Y 8-N)</p>	<p>2/22/2022</p>
<p>Oppose (22106153D-H1) - Board has historically opposed. Summary: Low-emissions and zero-emissions vehicle standards. Provides that the State Air Pollution Control Board may promulgate regulations in accordance with an Advanced Clean Car I Program beginning with vehicle model year 2030. Current law requires the Board to adopt such regulations beginning with vehicle model year 2025. Any regulations adopted by the Board under prior law shall be withdrawn and repromulgated. Such new regulations shall not be adopted prior to December 1, 2027, and shall not be effective prior to December 1, 2029.</p>		
<p>HB 1279 - Anderson (83) Emergency and preliminary protective orders; expungement of orders.</p>	<p>1/20/2022 House: Referred to Committee for Courts of Justice 2/15/2022 House: Left in Courts of Justice</p>	<p>2/22/2022</p>
<p>Oppose (22104750D) Summary: Expungement of emergency and preliminary protective orders. Provides that a person against whom an emergency or preliminary protective order has been issued may petition to have police and court records relating to such order expunged if the order expires or is dissolved by the issuing court or if a hearing for the issuance of a permanent protective order is scheduled or held and such permanent protective order is subsequently not issued.</p>		
<p>HB 1301 - Kilgore (1) Clean Energy and Community Flood Preparedness Act; repeals Act.</p>	<p>1/21/2022 House: Referred to Committee on Agriculture, Chesapeake, and Natural Resources (HAG) 2/7/2022 House: Subcommittee recommends reporting (6-Y 4-N) and referring to Committee on Appropriations 2/9/2022 House: Reported from HAG (11-Y 10-N) 2/9/2022 House: Referred to Committee on Appropriations 2/11/2022 House: Reported from Appropriations (10-Y 8-N) 2/15/2022 House: Read third time and passed House (52-Y 48-N) 2/16/2022 Senate: Referred to Committee on Agriculture, Conservation, and Natural Resources (SACNR) 2/22/2022 Senate: Passed by indefinitely in SACNR (8-Y 7-N)</p>	<p>2/22/2022</p>
<p>Oppose (22104929D) - Board has historically opposed. Summary: Repeal of the Clean Energy and Community Flood Preparedness Act. Directs the Director of the Department of Environmental Quality to suspend the Commonwealth's participation in the Regional Greenhouse Gas Initiative.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HJ 33 - Subramanyam (87) U.S. Route 50, etc.; Department of Transportation to study traffic congestion.</p>	<p>1/11/2022 House: Referred to Committee on Rules 2/7/2022 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/15/2022 House: Left in Rules</p>	<p>2/8/2022</p>
<p>Amend (22103290D) - Amend to include transit. Board has historically recommended the study also include transit. Summary: Study; Department of Transportation; U.S. Route 50; report. Requests that the Department of Transportation conduct a two-year study of traffic congestion on that portion of U.S. Route 50 between the intersections of Interstate 66 in Fairfax County and U.S. Route 15 in Loudoun County and the feasibility of implementing improvements to such portion of the highway.</p>		
<p>HJ 58 - Carr (69) Constitutional amendment; taxation and finance, longtime owner-occupant tax relief program.</p>	<p>1/11/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>2/22/2022</p>
<p>Amend (22103333D) - Amend to support as a state tax credit. Summary: Constitutional amendment (first reference); taxation and finance; longtime owner-occupant tax relief program. Directs the General Assembly to implement a tax relief program by which longtime owner-occupants of real property are granted a total or partial exemption from local real property taxation of real estate the market value of which has increased as a consequence of the refurbishment or renovation of other residences or the construction of new residences in long-established residential areas or areas of deteriorated, vacant, or abandoned homes and properties.</p>		
<p>HJ 76 - Torian (52) Northern Virginia regional transit plan; Department of Rail and Public Transportation to study.</p>	<p>1/12/2022 House: Referred to Committee on Rules 2/7/2022 House: Subcommittee recommends laying on the table (6-Y 0-N) 2/15/2022 House: Left in Rules</p>	<p>2/8/2022</p>
<p>Monitor (22102347D) Summary: Study; Department of Rail and Public Transportation; Northern Virginia regional transit plan; report. Requests the Department of Rail and Public Transportation to study Northern Virginia regional transit and develop a regional transit plan that includes an extension of Washington Metropolitan Area Transit Authority service to Prince William County and report its findings and recommendations to the Governor and General Assembly by November 1, 2022.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>HJ 79</u> - Reid (32) Constitutional amdmt.; prop. tax exemption for surviving spouses of certain members of armed forces.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>2/22/2022</p>
<p>Amend (22103332D) - Amend to support as a state tax credit; Board has historically recommended amendment. Summary: Constitutional amendment (first reference); real property tax exemption; surviving spouses of certain members of the armed forces. Provides that the General Assembly may by general law exempt from taxation the real property of a surviving spouse of a member of the armed forces of the United States who died in the attack on the Pentagon on September 11, 2001. Under a current constitutional provision, only the surviving spouse of a member of the armed forces who was killed in action is eligible for the real property tax exemption.</p>		
<p><u>HJ 83</u> - Tran (42) Constitutional amdmt.; prop. tax exemption for surviving spouses of soldiers killed in line of duty.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>2/8/2022</p>
<p>Amend (22100676D) - Amend to support as a state tax credit. Board has historically recommended amendment. Summary: Constitutional amendment (first reference); taxation; property tax exemption; surviving spouses of soldiers killed in the line of duty. Amends the Constitution of Virginia by allowing localities to exempt from the real property tax of any surviving spouse of any member of the armed forces of the United States who was killed in the line of duty with a line of duty determination as determined by the United States Department of Defense who occupies the real property as his or her principal place of residence. Under current law, the exemption is only available to the surviving spouse of a member of the armed forces who was killed in action.</p>		
<p><u>HJ 96</u> - Wyatt (97) Constitutional amendment; real prop. tax exemption for certain spouses of members of armed forces.</p>	<p>1/13/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>2/22/2022</p>
<p>Amend (22103608D) - Amend to support as a state tax credit; Board has historically recommended amendment. Cost to the County is likely to exceed \$7 million annually. Summary: Constitutional amendment (first reference); real property tax; exemption for certain surviving spouses of members of the armed forces. Authorizes the General Assembly to exempt from tax the real property of a surviving spouse of a member of the armed forces who died in the line of duty while performing official military activities. The amendment provides that such exemption is only available when the death of such member of the armed forces did not result from criminal conduct. The current Constitution exempts the real property of a surviving spouse of a member of the armed forces who was killed in action, a disabled veteran, and the surviving spouse of a disabled veteran.</p>		

Bills	General Assembly Actions	Date of BOS Position
SB 74 - Chase (11) Firearms; control by localities of possession or carrying.	1/4/2022 Senate: Referred to Committee on the Judiciary 1/26/2022 Senate: Passed by indefinitely in Judiciary (9-Y 6-N)	1/25/2022
<p>Oppose (22101641D) - Board has historically opposed.</p> <p>Summary: Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.</p>		
SB 133 - Chase (11) Ballots; ballot fraud security measures.	1/7/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)	1/25/2022
<p>Oppose (22101678D)</p> <p>Summary: Elections, ballots; ballot fraud security measures. Requires any printer or vendor supplying ballots in an election for state or federal office to be ISO 27001 certified, ISO 17025 certified, or ISO 9001:2015 certified. The bill also requires any ballot used in an election for state or federal office to include a unique bar code or quick response code that is accessible only to the voter and that tracks the voter's ballot as it is processed and to include the use of at least two other ballot fraud security measures from a list of approved measures.</p>		
SB 176 - Peake (22) Emergency custody and temporary detention; transportation of person when transfer of custody.	1/10/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Incorporated by Education and Health (SB650-Hanger) (15-Y 0-N)	2/8/2022
<p>Monitor (22102915D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper.</p> <p>Summary: Emergency custody and temporary detention; transportation; transfer of custody. Makes clear that, in cases in which transportation of a person subject to an emergency custody order or temporary detention 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 also 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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 189</u> - Chase (11) Employer-mandated vaccinations for COVID-19; discrimination prohibited, civil penalties.</p>	<p>1/10/2022 Senate: Referred to Committee on Commerce and Labor 1/24/2022 Senate: Passed by indefinitely in Commerce and Labor (12-Y 2-N)</p>	<p>1/25/2022</p>
<p>Oppose (22103782D) Summary: Employer-mandated vaccinations for COVID-19; discrimination prohibited; civil penalties. Prohibits an employer from requiring its employees to receive a vaccine for the prevention of COVID-19. The bill prohibits an employer from discrimination against an employee because the employee has or has not received a vaccine for the prevention of COVID-19. The bill also provides for civil penalties not to exceed \$10,000 by an employer with fewer than 100 employees or \$50,000 by an employer with 100 or more employees for each violation of the bill's provisions.</p>		
<p><u>SB 206</u> - Petersen (34) Historic preservation; filing of a historic designation application.</p>	<p>1/10/2022 Senate: Referred to Committee on Local Government 1/24/2022 Senate: Reported from Local Government (15-Y 0-N) 1/31/2022 Senate: Re-referred to Judiciary 2/14/2022 Senate: Passed by indefinitely in Judiciary (9-Y 6-N)</p>	<p>1/25/2022</p>
<p>Monitor (22100941D) Summary: Historic preservation. Provides that the filing of a historic designation application shall stay a locality from issuing any permit to raze or demolish a proposed historic landmark, building, or structure until 30 days after the rendering of the final decision of the governing body of the locality. The bill also specifies that the affected property owner, the applicant, or any resident of the locality who provided public input on the locality's historic district plan may appeal to the circuit court for review of any final decision of the governing body pursuant to such application.</p>		
<p><u>SB 208</u> - Petersen (34) Civil actions; standing.</p>	<p>1/10/2022 Senate: Referred to Committee on the Judiciary 2/2/2022 Senate: Stricken at the request of Patron in Judiciary (15-Y 0-N)</p>	<p>1/25/2022</p>
<p>Oppose (22102186D) Summary: Provides that a person in a civil action shall be deemed to have standing if that person has a cognizable interest in the outcome of the matter, which may be represented by the ownership of an affected property interest or the suffering of an injury unique to that individual.</p>		
<p><u>SB 218</u> - McPike (29) Local condemnation authority; locality may acquire property interests outside its boundaries, etc.</p>	<p>1/10/2022 Senate: Referred to Committee on Local Government 1/24/2022 Senate: Stricken at request of Patron in Local Government (15-Y 0-N)</p>	<p>1/25/2022</p>
<p>Monitor (22101030D) Summary: Local condemnation authority. Provides that any locality may acquire property interests outside its boundaries by exercise of eminent domain power in connection with a highway transportation project located partially within a neighboring locality when the governing body of the neighboring locality wherein such property interests are located approves such use of eminent domain.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 234 - Chase (11) Absentee voting; permanent absentee voter list repealed.	1/10/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Passed by indefinitely in Privileges and Elections (8-Y 6-N)	1/25/2022
<p>Oppose (22101626D) - Board has historically opposed. Summary: Repeals the provisions of law by which any registered voter may apply to receive absentee ballots for all elections in which he is eligible to vote and remains on the list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status pursuant to law, or the voter moves to a different address not in the same county or city of his registration.</p>		
SB 235 - Chase (11) Voter registration; registration permitted up to and including the day of the election.	1/10/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)	1/25/2022
<p>Oppose (22101611D) - Board has historically opposed. Summary: Repeals a provision that would permit any person who is qualified to register to vote to register to vote in person up to and including the day of the election, notwithstanding any deadline for the close of registration records. The repeal will limit the persons who are entitled to register to vote after the close of registration records to (i) any member of a uniformed service of the United States who is on active duty, (ii) any person residing temporarily outside of the United States, and (iii) the spouse or dependent residing with someone listed in (i) or (ii).</p>		
SB 236 - Chase (11) Absentee voting; return of absentee ballots, drop-off locations.	1/10/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)	1/25/2022
<p>Oppose (22101492D) - Board has historically opposed. Summary: Absentee voting; return of absentee ballots; drop-off locations. Repeals the provisions of law providing for the establishment of drop-off locations for the return of absentee ballots.</p>		
SB 246 - Surovell (36) Law-enforcement officer; purpose of traffic stop.	1/11/2022 Senate: Referred to Committee on Transportation 1/20/2022 Senate: Reported from Transportation (8-Y 6-N 1-A) 1/27/2022 Senate: Read third time and passed Senate (21-Y 19-N) 2/23/2022 House: Referred to Committee for Courts of Justice 3/4/2022 House: Subcommittee recommends passing by indefinitely (5-Y 3-N) 3/8/2022 House: Left in Courts of Justice	1/25/2022
<p>Monitor (22103627D) Summary: Provides that the operator of a motor vehicle, trailer, or semitrailer that has stopped on the signal of any law-enforcement officer shall exhibit his registration card, learner's permit, or temporary driver's permit for the purpose of establishing his identity upon being advised of the purpose of the stop within a reasonable time by the law-enforcement officer. Current law requires that such materials be exhibited upon the law-enforcement officer's request.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 251 - Surovell (36) Northern Virginia Transportation Authority; funds for pedestrian and bicyclist projects.</p>	<p>1/11/2022 Senate: Referred to Committee on Local Government (SLG) 1/31/2022 Senate: Reported from SLG with substitute (15-Y 0-N) 1/31/2022 Senate: Re-referred to Finance and Appropriations 2/8/2022 Senate: Reported from Finance and Appropriations (15-Y 1-N) 2/11/2022 Senate: Read third time and passed Senate (35-Y 4-N 1-A) 2/22/2022 House: Referred to Committee on Counties, Cities, and Towns (HCCT) 2/25/2022 House: Subcommittee recommends reporting with amendments (6-Y 3-N) 3/4/2022 House: Reported from HCCT with amendment(s) (14-Y 8-N) 3/9/2022 House: Motion to refer to committee agreed to (52-Y 46-N) 3/9/2022 House: Referred to Committee on Transportation 3/10/2022 House: Left in Transportation</p>	<p>2/22/2022 1/25/2022</p>
<p>Monitor (22105456D-S1) - Bill has been amended to address County's concerns. Oppose (22104193D) Summary: Northern Virginia Transportation Authority; pedestrian and bicyclist projects. Directs the Department of Transportation to convene a work group, which includes certain specified parties, to assess and identify projected pedestrian, bicycling, and traffic infrastructure needs and associated budgeting and funding needs. The bill provides that the work group shall submit a report of the gathered information to the Chairmen of the House Committees on Transportation and Appropriations and the Senate Committees on Transportation and Finance and Appropriations no later than October 1, 2022.</p>		
<p>SB 282 - Ebbin (30) Public defender; supplementing compensation.</p>	<p>1/11/2022 Senate: Referred to Committee on the Judiciary 1/24/2022 Senate: Reported from Judiciary (8-Y 7-N) 1/24/2022 Senate: Re-referred to Finance and Appropriations 2/10/2022 Senate: Incorporated by Finance and Appropriations (SB475-McClellan) (16-Y 0-N)</p>	<p>1/25/2022</p>
<p>Monitor (22103779D) - Support for adequate funding for Virginia's court system, a critical state responsibility, is included in the County's Legislative Program. See also HB 862 (Lopez). Summary: Supplementing compensation of public defender. Requires the governing body of any county or city that elects to supplement the compensation of the attorney for the Commonwealth, or any of his deputies or his employees, above the salary of any such officer, deputy, or employee to supplement the compensation of the public defender, or any of his deputies or employees. The bill provides that such supplemental compensation is proportional if the public defender, his deputies, and his other employees are each paid in amounts commensurate to the closest equivalent position in the local Office of the Commonwealth's Attorney, as adjusted for seniority and experience level. The bill has a delayed effective date of July 1, 2024.</p>		
<p>SB 306 - Deeds (25) Voting systems; reporting absentee results by precinct.</p>	<p>1/11/2022 Senate: Referred to Committee on Privileges and Elections 2/1/2022 Senate: Incorporated by Privileges and Elections (SB3-Suetterlein) (15-Y 0-N)</p>	<p>1/25/2022</p>
<p>Support (22103836D) - See also HB 441 (Sewell). Summary: Elections; voting systems; reporting absentee results by precinct. Includes in the definition of "voting system" on-demand ballot printing systems and ballot marking devices used to manufacture or mark ballots to be cast by voters on electronic voting and counting machines. The bill also requires general registrars to report to the Department of Elections the number and results of absentee ballots cast by voters assigned to each precinct in the registrar's locality. The Department is directed by the bill to establish standards for ascertaining and reporting such information.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 330 - Reeves (17) Carrying a concealed handgun; permit not required.	1/11/2022 Senate: Referred to Committee on the Judiciary 1/26/2022 Senate: Passed by indefinitely in Judiciary (8-Y 6-N)	1/25/2022
<p>Oppose (22101962D) - See also HB 288 (Freitas). Summary: 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.</p>		
SB 331 - Reeves (17) Overtime pay requirements; volunteers.	1/11/2022 Senate: Referred to Committee on Commerce and Labor 2/7/2022 Senate: Stricken at request of Patron in Commerce and Labor (15-Y 0-N)	2/8/2022
<p>Support with Amendment (22102129D) - Amend to conform to SB 365. Summary: Permits individuals who work as both employees and on a volunteer basis for a public body, church, or nonprofit organization to earn overtime wages for hours worked as an employee only and continues to exclude hours worked on a volunteer basis from overtime wage requirements.</p>		
SB 339 - Barker (39) Washington Metropolitan Area Transit Authority; alternate directors.	1/11/2022 Senate: Referred to Committee on Local Government 1/24/2022 Senate: Re-referred to Transportation 2/3/2022 Senate: Failed to report (defeated) in Transportation (1-Y 12-N 2-A)	1/25/2022
<p>Support (22101758D) Summary: Repeals a provision of the 2018 mass transit funding legislation that requires the Commonwealth Transportation Board to withhold certain funding from the Washington Metropolitan Area Transit Authority if alternate directors of the Authority participate in or take action at a meeting at which the primary directors are present.</p>		
SB 364 - Reeves (17) Handguns; limitation on purchases.	1/11/2022 Senate: Referred to Committee on the Judiciary 1/26/2022 Senate: Passed by indefinitely in Judiciary (8-Y 6-N)	1/25/2022
<p>Oppose (22103162D) - Board has historically opposed. See also HB 14 (Anderson) and HB 299 (Freitas). Summary: Purchase of handguns; limitation on handgun purchases. Removes the prohibition on any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period. Current law makes it a Class 1 misdemeanor for a violation of this provision, subject to certain exemptions.</p>		
SB 365 - Stuart (28) Virginia Overtime Wage Act; clarifies term "employee."	1/11/2022 Senate: Referred to Committee on Commerce and Labor 2/7/2022 Senate: Incorporated by Commerce and Labor (SB631-Barker) (15-Y 0-N)	2/8/2022
<p>Support (22102524D) Summary: Virginia Overtime Wage Act. Provides that for the purposes of the Virginia Overtime Wage Act, the term "employee" does not include certain persons excluded from the definition of "employee" under the federal Fair Labor Standards Act (the federal act). The bill provides that an employer may assert an exemption to the overtime requirement of the Virginia Overtime Wage Act for employees who meet certain exemptions set forth in the federal act. The bill also provides that a public agency, as defined in the federal act, may provide an employee compensatory time off in lieu of overtime compensation, in accordance with the federal act.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 374 - Obenshain (26) Project labor agreements; prevailing wage, collective bargaining for employees of local governments.</p>	<p>1/11/2022 Senate: Referred to Committee on Commerce and Labor 1/31/2022 Senate: Passed by indefinitely in Commerce and Labor (12-Y 3-N)</p>	<p>2/8/2022</p>
<p>Oppose (22101706D) - Board has historically opposed. Summary: Project labor agreements; prevailing wage; collective bargaining for employees of local governments. Repeals certain provisions of the Code that (i) require contractors and subcontractors under any public contract with a state agency or certain localities to pay the prevailing wage rate; (ii) authorize any public body, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, to require bidders to enter into or adhere to project labor agreements on the public works projects; and (iii) authorize a locality to recognize any labor union or other employee association as a bargaining agent of any public officers or employees or to collectively bargain or enter into any collective bargaining contract with any such union or association or its agents.</p>		
<p>SB 415 - DeSteph (8) School boards; employment of at least one school resource officer in elementary & secondary schools.</p>	<p>1/11/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Failed to report (defeated) in Education and Health (4-Y 11-N)</p>	<p>1/25/2022</p>
<p>Oppose (22104064D) - Cost to the County is likely to exceed \$19 million. Summary: School boards; school resource officers; employment; threat assessment. Requires each school board to enter into a collaborative agreement with the local law-enforcement agency to employ at least one school resource officer in each public elementary and secondary school in the local school division. The bill provides that no school board shall be granted any full or partial waiver from such staffing requirements and that no school board that fails to fully comply with such staffing requirements is eligible for any grant or waiver from the Commonwealth, Board of Education, or Department of Education. The bill also requires each division superintendent to include on the threat assessment team established for each public elementary and secondary school in the local school division at least one school resource officer employed in the school.</p>		
<p>SB 443 - Boysko (33) Sealing of offenses; results in a deferred and dismissed disposition or conviction by petition.</p>	<p>1/11/2022 Senate: Referred to Committee on the Judiciary 2/9/2022 Senate: Reported from Judiciary with amendment (11-Y 2-N) 2/14/2022 Senate: Read third time and passed Senate (24-Y 16-N) 2/14/2022 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/14/2022 Senate: Passed Senate (26-Y 14-N) 2/22/2022 House: Referred to Committee for Courts of Justice 2/23/2022 House: Subcommittee recommends laying on the table (4-Y 3-N) 3/8/2022 House: Left in Courts of Justice</p>	<p>2/22/2022</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support with Amendment (22103094D) - Support concept of expungement for certain crimes; sufficient state funding for implementation is essential.</p> <p>Summary: Sealing of offenses resulting in a deferred and dismissed disposition or conviction by petition; defendant with a disorder or disability. Provides that a defendant with a disorder or disability, as defined in the bill, may file a petition that requests the sealing of the criminal history record information and court records of a Class 4 felony conviction or deferred and dismissed disposition. Under current law, Class 4 felony convictions or deferred and dismissed dispositions are ineligible to be sealed.</p>		
<p>SB 458 - Chase (11) Face coverings; prohibits enforcement of policy, etc., to wear.</p>	<p>1/11/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Passed by indefinitely in Education and Health (8-Y 4-N)</p>	<p>1/25/2022</p>
<p>Oppose (22104211D)</p> <p>Summary: Employers; institutions of higher education; localities; public schools; face coverings. Prohibits any locality, institution of higher education, employer, school board, division superintendent, school principal, or private school from adopting, implementing, or enforcing any policy, rule, or order related to COVID-19 that requires individuals to wear a face covering.</p>		
<p>SB 460 - Chase (11) Absentee voting; deadline for returning absentee ballot.</p>	<p>1/11/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 2-N 3-A)</p>	<p>1/25/2022</p>
<p>Oppose (22101633D) - Board has historically opposed.</p> <p>Summary: Elections; absentee voting; ballots to be returned before close of polls. Removes the provision of law requiring an absentee ballot that is returned to the general registrar after the closing of the polls on election day to be counted if it is received before noon on the third day after the election and is postmarked on or before the date of the election to be counted if the voter is found entitled to vote. The bill does not affect the exception for a covered voter who was not sent a ballot in a timely manner and whose voted ballot arrives after the close of polls.</p>		
<p>SB 488 - McClellan (9) Transit Transition Fund and Program; established, report.</p>	<p>1/11/2022 Senate: Referred to Committee on Finance and Appropriations 2/1/2022 Senate: Reported from Finance and Appropriations with substitute (16-Y 0-N) 2/4/2022 Senate: Read third time and passed Senate (39-Y 0-N) 2/22/2022 House: Referred to Committee on Transportation 3/8/2022 House: Left in Transportation</p>	<p>2/8/2022</p>
<p>Support (22103087D)</p> <p>Summary: Transit Transition Fund and Program; established. Establishes the Transit Transition Fund and Program, administered by the Department of Rail and Public Transportation, to provide grants to state, regional, and local public entities to support the transition of public transit fleets to zero-emission fleets. The Director of the Department is directed by the bill to report annually to the Governor and the chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations by November 1 of each year.</p>		

Bills	General Assembly Actions	Date of BOS Position
SB 532 - Stuart (28) Clean Energy and Community Flood Preparedness Act; repeals Act.	1/12/2022 Senate: Referred to Committee on Agriculture, Conservation, and Natural Resources 2/8/2022 Senate: Passed by indefinitely in Agriculture, Conservation, and Natural Resources (8-Y 7-N)	1/25/2022
<p>Oppose (22101996D) - Board has historically opposed.</p> <p>Summary: Clean Energy and Community Flood Preparedness Act. Repeals the Clean Energy and Community Flood Preparedness Act and directs the Director of the Department of Environmental Quality to take all steps necessary to suspend the Commonwealth's participation in the Regional Greenhouse Gas Initiative market-based trading program.</p>		
SB 541 - Peake (22) Gasoline and diesel fuel; lowers the rate of tax on July 1, 2022.	1/12/2022 Senate: Referred to Committee on Finance and Appropriations 2/10/2022 Senate: Passed by indefinitely in Finance and Appropriations (12-Y 4-N)	1/25/2022
<p>Oppose (22101054D)</p> <p>Summary: Rate of tax on gasoline and diesel fuel. Lowers the rate of tax on gasoline and diesel fuel on July 1, 2022, from 26.2 cents per gallon to 21.2 cents per gallon on gasoline and from 27 cents per gallon to 20.2 cents per gallon on diesel fuel, the rates that were in effect before July 1, 2021. The bill provides that the rate of tax on gasoline and diesel fuel will return to 26.2 and 27 cents per gallon, respectively, on July 1, 2023, and will be indexed based on the change in the United States Average Consumer Price Index; thereafter, the rate will be indexed annually.</p>		
SB 543 - DeSteph (8) Criminal records; sealing of records.	1/12/2022 Senate: Referred to Committee on the Judiciary 1/26/2022 Senate: Passed by indefinitely in Judiciary (9-Y 6-N)	1/25/2022
<p>Oppose (22103152D) - Board has historically supported the concept of expungement for certain crimes, with sufficient state funding for implementation. See also HB 181 (Ransone).</p> <p>Summary: Criminal records; sealing of records; repeal. Repeals provisions not yet effective allowing for the automatic and petition-based sealing of police and court records for certain convictions, deferred dispositions, and acquittals and for offenses that have been nolle prossed or otherwise dismissed.</p>		
SB 552 - Chase (11) Absentee voting; excuse required to vote absentee by mail, signature match.	1/12/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 5-N)	1/25/2022
<p>Oppose (22101614D)</p> <p>Summary: Absentee voting; excuse required to vote absentee by mail; signature match. Requires a registered voter to provide a reason for being absent or unable to vote at his polling place on election day in order to receive an absentee ballot to vote by mail. The bill requires a voter voting absentee by mail to open his ballot in the presence of a notary who must sign the ballot return envelope. The bill requires that the general registrar match the signature of the voter on an absentee return envelope to a signature that the general registrar has on file before processing the ballot. If the signature doesn't match, the absentee ballot is to be treated as a provisional vote subject to approval by the electoral board. The bill also repeals the permanent absentee voter list and limits the special annual application to those voters with an illness or disability.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 602 - DeSteph (8) Short-term rental properties; definition, locality requirements and restrictions.</p>	<p>1/12/2022 Senate: Referred to Committee on Local Government 1/31/2022 Senate: Stricken at request of Patron in Local Government (15-Y 0-N)</p>	<p>1/25/2022</p>
<p>Oppose (22102201D) - Board has historically opposed. Summary: Short-term rental properties; definition; locality requirements and restrictions. Prohibits, except as provided, localities from (i) requiring or allowing the approval of neighbors or the neighborhood for the operation of short-term rental properties; (ii) imposing requirements or restrictions that exceed those of regular properties, including special parking and occupancy restrictions; or (iii) restricting short-term rentals by geographic location within the locality by means other than the normal general land use and zoning authority. The bill expands the current definition of short-term rental to include any house provided for such purpose.</p>		
<p>SB 605 - Chase (11) Conduct of election; election results, post-election forensic audits.</p>	<p>1/12/2022 Senate: Referred to Committee on Privileges and Elections 2/1/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)</p>	<p>1/25/2022</p>
<p>Oppose (22104062D) Summary: Elections; conduct of election; election results; post-election forensic audits. Provides for the conduct of a forensic audit of an election in a county or city upon the request of certain officials or upon the petition of a group of residents of the locality in question. The purpose of an audit is to determine the accuracy and legality of the election in question. The bill provides that an audit includes a review of all materials, equipment, and procedures used during any part of the election, including ballots, pollbooks, voting machines, and routers. The bill requires that the audit be open to the public and states that the auditing process may include participation by residents. The results of the audit are to be presented to a jury of local residents who have to power to declare the election valid or invalid. The bill also gives the State Inspector General the power and duty to conduct an audit of the 2020 general election and requires him to produce a report of his finding.</p>		
<p>SB 620 - Cosgrove, Jr. (14) Real property taxes; rate of increase.</p>	<p>1/13/2022 Senate: Referred to Committee on Finance and Appropriations 2/1/2022 Senate: Passed by indefinitely in Finance and Appropriations (12-Y 4-N)</p>	<p>2/8/2022</p>
<p>Oppose (22104159D) - See also HB 1010 (Durant). Summary: Requires the governing body of a locality to hold a referendum before making most increases in their real property tax rate. Under current law, the governing body of a locality is required to limit their real property tax rate to a rate that would collect no more than 101 percent of the amount of real property taxes collected for the previous year. Increases above this rate may only be imposed if the locality holds a public meeting. The bill replaces the public meeting requirement with a requirement that any such increase be approved in a referendum.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 650</u> - Hanger, Jr. (24) Emergency custody and temporary detention; hospitals and providers of behavioral health services.</p>	<p>1/18/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/3/2022 Senate: Re-referred to Finance and Appropriations 2/3/2022 Senate: Incorporates SB176 (Peake) 2/8/2022 Senate: Incorporated by Finance and Appropriations (SB268-Favola) (16-Y 0-N)</p>	<p>2/8/2022</p>
<p>Monitor (22103826D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County’s Human Services Issue Paper. Summary: Emergency custody and temporary detention; hospitals and providers of behavioral health services; acceptance of custody. Requires every hospital with an emergency department to employ sufficient security staff to be able to accept custody of a person who is subject to emergency custody or temporary detention and who is transported to such hospital by a law-enforcement officer or receiving services at such hospital and requires every provider of behavioral health services licensed by the Department of Behavioral Health and Developmental Services to a person who is subject to emergency custody and may be transported for the required evaluation to (i) be licensed to provide the level of security necessary to protect both the person and others from harm, and actually capable of providing the level of security necessary to protect the person and others from harm, and (ii) accept custody of every person transported to such provider for evaluation by law enforcement.</p>		
<p><u>SB 669</u> - Surovell (36) Law-enforcement employees; alleged wrongdoing.</p>	<p>1/20/2022 Senate: Referred to Committee on the Judiciary 2/14/2022 Senate: Reported from Judiciary with substitute (13-Y 0-N 2-A) 2/15/2022 Senate: Passed Senate (27-Y 13-N) 2/24/2022 House: Referred to Committee for Courts of Justice 3/4/2022 House: Subcommittee recommends passing by indefinitely (5-Y 3-N) 3/8/2022 House: Left in Courts of Justice</p>	<p>2/22/2022</p>
<p>Amend (22104590D) - Amend to add exemptions for cases when complainants want to remain anonymous or do not provide the necessary contact information. Summary: Alleged wrongdoing of law-enforcement employees. Requires that all law-enforcement agencies that employ at least 10 law-enforcement officers, ensure that, in the case of all written citizen complaints or complaints submitted in an electronic format, the agency (i) allows for the submission of citizen complaints through the agency's website or other electronic format; (ii) provides a receipt or written acknowledgment confirming the submission of the complaint to the individual filing such complaint; (iii) provides a written response to any individual who has filed a complaint indicating the complaint has been finalized, and (iv) provides notice to any individual who has filed a complaint if an investigation into a previously filed complaint has been reopened upon the submission of new materials after a final resolution for the previously filed complaint has been reached.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 695 - Stuart (28) Low-emissions and zero-emissions vehicle standards; repeals certain authority.</p>	<p>1/20/2022 Senate: Referred to Committee on Agriculture, Conservation, and Natural Resources 2/8/2022 Senate: Stricken at request of Patron in Agriculture, Conservation, and Natural Resources (10-Y 5-N)</p>	<p>2/8/2022</p>
<p>Oppose (22103364D) - Board has historically supported reducing fossil fuel emissions. Summary: State Air Pollution Control Board; regulations; low-emissions and zero-emissions vehicle standards. Repeals the State Air Pollution Control Board's authority to implement low-emissions and zero-emissions vehicle standards for vehicles with a model year of 2025 and later.</p>		
<p>SB 708 - Marsden (37) Driving Decarbonization Program and Fund; created.</p>	<p>1/21/2022 Senate: Referred to Committee on Transportation 2/3/2022 Senate: Reported from Transportation (9-Y 4-N 2-A) 2/3/2022 Senate: Re-referred to Finance and Appropriations (SFIN) 2/10/2022 Senate: Reported from SFIN (14-Y 1-N) 2/15/2022 Senate: Passed Senate (26-Y 14-N) 2/21/2022 House: Referred to Committee on Agriculture, Chesapeake, and Natural Resources (HAG) 3/2/2022 House: Reported from HAG (15-Y 7-N) 3/2/2022 House: Referred to Committee on Appropriations 3/4/2022 House: Tabled in Appropriations (12-Y 10-N) 3/7/2022 House: Reconsidered by Appropriations 3/7/2022 House: Tabled in Appropriations (12-Y 10-N)</p>	<p>2/8/2022</p>
<p>Monitor (22104355D) - See also HB 351 (Sullivan). Summary: Driving Decarbonization Program and Fund. Establishes a driving decarbonization program and fund to assist developers with non-utility costs associated with the installation of electric vehicle charging stations. A developer would be eligible to grants of 50 to 70 percent of the non-utility costs, depending on where the charging station is located in the Commonwealth. The total amount of grants awarded in a fiscal year is capped at \$20 million, with at least \$5 million in grants reserved for charging stations located in historically economically distressed communities.</p>		
<p>SB 730 - Lewis, Jr. (6) Jurors; increases the daily compensation.</p>	<p>1/21/2022 Senate: Referred to Committee on the Judiciary 2/2/2022 Senate: Reported from Judiciary (13-Y 0-N) 2/2/2022 Senate: Re-referred to Finance and Appropriations (SFIN) 2/9/2022 Senate: Reported from SFIN with amendment (15-Y 0-N) 2/11/2022 Senate: Passed Senate (40-Y 0-N) 2/22/2022 House: Referred to Committee for Courts of Justice 2/23/2022 House: Subcommittee recommends reporting (7-Y 1-N) 2/28/2022 House: Subcommittee recommends reporting (7-Y 1-N) 2/28/2022 House: Subcommittee recommends referring to Committee on Appropriations 3/2/2022 House: Reported from Courts of Justice (19-Y 1-N) 3/2/2022 House: Referred to Committee on Appropriations 3/4/2022 House: Tabled in Appropriations (14-Y 8-N) 3/7/2022 House: Reconsidered by Appropriations 3/7/2022 House: Tabled in Appropriations (13-Y 9-N)</p>	<p>2/22/2022</p>
<p>Monitor (22104517D) Summary: Jurors; compensation. Increases the daily compensation for jurors from \$30 to \$50.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 732</u> - Lewis, Jr. (6) Climate resilience; locality's comprehensive plan to consider strategies to address.</p>	<p>1/21/2022 Senate: Referred to Committee on Local Government 2/7/2022 Senate: Reported from Local Government (11-Y 0-N 1-A) 2/11/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Agriculture, Chesapeake, and Natural Resources 3/2/2022 House: Referred from Agriculture, Chesapeake, and Natural Resources by voice vote 3/2/2022 House: Referred to Committee on Counties, Cities, and Towns 3/3/2022 House: Subcommittee recommends laying on the table (5-Y 4-N) 3/8/2022 House: Left in Counties, Cities, and Towns</p>	<p>2/8/2022</p>
<p>Support (22104329D) - See also HB 520 (Bulova). Summary: Comprehensive plan; climate resilience. Requires a locality's comprehensive plan to consider strategies to address climate resilience in order to anticipate, prepare for, respond to, and adapt to changing conditions and hazardous events.</p>		