



County of Fairfax, Virginia

MEMORANDUM

DATE: March 7, 2022

TO: Board of Supervisors

FROM: Bryan J. Hill, County Executive 

SUBJECT: 2022 Legislative Report No. 4 – Board Legislative Committee Meeting of February 25, 2022

With less than a week remaining in the 2022 General Assembly session, negotiations on the state budget are now a top priority for both chambers, although additional legislation is still under consideration ahead of the scheduled March 12 adjournment. The Budget is now in the conference process, and staff are working with the County's representatives on the conference committee on County priorities and will keep the Board informed as negotiations unfold.

The Legislative Committee met on February 25 to consider several issues of importance to the County. In lieu of holding the Legislative Committee meeting scheduled for March 5, staff provided the Board with an updated tracking chart, which showed the status of legislation on which the Board had previously taken positions, and also included recommendations for position changes on eight bills – HB 277 (Coyner), HB 837 (Wilt), HB 873 (Greenhalgh), HB 1010 (Durant), HB 1088 (Leftwich), HB 1257 (Kilgore), SB 537 (Marsden), and SB 666 (Petersen). Staff also recommended taking a position on one new bill – SB 694 (Obenshain). This new position recommendation and these position changes are noted in the attached tracking chart. The Committee offers the following report and recommendations for action to the Board.

Legislative Committee Actions of February 25, 2022:

Members Present: Legislative Chairman Walkinshaw
Chairman McKay
Supervisor Alcorn
Supervisor Foust
Supervisor Gross
Supervisor Lusk
Supervisor Smith
Supervisor Storck

Specific Issues

Update on State Budget: The Committee received an update on the state budget, including an overview of the House and Senate budget amendments (see handout on “Supplementary Documents” pages 94-156).

One Percent Local Option – Estimated Distribution of Sales Tax on Food and Personal Hygiene Products: The Committee also received a handout with the estimated distribution to localities of the sales tax on food and personal hygiene products (see handout on “Supplementary Documents” pages 157-158).

Priority Principles for Reviewing Legislation

- 1. Adequately fund K-12 education.**
- 2. 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.**
- 3. Build upon the successful enactment of significant transportation revenues by the 2013 and 2020 GAs to ensure sufficient funding for transportation needs.**
- 4. Restore the funding partnership between the state and localities through adequate state funding.**
- 5. Preserve local government authority, particularly in taxation and land use; allow greater flexibility in the administration of government.**

Specific Legislation

Fairfax County Legislative Summary: The Committee discussed the status of legislation on which the Committee had previously taken positions. The Committee’s positions on these bills are noted in the attached tracking chart (see “Supplementary Documents” on pages 1-93).

Legislation Provided for Discussion

HB 1257 (Kilgore) (Passed House; SACNR) 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. Oppose. (22104724D-E)

SB 567 (Stuart) (Passed Senate; HAG) 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. Oppose. (22106269D-S1)

HB 90 (McNamara) (Passed House; SFIN) 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. Amend. 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. (22106361D-H1)

SB 451 (Boysko) (Passed Senate; Reported from HFIN) 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. Amend. 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. (22106924D-H1)

HB 1168 (Watts) (Passed House; SFIN) 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. Amend. Amend to address implementation issues. (22103495D)

Legislation Requiring Further Review

Courts

SB 138 (Edwards) (Passed Senate; HCT) provides that for any discovery materials or evidence that the accused is permitted to inspect and review, the accused may request the Commonwealth to copy or photograph such discovery materials or evidence, and the Commonwealth shall provide such copies or photographs, electronically or otherwise, to the accused or his counsel. (22100389D-E)

Employment Issues

HB 932 (Robinson) (Passed House; SCL) extends from December 31, 2021, to December 31, 2022, the date by which COVID-19 causing the death or disability of a health care provider is presumed to be an occupational disease compensable under the Workers' Compensation Act. (22102394D)

SB 289 (DeSteph) (Passed Senate; HCE) provides that an anxiety disorder or depressive disorder, as both are defined in the bill, incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers' Compensation Act on the same basis as post-traumatic stress disorder. The bill provides that a mental health professional must diagnose the law-enforcement officer or firefighter as suffering from anxiety disorder or depressive disorder as a result of a qualifying event, as defined in the Code, and includes other conditions for compensability. (22101635D)

Environment/Energy

HB 1224 (Bulova) (Passed House; Senate Floor) directs the State Water Control Board to update its regulations providing for the certification and use of a proprietary best management practice (BMP) if another state, regional, or national program has verified its nutrient or sediment removal effectiveness and its having met or exceeded all of such program's established test protocol requirements. Currently, the BMP may only be used if another state, regional, or national certification program has verified and certified its nutrient or sediment removal effectiveness. The bill also directs the Department of Environmental Quality to prioritize review of any proprietary BMP that was on the Virginia Stormwater BMP Clearinghouse prior to December 31, 2021, and that submits documentation of verification of effectiveness by another state, regional, or national program. (22105648D-H1)

FOIA

HB 970 (O'Quinn) (Passed House; Reported from SGL) provides that public agencies shall not request personal information, defined in the bill, from (i) any individual or any entity organized under § 501(c) of the Internal Revenue Code or (ii) any bidder, offeror, or contractor of an agency. The bill prohibits such public agencies from disclosing personal information without the

express, written permission of every individual who is identifiable from the potential release of such personal information, including individuals identifiable as members, supporters, or volunteers of, or donors to, the agency. The bill exempts the Campaign Finance Disclosure Act of 2006 from the requirements that public agencies protect personal information and refrain from requesting personal information. (22106759D-S1)

SB 324 (Vogel) (Passed Senate; Reported from HGL) provides that public agencies shall not request personal information, defined in the bill, from (i) any individual or any entity organized under § 501(c) of the Internal Revenue Code or (ii) any bidder, offeror, or contractor of an agency. The bill prohibits such public agencies from disclosing personal information without the express, written permission of every individual who is identifiable from the potential release of such personal information, including individuals identifiable as members, supporters, or volunteers of, or donors to, the agency. The bill exempts the Campaign Finance Disclosure Act of 2006 from the requirements that public agencies protect personal information and refrain from requesting personal information. (22106825D-H1)

Health and Human Services

SB 317 (Favola) (Passed Senate; Reported from HHWI) allows a health care practitioner licensed in another state or the District of Columbia who has submitted an application for licensure to the appropriate health regulatory board to temporarily practice for a period of 90 days pending licensure, provided that certain conditions are met. The bill directs the Department of Health Professions to pursue reciprocity agreements with jurisdictions that surround the Commonwealth to streamline the application process in order to facilitate the practice of medicine. The bill requires the Department of Health Professions to annually report to the Chairmen of the Senate Committee on Education and Health and the House Committee on Health, Welfare and Institutions the number of out-of-state health care practitioners who have utilized the temporary authorization to practice pending licensure and have not subsequently been issued full licensure. The bill contains an emergency clause. (22106790D-H1)

Land Use

HB 961 (Roem) (Passed House; SGL) expands provisions that allow localities to adopt an ordinance setting forth a register of identified cemeteries, graveyards, or other places of burial located on private property not belonging to any memorial or monumental association by providing that such localities shall publish a notice prior to the public sale of any publicly owned property that contains a cemetery, graveyard, or other place of burial, or as soon thereafter as possible. The notice shall specify that a cemetery is present on the property. If the property falls under an exception provided for significant historic and archeological sites that would be jeopardized by public disclosure of their location, then no such notice is required. (22106601D-H1)

SB 694 (Obenshain) (Passed Senate; HCT) 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. (22105602D-S1)

Marijuana

HB 933 (Robinson) (Passed House; Reported from SEH) amends the definition of "cannabis oil" by removing the requirement that only oil from industrial hemp be used in the formulation of cannabis oil. The bill removes the Board of Pharmacy patient registration requirement for medical cannabis but maintains the requirement that patients obtain written certification from a health care provider for medical cannabis. The bill directs the Board to promulgate numerous regulations related to pharmaceutical processors by September 15, 2022. (22106426D-H1)

SB 671 (Dunnavant) (Passed Senate; Reported from HHWI) amends the definition of "cannabis oil" by removing the requirement that only oil from industrial hemp be used in the formulation of cannabis oil. The bill removes the Board of Pharmacy patient registration requirement for medical cannabis but maintains the requirement that patients obtain written certification from a health care provider for medical cannabis. The bill directs the Board to promulgate numerous regulations related to pharmaceutical processors by September 15, 2022. (22106881D-H1)

SB 391 (Ebbin) (Passed Senate; HGL) establishes a framework for the creation of a retail marijuana market in the Commonwealth. The bill creates a regulatory and licensing structure for such retail market and for the cultivation, manufacture, and wholesale of marijuana and marijuana products to be administered by the Virginia Cannabis Control Authority. The bill allows certain pharmaceutical and industrial hemp processors, pending establishment of the retail market, to cultivate, manufacture, and sell to persons 21 years of age or older cannabis products. The bill also relocates and modifies numerous criminal provisions regarding marijuana offenses. The bill has staggered effective dates. The bill satisfies the reenactment requirement of Chapters 550 and 551 of the Acts of Assembly of 2021, Special Session I, but makes numerous modifications to the provisions of the 2021 legislation related to licensure, criminal penalties, expungement, regulation of certain hemp products, local regulation, and diversity, equity, and inclusion. (22106647D-S3)

SB 542 (Marsden) (Passed Senate; HHWI) requires the Board of Pharmacy to provide a form for practitioners to issue as written certification for the use of cannabis products. Current law requires the Office of the Executive Secretary of the Supreme Court to provide the form. (22103682D)

SB 591 (Hanger) (Passed Senate; HGL) modifies the definition of "marijuana" in several Code sections to (i) include any substance containing a total tetrahydrocannabinol concentration that exceeds 0.3 percent or more than 0.25 milligram of tetrahydrocannabinol per serving or more than one milligram per package and (ii) exclude industrial hemp that is possessed by a person who holds a hemp producer license issued by the U.S. Department of Agriculture or his agent; an industrial hemp extract that contains a tetrahydrocannabinol concentration of no greater than 0.3 percent and no more than 0.25 milligram of tetrahydrocannabinol per serving or more than one milligram per package at the time such industrial hemp extract is offered for retail sale and is derived from industrial hemp grown, dealt, or processed in compliance with state or federal law; and any drug product containing tetrahydrocannabinol that is approved for marketing by the U.S. Food and Drug Administration and scheduled in the Drug Control Act by the Board of Pharmacy. The bill defines "tetrahydrocannabinol" to include any naturally occurring or synthetic tetrahydrocannabinol, including its salts, isomers, or salts of isomers. The bill removes references in the Code to delta-9 tetrahydrocannabinol and amends numerous sections to accommodate for the definitional changes described above. The bill requires the Board of Directors of the Virginia Cannabis Control Authority to promulgate regulations that prohibit 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. The bill has staggered effective dates. (22106520D-S3)

SB 745 (Surovell) (Passed Senate; HCT) creates a process by which persons convicted of certain felony marijuana-related offenses committed prior to July 1, 2021, who remain incarcerated or on community supervision on July 1, 2022, shall receive an automatic hearing to consider modification of such person's sentence. The bill also provides that a person is eligible to be considered for parole if such person was convicted of a felony conviction, except for an act of violence, and had such felony conviction sentence enhanced because of a felony marijuana conviction and such offense was committed on or after January 1, 1995, and the person was committed by a court to the Department of Corrections and remained incarcerated for such offense on July 1, 2022. The bill incorporates SB 518 (Lucas). (22106159D-ES1)

SB 772 (Marsden) (Passed Senate; HHWI) eliminates the Board of Pharmacy patient registration requirement for medical cannabis. The bill maintains the requirement that patients obtain a written certification from a health care provider to obtain medical cannabis. (22106018D-S1)

Public Safety/Criminal Justice

HB 749 (Bell) (Passed House; SFIN) provides that the Department of Criminal Justice Services shall adopt guidelines to make funds from the Virginia Sexual and Domestic Violence Victim Fund, which is used to support the prosecution of domestic violence cases and victim services, available to sexual assault service providers and hospitals for the purpose of funding the cost of

salaries and equipment for sexual assault forensic examiners, sexual assault nurse examiners, and pediatric sexual assault nurse examiners, with priority for funding such costs given to such forensic examiners and nurse examiners serving rural or underserved areas of the Commonwealth. (22106155D-H1)

HB 1000 (Runion) (Passed House; SJUD) requires every member appointed to a locality's law-enforcement civilian oversight body to observe a law-enforcement officer employed with such locality's law-enforcement agency while such law-enforcement officer is engaged in his official duties. The bill also provides that any disciplinary determination recommended by a law-enforcement civilian oversight body shall be advisory and that if any law-enforcement agency declines to implement such recommendation, such agency shall create and make available to the public within 30 days from the date such recommendation is reported to such agency a written public record of its rationale for declining to implement such recommendation. The bill requires that such observation take place within 90 days of the member's appointment to the civilian oversight body and total no fewer than 24 hours, a portion of which includes a ride-along with a law-enforcement officer. The bill also requires each law-enforcement civilian oversight body to include at least one retired law-enforcement officer as a voting member; under current law, a retired law-enforcement officer may serve on such body as an advisory, nonvoting ex officio member. (22100522D)

SB 102 (Hanger) (Passed Senate; HCT) provides that if a law-enforcement officer makes an arrest without a warrant when in close pursuit and such arrest is made beyond the boundary of the county or city from which the arrestee fled, then the law-enforcement officer shall procure a warrant from the magistrate serving the county or city wherein the arrest was made, charging the accused with the offense committed, and any criminal act committed during the close pursuit, in the county or city from which he fled. Under current law, such officer would not be able to obtain a warrant for a criminal act committed during the close pursuit beyond the boundary of the county or city from which the arrestee fled. (22102857D)

SB 639 (Morrissey) (Passed Senate; HCT) clarifies that the immunity afforded to the seeking of emergency help for an overdose also applies to a show cause order. (22103752D-E)

Procurement

HB 1287 (Runion) (Passed House; Reported from SGL) requires the Department of General Services (DGS), in determining the award of any contract for plastic materials to be purchased for use by agencies of the Commonwealth, to procure using competitive sealed bidding and give preference to bidders that supply materials containing plastic recycled content, as long as such materials are cost competitive with materials that do not contain plastic recycled content. The bill directs DGS to promulgate regulations to (i) in consultation with the Virginia Manufacturers Association, define the term "cost competitive" as it relates to the provision of this bill, and (ii) implement such provision and establish a system that requires an incremental increase in the minimum percentage of plastic recycled content required to be included in materials in order for a bidder to be given preference in the procurement process, as follows: (a) 10 percent plastic

recycled content by January 1, 2025; (b) 20 percent plastic recycled content by January 1, 2028; and (c) 30 percent plastic recycled content by January 1, 2030. (22106525D-H1)

Taxation

SB 25 (Ruff) (Passed Senate; Reported from HFIN) requires any locality that increases its cigarette tax rate to allow, for one calendar year after the increase, a person with unsold inventory to pay the tax increase on the unsold inventory by filing a return, rather than requiring the use of a stamp or meter impression. The bill imposes a duty on regional cigarette tax boards to effectuate the policy. (22106925D-H1)

SB 432 (Dunnivant) (Passed Senate; Reported from HFIN) provides that, for purposes of the Retail Sales and Use Tax on accommodations, the term “accommodations” does not include rooms or space offered by a person in the business of providing conference rooms, meeting space, or event space if the person does not also offer rooms available for overnight sleeping. The substantive provisions of the bill are given retroactive effect to September 1, 2021, but no taxpayer shall be entitled to a refund for any taxes remitted prior to July 1, 2022. (22106110D-S1)

SB 686 (Mason) (Passed Senate; Reported from HFIN) provides that any solar facility installed pursuant to existing local regulation of solar facilities laws is declared a separate class of property and shall be classified for local taxation separately from other classifications of real or personal property. Such facilities shall be wholly exempt from state and local taxation under the Constitution of Virginia. (22106931D-H1)

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

HB 216 (Simonds) (Passed Both Houses) exempts from the definition of gift tickets and registration or admission fees to an event that are provided by an agency to its own officers or employees for the purposes of performing official duties related to the officer's or employee's public service. (HB216ER)

HB 429 (Bulova) (Passed Both Houses) provides that the sum of all projects performed in an architectural and professional engineering contract term shall not exceed \$10 million, and the fee for any single project shall not exceed \$2.5 million. The bill allows a contract for multiple architectural or professional engineering projects to be renewable for up to three additional terms at the option of the public body. Current law limits the sum of all projects performed in a one-year contract term to \$750,000, with up to four additional one-year terms at the option of the public body, and limits the fee for any single project to \$150,000, with specific exceptions to those limits, including a limit for total projects for rail projects of \$5 million and for highway projects, \$8 million. The bill also removes specific agency and locality exceptions to such current limits. This bill incorporates HB 438 (Sewell). (22105823D-H1)

HB 1353 (Knight) (Passed House; SFIN) establishes the Virginia Football Stadium Authority as a political subdivision charged with financing the construction of a football stadium and related facilities. The Authority is authorized to hire independent contractors, enter contracts, acquire property, borrow money, and exercise other similar powers. The Authority is exempt from the Personnel Act and the Public Procurement Act. The Authority may issue bonds with a maximum maturity date of 20 years. The bill provides that at least 50 percent of any revenues received from selling the naming rights to the stadium shall be dedicated to the principal and financing costs of any bonds issued under the bill, and provides that if the football team that will primarily use the stadium (the primary team) relocates, it shall be required to repay any outstanding principal and financing costs. The bill entitles the Authority to sales tax revenues from transactions at the stadium but excludes certain revenues that current law dedicates to transportation and education. The entitlement begins on the stadium's operational date. The bill enables localities to appropriate tax revenues to the Authority. The Authority is made up of nine members appointed by the Governor and subject to confirmation by the General Assembly. Four of the nine members are appointed from a list chosen by the primary team. The provisions of the bill expire if the Authority has not entered into a development and lease agreement with the primary team before July 1, 2025. (22104733D)

SB 46 (Petersen) (Passed Senate; HRUL) provides that, in any case in which the Governor has issued an emergency order that includes any measure that closes schools or businesses or restricts the movement of healthy persons within the area to which the order applies, all of the rights, protections, and procedures applicable in the case of an order of quarantine issued by the State Health Commissioner shall apply. (22106262D-S1)

SB 153 (Locke) (Passed Senate; HGL) eliminates the position of Director of Diversity, Equity, and Inclusion in the Office of the Governor and establishes the position of Secretary of Diversity, Equity, and Inclusion, to be appointed by the Governor and to assist the Governor and Governor's Secretaries in promoting diversity, equity, and inclusion at the state level. The bill outlines the responsibilities of the Secretary. The bill makes several changes in the Code of Virginia to reflect the new position by eliminating references to the Office and Governor's Director of Diversity, Equity, and Inclusion and replacing these references with the Secretary of Diversity, Equity, and Inclusion. (22104752D-S1)

SB 270 (Hashmi) (Passed Senate; HGL) establishes the Interagency Language Access Working Group in the Office of the Director of Diversity, Equity, and Inclusion with the following membership: the Director of Diversity, Equity, and Inclusion, the Director of the Office of the Children's Ombudsman, the Governor's Secretaries, and six non-legislative citizen members representing organizations that represent individuals with language access needs. The Working Group is established for the purpose of maximizing state policies, resources, technical assistance, and procurement practices to further language access and equity in the Commonwealth and its state government agencies. The bill also requires each state agency to designate a language access coordinator who will be responsible for the agency's annual language access report, the requirements of which are set out in the bill. The Secretary of Administration is directed to establish criteria for state agencies to procure language interpretation and translation services and to establish a policy for compensating multilingual state employees who are required as part

of their job to provide interpretation, translation, or other bilingual skills at least once a month. (22104256D)

Courts/Public Safety

HB 79 (Campbell, R) (Passed House; SJUD) removes the provisions that provide that no law-enforcement officer may lawfully stop a motor vehicle for operating (i) without a light illuminating a license plate, (ii) with defective and unsafe equipment, (iii) without brake lights or a high mount stop light, (iv) without an exhaust system that prevents excessive or unusual levels of noise, (v) with certain sun-shading materials and tinting films, and (vi) with certain objects suspended in the vehicle, and the accompanying the exclusionary provisions. This bill incorporates HB 1030 (Austin). (22105519D-H1)

HB 632 (Carr) (Passed House; STRAN) makes certain secondary offenses related to load exhaust systems that are not in good working order primary offenses and removes the prohibition on law-enforcement officers stopping a vehicle for a violation of a local ordinance unless it is a jailable offense. (22105730D-H1)

HB 497 (Mullin) (Passed Both Houses) makes it a Class 1 misdemeanor for an agent under a power of attorney who knowingly or intentionally engages in financial exploitation of an incapacitated adult who is the principal of that agent. The bill also provides that the agent's authority terminates upon such conviction. As introduced, this bill was a recommendation of the Virginia Criminal Justice Conference. (22105097D-H1)

HB 761 (Krizek) (Passed House; Reported from SJUD) requires that a sign be posted in all state courts of the Commonwealth, in a location accessible to the public, that notes the availability of and provides instructions to obtain a downloadable electronic version of any standardized form developed and utilized by the Judicial Inquiry and Review Commission for the filing of a complaint from the official website of the judicial system of the Commonwealth. (22106882D-S1)

HB 812 (Williams) (Passed House; SJUD) creates a rebuttable presumption against bail for certain criminal offenses enumerated in the bill and for persons identified as being illegally present in the United States by U.S. Immigration and Customs Enforcement who are charged with certain offenses. The bill also requires the court to consider specified factors when determining whether the presumption against bail has been rebutted and whether there are appropriate conditions of release. (22100870D)

HB 1191 (Ransone) (Passed House; Reported from SEH) expands the deadline by which a locality shall establish a Marcus alert system. The bill provides that by July 1, 2023, every locality with a population greater than 40,000, and by July 1, 2024, every locality with a population of 40,000 or less, shall (i) establish local protocols that meet the requirements of a Marcus alert system set by the Department of Behavioral Health and Developmental Services (DBHDS) and (ii) have established protocols for law-enforcement participation in the Marcus alert system that has been approved by DBHDS and the Department of Criminal Justice Services.

The bill also revises reporting requirements related to the Marcus alert system and comprehensive crisis system to include a requirement that DBHDS include in its annual report a statement of the barriers to establishment of local Marcus alert programs and community care or mobile crisis teams in areas of the Commonwealth where such programs and teams have not yet been established and a plan for addressing such barriers to increase the number of such programs and teams in the Commonwealth. (22106949D-S1)

SB 361 (Stuart) (Passed Senate; HPS) provides that participation in the Marcus alert system is optional for localities with a population of less than 40,000. The bill requires every locality, regardless of population, to establish local protocols to divert calls from the 9-1-1 dispatch and response system to a crisis call center for risk assessment and engagement, including assessment for mobile crisis or community care team dispatch if available. The bill also delays from July 1, 2026, to July 1, 2028, the requirement that all community services board and behavioral health authority geographical areas have established a Marcus alert system that uses a community care or mobile crisis team. (22106013D-S3)

HB 1198 (Bell) (Passed House; SJUD) authorizes the Attorney General to institute or conduct criminal prosecutions in cases involving violations of criminal sexual assault when such crimes are committed against children. (22104934D-H1)

SB 98 (Hanger) (Passed Senate; HCT) provides that if any person refuses to give a written promise to appear, the arresting officer shall give such person notice of the time and place of the hearing, note such person's refusal to give his written promise to appear on the summons, and forthwith release him from custody. Under current law, any person refusing to give such written promise to appear is required to be taken immediately by the arresting officer before a magistrate or other issuing officer having jurisdiction. (22106308D-S1)

SB 105 (Morrissey) (Passed Senate; HCT) provides that the provisions of Chapters 45 and 51 of the Acts of Assembly of 2020, Special Session I, shall be given retroactive and prospective effect. The bill also provides that its provisions shall not create any cause of action for damages against the Commonwealth or any of its political subdivisions, nor shall it form the basis for relief in any habeas corpus proceeding or appellate proceeding. (22102985D-E)

SB 134 (Edwards) (Passed Senate; HCT) raises the maximum age for delinquency matters in juvenile and domestic relations district courts from persons under 18 years of age to persons under 21 years of age. The bill defines "underage person" as an individual who is 18 years of age or older but less than 21 years of age. The bill adds underage persons to all provisions regarding delinquency proceedings in juvenile and domestic relations district courts, the transfer of delinquency matters to circuit courts, and criminal procedure as currently applies to juveniles only. The bill differentiates between juveniles and underage persons in specific circumstances, including consent for medical or mental health records or procedures, mental health screenings in secure detention facilities, and provisions regarding release on bail or recognizance. The bill has a delayed effective date of January 1, 2024 and provides that the provisions of the bill shall apply prospectively and only to conduct or an offense that occurs on or after January 1, 2024.

The provisions of the bill are contingent on funding in a general appropriation act. (22100118D-E)

Guardianships

HB 623 (Hudson) (Passed House; SJUD) adds to the duty of a guardian ad litem appointed to represent the interests of a respondent in a guardianship or conservatorship case the requirement to notify the court as soon as practicable if the respondent requests counsel regardless of whether the guardian ad litem recommends counsel. The bill further directs the guardian ad litem to include in his report to the court an explanation by the guardian ad litem as to any (i) decision not to recommend the appointment of counsel for the respondent, (ii) determination that a less restrictive alternative to guardianship or conservatorship is not available, and (iii) determination that appointment of a limited guardian or conservator is not appropriate. (22105239D-H1)

HB 634 (Roem) (Passed House; SJUD) directs the Department for Aging and Rehabilitative Services to convene a work group to (i) evaluate how a requirement for private guardians to visit the individual under their guardianship in person at least once every 90 days would reduce the availability of willing and qualified individuals to serve as private guardians, if at all; (ii) consider whether a different number and frequency of visits per year, other than least once every 90 days, would better balance resource constraints with the importance of guardian visits to the incapacitated person under their care; (iii) determine the additional resources, if any, needed to mitigate the negative impacts of an increased visitation requirement on the willingness and availability of qualified individuals to serve as private guardians; (iv) determine how those resources could be allocated to the relevant private and public entities in the guardianship system to promote compliance with an increased visitation requirement; and (v) determine whether expansion of the Virginia Public Guardian and Conservator Program would substantially alleviate issues related to these concerns. The Department shall submit a summary of its recommendations to the Chairs of the House Committee for Courts of Justice and the Senate Committee on the Judiciary by November 1, 2022. (22105845D-H1)

HB 1212 (Glass) (Passed House; SJUD) requires the notice of hearing for a guardianship or conservatorship petition to include a notice that any adult individual or entity whose name and post office address appears in the initial petition for appointment may become a party to the action by filing a pleading with the circuit court in which the guardianship or conservatorship proceeding is pending. (22105682D-H1)

SB 514 (McPike) (Passed Senate; HCT) makes several changes to the provisions of adult guardianships and conservatorships, including (i) adding certain powers and duties to the Department for Aging and Rehabilitative Services to provide support and guidance with respect to private guardianships, including developing and providing training for such guardians; (ii) requiring a guardian ad litem appointed to represent a respondent to a guardianship proceeding to notify the court as soon as practicable if the respondent requests counsel regardless of whether the guardian ad litem recommends counsel; (iii) requiring the notice of hearing on a guardianship or conservatorship petition to include notice that any adult individual required to receive a copy of such notice may file a motion to intervene in the action to become a party and request to be

appointed as guardian or conservator or offer an alternative to the guardian or conservator selected; (iv) requiring a schedule for periodic review hearings in the order of appointment of a guardian or conservator to be set by a court, unless the court makes a determination that such hearings are unnecessary or impracticable, and specifying circumstances under which such review hearings shall not be waived; (v) requiring guardians and staff employed or contracted by such guardian to perform guardianship duties on behalf of the guardians to complete training within four months of the date of entry of the initial order of appointment; and (vi) providing that a guardian shall not restrict an incapacitated person's ability to communicate with, visit, or interact with other persons with whom the incapacitated person has an established relationship unless such restriction is necessary to prevent physical, mental, or emotional harm to or financial exploitation of the incapacitated person; the bill further requires that the guardian must provide written notice to any restricted person stating (a) the nature and terms of the restriction, (b) the reasons why the guardian believes the restriction is necessary, and (c) how the restricted person may challenge such restriction in court. The bill sets up a procedure by which a person whose visit, communication with, or interaction with an incapacitated person has been restricted may challenge such restriction in court, and provides that if the court finds that the claim of a restricted person who filed a motion to challenge such restriction was brought in bad faith, the court may require the restricted person to pay or reimburse the guardian all or some of the his costs and fees, including attorney fees. (22106485D-S3)

Education

HB 1272 (Batten) (Passed House; Reported from SEH) 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. (22106116D-H1)

SB 156 (Hashmi) (Passed Senate; HED) requires state funding to be provided to support, in the 2022-2023 school year and thereafter, a new division-wide ratio of English learner students in average daily membership to full-time equivalent teaching positions of 22 full-time equivalent instructional positions for each 1,000 students identified as having limited English proficiency. (22106272D-S1)

School Incident Reports

HB 4 (Wyatt) (Passed Both Houses) requires that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor offense and report to the parents of any minor student who is the specific object of such act that the incident has been reported to law enforcement. Under current law, principals are required to make such reports only for such acts that may constitute a felony offense. (22105170D-H1)

SB 36 (Norment) (Passed Senate; Reported from HED) requires that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor offense and report to the parents of any minor student who is the specific object of such act that the incident has been reported to law enforcement. Under current law, principals are required to make such reports only for such acts that may constitute a felony offense. The bill provides, as an exception to the requirement to report any written threats against school personnel while on a school bus, on school property, or at a school-sponsored activity, that a principal is not required but may report to the local law-enforcement agency any such incident committed by a student who has an individualized education plan. This bill incorporates SB 2 (Cosgrove), SB 287 (DeSteph), and SB 613 (Stanley). (22106441D-ES1)

Elections

SB 495 (McClellan) (Passed Senate; HPE) provides for the removal of certain elected officers and officers appointed to elected offices by recall referendum. The bill requires a petition for recall be signed by 30 percent of the total number of votes cast at the last election for the office for which a recall is sought. (22105067D-S1)

HB 1140 (Walker) (Passed House; SPE) requires general registrars to provide notice of the cancellation of a voter's registration to the voter by mail, to the address listed in the voter's registration record, and by email, to the email address provided on the voter's registration application, if one was provided. (22103540D)

SB 80 (Stanley) (Passed Senate; HPE) prohibits state and local elections officials from soliciting, accepting, using, or disposing of any moneys, grants, property, or services given by a private individual or nongovernmental entity for the purpose of funding voter education and outreach programs, voter registration programs, or any other expense incurred in the conduct of elections. The bill specifically provides that it is not a violation of this prohibition to (i) operate a polling place or voter satellite office in a facility furnished by a private individual or nongovernmental entity or (ii) accept a federal government grant funded in whole or part by donations from private individuals or nongovernmental entities. (22105282D-S1)

Employment Issues

HB 282 (Coyner) (Passed House; SGL) provides for consideration of certain factors to be made by any regulatory board through an individualized assessment prior to denying an application for licensure, certification, or registration for any occupation or profession regulated by the

Department of Professional and Occupational Regulation where such denial was made in whole or in part upon the existence of the applicant's criminal record. Such individualized assessment shall be completed within 90 days of receipt of the application. The bill requires, beginning July 1, 2025, the Department to include certain data related to the criminal history of applicants to each regulatory board in its biennial report. The bill contains technical amendments. (22106504D-H1)

HB 790 (LaRock) (Passed House; SCL) prohibits a county, city, or town from entering into a collective bargaining contract with a labor union or other employee association representing law-enforcement officers or employees of a law-enforcement agency that (i) prevents the Attorney General from seeking equitable relief against a law-enforcement agency engaging in a pattern or practice of unconstitutional misconduct; (ii) includes any stipulation that delays officer interviews or interrogations after alleged wrongdoing for a set length of time; (iii) provides officers with access to evidence before interviews or interrogations about alleged wrongdoing; (iv) mandates the destruction or purging of disciplinary records from personnel files after a set length of time, or limits the consideration of disciplinary records in future employment actions; (v) prohibits the interrogation, investigation, or punishment of officers on the basis of alleged wrongdoing if a set length of time has elapsed since its alleged occurrence, or since the initiation of the investigation; (vi) prohibits supervisors from interrogating, investigating, or disciplining officers on the basis of anonymous civilian complaints; or (vii) requires arbitration of disputes related to disciplinary penalties or termination. (22102743D)

SB 181 (Saslaw) (Passed Senate; HCE) provides that the presumption that COVID-19 causing the death or disability of certain employees is an occupational disease compensable under the Virginia Workers' Compensation Act does not apply to an individual who fails or refuses to receive a vaccine for the prevention of COVID-19 either approved by or with an Emergency Use Authorization issued by the U.S. Food and Drug Administration, unless the person is immunized or the person's physician determines in writing that the immunization would pose a significant risk to the person's health. (22100495D)

SB 524 (Barker) (Passed Senate; HCE) requires employers that are subject to prevailing wage provisions for work done on public contracts to furnish the Commissioner of Labor and Industry within 30 days after issuance of its first payroll, and every 30 days thereafter, a certified payroll that consists of a complete copy of certain records accompanied by a statement signed by the employer that indicates that (i) such records are true and accurate; (ii) the hourly rate paid to each worker is not less than the general prevailing rate of hourly wages required by law; and (iii) the contractor or subcontractor is aware that filing a certified payroll that he knows to be false is a Class 6 felony. The bill provides civil penalties not to exceed \$1,000 for each violation for violations of prevailing wage provisions for any contractor or subcontractor that (a) knowingly fails to provide the certified pay scale for each craft or trade employed on the project, (b) knowingly fails to provide the certified payroll required by the bill, and (c) fails to post the general prevailing wage rate for each craft and classification involved in a contract in prominent and easily accessible places at the site of the work and a civil penalty not to exceed \$10 per calendar day that required records have not been received. The bill also provides that any

contractor or subcontractor who knowingly files false records or willfully fails to file records is guilty of a Class 6 felony. (22102463D)

Environment/Energy

HB 73 (Ware) (Passed House; SCL) amends certain provisions related to the Air Pollution Control Board's regulation of carbon dioxide emissions. The bill removes certain requirements for energy efficiency pilot programs to be considered in the public interest. The bill removes aggregate capacity requirements for renewable energy generating facilities, including facilities utilizing energy derived from sunlight, onshore wind, and offshore wind. The bill further removes requirements for the State Corporation Commission's methodology in determining the reasonableness and prudence of costs related to a request for cost recovery for an offshore wind facility by a Phase II Utility. The bill removes the requirement that the State Corporation Commission must wait until a certain report is received by the General Assembly prior to issuing a certificate of public convenience and necessity for any investor-owned utility to own, operate, or construct any electric generating unit that emits carbon as a by-product of combusting fuel to generate electricity. (22101104D-E)

HB 558 (O'Quinn) (Passed House; Passed Senate with Substitute) permits natural gas utilities to include in their fuel portfolios, submitted to the State Corporation Commission to monitor fuel prices and purchases, supplemental or substitute forms of gas sources, defined in the bill, that meet certain standards and that reduce emissions intensity. The bill amends provisions of the Code related to conservation and energy efficiency programs, removes certain cost-effectiveness requirements for conservation and energy efficiency programs, and adds appliance rebates to the types of programs the Commission may consider. The bill expands conservation and ratemaking efficiency provisions of the Code that currently apply to natural gas consumption specifically to instead apply generally to energy consumption. The bill introduces enhanced leak detection and repair programs, defined in the bill, as a type of eligible infrastructure replacement for a natural gas utility facility. Costs of detecting and repairing leaks may be added to a natural gas utility's plan to identify proposed eligible infrastructure replacement projects and related cost recovery mechanisms, known as the utility's Steps to Advance Virginia's Energy (SAVE) Plan. The bill adds provisions to the Code related to biogas supply infrastructure projects. Eligible infrastructure costs for these projects include (i) the investment in eligible biogas supply infrastructure projects, (ii) the return on the investment, (iii) a revenue conversion factor, (iv) operating and maintenance expenses, (v) depreciation, (vi) property tax and other taxes or government fees, and (vii) carrying costs on the over-recovery or under-recovery of the eligible biogas supply infrastructure costs. Under the bill, natural gas utilities can recover these eligible infrastructure costs on an ongoing basis through the gas component of the utility's rate structure or other recovery mechanism approved by the Commission. The plan submitted by the utility may include an option to receive the biogas or sell the biogas at market prices. The timeline for the Commission to approve such plan is included in the bill. The bill further states that a natural gas utility with an approved biogas supply infrastructure plan must file a report of the investments made, the eligible infrastructure costs incurred and the amount of such costs recovered, the volume of biogas delivered to customers or sold to third parties during the 12-month reporting period, and an analysis of the price of biogas delivered to customers and the

market cost of biogas during the reporting period. Additionally, the bill requires each natural gas utility with an eligible biogas supply infrastructure project to report annually to the Commission the reduction in methane and carbon dioxide equivalent emissions from each such approved project. (22106786D-S1)

SB 565 (Surovell) (Passed Senate; HCE) permits natural gas utilities to include in their fuel portfolios, submitted to the State Corporation Commission to monitor fuel prices and purchases, supplemental or substitute forms of gas sources, defined in the bill, that meet certain standards and that reduce emissions intensity. The bill amends provisions of the Code related to conservation and energy efficiency programs, removes certain cost-effectiveness requirements for conservation and energy efficiency programs, and adds appliance rebates to the types of programs the Commission may consider. The bill expands conservation and ratemaking efficiency provisions of the Code that currently apply to natural gas consumption specifically to instead apply generally to energy consumption. The bill introduces enhanced leak detection and repair programs, defined in the bill, as a type of eligible infrastructure replacement for a natural gas utility facility. Costs of detecting and repairing leaks may be added to a natural gas utility's plan to identify proposed eligible infrastructure replacement projects and related cost recovery mechanisms, known as the utility's Steps to Advance Virginia's Energy (SAVE) Plan. The bill adds provisions to the Code related to biogas supply infrastructure projects. Eligible infrastructure costs for these projects include (i) the investment in eligible biogas supply infrastructure projects, (ii) the return on the investment, (iii) a revenue conversion factor, (iv) operating and maintenance expenses, (v) depreciation, (vi) property tax and other taxes or government fees, and (vii) carrying costs on the over-recovery or under-recovery of the eligible biogas supply infrastructure costs. Under the bill, natural gas utilities can recover these eligible infrastructure costs on an ongoing basis through the gas component of the utility's rate structure or other recovery mechanism approved by the Commission. The plan submitted by the utility may include an option to receive the biogas or sell the biogas at market prices. The timeline for the Commission to approve such plan is included in the bill. The bill further states that a natural gas utility with an approved biogas supply infrastructure plan must file a report of the investments made, the eligible infrastructure costs incurred and the amount of such costs recovered, the volume of biogas delivered to customers or sold to third parties during the 12-month reporting period, and an analysis of the price of biogas delivered to customers and the market cost of biogas during the reporting period. Additionally, the bill directs the Department of Environmental Quality to convene a stakeholder work group to determine the feasibility of setting a statewide methane reduction goal and plan. The recommendations of the work group shall be reported to the General Assembly by July 1, 2023. (22106179D-ES2)

HB 892 (Kilgore) (Passed House; SFIN) establishes a reserve account for the purchase of Regional Green House Gas Initiative (RGGI) allowances by an entity that has a preexisting contractual arrangement related to a power purchase entered into on or before May 16, 2017, and continuing in effect on July 1, 2020, through December 31, 2025. Such entity is authorized under the bill to purchase RGGI credits at a discounted rate, subject to conditions set forth in the bill, if, because of the preexisting contractual arrangement, the entity is unable to pass through or recover its RGGI costs. (22101448D)

FOIA

HB 734 (Bell) (Passed House; SGL) provides that (i) criminal investigative files relating to a criminal investigation or proceeding that is not ongoing are excluded from the mandatory disclosure provisions of the Virginia Freedom of Information Act, but may be disclosed by the custodian of such records to certain individuals except as otherwise provided in the bill, and (ii) no criminal investigative file or portion thereof shall be disclosed to any requester except (a) the victim; (b) members of the victim's immediate family, if the victim is deceased; (c) the victim's parent or guardian, if the victim is a minor and the parent or guardian is not a person of interest or a suspect in the criminal investigation or proceeding; or (d) an attorney representing a petitioner in a petition for a writ of actual innocence, unless the public body has notified any such individual of the request for such information. Upon notification of a request, such persons may file a petition in an appropriate court for an injunction to prevent disclosure of the records. The bill requires the court to consider certain information in making its determination and provides that a public body shall be prohibited from disclosing criminal investigative files if the court awards an injunction. (22106405D-H1)

SB 152 (Locke) (Passed Senate; HGL) defines "official public government website" as it applies to the Virginia Freedom of Information Act and the Virginia Freedom of Information Advisory Council as any Internet site controlled by a public body and used, among any other purposes, to post required notices and other content pursuant to the Virginia Freedom of Information Act on behalf of the public body. This bill is a recommendation of the Virginia Freedom of Information Advisory Council. (22100073D)

Health and Human Services

HB 306 (Freitas) (Passed House; SEH) exempts a person, including a parent or guardian on behalf of a child, who objects to administration of a vaccine on religious grounds from mandatory immunization requirements during an epidemic. Currently, exemption from mandatory immunization requirements during an epidemic is available only to those persons to whose health the administration of the vaccine would be detrimental, as certified in writing by a licensed physician. (22102554D-E)

HB 669 (Hope) (Passed House; Reported from SEH) 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 Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by November 1, 2023. (22105800D-H1)

SB 192 (Mason) (Passed Senate; HHWI) amends the qualification requirements for local health directors to permit local health directors to possess a master's or doctoral degree in the area of public health and have at least three years of professional experience in a full-time position in either a public health agency or public health-related position, or be otherwise qualified for the

position as determined by the Commissioner of Health, as an alternative to the current requirement that local health directors be physicians licensed to practice medicine in the Commonwealth. The bill states that if a local health director is not a physician licensed to practice medicine and there is no licensed physician on staff, the local health director shall enter into a consulting agreement with a licensed physician to execute prescribing duties, consult on clinical matters, and perform all other duties as requested. (22105409D-S1)

SB 448 (Boysko) (Passed Senate; HHWI) directs the Task Force on Services for Survivors of Sexual Assault (the Task Force) to convene a work group to develop best practices for hospital policies and procedures related to victims of domestic violence and sexual assault. The bill requires the Task Force to report its findings and recommendations to the Governor and the General Assembly by November 1, 2022. (22105717D-S1)

SJ 10 (Surovell) (Agreed to by Senate; HRUL) 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 General Assembly, 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. (22100036D)

SJ 14 (Mason) (Agreed to by Senate; HRUL) directs the Joint Commission on Health Care to complete a two-year study of the Commonwealth's public health system and develop recommendations for its improvement. The Commission's study shall include examining the structure, operations, oversight, and funding of the existing public health system and the effectiveness of the current public health system in meeting ongoing public health needs as well as public health needs resulting from public health emergencies and shall identify areas of success and areas for improvement in preparation for and response to future public health emergencies. (22103635D)

SJ 42 (Suetterlein) (Agreed to by Senate; HRUL) directs the Joint Commission on Health Care to study the benefits of hospitals, health systems, and other providers in addressing the health-related social needs of Virginians. The study shall identify opportunities for policy making to make health care in Virginia more affordable and effective through innovations in care coordination, workforce development, payment options, and improved data collection. (22103464D)

Land Use

SB 145 (Cosgrove) (Passed Senate; HAG) excludes the replacement of certain private piers used for noncommercial purposes from the requirement that a permit be issued by the Marine Resources Commission prior to taking certain actions regarding the beds of the bays, ocean, rivers, streams, or creeks that are the property of the Commonwealth. (22106403D-S1)

SB 400 (Hanger) (Passed Senate; HGL) authorizes the Board of Housing and Community Development to promulgate regulations related to agritourism event buildings, defined in the bill as a building or structure located on property where farming operations or agritourism takes place and which is primarily used for holding events and entertainment gatherings, open to the public, of 300 people or less. The bill directs the Board to appoint an eight-member Agritourism Event Structure Technical Advisory Committee to assist the Board in administering its powers and duties pertaining to the construction and rehabilitation of agritourism event buildings. (22100788D-E)

Taxation

SB 579 (Hanger) (Passed Senate; Reported from HFIN) provides an income tax refund for individuals and for married persons filing a joint return for taxable year 2021 in an amount specifically set forth in the general appropriation act passed during the 2022 Session of the General Assembly. The bill provides that the refund shall not exceed the taxpayer's tax liability. (22106930D-H1)

SB 692 (Petersen) (Passed Senate; HFIN) permits a qualifying pass-through entity, defined in the bill, to make an annual election in taxable years 2021 through 2025 to pay an elective income tax at a rate of 5.75 percent, created by the bill, at the entity level for the taxable period covered by the return. The bill also creates a corresponding individual income tax subtraction for taxable years 2021 through 2025 for any amount of income derived from a pass-through entity having Virginia taxable income if such pass-through entity makes such election and pays the elective income tax imposed at the entity level. (22106137D-S1)

Legislation Provided for Information

HB 167 (Ransone) (Passed Both Houses) provides that in any instance in which a locality has submitted a correct and timely notice request to such newspaper and the newspaper fails to publish the notice, or publishes the notice incorrectly, such locality shall be deemed to have met the appropriate notice requirements so long as the notice was published in the next available edition of a newspaper having general circulation in the locality. (22102634D)

HB 323 (Rasoul) (Passed House; Reported from SACNR) increases from \$25,000 to \$50,000 the amount of a grant that may be made to a political subdivision for projects that support local food production and sustainable agriculture. (22102179D)

HB 377 (Subramanyam) (Passed House; Passed Senate with Amendment) allows localities to make appropriations to nonprofit faith-based organizations that provide community services within the locality for secular purposes without regard to the religious affiliation of the recipients of such services, provided that nothing in the bill shall be construed to absolve or change any existing right or obligation created by certain provisions of the Virginia Human Rights Act or related to the exercise of religion. (22105175D-EH1)

SB 250 (Surovell) (Passed Senate; Reported from HAG) increases the annual fees for nonhazardous solid waste management facilities and indexes the fees annually based on the change in the Consumer Price Index. (22103053D-E)

SB 305 (Deeds) (Passed Senate; HAG) authorizes the Commissioner of the Department of Agriculture and Consumer Services to exempt food manufacturers operating in historic buildings from certain laws and regulations related to the structure of a building if the food manufacturer is deemed to be producing food products that are low risk of being adulterated. (22102722D)

SB 526 (Lucas) (Passed Senate; Reported from HGL) allows a locality to require those persons providing or operating a battery-charged fence security system, defined in the bill, to obtain an alarm company permit and the corresponding fee and to require certain other requirements as defined in the law. The bill provides certain requirements for such systems. The bill provides that the locality can also require the installer of such security system to submit an affidavit disclosing information about the installation that includes an affirmation of compliance. The bill also provides that a locality can inspect such newly installed security system and issue a citation warning of noncompliance and can impose a penalty not exceeding \$500 if the noncompliance is not remedied within the time period specified by the locality. (22101997D-E)

Animals

SB 87 (Stanley) (Passed Senate; HAG) prohibits a dealer or commercial dog or cat breeder, as defined in the bill, from importing for sale, selling, or offering for sale a dog or cat bred by a person who has received certain citations pursuant to the federal Animal Welfare Act. Current law only prohibits such activities related to the sale of dogs. The bill also clarifies that selling includes selling the dog or cat for experimental purposes. Certain provisions of the bill apply only to violations occurring on or after March 1, 2023. (22106321D-ES1)

SB 88 (Stanley) (Passed Senate; HAG) requires entities that breed dogs or cats for sale or transfer to an animal testing facility to keep records of each animal for two years from the date of the sale or transfer, and to annually submit a summary of the records to the State Veterinarian. (22101356D)

SB 90 (Stanley) (Passed Senate; HAG) requires a breeder of dogs and cats for sale or transfer to an animal testing facility that no longer has a need for a dog or cat in its possession to offer the animal for adoption prior to euthanizing it. Currently, only animal testing facilities are subject to this requirement. (22101362D)

Hunting

SB 8 (Petersen) (Passed Senate; HAG) permits hunting on Sunday on public or private land, so long as it takes place more than 200 yards from a place of worship. (22104683D-S1)

SB 492 (McDougle) (Passed Senate; HAG) prohibits the use of snare traps to hunt or kill game animals east of Interstate 95 during deer hunting season. (22100901D-E)

Courts/Public Safety

HB 70 (Davis) (Passed House; SJUD) provides that the rights accorded to law-enforcement officers in the Law-Enforcement Officers Procedural Guarantee Act are minimum rights, and all law-enforcement agencies shall adopt grievance procedures that are consistent with such rights. The bill removes the current exception from the provisions of the Law-Enforcement Officers Procedural Guarantee Act for any law-enforcement officer or law-enforcement agency that serves under the authority of a locality that has established a law-enforcement civilian oversight body. (22101878D)

HB 283 (Brewer) (Passed Both Houses) requires the Department of Criminal Justice Services to establish training standards for law-enforcement personnel regarding the recognition, prevention, and reporting of human trafficking. (HB283ER)

HB 397 (Sullivan) (Passed House; SFIN) modifies the formula for compensating wrongfully incarcerated persons to equal \$55,000 per year of incarceration, adjusted for inflation. Changes the amount of compensation that may be paid out as a lump sum to equal 25 percent of the total award, with the remainder to be paid out as an annuity with a term of 10 years. Provides that the General Assembly may pay to the wrongfully incarcerated person the amount of court costs and other charges incurred to receive the compensation. Allows a wrongfully incarcerated person who submitted an Alford plea to receive compensation for such wrongful incarceration. The bill also provides an income tax subtraction for any compensation awarded to a wrongfully incarcerated person. (22106994D-S1)

HB 404 (Delaney) (Passed House; Reported from SJUD) allows testimony offered by either party in a preliminary hearing or sentencing hearing, or offered by the accused in any hearing other than a trial, by a sexual assault nurse examiner or sexual assault forensic examiner who performed a forensic medical examination to be presented by two-way video conferencing. The bill also allows such testimony to be presented by two-way video conferencing when offered by either party in a trial or by the attorney for the Commonwealth in a hearing other than a preliminary hearing or sentencing hearing, with the consent of the court and all parties. (22106285D-H1)

HB 614 (Bourne) (Passed Both Houses) removes the requirement for an indigent defendant, as defined in the bill, to post an appeal bond in an unlawful detainer action appealed from the general district court. (22105639D-H1)

HB 678 (Hope) (Passed Both Houses) includes in the definition of "person under a disability" persons made defendants by the general description of "parties unknown" in suits involving real property. This bill is a recommendation of the Boyd-Graves Conference. (HB678ER)

HB 711 (Keam) (Passed Both Houses) provides that a petitioner for a writ of vacatur for victims of sex trafficking shall not be required to pay any fees or costs for filing such petition if the petitioner is found to be unable to pay them. (22104020D)

HB 719 (Filler-Corn) (Passed Both Houses) provides that for a physical evidence recovery kit that (i) was collected by the Office of the Chief Medical Examiner as part of a routine death investigation, and the medical examiner and the law-enforcement agency agree that analysis is not warranted, (ii) was determined by the law-enforcement agency not to be connected to a criminal offense, or (iii) is connected to an offense that occurred outside of the Commonwealth or another law-enforcement agency has taken over responsibility of the investigation and such kit is not transferred to another law-enforcement agency, the law-enforcement agency that received the physical evidence recovery kit shall store such kit for a period of 10 years or until 10 years after the victim reaches the age of majority if the victim was a minor at the time of collection, whichever is longer. The bill provides that after the mandatory retention period, the law-enforcement agency may destroy the physical evidence recovery kit, or in its discretion, may elect to retain the physical evidence recovery kit for a longer period of time. The bill also provides that when a state or local law-enforcement agency located within the Commonwealth has taken over responsibility for the investigation related to the physical evidence recovery kit, unless one of the other exceptions for submitting such kit to the Department of Forensic Science applies, the physical evidence recovery kit shall be transferred to such law-enforcement agency and such law-enforcement agency shall submit the physical evidence recovery kit to the Department of Forensic Science within 60 days of receipt from the original receiving law-enforcement agency. The bill also requires the law-enforcement agency to inform the victim, parent, guardian, or next of kin of the unique identification number assigned to the physical evidence recovery kit utilized by the health care provider and the personal identification number required to view the status of the physical evidence recovery kit and provide information regarding the Physical Evidence Recovery Kit Tracking System, unless disclosing this information would interfere with the investigation or prosecution of the offense, in which case the victim, parent, guardian, or next of kin shall be informed of the estimated date on which the information may be disclosed, if known. (22105163D-H1)

HB 736 (Bell) (Passed House; SJUD) changes the hours of execution of a search warrant for the search of any place of abode from the daytime hours between 8:00 a.m. and 5:00 p.m. to between 6:00 a.m. and 10:00 p.m. (22105951D-H1)

HB 738 (Bell) (Passed Both Houses) provides that whenever a court orders an evaluation of a defendant's competency to stand trial, the clerk of the court shall provide a copy of the order to the Department of Behavioral Health and Developmental Services. (HB738ER)

HB 758 (Adams, L) (Passed House; SJUD) makes changes to the definition of a technical violation as it pertains to the revocation of suspension of sentence and probation. The bill also provides that upon a first technical violation, if the court originally suspended the imposition of sentence, the court shall revoke such suspension and again suspend all of this sentence and upon a second or subsequent violation, the court may pronounce whatever sentence might have been originally imposed. The bill also specifies that a violation of a term or condition included in the definition of technical violation shall not be considered a special or specific term or condition for sentencing purposes. The bill also provides that the court may fix the period of probation and the period of suspension for up to the statutory maximum period for which the defendant might originally have been sentenced to be imposed for any felony offense and up to two years for an

offense punishable as a Class 1 or Class 2 misdemeanor. Currently, the limitation on periods of probation and periods of suspension is up to the statutory maximum period of imprisonment for any offense. The bill also adds the offense of crimes against nature committed on or after July 1, 2022, to the list of offenses for which if some period of the sentence for such offense is suspended, the judge is required to order that period of suspension be for the length of time equal to the statutory maximum period for which the defendant might originally have been sentenced to be imprisoned. (22106124D-H1)

HB 760 (Adams, L) (Passed House; SJUD) specifies that a violation of the terms and conditions of a suspended sentence or probation based on a defendant's failure to refrain from the use, possession, or distribution of a Schedule I or II controlled substance shall not be considered a technical violation. Accordingly, a court is not subject to the limitations on the amount of active incarceration it can impose as a result of a revocation hearing based on such violation and may revoke the suspension and impose or resuspend any or all of the period previously suspended. Currently, a defendant's failure to refrain from the use, possession, or distribution of any controlled substance or paraphernalia is a technical violation. (22101505D)

HB 813 (Williams) (Passed House; SJUD) 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. (22106292D-H1)

HB 1043 (Tran) (Passed House; Reported from SEH) directs the Department of Education to make recommendations regarding appropriate background check and training requirements for coaches, staff members, and other volunteers of competitive sports leagues in which persons under the age of 18 participate. The bill requires the Department of Education to consult with child sexual assault victims advocates and youth competitive sports leagues in making its recommendations and to submit to the Governor and General Assembly a report of its recommendations by November 1, 2022. (22105603D-H1)

HB 1053 (Shin) (Passed House; Passed Senate with Substitute; House Floor) directs the State Board of Local and Regional Jails (the Board) to convene a work group to study implementation of the reduction or elimination of certain fees associated with inmates in local correctional facilities. The bill provides that the work group shall consist of two members of the House Committee on Public Safety who are not members of the same political party and two members of the Senate Committee on Rehabilitation and Social Services who are not members of the same political party. Such legislative members shall appoint as members of the work group one formerly incarcerated person, one family member of an incarcerated person, and at least one representative of certain organizations and companies. The bill directs the Board to report its findings to the Chairmen of the Senate Committee on Rehabilitation and Social Services and the House Committee on Public Safety by October 1, 2022. (22106689D-S1)

HB 1306 (Simon) (Passed House; Passed Senate with Substitute) makes it a Class 1 misdemeanor for any person, firm, association, or corporation to knowingly possess any pistol, shotgun, rifle, machine gun, or any other firearm that has a serial number that has been removed, altered, changed, destroyed, or obliterated in any manner. The bill also makes it a Class 1 misdemeanor for any person, firm, association, or corporation to sell, give, or distribute any pistol, shotgun, rifle, machine gun, or other firearm that has a serial number that has been removed, defaced, altered, changed, destroyed, or obliterated in any manner. The bill contains a reenactment clause. (22106765D-S1)

HB 1339 (Leftwich) (Passed House; Reported from SGL) redefines facial recognition technology, for the purposes of providing criteria for the lawful use of facial recognition technology by law enforcement, as conducting an algorithmic comparison of images of an individual's facial features for the purposes of identification. The bill authorizes local law enforcement and campus police departments to utilize facial recognition technology for certain authorized uses as defined in the bill. The bill requires that local law-enforcement agencies and campus police departments publicly post and annually update policies regarding the use of facial recognition technology and maintain records regarding the use of facial recognition technology and report the data annually to their communities. The bill also makes it a Class 3 misdemeanor for any facial recognition technology operator employed by a local law-enforcement agency to violate the agency or department's policy regarding the use of facial recognition technology or to conduct a search for any other reason than an authorized use. Additionally, the bill requires the Department of State Police to develop a model policy regarding the use of facial recognition technology by January 1, 2023. The bill directs the Virginia State Crime Commission to submit a report with an analysis and recommendations about the use of facial recognition technology to the Chairmen of the Senate Committee on the Judiciary and the House Committee on Public Safety by November 1, 2025. The provisions of the bill expire on July 1, 2026. (22106444D-EH1)

SB 143 (Edwards) (Passed Senate; HCT) makes various changes to the procedures and jurisdiction of the Court of Appeals of Virginia, including (i) clarifying that an aggrieved party of certain pretrial orders may petition the Court of Appeals for review of such order and that such petitions shall be reviewed by a three-judge panel; (ii) providing that a party to an appeal that requests an extension for a filing deadline in the Court of Appeals must show good cause for the extension to be granted; (iii) clarifying that appeal bonds and security bonds are not required in criminal appeals; (iv) permitting the Court of Appeals to dispense with oral argument if the parties agree that it is not necessary; and (v) making consistent the grounds for seeking a delayed appeal in a criminal case in the Court of Appeals and the Supreme Court of Virginia. The bill additionally corrects the unintentional elimination of reviews of interlocutory decrees or orders involving certain equitable claims from the jurisdiction of the Court of Appeals. (22103323D-E2)

SB 174 (Peake) (Passed Senate; HCT) provides that when issuing a permanent protective order a court may impose certain conditions on the petitioner, including (i) prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to person or property; (ii) prohibiting such contacts by the petitioner with the respondent or family or household members of the

respondent as the court deems necessary for the health or safety of such persons; and (iii) any other relief necessary to prevent (a) acts of violence, force, or threat, (b) criminal offenses that may result in injury to person or property, or (c) communication or other contact of any kind by the petitioner. (22106015D-S2)

SB 191 (Mason) (Passed Senate; HCT) increases from \$750 to \$1,200 the maximum fee that the court may pay for professional services rendered by each psychiatrist, clinical psychologist, or other expert appointed by the court to render professional service in a criminal case other than for aggravated murder cases. (22100566D)

SB 227 (Obenshain) (Passed Senate; HCT) provides that the prosecution of the misdemeanor offense of causing or encouraging acts rendering children delinquent where the alleged adult offender has consensual sexual intercourse with a minor who is 15 years of age or older at the time of the offense shall be commenced no later than five years after the victim reaches majority provided that the alleged adult offender was more than three years older than the victim at the time of the offense. Under current law, the prosecution of such offense shall be commenced within one year after commission of the offense. (22103620D)

SB 310 (Ebbin) (Passed Senate; HPS) creates a Class 5 felony for any person who manufactures, imports, sells, transfers, or possesses any firearm with a major component, as defined in the bill, that when subjected to inspection by the types of detection devices, including X-ray machines, commonly used at airports for security screening does not generate an image that accurately depicts the shape of the component. The bill updates language regarding the types of detection devices that are used at airports for detecting plastic firearms. The bill also creates a Class 1 misdemeanor, which is punishable as a Class 4 felony for a second or subsequent offense, making it unlawful for any person to knowingly sell, offer to sell, transfer, or purchase an unfinished frame or receiver unless the party selling, offering to sell, transferring, or purchasing the unfinished frame or receiver is a federal firearms importer, manufacturer, or dealer or the unfinished frame or receiver is required by federal law to be, and has been, imprinted with a serial number by a federal firearms importer, manufacturer, or dealer. (22105984D-S1)

SB 378 (Petersen) (Passed Senate; HCT) provides a petition process for a person serving a sentence for any conviction or a combination of any convictions who remains incarcerated in a state or local correctional facility and meets certain criteria to petition the circuit court that entered the original judgment or order to (i) suspend the unserved portion of such sentence or run the unserved portion of such sentence concurrently with another sentence, (ii) place such person on probation for such time as the court shall determine, or (iii) otherwise modify the sentence imposed. (22104101D)

SB 423 (Edwards) (Passed Senate; House Floor) clarifies the Virginia Criminal Sentencing Commission's authority to recommend revisions to the discretionary sentencing guidelines based on historical sentencing data. (22100694D)

SB 424 (Edwards) (Passed Senate; House Floor) authorizes the Virginia Sentencing Commission to develop, maintain, and modify a system of statewide discretionary sentencing guidelines for

use in hearings conducted in circuit courts in which the defendant is cited for violation of a condition or conditions of supervised probation imposed as a result of a felony conviction. The bill provides that a court would be presented with such guidelines when a defendant is cited for violating a condition or conditions of supervised probation imposed as a result of a felony conviction and such person is under the supervision of a state probation and parole officer. (22100695D)

SB 474 (McClellan) (Passed Senate; HCT) removes the requirement for an indigent defendant, as defined in the bill, to post an appeal bond in an unlawful detainer action appealed from the general district court. (22105634D-S1)

SB 564 (Lucas) (Passed Senate; HCT) eliminates the lifetime cap on the number of sealing petitions that may be filed. The bill reduces from seven years to three years for a misdemeanor offense and from 10 years to seven years for a felony offense the minimum period of time between the offense to be sealed and the filing of the sealing petition during which the petitioner must not have been convicted of violating any law of the Commonwealth. The bill also reduces from seven years to three years the minimum period of time between the offense to be sealed and the automatic sealing of a misdemeanor offense. The bill also clarifies that a sealing petition may seal records related to any violation of the terms and conditions of a suspended sentence or probation for such conviction that were specifically set forth in the petition to be sealed. (22105787D-ES1)

SB 658 (McClellan) (Passed Senate; House Floor) provides that for a physical evidence recovery kit that (i) was collected by the Office of the Chief Medical Examiner as part of a routine death investigation, and the medical examiner and the law-enforcement agency agree that analysis is not warranted, (ii) was determined by the law-enforcement agency not to be connected to a criminal offense, or (iii) is connected to an offense that occurred outside of the Commonwealth or another law-enforcement agency has taken over responsibility of the investigation and such kit is not transferred to another law-enforcement agency, the law-enforcement agency that received the physical evidence recovery kit shall store such kit for a period of 10 years or until 10 years after the victim reaches the age of majority if the victim was a minor at the time of collection, whichever is longer. The bill provides that after the mandatory retention period, the law-enforcement agency may destroy the physical evidence recovery kit, or in its discretion, may elect to retain the physical evidence recovery kit for a longer period of time. The bill also provides that when a state or local law-enforcement agency located within the Commonwealth has taken over responsibility for the investigation related to the physical evidence recovery kit, unless one of the other exceptions for submitting such kit to the Department of Forensic Science applies, the physical evidence recovery kit shall be transferred to such law-enforcement agency and such law-enforcement agency shall submit the physical evidence recovery kit to the Department of Forensic Science within 60 days of receipt from the original receiving law-enforcement agency. The bill also requires the law-enforcement agency to inform the victim, parent, guardian, or next of kin of the unique identification number assigned to the physical evidence recovery kit utilized by the health care provider and the personal identification number required to view the status of the physical evidence recovery kit and provide information regarding the Physical Evidence Recovery Kit Tracking System, unless disclosing this

information would interfere with the investigation or prosecution of the offense, in which case the victim, parent, guardian, or next of kin shall be informed of the estimated date on which the information may be disclosed, if known. (22105508D-S1)

SB 674 (Hanger) (Passed Senate; HCT) authorizes the attorney for the Commonwealth for each judicial circuit of the Commonwealth to create and administer a Pretrial Intervention and Diversion Program for the purpose of providing an alternative to prosecuting offenders in the criminal justice system. The bill provides that entry into such program shall be at the discretion of the attorney for the Commonwealth based upon written guidelines and that no attorney for the Commonwealth shall accept any offender into such program for an offense for which punishment includes a mandatory minimum sentence of imprisonment. The bill also provides that the attorney for the Commonwealth is authorized to assess and collect a fee from each offender who enters the Program which shall be waived upon affirmation under oath of indigency by the offender. (22103733D-E)

SB 742 (Surovell) (Passed Senate; HCT) provides for the automatic sealing of misdemeanor marijuana offenses and the petition-based sealing for certain felony marijuana offenses. The bill requires a business screening service, defined in the bill, to destroy all expunged records, as defined in the bill, and to follow reasonable procedures to ensure that it does not maintain or sell expunged records. The bill also provides that any petition for expungement shall be kept under seal and that an indigent person may file a petition for expungement without the payment of fees and costs and can request court-appointed counsel, who shall be paid from the Sealing Fee Fund. The bill has staggered delayed effective dates in order to develop systems for implementing the sealing provisions of the bill. (22104596D-E)

Economic Development

HB 1271 (Morefield) (Passed House; SLG)/**SB 720** (Hackworth) (Passed Senate; HCCT) allows facilities owned by a non-authority that are utilized as part of a cooperative arrangement entered into by an authority promoting economic and workforce development to participate in localities' revenue sharing agreements. (22103946D, 22103940D)

SB 28 (Marsden) (Passed Senate; HAPP) establishes the Virginia Business Ready Sites Program Fund (the Fund). The Fund would be administered by the Governor and the Virginia Economic Development Partnership Authority and would provide grants to political subdivisions to prepare sites for industrial or commercial development. The bill repeals existing law that created the Major Employment and Investment Project Site Planning Grant Fund and provides that any remaining funds would be allocated to the Fund. The bill also authorizes grants from the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund for site remediation and requires the prioritization of sites with potential for redevelopment and economic benefits to the surrounding community. (22103800D-S1)

Elections

HB 700 (Keam) (Passed Both Houses) changes the date of elections for the mayor and all councilmen from May 2022 to November 2023, with the accompanying start date changed to the first day of January 2024 and end date changed to the last day of December 2025. Starting in 2025, the bill changes the date for all subsequent elections to November, with the start date as the first day of January of the next year, and sets the term length for each councilman and mayor to two years. (22102048D)

SB 377 (Petersen) (Passed Senate; HCCT) changes the date of elections for the mayor and all councilmen from May 2022 to November 2023, with the accompanying start date changed to the first day of January 2024 and end date changed to the last day of December 2025. Starting in 2025, the bill changes the date for all subsequent elections to November, with the start date as the first day of January of the next year, and sets the term length for each councilman and mayor to two years. (22102149D)

Employment Issues

HB 710 (Keam) (Passed Both Houses) requires any locality to take into consideration or give preference to an individual's status as a person with a disability in its employment hiring policies and practices, provided that such person with a disability meets all of the knowledge, skills, and eligibility requirements for the available position. (22102125D)

Environment and Energy

HB 141 (McQuinn) (Passed Both Houses) establishes the Virginia Black, Indigenous, and People of Color Historic Preservation Fund for the purpose of awarding grants to eligible state-recognized and federally recognized Indian tribes, private nonprofit organizations, and localities for the eligible costs of acquiring land or permanent protective interest therein, and of undertaking preservation activities on such land, that is of cultural or historic significance to Black, indigenous, or people of color communities. The bill provides that land or interests acquired with grant funds shall grant the Board of Historic Resources or other holder a perpetual preservation interest in the property. (22103149D)

HB 184 (Marshall) (Passed House; Senate Floor) authorizes a locality that administers a Virginia Stormwater Management Program (VSMP) or a Virginia Erosion and Stormwater Management Program (VESMP) to administer such program of a regional industrial facility authority of which the locality is a member. The bill requires that such administration be conducted in accordance with an agreement entered into with all relevant localities and the existing VSMP or VESMP for the property. (22105124D-H1)

HB 206 (Webert) (Passed House; SACNR) requires, as a condition for a permit by rule for a small energy project, that the applicant conduct an analysis of the beneficial and adverse impacts of the proposed project on natural resources. The bill requires that if the Department of Environmental Quality determines that there will be a significant adverse impact on wildlife,

historic resources, prime agricultural soils, or forest lands, the applicant must also submit a mitigation plan with a 90-day public comment period. The bill specifies that a disturbance of (i) more than 10 acres of prime agricultural soils, (ii) more than 50 acres of contiguous forest lands, or (iii) forest lands enrolled in a forestry preservation program is deemed to be a significant adverse impact on natural resources. The bill directs the Department to convene an advisory panel to assist in developing regulations to further develop criteria for determining significant adverse impact on natural resources and guidelines for plans to mitigate such adverse impacts. Any application for a small renewable energy project received by the promulgation of new regulations or December 31, 2024, whichever is earlier, would not be subject to the act. (22106540D-H2)

HB 314 (Krizek) (Passed House; SACNR) requires the Commissioner of Agriculture and Consumer Services to develop, by January 1, 2023, a brochure for use by retail establishments that sell plants that explains the value of native plants and the harm of noxious weeds and other invasive plants. (22105502D-H1)

HB 516 (Bulova) (Passed House; Senate Floor) implements recommendations from the first Virginia Coastal Resilience Master Plan. The bill provides guidelines for the development of a Virginia Flood Protection Master Plan for the Commonwealth and requires that the Coastal Resilience Master Plan be updated by December 31, 2022, and every five years thereafter. The bill establishes the Virginia Coastal Resilience Technical Advisory Committee to assist with the updates and requires the development of a community outreach and engagement plan to ensure meaningful involvement by affected and vulnerable community residents. The bill also requires that the Chief Resilience Officer report every two years, beginning July 1, 2023, on the status of flood resilience in the Commonwealth. (22103091D-E)

HB 771 (Hodges) (Passed House; Senate Floor) requires each locality in Tidewater Virginia to publish on its website the criteria and elements adopted by the locality to implement its local plan as required by the Chesapeake Bay Preservation Act. (22105713D-H1)

HB 1309 (Bulova) (Passed House; SACNR)/**SB 756** (Lewis) (Passed Senate; HAG) creates the Resilient Virginia Revolving Loan Fund. The bill provides guidelines for deposits, expenditures, and investments and requires an annual audit of the Virginia Resources Authority. The bill provides that the Fund be used for loans or to refinance projects for local governments, or to provide grants to local government to be used for grants or loans to individuals, and establishes guidelines for the priority of such loans and grants. (22106154D-H1, 22105709D-S1)

SB 187 (Hanger) (Passed Senate; HAG) allows the Department of Environmental Quality to adopt guidance allowing for the accelerated release of nutrient credits generated by a stream restoration project based on (i) a determination that the level of risk is low, (ii) the provision of additional financial assurance, and (iii) the experience of the applicant. (22106083D-S1)

SB 188 (Hanger) (Passed Senate; HAG) authorizes the Department of Environmental Quality to allow the use of third-party long-term stewards to hold and manage the long-term management fund to maintain stream restoration projects. (22101103D)

SB 248 (Surovell) (Passed Senate; Reported from HAG) clarifies that a regulated product, for the purposes of fertilizer law, includes digestate. Digestate is defined in the bill as a biologically stable material derived from the process of anaerobic digestion. The bill also includes digestate in fertilizer labeling requirements. (22105061D-S1)

SB 657 (Stuart) (Passed Senate; Reported from HAG) limits the authority of the Air Pollution Control Board and the State Water Control Board to issuance of regulations and transfers the Boards' existing authority to issue permits and orders to the Department of Environmental Quality. The bill provides procedures for public comment on pending controversial permits, defined in the bill, and on regulatory changes necessary to implement the provisions of the bill. (22106534D-S2)

SB 684 (Mason) (Passed Senate; Reported from HFIN) provides that for pollution control equipment to be used as part of a political subdivision's water, wastewater, stormwater, or solid waste management facilities or systems, such equipment may be certified by the political subdivision itself instead of by the state certifying authority. (22103538D)

SB 707 (Marsden) (Passed Senate; HAG) establishes the Wildlife Corridor Grant Fund to provide grants to localities to develop wildlife corridor plans and implement the provisions of such plans. (22104347D)

Health and Human Services

HB 1194 (Carr) (Passed House; SLG) authorizes an industrial development authority to make grants associated with the construction of affordable housing in order to promote safe and affordable housing in the Commonwealth and to benefit thereby, the safety, health, welfare, and prosperity of the inhabitants of the Commonwealth. (22103736D)

SB 146 (Suetterlein) (Passed Senate; HGL) provides that regulations adopted by the State Board of Health shall not require an establishment that sells only prepared food to have a certified food protection manager on site during all hours of operation. (22106502D-S1)

Land Use

HB 1362 (Wiley) (Passed House; SLG) clarifies that short-term rentals may be operated in any locality in the absence of an ordinance pursuant to the locality's general land use and zoning authority restricting short-term rentals. (22104334D)

SB 35 (Favola) (Passed Senate; HCCT) allows a planning commission to extend the 60-day period during which it makes a recommendation to the governing body on a comprehensive plan amendment if an applicant agrees to such extension. The bill also allows the extension to such longer period as agreed to by an applicant of the period of time during which the governing body shall hear and determine an appeal from a planning commission decision. (22100996D-E)

SB 52 (Cosgrove) (Passed Senate; HCCT) requires localities that adopt subdivision ordinances that permit subdividers or developers to install certain utilities to provide within that ordinance the subdivider's or developer's entitlement to pro rata reimbursement for costs of such installations. Under current law, localities are permitted to provide such entitlement but are not required to do so. (22100623D)

SB 286 (Ebbin) (Passed Senate; HCCT) allows any locality within Planning District 8 that establishes a local historic district to require that a survey of property lines be completed prior to a land purchase within the historic district. (22100713D-E)

Transportation

HB 142 (McQuinn) (Passed Both Houses) changes from a maximum of 25 percent to a minimum of 25 percent the amount of Transit Ridership Incentive Program (TRIP) funds to be used to support the establishment of programs to reduce the impact of fares on low-income individuals. The bill requires at least 25 percent of TRIP funds to be used to support regional transit initiatives and provides that the Commonwealth Transportation Board has the discretion to allocate the remaining funds available as authorized by law and based on the programs and initiatives submitted during the application process. (HB142ER)

HB 275 (Coyner) (Passed Both Houses) requires the regulations adopted by the Commonwealth Transportation Board regarding ensuring connectivity of highway and pedestrian networks with transportation networks during secondary street acceptance to include flexibility to limit the number of such connections to adjacent property or highway networks. The bill requires the Department of Transportation to convene a stakeholder advisory group to develop and provide recommended amendments to such regulations. (HB275ER)

HB 641 (Carr) (Passed House; Reported from STRAN) authorizes the collection of cash fares by a transportation network company partner if the ride is arranged through a transit system for an eligible paratransit passenger. The bill sets certain receipt and accounting requirements. (22101396D)

HB 703 (Keam) (Passed Both Houses) authorizes localities to pay the initial issuance fee costs for the development and issuance of special license plates displaying the seal, symbol, emblem, or logotype of the locality in lieu of collecting 350 paid applications for such license plates. (HB703ER)

HB 920 (Kilgore) (Passed Both Houses) provides that a person is guilty of a Class 1 misdemeanor if he operates a vehicle in a careless or distracted manner and causes the death or serious bodily injury of a vulnerable road user. Current law only imposes the penalty if such careless or distracted operation causes serious bodily injury to the vulnerable road user. The bill also allows a court to suspend the driver's license or restrict the driver's license of a person convicted of careless driving for up to six months. (HB920ER)

SB 247 (Surovell) (Passed Senate; Reported from HTRAN) provides that a person is guilty of a Class 1 misdemeanor if he operates a vehicle in a careless or distracted manner and causes the death or serious bodily injury of a vulnerable road user. Current law only imposes the penalty if such careless or distracted operation causes serious bodily injury to the vulnerable road user. The bill also allows a court to suspend the driver's license or restrict the driver's license of a person convicted of careless driving for up to six months of a person. (22103903D-E)

SB 342 (Barker) (Passed Senate; Reported from HTRAN) directs the Commonwealth Transportation Board to use at least 25 percent of the funds available for the Transit Ridership Incentive Program for grants to fund reduced-fare or zero-fare transit projects. Under current law, the amount that may be used for such programs is capped at 25 percent. The bill provides that funds awarded for reduced-fare or zero-fare transit projects shall not be included in the requirement that funds be awarded in accordance with a statewide equitable ratio. (22101760D)

SB 362 (Stuart) (Passed Senate; HTRAN) prohibits persons riding bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, or motorized skateboards or scooters two abreast from impeding the normal and reasonable movement of traffic and requires such persons to move into a single-file formation as quickly as is practicable when being overtaken from the rear by a faster-moving vehicle. (22102032D-E2)

Attachments: Supplementary documents

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

SUPPLEMENTARY DOCUMENTS
GENERAL ASSEMBLY STATUS REPORT NO. 4
March 7, 2022

1. Fairfax County Legislative Summary	1
2. State Budget Analysis	94
3. One Percent Local Option – Estimated Distribution of Sales Tax on Food and Personal Hygiene Products	157



FAIRFAX COUNTY LEGISLATIVE SUMMARY

2022 GENERAL ASSEMBLY

March 5, 2022

Fairfax County Legislative Summary 2022 General Assembly

Board of Supervisors Report Key

Bill No. – Patron, (District No.)
Bill Title

Committee/Floor
Actions

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

HB 589 - Watts (39)
Blue Star Memorial Highway; designating as portion of Old Keene Mill Road in Fairfax County.

1/10/2006 House: Referred to Committee on Transportation

12/5/2005

Initiate (067916260)
Summary: Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway."

Bold = Board Position, [] = BOS Legislative Committee Position, *Italics=Staff Recommended Position Changes* (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)

Table of Contents

Bill Subject

Fairfax County Initiatives *Pages 13-14* *(Bills Introduced at County's Request):*

[HB 396](#) Electric utilities; municipal net energy metering.
Sullivan, Jr.,
R

[HB 443](#) Park authorities; authority to operate, etc., electric
Bulova, D vehicle charging stations.

Fairfax County Positions *Pages 15-22* *(Oppose or Amend):*

[HB 90](#) Sales tax; exemption for food purchased for
McNamara, human consumption & essential personal
J hygiene products.

[HB 177](#) Absentee voting; witness requirement for
Bloxom, Jr., absentee ballots.
R

[HB 791](#) Data centers; center fixtures are taxed as part of
McNamara, the real property where they are located, etc.
J

[HB 927](#) Absentee voting; ballots to be sorted and results
Robinson, R to be reported by precinct.

[HB 957](#) Real property; classification, property owned
Tran, K by certain surviving spouses for tax purposes.

[SB 451](#) Retail Sales and Use tax; exemption for
Boysko, J essential personal hygiene products.

[SB 513](#) Data centers; center fixtures are taxed as part of
McPike, J the real property where they are located, etc.

[SB 567](#) State Water Control Board; amending certain
Stuart, R regulations relating to sewage treatment plants.

[SB 652](#) Absentee voting; application requirements, last
Vogel, J four digits of social security number.

[SB 669](#) Law-enforcement employees; alleged
Surovell, S wrongdoing.

[SB 678](#) Agricultural operation; amends definition.
Stuart, R

[SB 694](#) Eminent domain; various changes to the laws
Obenshain, pertaining to condemnation procedures.
M

[SB 739](#) Public elementary and secondary schools, etc.;
Dunnivant, student instruction.
S

Fairfax County Positions

(Support):

Pages 23-38

- [HB 68](#) Anderson, T Voter registration; presumption of domicile, members of a uniformed service and others.
- [HB 95](#) Head, C Adult protective services investigations; financial institutions to furnish records and information.
- [HB 195](#) Ransone, M Polling places; location requirements, waiver in certain circumstances.
- [HB 277](#) Coyner, C Recovery residences; disclosure to potential residents that residence is certified.
- [HB 389](#) Bulova, D Early childhood care and education; regional entities, Child Care Subsidy Program Overpayment Fund.
- [HB 437](#) Bulova, D Localities; public meeting during state project planning phase.
- [HB 444](#) Bennett-Parker, E Virginia Freedom of Information Act; meetings conducted through electronic meetings.
- [HB 445](#) Murphy, K High-speed broadband service; expanding to new residential & commercial development.
- [HB 482](#) Austin, T Commonwealth Transportation Board; performance standards for review of certain plans.
- [HB 731](#) Ward, J Juvenile law-enforcement records; inspection of records.
- [HB 813](#) Williams, W Law-enforcement agencies; acquisition and use of military property.
- [HB 1065](#) Krizek, P Manufactured home lot rental agreements and public notices; work group to develop sample documents.
- [HB 1225](#) Bulova, D Energy performance-based contracts; roof replacement.
- [HB 1238](#) Helmer, D Valluvar Way; designates Brentwall Drive in Fairfax County as "Valluvar Way."
- [HB 1325](#) Reid, D Local governments; additional powers, Commercial Property Assessed Clean Energy financing programs.
- [SB 3](#) Suetterlein, D Voting systems; reporting absentee results by precinct, definitions.
- [SB 13](#) Favola, B Energy performance-based contracts; roof replacement.
- [SB 47](#) Locke, M Income tax, state; housing opportunity tax credits.

- [SB 148](#) Public health emergencies; expands immunity for Norment, Jr., health care providers.
T
- [SB 149](#) Juvenile law-enforcement records; inspection of Norment, Jr., records.
T
- [SB 273](#) Absentee voting; verification by social security Ebbin, A number or unique identifier.
- [SB 281](#) Transit buses; exempts a manufacturer, etc., Ebbin, A engaged in distribution from certain requirements.
- [SB 328](#) Law-enforcement agencies; acquisition of Reeves, B military property.
- [SB 443](#) Sealing of offenses; results in a deferred and Boysko, J dismissed disposition or conviction by petition.
- [SB 446](#) High-speed broadband service; expanding to new Boysko, J residential & commercial development.
- [SB 487](#) Firearm Violence Intervention and Prevention, McClellan, J Virginia Center; established.
- [SB 488](#) Transit Transition Fund and Program; McClellan, J established, report.
- [SB 622](#) Recovery residences; disclosure to potential Favola, B residents that residence is certified.
- [SB 732](#) Climate resilience; locality's comprehensive plan Lewis, Jr., L to consider strategies to address.

Fairfax County Positions

(Monitor):

Pages 39-54

- [HB 272](#) Local land use approvals; extension of Marshall, III, D approvals to address the COVID-19 pandemic.
- [HB 450](#) Parking of vehicles; electric vehicle charging Bennett-Parker, E spots, civil penalties.
- [HB 616](#) Zoning appeals, board of; funding. Roem, D
- [HB 648](#) Comprehensive plan; public hearing. Kory, K
- [HB 793](#) Traffic incident management vehicles; certain LaRock, D vehicles exempt when en route to scene of an accident.
- [HB 837](#) Food and drink law; permitting requirements. Wilt, T
- [HB 873](#) School boards; employment of at least one Greenhalgh, K school resource officer in elementary & secondary schools.

<u>HB 895</u> Kilgore, T	Elections; local electoral boards & general registrars to perform certain risk-limiting audits, etc.
<u>HB 1010</u> Durant, T	Real property taxes; notice of proposed increase, notice of public hearing.
<u>HB 1088</u> Leftwich, J	Planning; definition of subdivision, boundary line agreement.
<u>HB 1131</u> Williams, W	Virginia Code Commission; work group to review public notices required to be published.
<u>HB 1257</u> Kilgore, T	Natural gas utilities; retail supply choice.
<u>HB 1290</u> Hayes, Jr., C	Public bodies; security of government databases and data communications, report.
<u>SB 172</u> Peake, M	County boards of supervisors; salaries.
<u>SB 246</u> Surovell, S	Law-enforcement officer; purpose of traffic stop.
<u>SB 251</u> Surovell, S	Northern Virginia Transportation Authority; funds for pedestrian and bicyclist projects.
<u>SB 268</u> Favola, B	Emergency custody and temporary detention; transportation, transfer of custody, alternative custody.
<u>SB 278</u> Ebbin, A	Parking of vehicles; electric vehicle charging spots, civil penalties.
<u>SB 370</u> Bell, J	Elections; local electoral boards & general registrars to perform certain risk-limiting audits, etc.
<u>SB 417</u> Stanley, Jr., W	Virginia Code Commission; work group to review public notices required to be published.
<u>SB 450</u> Boysko, J	Traffic incident management vehicles; certain vehicles exempt when en route to scene of an accident.
<u>SB 501</u> Lewis, Jr., L	Local land use approvals; extension of approvals to address the COVID-19 pandemic.
<u>SB 537</u> Marsden, D	Trees; replacement and conservation during development process, powers of local government.
<u>SB 593</u> Newman, S	Emergency custody or temporary detention order; custody and transportation of persons, etc.
<u>SB 666</u> Petersen, J	Eminent domain; redefines lost access and lost profits.

- [SB 708](#) Driving Decarbonization Program and Fund;
Marsden, D created.
- [SB 730](#) Jurors; increases the daily compensation.
Lewis, Jr.,
L
- [SB 764](#) Public bodies; security of government
databases and data communications.
Barker, G

Fairfax County Positions

Pages 55-58

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Legislation No Longer Under Consideration

(Continued to 2023):

- [HB 778](#) Monument and memorials; relocation.
Williams, W
- [HB 1168](#) Real property; tax exemption for certain disabled
veterans and surviving spouses.
Watts, V
- [HJ 59](#) Uniform electronic filing system; studying
feasibility of establishing for various courts.
Wampler III, W
- [SB 132](#) Smoking; local regulation in outdoor parks,
recreation facilities, and playgrounds.
Edwards, J
- [SB 165](#) Jails, local; compensation for cost of
incarceration.
Peake, M
- [SB 255](#) Zoning; wireless communications
infrastructure, application process.
Bell, J
- [SB 373](#) Emergency custody; magistrate may extend
custody order, medical testing, observation,
or treatment.
Deeds, R
- [SB 456](#) Practitioners, licensed; continuing
education related to implicit bias and
cultural competency.
Locke, M
- [SJ 19](#) Constitutional amendment; real prop. tax
exemption for certain spouses of members
of armed forces.
Reeves, B

Fairfax County Positions

Pages 59-93

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Legislation No Longer Under Consideration

***(Killed, Failed to Report, Tabled,
Incorporated into Other Legislation, etc.):***

- [HB 14](#) Handguns; limitation on purchases.
Anderson, T
- [HB 15](#) Elections administration; requests made pursuant
to the FOIA, deferment of response.
Ware, R
- [HB 24](#) Voter identification; identification containing a
photograph required.
Walker, W
- [HB 26](#) Firearms; control by localities of possession or
carrying.
Anderson, T

HB 27 Anderson, T	COVID-19 vaccination status; mandatory COVID-19 vaccination prohibited, discrimination prohibited.
HB 34 Campbell, R	Absentee voting; return of absentee ballots, drop-off locations.
HB 35 Campbell, R	Absentee voting; excuse required to vote absentee by mail, etc.
HB 36 Campbell, R	Absentee voting; permanent absentee voter list repealed.
HB 37 Anderson, T	School boards; employment of at least one school resource officer in public middle and high school.
HB 39 Scott, P	Absentee voting in person; available beginning on the fourteenth day prior to election.
HB 46 Ware, R	Voter identification; identification containing a photograph required.
HB 54 Greenhalgh, K	Absentee voting; ballots to be sorted and results to be reported by precinct.
HB 58 Davis, G	Local government; prohibits certain practices that would require contractors to provide benefits.
HB 75 Ware, R	Localities; restricts authority to impose transient occupancy tax at rate that exceeds five percent.
HB 76 Ware, R	Absentee voting; reimbursement of costs to counties and cities for cost of conducting.
HB 118 Freitas, N	Electric utilities; regulation, development of renewable energy facilities.
HB 121 Wyatt, S	Elections; voter identification containing photograph required, etc.
HB 133 Cherry, M	Firearms or other weapons; possession on school property.
HB 135 Cherry, M	Emergency custody and temporary detention; transportation of person when transfer of custody.
HB 149 Runion, C	Absentee ballots; witness requirement, printed name and residence address.
HB 156 Byron, K	Health, Department of; certain communication prohibited.
HB 159 Byron, K	Emergency custody and temporary detention orders; transportation of minor, acceptance of custody.
HB 163 Ransone, M	Emergency custody and temporary detention; governing transportation & custody of minors and adults.
HB 175 Bloxom, Jr., R	Absentee voting; annual absentee voter list, applications for ballots.
HB 178 Bloxom, Jr., R	Absentee voting in person; available beginning on the fourteenth day prior to election.

<u>HB 181</u> Ransone, M	Criminal records; sealing of records.
<u>HB 185</u> Ransone, M	Voter registration; registration permitted up to and including the day of the election.
<u>HB 187</u> McGuire, III, J	Voter registration; registration permitted up to and including the day of the election.
<u>HB 196</u> Webert, M	Absentee voting; permanent absentee voter list repealed.
<u>HB 198</u> Webert, M	Absentee voting; permanent absentee voter list, annual notice required, reasons for removal.
<u>HB 288</u> Freitas, N	Carrying a concealed handgun; permit not required.
<u>HB 297</u> McNamara, J	Regional fuels tax; suspends the imposition of any tax.
<u>HB 299</u> Freitas, N	Handguns; limitation on purchases.
<u>HB 310</u> Ransone, M	Absentee voting; application requirements, absentee ballot requirements.
<u>HB 325</u> Freitas, N	Firearms; reporting lost or stolen, civil penalty.
<u>HB 351</u> Sullivan, Jr., R	Driving Decarbonization Program and Fund; created.
<u>HB 367</u> Watts, V	Exhaust systems; excessive noise.
<u>HB 380</u> Freitas, N	License taxes, local; elimination of authority to impose.
<u>HB 398</u> Freitas, N	Absentee voting; ballots to be sorted and results to be reported by precinct.
<u>HB 438</u> Sewell, B	Virginia Public Procurement Act; architectural and professional engineering term contracting.
<u>HB 441</u> Sewell, B	Voting systems; reporting absentee results by precinct.
<u>HB 456</u> Bennett-Parker, E	Virginia Passenger Rail Authority; membership.
<u>HB 483</u> Freitas, N	Firearms; control by localities of possession or carrying.
<u>HB 509</u> March, M	Firearms; removal from persons posing substantial risk, penalties.
<u>HB 520</u> Bulova, D	Climate resilience; locality's comprehensive plan to consider strategies to address.
<u>HB 568</u> Kory, K	Green banks; regional agreements.
<u>HB 633</u> Carr, B	Speed limits; expands authority of any locality to reduce to less than 25 miles per hour, etc.

HB 697 Keam, M	Stormwater management service districts; rate of taxation.
HB 701 Kory, K	Uniform Statewide Building Code; local building codes and regulations, etc.
HB 739 Krizek, P	Shoreline improvements, existing; repair and maintenance.
HB 779 Williams, W	Elections; photo identification required, time for in-person absentee.
HB 780 Williams, W	Voter registration; registration permitted up to and including the day of the election.
HB 827 Wilt, T	Firearms; control by localities of possession or carrying.
HB 843 Bloxom, Jr., R	Income tax, state; housing opportunity tax credits.
HB 862 Lopez, A	Public defender; supplementing compensation.
HB 905 Lopez, A	Energy efficiency standards; more stringent energy efficiency requirements.
HB 934 LaRock, D	COVID-19; Employer-mandated vaccinations, required exemptions, civil penalties.
HB 941 LaRock, D	Voter registration; registration permitted up to and including the day of the election.
HB 942 LaRock, D	Voter identification; identification containing a photograph required.
HB 945 LaRock, D	Absentee voting in person; available beginning on the tenth day prior to election.
HB 969 Simonds, S	Comprehensive plan; adoption of an environmental justice strategy.
HB 1033 Davis, G	Firearms; control by localities of possession or carrying.
HB 1037 Sewell, B	Emergency custody and temporary detention; transportation of person when transfer of custody.
HB 1051 Scott, P	Protective orders; possession of firearms.
HB 1059 Cordoza, A	Gasoline and diesel fuels; suspension of the imposition of taxes.
HB 1090 Webert, M	Voter identification; identification containing a photograph required.
HB 1141 Walker, W	Absentee voting; return of absentee ballots, drop-off locations.
HB 1144 Webert, M	Gasoline and diesel fuel; lowers the rate of tax on July 1, 2022.
HB 1147 Bell, R	Temporary detention; alternative custody.

HB 1267 Wilt, T	Low-emissions and zero-emissions vehicle standards; regulations shall be withdrawn and repropose.
HB 1279 Anderson, T	Emergency and preliminary protective orders; expungement of orders.
HB 1301 Kilgore, T	Clean Energy and Community Flood Preparedness Act; repeals Act.
HJ 33 Subramanyam, S	U.S. Route 50, etc.; Department of Transportation to study traffic congestion.
HJ 58 Carr, B	Constitutional amendment; taxation and finance, longtime owner-occupant tax relief program.
HJ 76 Torian, L	Northern Virginia regional transit plan; Department of Rail and Public Transportation to study.
HJ 79 Reid, D	Constitutional amndmt.; prop. tax exemption for surviving spouses of certain members of armed forces.
HJ 83 Tran, K	Constitutional amndmt.; 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 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 458 Chase, A	Face coverings; prohibits enforcement of policy, etc., to wear.
SB 460 Chase, A	Absentee voting; deadline for returning absentee ballot.
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 695 Stuart, R	Low-emissions and zero-emissions vehicle standards; repeals certain authority.

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)</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.

<p><u>HB 443</u> - 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)</p>	<p>1/25/2022</p>
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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.

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

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>[2/25/2022]</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. 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>		
<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 2/4/2022 House: Reported from Privileges and Elections 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 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)</p>	<p>2/22/2022 1/25/2022</p>

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
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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><u>HB 791</u> - 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 BLOCK VOTE (99-Y 0-N) 2/2/2022 Senate: Referred to Committee on Finance and Appropriations 2/22/2022 Senate: Reported from Finance and Appropriations (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</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.

<p><u>HB 927</u> - Robinson (27) Absentee voting; ballots to be sorted and results to be reported by precinct.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections (HPE) 2/4/2022 House: Subcommittee recommends reporting (7-Y 1-N) 2/4/2022 House: Reported from HPE (22-Y 0-N) 2/10/2022 House: Read third time and passed House (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)</p>	<p>1/25/2022</p>
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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; 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.

Bold – Indicates BOS formal action
 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 957</u> - 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 (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)</p>	<p>2/8/2022</p>
<p>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.</p> <p>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, while performing official military activities and 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.</p>		
<p><u>SB 451</u> - Boysko (33) Retail Sales and Use tax; exemption for essential personal hygiene products.</p>	<p>1/11/2022 Senate: Referred to Committee on Finance and Appropriations (SFIN) 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 SFIN 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 (HFIN) 2/23/2022 House: Reported from HFIN 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</p>	<p>[2/25/2022]</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
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[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.

<p>SB 513 - 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 (SFIN) 2/8/2022 Senate: Reported from SFIN (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</p>	<p>1/25/2022</p>
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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>SB 567 - 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 (SACNR) 2/8/2022 Senate: Reported from SACNR 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 (HAG) 2/28/2022 House: Subcommittee recommends reporting with amendments (10-Y 0-N) 3/2/2022 House: Reported from HAG with amendment(s) (22-Y 0-N)</p>	<p>[2/25/2022]</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.

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 [] Indicates BOS Legislative Committee Action
Italics- Indicates Staff Recommended Position Change

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)</p>	<p>2/8/2022</p>
<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>		
<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)</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 678 - Stuart (28) Agricultural operation; amends definition.</p>	<p>1/20/2022 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/1/2022 Senate: Reported from Agriculture, Conservation and Natural Resources (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 (HAG) 2/23/2022 House: Subcommittee recommends reporting with amendments (6-Y 4-N) 3/2/2022 House: Reported from HAG with amendment(s) (16-Y 6-N)</p>	<p>2/8/2022</p>
<p>Oppose (22104182D) Summary: Definition of agricultural operation. Amends the definition of "agricultural operation" to including the housing of livestock.</p>		
<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 (SJUD) 2/2/2022 Senate: Reported from SJUD 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)</p>	<p>3/4/2022</p>
<p><i>Oppose</i> (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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 739</u> - Dunnavant (12) Public elementary and secondary schools, etc.; student instruction.</p>	<p>1/21/2022 Senate: Referred to Committee on Education and Health (SEH) 2/3/2022 Senate: Reported from SEH 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., 2/21/22 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 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</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 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)</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>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 195</u> - Ransone (99) Polling places; location requirements, waiver in certain circumstances.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 1/21/2022 House: Reported from Privileges and Elections (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 2/8/2022 Senate: Reported from Privileges and Elections 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 on February 17, 2022 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>

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.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 277 - Coyner (62) Recovery residences; disclosure to potential residents that residence is certified.</p>	<p>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 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 22107373D-S3 (98-Y 1-N)</p>	<p>3/4/2022 2/22/2022</p>

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: 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 further provides that all recovery residences housing individuals diagnosed with substance use disorder shall be certified by the Department in accordance with regulations adopted by the Board of Behavioral Health and Developmental Services. The bill exempts certified recovery residences from the provisions of the Virginia Landlord and Tenant Act and also provides that certified recovery residences in which a certifying entity verifies 50 square feet per bed per sleeping room shall constitute residential occupancy by a single family for zoning purposes.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 389</u> - 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) 2/2/2022 House: Subcommittee recommends 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 3/3/2022 Senate: Reported from Finance and Appropriations (15-Y 0-N)</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><u>HB 437</u> - 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</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><u>HB 444</u> - 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 BLOCK VOTE (98-Y 0-N) 2/3/2022 Senate: Referred to Committee on General Laws and Technology 3/2/2022 Senate: Reported from General Laws and Technology with substitute (12-Y 3-N)</p>	<p>2/8/2022</p>
<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>		
<p><u>HB 445</u> - 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 2/3/2022 House: Subcommittee recommends reporting with substitute (8-Y 1-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 (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)</p>	<p>2/8/2022</p>
<p>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.</p>		

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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</p>	<p>2/8/2022</p>
<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>		
<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 BLOCK VOTE (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)</p>	<p>1/25/2022</p>
<p>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 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.</p>		

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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 2/10/2022 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/11/2022 House: Reported from Public Safety 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 2/28/2022 Senate: Reported from Judiciary 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)</p>	<p>2/8/2022</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>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 2/3/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/8/2022 House: Reported from General Laws 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)</p>	<p>1/25/2022</p>
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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.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1225</u> - 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</p>	<p>1/25/2022</p>
<p>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.</p>		
<p><u>HB 1238</u> - Helmer (40) Valluvar Way; designates Brentwall Drive in Fairfax County as "Valluvar Way."</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</p>	<p>2/8/2022</p>
<p>Support (22104412D) Summary: Valluvar Way. Designates Brentwall Drive in Fairfax County as "Valluvar Way."</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1325</u> - 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)</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>		
<p><u>SB 3</u> - 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)</p>	<p>2/22/2022 1/25/2022</p>
<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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 13</u> - 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 (HAG) 2/23/2022 House: Reported from HAG (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</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><u>SB 47</u> - 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 2/28/2022 House: Reported from Appropriations with substitute (22-Y 0-N) 3/2/2022 House: Passed House with substitute BLOCK VOTE (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>

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Bills	General Assembly Actions	Date of BOS Position
<p>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.</p>		
<p><u>SB 148</u> - Norment, Jr. (3) Public health emergencies; expands immunity for health care providers.</p>	<p>1/9/2022 Senate: Referred to Committee on the Judiciary 2/9/2022 Senate: Reported from Judiciary 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 2/23/2022 House: Subcommittee recommends reporting (5-Y 3-N) 2/25/2022 House: Reported from Courts of Justice with amendment(s) (14-Y 5-N) 3/2/2022 House: Passed House with amendments (73-Y 24-N)</p>	<p>2/8/2022 1/25/2022</p>
<p>Support (22106420D-S1) Monitor (22102585D) Summary: Public health emergencies; immunity for health care providers; emergency. 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. The bill contains an emergency clause.</p>		
<p><u>SB 149</u> - Norment, Jr. (3) Juvenile law-enforcement records; inspection of records.</p>	<p>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</p>	<p>1/25/2022</p>
<p>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.</p>		

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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)</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 1/27/2022 Senate: Reported from Transportation 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 BLOCK VOTE (99-Y 0-N)</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.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 328</u> - 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)</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><u>SB 443</u> - 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)</p>	<p>2/22/2022</p>
<p>Support with Amendment (22103094D) - Support concept of expungement for certain crimes; sufficient state funding for implementation is essential. 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><u>SB 446</u> - 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 (HCCT) 2/25/2022 House: Reported from HCCT (22-Y 0-N) 3/2/2022 House: Passed House BLOCK VOTE (100-Y 0-N)</p>	<p>2/8/2022</p>

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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.

SB 487 - McClellan (9)
Firearm Violence Intervention and Prevention, Virginia Center; established.

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)

1/25/2022

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.

SB 488 - McClellan (9)
Transit Transition Fund and Program; established, report.

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

2/8/2022

Support (22103087D)

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.

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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 (SRSS) 2/4/2022 Senate: Reported from SRSS 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 (HCCT) 2/24/2022 House: Subcommittee recommends reporting with substitute (9-Y 0-N) 2/25/2022 House: Reported from HCCT with substitute (20-Y 2-N) 3/2/2022 House: HCCT 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)</p>	<p>2/22/2022</p>
<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.</p>		
<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)</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>		

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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 1/27/2022 House: Subcommittee recommends reporting (7-Y 2-N) 1/28/2022 House: Reported from Counties, Cities and Towns (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</p>	<p>1/25/2022</p>
<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>		
<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</p>	<p>1/25/2022</p>
<p>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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 616</u> - 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</p>	<p>2/22/2022 2/8/2022</p>
<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>		
<p><u>HB 648</u> - 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 BLOCK VOTE (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)</p>	<p>2/22/2022 2/8/2022</p>
<p>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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 793 - 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 (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</p>	<p>1/25/2022</p>
<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.</p>		
<p>HB 837 - 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)</p>	<p>3/4/2022 2/22/2022</p>
<p><i>Monitor</i> (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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 873 - Greenhalgh (85) School boards; employment of at least one school resource officer in elementary & secondary schools.</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 (SFIN) 3/3/2022 Senate: Reported from SFIN (8-Y 7-N)</p>	<p>3/4/2022 2/22/2022</p>
<p><i>Monitor</i> (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.</p> <p>Summary: School boards; employment of school resource officers or school security officers. Requires each school board to (i) enter into a collaborative agreement with the local law-enforcement agency to employ at least one school resource officer or (ii) employ at least one school security officer in each public elementary and secondary school in the local school division. The bill prohibits the Board of Education from granting any school board a waiver from such requirement but permits the Board of Education to grant a partial waiver to allow the sharing of a single school resource officer or school security officer by two different public schools that (a) are adjoining or are within close proximity to each other and (b) share facilities such as parking.</p>		
<p>HB 895 - 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 (100-Y 0-N) 2/16/2022 Senate: Referred to Committee on Privileges and Elections (SPE) 2/22/2022 Senate: Reported from SPE (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</p>	<p>2/8/2022</p>

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Bills	General Assembly Actions	Date of BOS Position
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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.

<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 2/10/2022 House: Reported from Finance 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</p>	<p>3/4/2022 2/8/2022</p>
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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.

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1088</u> - 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)</p>	<p>3/4/2022 2/22/2022</p>
<p><i>Monitor</i> (SLG Amendments) - 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>		
<p><u>HB 1131</u> - 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)</p>	<p>1/25/2022</p>
<p>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.</p>		

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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 (SACNR) 3/1/2022 Senate: Reported from SACNR with substitute (14-Y 0-N 1-A)</p>	<p>3/4/2022 {2/25/2022}</p>
<p><i>Monitor</i> (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.</p>		
<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)</p>	<p>2/22/2022</p>
<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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<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)</p>	<p>2/22/2022</p>
<p>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.</p>		
<p>SB 246 - Surovell (36) Law-enforcement officer; purpose of traffic stop.</p>	<p>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)</p>	<p>1/25/2022</p>
<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>		
<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 (SFIN) 2/8/2022 Senate: Reported from SFIN (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)</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>		

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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 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 Finance and Appropriations with substitute (16-Y 0-N) 2/10/2022 Senate: Committee on Education and Health substitute rejected 22104684D-S1 2/10/2022 Senate: Committee on Finance and Appropriations 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)</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.

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Bills	General Assembly Actions	Date of BOS Position
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<p><u>SB 278</u> - 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)</p>	<p>1/25/2022</p>
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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 reserved for charging electric vehicles provided that appropriate signage is posted. A violation is subject to a civil penalty of not less than \$100 nor more than \$250, and the vehicle may be towed or impounded.

<p><u>SB 370</u> - 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 2/8/2022 Senate: Reported from Finance and Appropriations (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)</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 has 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.

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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)</p>	<p>1/25/2022</p>
<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.</p>		
<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)</p>	<p>1/25/2022</p>
<p>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.</p>		
<p><u>SB 501</u> - 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)</p>	<p>1/25/2022</p>
<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>		

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Bills	General Assembly Actions	Date of BOS Position
<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)</p>	<p>3/4/2022 1/25/2022</p>
<p><i>Monitor</i> (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.</p> <p>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.</p>		
<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 (SFIN) 2/8/2022 Senate: Reported from SFIN (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)</p>	<p>2/8/2022</p>

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Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
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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 execute emergency custody orders and provide transportation for a person subject to an emergency custody or temporary detention order; adds an employee or designee of the Department of Behavioral Health and Developmental Services to the list of persons who may provide alternative transportation of a person who is subject to an emergency custody or temporary detention order; and 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 an evaluated is completed and custody of the person is transferred pursuant to a temporary detention order or the person is released upon a determination that the person does not meet the criteria for temporary detention. 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 executing emergency custody orders and providing transportation for such person subject to an emergency custody order or providing transportation for a person in the temporary detention process.

<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 2/2/2022 Senate: Reported from Judiciary with substitute (14-Y 0-N) 2/2/2022 Senate: Re-referred to Finance and Appropriations 2/9/2022 Senate: Reported from Finance and Appropriations (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) 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 2/28/2022 House: Reported from Appropriations (20-Y 2-N) 3/2/2022 House: Passed House with substitute (99-Y 1-N)</p>	<p>3/4/2022 2/8/2022</p>
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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.

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 708</u> - 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 2/10/2022 Senate: Reported from Finance and Appropriations (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 3/2/2022 House: Reported from Agriculture, Chesapeake and Natural Resources (15-Y 7-N) 3/2/2022 House: Referred to Committee on Appropriations</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><u>SB 730</u> - 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 2/9/2022 Senate: Reported from Finance and Appropriations 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</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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Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>SB 764 - Barker (39) Public bodies; security of government databases and data communications.</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)</p>	<p>2/22/2022</p>

Monitor (22104425D-E) - See also HB 1290 (Hayes).

Summary: 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.

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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)	[2/25/2022]
<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 (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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Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<u>SB 132</u> - Edwards (21) Smoking; local regulation in outdoor parks, recreation facilities, and playgrounds.	1/7/2022 Senate: Referred to Committee on Local Government 1/31/2022 Senate: Continued to 2023 in Local Government (15-Y 0-N)	1/25/2022
<p>Support with Amendment (22102261D) - Amend to include Park Authority property. County supports local authority to ban smoking in parks.</p> <p>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>		
<u>SB 165</u> - Peake (22) Jails, local; compensation for cost of incarceration.	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)	1/25/2022
<p>Support (22102223D) - Board has historically supported. Language in support of state funding for jail costs is included in the County's Legislative Program.</p> <p>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>		
<u>SB 255</u> - Bell (13) Zoning; wireless communications infrastructure, application process.	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)	1/25/2022
<p>Oppose (22103784D)</p> <p>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
HB 14 - Anderson (83) Handguns; limitation on purchases.	12/20/2021 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules	1/25/2022
<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>		
HB 15 - Ware (65) Elections administration; requests made pursuant to the FOIA, deferment of response.	12/20/2021 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections	1/25/2022
<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>		
HB 24 - Walker (23) Voter identification; identification containing a photograph required.	12/27/2021 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections	1/25/2022
<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>		
HB 26 - Anderson (83) Firearms; control by localities of possession or carrying.	12/28/2021 House: Referred to Committee on Public Safety 2/15/2022 House: Left in Public Safety	2/22/2022
<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 (HPE) 2/1/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/4/2022 House: Reported from HPE (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 (SPE) 2/22/2022 Senate: Passed by indefinitely in SPE (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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Italics- Indicates Staff Recommended Position Change

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>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 46 - Ware (65) Voter identification; identification containing a photograph required.</p>	<p>12/31/2021 House: Referred to Committee on Privileges and Elections (HPE) 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 HPE 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 (SPE) 2/22/2022 Senate: Passed by indefinitely in SPE (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>HB 54 - 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>HB 58 - 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 (SGL) 2/23/2022 Senate: Passed by indefinitely in SGL (8-Y 7-N)</p>	<p>2/8/2022</p>

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Italics- Indicates Staff Recommended Position Change

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 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>
<p>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>		
<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 (HCE) 2/3/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/10/2022 House: Reported from HCE (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 (SCL) 2/28/2022 Senate: Passed by indefinitely in SCL (12-Y 3-N)</p>	<p>2/22/2022</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>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>		
<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>
<p>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.</p>		
<p>HB 133 - Cherry (66) Firearms or other weapons; possession on school property.</p>	<p>1/7/2022 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules</p>	<p>2/22/2022</p>
<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>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 135 - Cherry (66) Emergency custody and temporary detention; transportation of person when transfer of custody.</p>	<p>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</p>	<p>2/8/2022</p>
<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>		
<p>HB 149 - Runion (25) Absentee ballots; witness requirement, printed name and residence address.</p>	<p>1/8/2022 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 (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>HB 156 - Byron (22) Health, Department of; certain communication prohibited.</p>	<p>1/9/2022 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/3/2022 House: Subcommittee recommends reporting (5-Y 4-N) 2/8/2022 House: Reported from HHWI (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>HB 159 - 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>HB 163 - 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.

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Bills	General Assembly Actions	Date of BOS Position
HB 181 - Ransone (99) Criminal records; sealing of records.	1/10/2022 House: Referred to Committee for Courts of Justice 2/15/2022 House: Left in Courts of Justice	1/25/2022
<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).</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>		
HB 185 - Ransone (99) Voter registration; registration permitted up to and including the day of the election.	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)	1/25/2022
<p>Oppose (22102235D) - 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 187 - McGuire, III (56) Voter registration; registration permitted up to and including the day of the election.	1/10/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections	1/25/2022
<p>Oppose (22103041D) - 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>		

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Bills	General Assembly Actions	Date of BOS Position
<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 (HPE) 2/1/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/4/2022 House: Reported from HPE (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 (SPE) 2/22/2022 Senate: Passed by indefinitely in SPE (9-Y 6-N)</p>	<p>1/25/2022</p>
<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>		

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Bills	General Assembly Actions	Date of BOS Position
HB 299 - Freitas (30) Handguns; limitation on purchases.	1/11/2022 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules	1/25/2022
<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>		
HB 310 - Ransone (99) Absentee voting; application requirements, absentee ballot requirements.	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 (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>		
HB 325 - Freitas (30) Firearms; reporting lost or stolen, civil penalty.	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)	2/22/2022
<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>		
HB 351 - Sullivan, Jr. (48) Driving Decarbonization Program and Fund; created.	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)	2/8/2022

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Bills	General Assembly Actions	Date of BOS Position
<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>		
<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>		

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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><u>HB 509</u> - 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><u>HB 520</u> - 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><u>HB 568</u> - 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><u>HB 633</u> - 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. 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. 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). 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><u>HB 843</u> - 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><u>HB 862</u> - 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><u>HB 905</u> - 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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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 (SPE) 2/22/2022 Senate: Passed by indefinitely in SPE (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>		

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HB 1141 - Walker (23) Absentee voting; return of absentee ballots, drop-off locations.	1/13/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections	1/25/2022
<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>		
HB 1144 - Webert (18) Gasoline and diesel fuel; lowers the rate of tax on July 1, 2022.	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)	1/25/2022
<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>		
HB 1147 - Bell (58) Temporary detention; alternative custody.	1/13/2022 House: Referred to Committee for Courts of Justice 1/24/2022 House: Subcommittee recommends reporting (8-Y 0-N) 1/24/2022 House: Subcommittee recommends 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: Motion to refer to committee agreed to 2/8/2022 House: Referred to Committee for Courts of Justice 2/15/2022 House: Left in Courts of Justice	2/8/2022
<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><u>HB 1267</u> - 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 (SACNR) 3/1/2022 Senate: Failed to report (defeated) in SACNR (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><u>HB 1279</u> - 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><u>HB 1301</u> - 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) 2/7/2022 House: Subcommittee recommends 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>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HJ 79 - Reid (32) Constitutional amndmt.; 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>HJ 83 - Tran (42) Constitutional amndmt.; 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>HJ 96 - 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>		

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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 282 - Ebbin (30) Public defender; supplementing compensation.	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)	1/25/2022
<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>		

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Bills	General Assembly Actions	Date of BOS Position
SB 306 - Deeds (25) Voting systems; reporting absentee results by precinct.	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)	1/25/2022
<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>		
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 (SCL) 2/7/2022 Senate: Stricken at request of Patron in SCL (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>		

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<p><u>SB 365</u> - Stuart (28) Virginia Overtime Wage Act; clarifies term "employee."</p>	<p>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)</p>	<p>2/8/2022</p>
<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>		
<p><u>SB 374</u> - 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><u>SB 415</u> - 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>		

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SB 458 - Chase (11) Face coverings; prohibits enforcement of policy, etc., to wear.	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)	1/25/2022
<p>Oppose (22104211D) 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>		
SB 460 - Chase (11) Absentee voting; deadline for returning absentee ballot.	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)	1/25/2022
<p>Oppose (22101633D) - Board has historically opposed. 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>		
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. 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) 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>		

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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). 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) 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>		
SB 602 - DeSteph (8) Short-term rental properties; definition, locality requirements and restrictions.	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)	1/25/2022
<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>		
SB 605 - Chase (11) Conduct of election; election results, post- election forensic audits.	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)	1/25/2022

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Bills	General Assembly Actions	Date of BOS Position
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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>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>
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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>SB 650 - 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>
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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.

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>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Italics- Indicates Staff Recommended Position Change

**BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022**

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

General

Source	Amendment	Fairfax County Impact
Compensation		
Governor 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.
House 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.
Senate Item 483	No change. Retains salary increase proposal for state-supported local employees as included in the introduced budget.	
Governor 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.
House/Senate	No change.	
Governor 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.
House/Senate	No change.	
Judiciary/Public Safety		
Governor 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

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	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

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

		system, a critical state responsibility, is included in the County’s legislative program
House/Senate	No change.	
Governor 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.
House	No change.	
Senate 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.
Governor 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.
House	No change.	
Senate Item 410 #1s	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.	Positive. The County would receive approximately \$2.3 million in additional state funding in FY 2023 and \$1.2 million in FY 2024.
Item 408 #1s in SB29	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.	The County would receive an increase of approximately \$323,000 in FY 2022.
House 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.
House Item 486 #1h	Provides \$100 million from ARPA 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.
Governor 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 \$562,500, which includes a local cash match of \$122,500).

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

<i>House/Senate</i>	No change.	
<i>Governor</i> 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).
<i>House</i> 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.	
<i>Senate</i> 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.	
<i>Governor</i> 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.
<i>House</i>	No change.	
<i>Senate</i> 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.
<i>Governor</i> 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.
<i>House/Senate</i>	No change.	

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

Governor 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.
House 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.
Senate 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.
Senate Item 36 #1s	Provides \$100,000 GF in FY 2023 for a 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		
Governor 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 of the FY 2022 funding was spent in Fairfax County.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

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 Headquarters Workforce Grant Fund for the new Amazon headquarters.	Although there is no direct fiscal impact to the County, since the Major HQ Workforce Grant Fund was established specifically for incentives related to the HQ2 project located in Arlington County, there is significant potential

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

		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. Still provides \$10 million GF in FY 2023 for the	Negative. Reduces appropriations from the introduced budget.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	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.
<i>Senate</i> 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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

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.	
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	Positive. Support to expand resources available to ensure legal assistance and aid to

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	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).	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 American Rescue Plan Act (ARPA)/ State and Local Fiscal Recovery Fund (SLFRF) funds in FY 2023 to continue the Line Extension Customer Assistance Program, which supports the extension of existing broadband networks to low-to-moderate income residents.	Positive. Support for targeted state investments in broadband infrastructure is included in the County's legislative program.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

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 matching grants for the implementation of agricultural best management practices.	TBD.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

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.	
House Item 378 #2h	Provides \$3 million GF in FY 2023 to Prince William County to assist with the connection of	SB 567 (Stuart) attempts to address the same issue as this budget item. This item would

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	Bristow Manor to the County’s wastewater collection system.	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 expansion of Gunston Hall's Virginia History	No fiscal impact to the County, but may benefit County residents.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

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

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

		<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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

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.	

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

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 grocery sales tax.</i></p>
House/Senate	No change.	
Sales Tax Hold Harmless		
Governor Item 137	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>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</p>

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	School divisions may use these funds for any eligible cost within the SOQ.	through FY 2024, but there is no indication how or if the state will address the ongoing shortfall after FY 2024.
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.	TBD. 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 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.”
Senate	No change.	
Rebenchmarking Hold Harmless		
Governor 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.
House/Senate	No change.	
Update Lottery Proceeds		
Governor 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	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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	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.	
House Item 137 #21h	Adds \$29.5 million each year from the Lottery Proceeds Fund to increase the Infrastructure 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.	TBD.
Senate	No change.	
Update Employer Contribution Rates for Virginia Retirement System (VRS)		
Governor 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>
House/Senate	No change to the VRS rates included in the introduced budget.	
Salary Increase in FY 2023 and FY 2024		
Governor 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,</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</p>

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	divisions must have provided the minimum 2.5% increase in both FY 2023 and FY 2024.	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. (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.	TBD.
Senate Item 137 Items 145 #1s and 479.20 #2s (2020-2022)	No change from the introduced budget for salary increases for instructional and support positions. 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.	TBD.
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.
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	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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	add-on maximum percentages from 26% in FY 2022 to 49.5% in FY 2023, and from 26% to 36% in FY 2024.	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.
<i>House</i> 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.	TBD.
<i>Senate</i>	No change.	
Expand Early Reading Initiative to K-5		
<i>Governor</i> 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.
<i>House</i> 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.	TBD.
<i>Senate</i> 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. 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.	TBD.
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	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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	funding for the ESL program by \$9.7 million in FY 2023 and by \$10.5 million in FY 2024.	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.	TBD.
<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.	TBD.
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.	TBD.
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 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.	TBD.
School Division Construction Grants		
<i>Governor</i> Item 137	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	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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	<p>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>	
<i>House</i>	Establishes the School Construction Loan Rebate Program – see next item.	
<i>Senate</i> 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.	
Literary Funds for School Construction Loans		
<i>Governor</i> 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.
<i>House</i> 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	TBD.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	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.	
<i>Senate</i>	No change.	
Communities in Schools		
<i>Governor</i> 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.
<i>House/Senate</i>	No change.	
Other Items of Interest		
<i>House</i> Item 137 #2h	Requires school divisions to report their intended uses of federal COVID-19 ESSER funds.	TBD.
<i>House</i> Item 137 #22h	Deposits \$150 million GF in FY 2023 into the College Partnership Laboratory Schools (CPLS) Fund. Existing law directs the Board of 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.	TBD.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

<i>Senate</i> Item 36 #2s	Directs JLARC to review the cost of competing adjustment (COCA) in their review of SOQ standards and funding.	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.
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.</p> <p>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.</p> <p>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: TBD.</p> <p>Senate Amendments: TBD.</p>		

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

Health and Human Services

Source	Amendment	Fairfax County Impact
Medicaid Waivers		
Governor 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.
Governor 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).
House 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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	\$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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	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%.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	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. Matching the case management rate for individuals with developmental disabilities to the case management rate for individuals with intellectual disabilities is significant and likely to improve workforce stability for case management services, particularly in the short term.
<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 information is needed regarding the potential impact to CSBs and CSB services.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

<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 Virginia children placed in Maryland's private day programs where rate setting is established. The proposed methodology for

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

		rate setting has not been tested, making it difficult to assess the fiscal impact to the County without additional information and review.
<i>Senate</i> 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		
<i>Governor</i> 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.
<i>Governor</i> 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.
<i>House</i> 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 requirements for child care subsidies for the 2022-2024 biennium. Currently, such expanded eligibility is scheduled to end May 31, 2022.	TBD.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 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.	TBD. 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. Further analysis is needed to determine full impacts to the County.
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 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.	TBD.
Governor Item 137	Provides approximately \$6 million GF in FY 2023 and approximately \$13.4 million GF in FY	Positive. The County currently serves three-year-old children in the VPI program, and

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	2024 for additional support to localities to serve three-year-old children through VPI.	this would provide the opportunity to enroll additional children.
<i>House</i> 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.
<i>Governor</i> 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.
<i>Governor</i> 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.
<i>Governor</i> 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.
<i>House</i> 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.
<i>Senate</i> Item 313 #2s	Provides \$2.9 million GF each year for Part C early intervention services for children who do not have Medicaid.	TBD.
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.	

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

Governor 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.
Governor 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).
Governor 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.
Senate 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		
Governor 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.
Governor 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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

Governor 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.
Senate Item 294 #1s	Limits transfers from the Community Health Services item, which supports the local health districts, unless specifically authorized in the budget.	TBD.
Senate 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)		
Governor 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.
Governor	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 oversight of adult protective services provided by local departments of social services.	No significant impact on the County.
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	No significant impact on the County.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	beneficiaries about health insurance options and plans.	
<i>Senate</i> 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.
<i>Senate</i> 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.
<i>Senate</i> 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.
<i>Governor</i> 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.
<i>Senate</i> 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		
<i>Senate</i> 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.
<i>Governor</i> 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

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

		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 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	TBD.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	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 temporary detention order (TDO) to ensure 24/7 coverage on a statewide basis.	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. This alternative transportation initiative has been hampered by restrictive criteria for contractors to transport individuals

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

		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 reimburse local law enforcement agencies that utilize auxiliary police officers as alternative custody options for emergency custody orders or TDOs.	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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

<p>Governor Item 313</p>	<p>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.</p>	<p>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.</p>
<p>Governor Item 313</p>	<p>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.</p>	<p>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.</p>
<p>Governor Item 313</p>	<p>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.</p>	<p>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.</p>
<p>House Item 313 #3h</p>	<p>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.</p>	<p>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.</p>
<p>Governor Item 313</p>	<p>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 services related to the COVID-19 pandemic. Funding in the first year is provided through federal APRA dollars.</p>	<p>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.</p>

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

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.
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	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

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	working for CSBs and a Behavioral Health Authority.	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.
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	TBD. Further analysis is needed to determine full impacts to the County. It is unclear how these funds will be used.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	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.	
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 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

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

		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. The Senate amendment provides an additional \$200,000 from the TANF block grant in FY 2024.	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.
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	Positive. This funding would be provided directly to NVFS, a nonprofit which serves

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	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.	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.
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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

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.
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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

Substance Use		
<i>Senate</i> 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.
<i>Senate</i> 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.
<i>Governor</i> 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.
<i>Governor</i> 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.
<i>House</i> 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.
<i>House</i> 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.
<i>House/Senate</i> 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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

Transportation

Source	Amendment	Fairfax County Impact
REGIONAL ITEMS		
Northern Virginia Transportation Authority (NVT A) Funding		
Governor 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 NVT A 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 NVT A 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, NVT A allocates 70% (approximately \$575.5 million in 2022-2024) to regional projects, and that funding has already been approved for projects through adoption of NVT A'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>
House/Senate	No change.	
Regional Gas Tax		
Governor 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.
House/Senate	No change	
STATEWIDE PROGRAMS		
Tax Provisions Impacting Commonwealth Transportation Fund		
House <u>Item 4-14</u> <u>(2022-2024)</u>	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

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

		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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

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.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	<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.	
<i>Highway Construction</i>		
<p><i>Governor</i> 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>

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	<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. 	
House/Senate (2020-2022)	No change.	
Governor Item 452 (2022-2024)	<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>

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	<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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BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	<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>

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

<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>

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	<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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BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	<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>

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	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>

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

	<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

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2022 GENERAL ASSEMBLY SESSION
as of February 25, 2022

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.

1% Local Option:

Estimated Distribution of Sales Tax on Food & Personal Hygiene Products

Estimated Statewide Food & PH tax collections = FY 2023* FY 2024
238,500,000 267,800,000

		Amount by Locality		
Locality Type	Name	FIPS	FY 2023*	FY 2024
City	Alexandria	51510	5,359,240	6,017,628
	Bristol	51520	679,413	762,880
	Buena Vista	51530	121,979	136,964
	Charlottesville	51540	1,707,289	1,917,031
	Chesapeake	51550	6,787,885	7,621,785
	Colonial Heights	51570	1,528,576	1,716,363
	Covington	51580	378,711	425,237
	Danville	51590	1,677,742	1,883,855
	Emporia	51595	333,462	374,428
	Fairfax City	51600	1,699,656	1,908,461
	Falls Church	51610	1,681,694	1,888,292
	Franklin City	51620	394,324	442,767
	Fredericksburg	51630	1,812,576	2,035,253
	Galax	51640	701,673	787,874
	Hampton	51650	2,817,080	3,163,161
	Harrisonburg	51660	2,353,565	2,642,704
	Hopewell	51670	336,077	377,365
	Lexington	51678	200,876	225,554
	Lynchburg	51680	2,648,763	2,974,167
	Manassas	51683	1,263,343	1,418,546
	Manassas Park	51685	73,308	82,314
	Martinsville	51690	412,926	463,655
	Newport News	51700	4,607,125	5,173,116
	Norfolk	51710	5,028,134	5,645,846
	Norton	51720	466,516	523,828
	Petersburg	51730	567,617	637,349
	Poquoson	51735	214,975	241,385
	Portsmouth	51740	1,581,861	1,776,195
	Radford	51750	209,229	234,933
	Richmond City	51760	4,200,858	4,716,938
	Roanoke City	51770	2,637,474	2,961,491
	Salem	51775	1,650,055	1,852,766
	Staunton	51790	1,109,375	1,245,663
	Suffolk	51800	3,050,413	3,425,160
	Virginia Beach	51810	13,142,088	14,756,608
	Waynesboro	51820	1,185,130	1,330,725
	Williamsburg	51850	660,264	741,379
	Winchester	51840	1,121,437	1,259,207
County	Accomack	51001	864,543	970,753
	Albemarle	51003	4,276,693	4,802,089
	Alleghany	51005	151,323	169,913
	Amelia	51007	177,315	199,098
	Amherst	51009	684,978	769,128
	Appomattox	51011	370,445	415,955
	Arlington	51013	6,283,656	7,055,611
	Augusta	51015	960,665	1,078,684
	Bath	51017	50,560	56,771
	Bedford County	51019	1,449,745	1,627,848
	Bland	51021	69,102	77,591
	Botetourt	51023	610,659	685,679
	Brunswick	51025	175,250	196,780
	Buchanan	51027	414,830	465,792
	Buckingham	51029	194,535	218,434
	Campbell	51031	1,011,829	1,136,133
	Caroline	51033	428,063	480,652
	Carroll	51035	314,257	352,864
	Charles City	51036	16,643	18,687
	Charlotte	51037	150,784	169,308
	Chesterfield	51041	10,408,196	11,686,855
	Clarke	51043	250,012	280,726
	Craig	51045	53,805	60,414
	Culpeper	51047	1,337,919	1,502,284
	Cumberland	51049	50,686	56,913
	Dickenson	51051	186,662	209,593
	Dinwiddie	51053	456,979	513,119
	Essex	51057	403,436	452,999
	Fairfax County	51059	35,873,763	40,280,896
	Fauquier	51061	1,780,404	1,999,129

1% Local Option:

Estimated Distribution of Sales Tax on Food & Personal Hygiene Products

		FY 2023*	FY 2024	
Estimated Statewide Food & PH tax collections =		238,500,000	267,800,000	
		Amount by Locality		
Locality_Type	Name	FIPS	FY 2023*	FY 2024
	Floyd	51063	260,189	292,153
	Fluvanna	51065	323,101	362,794
	Franklin County	51067	1,158,129	1,300,406
	Frederick	51069	3,107,562	3,489,330
	Giles	51071	453,125	508,792
	Gloucester	51073	1,154,805	1,296,674
	Goochland	51075	408,246	458,400
	Grayson	51077	85,825	96,368
	Greene	51079	520,371	584,299
	Greensville	51081	85,189	95,655
	Halifax	51083	762,145	855,776
	Hanover	51085	3,634,815	4,081,356
	Henrico	51087	11,579,432	13,001,979
	Henry	51089	884,511	993,174
	Highland	51091	17,370	19,504
	Isle Of Wight	51093	786,526	883,152
	James City	51095	1,935,503	2,173,282
	King And Queen	51097	17,706	19,881
	King George	51099	728,655	818,171
	King William	51101	355,691	399,388
	Lancaster	51103	504,222	566,166
	Lee	51105	407,036	457,041
	Loudoun	51107	13,039,819	14,641,776
	Louisa	51109	999,273	1,122,035
	Lunenburg	51111	153,253	172,081
	Madison	51113	236,949	266,058
	Mathews	51115	147,639	165,776
	Mecklenburg	51117	909,068	1,020,748
	Middlesex	51119	262,037	294,229
	Montgomery	51121	2,362,111	2,652,299
	Nelson	51123	245,797	275,993
	New Kent	51127	551,188	618,902
	Northampton	51131	341,217	383,135
	Northumberland	51133	185,312	208,078
	Nottoway	51135	334,305	375,374
	Orange	51137	858,783	964,286
	Page	51139	500,755	562,274
	Patrick	51141	276,496	310,464
	Pittsylvania	51143	583,295	654,954
	Powhatan	51145	702,641	788,961
	Prince Edward	51147	599,788	673,472
	Prince George	51149	356,704	400,525
	Prince William	51153	13,933,987	15,645,793
	Pulaski	51155	1,056,592	1,186,395
	Rappahannock	51157	48,693	54,675
	Richmond County	51159	203,482	228,480
	Roanoke County	51161	2,981,441	3,347,715
	Rockbridge	51163	553,962	622,017
	Rockingham	51165	1,770,235	1,987,711
	Russell	51167	436,699	490,348
	Scott	51169	413,503	464,302
	Shenandoah	51171	976,759	1,096,755
	Smyth	51173	659,128	740,102
	Southampton	51175	209,943	235,735
	Spotsylvania	51177	3,945,967	4,430,734
	Stafford	51179	3,469,537	3,895,774
	Surry	51181	38,363	43,075
	Sussex	51183	150,111	168,553
	Tazewell	51185	1,665,404	1,870,001
	Warren	51187	1,068,735	1,200,031
	Washington	51191	2,029,888	2,279,262
	Westmoreland	51193	357,745	401,695
	Wise	51195	736,185	826,627
	Wythe	51197	803,447	902,151
	York	51199	2,313,166	2,597,341
Totals			238,500,000	267,800,000

*FY 2023 is 11 months revenue