

Capitol Contact

Virginia General Assembly

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Tuesday, January 24, 2023

Please Support VACo Priority Budget Amendments

Based on discussions with members while developing VACo's legislative program, VACo worked with legislators and partner organizations again this session to introduce a package of budget amendments that support local government priorities. Budget proposals are being considered by the House Appropriations and Senate Finance and Appropriations Committees, and both Committees are scheduled to report their respective budgets on Sunday, February 5.

VACo is grateful to the patrons of these budget amendments for their efforts to ensure that county priorities are under consideration as the budget process moves forward. A list of VACo's requested amendments, many of which are joint efforts with the Virginia Municipal League, Virginia First Cities, and other partner organizations, is provided below.

VACo thanks members for their advocacy for these requests. Your efforts are appreciated! If you have not already done so, please thank the patrons of these amendments and encourage your legislators to support these proposals, particularly if your General Assembly members serve on the House Appropriations Committee or the Senate Finance and Appropriations Committee.

Elimination of cap on recognition of K-12 support positions

[Item 137 #8h \(Davis\)](#), [Item 137 #31h \(Bourne\)](#), [Item 137 #34h \(Avoli\)](#), and [Item 137 #5s \(McClellan\)](#) provide additional funding for K-12 support positions. Since 2009, the state has arbitrarily capped its support for these positions at a ratio that does not reflect local prevailing practice. Though significant progress has recently been made in restoring

funding to pre-2009 levels, approximately \$270 million is still needed to make localities whole. These amendments provide additional funding or fully eliminate the cap.

KEY POINTS

- Support positions are currently arbitrarily capped at a ratio that does not reflect the need for these positions or the local prevailing practice.
- Support staff (such as school psychologists, school social workers, and licensed health and behavioral positions, cafeteria workers, IT professionals, administrative personnel, custodial staff, etc.) have decreased since 2009, even as the number of students has risen statewide. This means less support for more students.
- Many of these positions are geared to support mental health and student wellness and allow for students to have the support needed to achieve successful educational outcomes. The number of economically disadvantaged students, English Learners, and students with certain disabilities has increased disproportionately to general student population, and so have their needs.
- Furthermore, adjusted for inflation, state direct aid for public schools has fallen by 3.4 percent since 2009. Local governments have taken on this share of the funding burden, investing more than \$4.2 billion beyond what they are required to do so to support K-12 education, yet many localities struggle to raise sufficient revenue to meet the growing needs of students and communities.

Instructional aides

[Item 137 #27h \(McQuinn\)](#)/[Item 137 #30h \(Maldonado\)](#)/[Item 137 #10s \(Norment\)](#)/[Item 137 # 11s \(McClellan\)](#) provide \$38.6 million GF in FY 2024 for the state's share of funding for instructional aides. Currently, instructional aides are only funded for kindergarten and special education. These amendments are intended to provide additional state support for positions that are currently funded only with local dollars.

KEY POINTS

- These amendments reflect increased state basic aid for school divisions employing instructional aides to reflect local prevailing practice.
- The SOQs fund only a portion of the actual prevailing costs of K-12 education in Virginia.
- These amendments are meant to provide additional state support for school divisions for positions that they are currently funding on their own without state support.
- Teacher Aides are vital positions that work with a teacher in the classroom to provide extra help and attention to students. They help enforce classroom rules and help supervise children during free time like recess and lunch. They may work with students one-on-one or in groups to help reinforce lessons the teacher discussed. Teacher aides often help teachers track assignments and attendance, prepare lesson materials and equipment and more. Some teacher aides may work in specific areas of a school, such as a computer lab.

Flexibility in teacher compensation increase and bonus payments

[Item 137 #2h \(Watts\)](#)/[Item 137 #9s \(Ebbin\)](#)/[Item 137 #26s \(Marsden\)](#) remove the requirement for school divisions to provide at least an average 2.5 percent salary increase in each year of the biennium in order to access the state share of the 5 percent compensation supplement that is proposed for each year of the biennium, and clarify that the proposed retention bonus for instructional and support staff would be provided at local option.

KEY POINTS

- Local governments recognize the difficult work done by teachers and school staff and make considerable local contributions toward compensation, in addition to funding additional positions in excess of what is recognized by the Standards of Quality.
- By virtue of this large number of locally-funded positions, localities fund an estimated 56 percent of salary increases so as to provide the local match for the SOQ-recognized positions as well as the local funding required to provide equivalent salary increases for locally-funded positions in order to treat the school workforce equitably.
- This amendment would provide flexibility in implementing the compensation actions in the introduced budget in recognition of the significant number of positions that would not be covered by the state funding for the salary increase and retention bonus.

School capital (language)

[Item 137 #32h \(Morefield\)](#)/[Item 137 #7s \(McClellan\)](#) provide additional guidance on the eligibility of School Construction Assistance Program applicants by allowing a multi-year review of local composite index and fiscal stress, and allowing projects where construction began on July 1, 2022, to be eligible, as well as allowing the principal portion of future debt service payments on projects not yet begun as an eligible expense. These were recommendations from the Board of Education and the Commission on School Construction and Modernization. [Item 137 #33h \(Durant\)](#)/[Item 137 #15s \(Reeves\)](#) allows the most favorable year among three years of fiscal stress index data to be used to determine the School Construction Grant award amounts.

School capital funding

[Item 137 #6s \(McClellan\)](#) provides \$2.5 billion GF in FY 2024 to increase funding of School Construction Grants Program by \$500 million GF in FY 2024 and increase funding of the School Construction Assistance Program by \$2 billion GF in FY 2024. These programs, created in 2022, represent the first time since the Great Recession that the State has made significant investments in helping local governments with school capital costs. These amendments provide additional funding. This is a recommendation of the Commission on School Construction and Modernization.

KEY POINTS

- According to the Commission on School Construction and Modernization, more than half of K-12 school buildings in Virginia are more than 50 years old. The amount of funding needed to replace these buildings is estimated at \$25 billion.
- The condition of the facilities in which children are educated has a direct impact on their ability to learn. Issues like inadequate climate control, lack of modern electric circuitry and internet capacity, and leaking roofs can negatively affect student assessment performance and staff morale.
- Many localities face significant challenges in raising sufficient funds to undertake these projects.
- This funding represents a significant investment to help address this issue. The language amendments provide important flexibility in the use of previously-appropriated funds.

Jail per diems

[Item 73 #1h \(Krizek\)](#)/[Item 73 #1s \(Reeves\)](#) would restore the local-responsible per diem rate from \$4 to its pre-FY 2011 level of \$8.

KEY POINTS

- The local-responsible per diem rate was cut in half in FY 2011, from \$8 to \$4. “Local-responsible” inmates are individuals who are incarcerated in a local correctional facility while awaiting trial, individuals convicted of misdemeanor offenses, or individuals convicted of felony offenses with a sentence of one year or less.
- The 2022 General Assembly increased the state-responsible per diem rate from \$12 to \$15. This funding increase is much appreciated and is a critical step in the right direction toward increasing state support for jails. Revisiting the local-responsible rate will provide important assistance to local and regional jails, as there are more local-responsible offenders in local and regional jails and the population of state-responsible inmates in local and regional jails declined significantly over the last year.
- Virginia localities make a substantial contribution to the housing and care of inmates in local and regional jails. According to the Compensation Board, in FY 2021, localities contributed \$601.4 million in operating and capital costs for jails and jail farms and an additional \$16.4 million to house inmates in other jurisdictions; the state contributed \$361.3 million through the Compensation Board.

Deputy sheriffs' staffing

[Item 72 #6h \(LaRock\)](#)/[Item 72 #7h \(Wyatt\)](#)/[Item 72 #2s \(Boysko\)](#) would provide \$13.4 million GF in FY 2024 for 302 additional law-enforcement deputy positions in FY 2024.

KEY POINTS

- State Code requires the Compensation Board to fund one law-enforcement deputy for each 1,500 people in a jurisdiction in which the sheriff bears primary law enforcement responsibilities. This staffing ratio has not been fully funded since FY 2008, leaving localities to fund positions necessary to support the operations of sheriffs' offices. The Compensation Board calculates that 302 deputy positions are required to meet the 1:1,500 statutory ratio.
- Local law enforcement agencies have been stressed with recruitment and retention challenges. Localities make significant local contributions toward public safety, including providing salary supplements and locally-funded positions in Sheriffs' offices, in addition to positions funded by the Compensation Board, but the continued partnership of the state in support of this critical function of government is essential.

Aid to localities with police departments ("HB 599")

[Item 410 #1h \(McQuinn\)](#)/[Item 410 #2h \(Brewer\)](#)/[Item 410 #3h \(Hayes\)](#)/[Item 410 #2s \(Edwards\)](#) provide \$20.8 million in FY 2024 in aid to localities with police departments to align funding for this program with the percentage change in total general fund revenue collections, in accordance with statutory requirements.

KEY POINTS

- The Operation Bold Blue Line proposal in the introduced budget will provide important recruitment and retention resources for state and local law enforcement in the near term; HB 599 funding is a complementary program providing ongoing state support for local police departments.
- Localities that receive HB 599 funding contribute significant local funds to their local police departments. In FY 2023, localities that receive HB 599 funds have been allocated \$210.8 million from this funding source and reported budgeting \$2.4 billion in local funds for this purpose.

Reimbursement to localities for 2024 Presidential primary expenses

[Item 485 #1h \(Sickles\)](#)/[Item 485 #1s \(Deeds\)](#) provide an additional \$1.4 million to increase the reimbursement amount included in the introduced budget for the 2024 Presidential primary.

KEY POINTS

- Virginia Code requires the costs of the Presidential primary to be paid by the Commonwealth.

- The introduced budget includes an appropriation of approximately \$5.8 million to reimburse localities for costs associated with the 2024 primary. This amount is the same as what was appropriated in 2020; localities reported costs of approximately \$5.7 million to administer that primary.
- In order to account for growth in the number of registered voters and inflation in the intervening years, as well as the increasing complexity of election administration, the budget amendments request an additional \$1.4 million for 2024 primary expenses.

Recordation tax distribution to localities

[Item 266 #1s \(Stuart\)](#) provides \$20 million from the general fund in FY 2024 to be distributed among localities, as was done prior to 2020. This funding can be directed toward transportation or public education purposes.

KEY POINT

- Prior to the 2020 General Assembly session, a portion of recordation tax revenues had been distributed to counties and cities since 1993. Funding was distributed quarterly and could be used for transportation or public education purposes. This amendment would restore this distribution.

Stormwater Local Assistance Fund (SLAF)

[Item C-80 #1h \(Bulova\)/Item C-80 #1s \(Hanger\)](#) increase SLAF funding by \$9.9 million. [Item 378 #2h \(Lopez\)](#) would increase funding by \$55 million in FY 2023 and \$80 million in FY 2024. SLAF is a grant-based funding program for localities managed by the Department of Environmental Quality. Grants can be used by localities to make stormwater improvements, including capital improvements that reduce pollutants and improve water quality and implement stormwater best management practices.

KEY POINTS

- Stormwater improvements are capital-intensive and essential for improving water quality across the commonwealth.
- SLAF provides matching grants to localities for planning, design, and implementation of stormwater best management practices that are cost effective and improve water quality.
- SLAF grants are essential for helping localities fund capital stormwater projects by implementing best management practices. Funding can be used for capital improvement projects such as stream restoration, wetland restoration and pond restoration projects.

Helpful budget amendments introduced

In addition to the amendments requested by VACo and its partner organizations, hundreds of other proposals are under consideration. Following is a preliminary list of additional budget amendments that address priority issues for local governments. VACo encourages support for these proposals.

Constitutional officer staffing

- [Item 75 #1h \(Bulova\)](#) provides \$1.7 million in FY 2024 to fully fund the remaining unfunded positions in local offices of the Commissioners of the Revenue.
- [Item 77 #1h \(Morefield\)](#) provides \$680,030 in FY 2024 to fully fund the remaining unfunded positions in Circuit Court Clerks' offices. [Item 77 #3s \(Norment\)](#) provides \$637,920 in FY 2023 and \$695,912 in FY 2024 for unfunded Circuit Court Clerk positions.
- [Item 78 #1h \(Williams\)](#) provides \$505,459 in FY 2024 to address unfunded and underfunded positions in Treasurers' offices; [Item 78 #2h \(Kilgore\)](#) and [Item 78 #1s \(Lucas\)](#) provides \$3 million in FY 2024 for unfunded deputy Treasurer positions.

Elections

- [Item 90 #1s \(Ebbin\)](#) provides \$1 million in FY 2024 for the Department of Elections to support local registrars in processing same day voter registrations. Funding may be used for additional staff, technology and compensation to existing employees to cover the cost of increased workload.

Agriculture and forestry

- [Item 108 #4h \(Bloxom\)](#)/[Item 108 #1s \(Ruff\)](#) provide \$72 million in FY 2024 for the Forest Sustainability Fund, which was created in 2022 to assist localities that have adopted a use value assessment and taxation program for real estate devoted to forest use by replacing a portion of the revenue forgone as a result of the use value program.

K-12 education

- [Item 137 #20s \(Marsden\)](#) provides \$18.9 million in FY 2024 to increase the Cost of Competing Adjustment (COCA) for support position funding for divisions in Planning District Eight and other adjacent divisions specified in the Appropriations Act. For Planning District Eight, this increases the adjustment from 18.0 percent to its historic rate of 24.61. For other adjacent divisions, this increases the adjustment from 4.5 percent to 6.15 percent.)

- [Item 137 #3s \(Hanger\)](#) allows school divisions to use School Construction Grant Funds for regional programs and joint regional schools and allows school divisions to apply jointly for School Construction Assistance grants for construction of regional programs and joint regional centers.

Aid to local libraries

- [Item 240 #1h \(Carr\)](#)/[Item 240 #2h \(Morefield\)](#)/[Item 240 #1s \(Locke\)](#)/[Item 240 #2s \(Norment\)](#) provide \$2.5 million GF in FY 2024 as the second installment of a four-year plan to fully fund the state library aid formula by FY 2026.

Finance – State assistance with mandated property tax exemptions

- [Item 266 #3s \(McPike\)](#) provides \$34.5 million in FY 2024 to provide half of the tax revenue forgone by localities as a result of the property tax exemptions for disabled veterans and surviving spouses of members of the armed forces killed in action.
- [Item 266 #5s \(Stuart\)](#) provides \$12.6 million in FY 2024 to fund legislation that would require the state to subsidize the state-mandated local real estate tax relief for disabled veterans and surviving spouses of members of the armed forces killed in action when more than one percent of a locality's real estate tax base is lost due to such programs.

Health and human services

- [Item 313 #7h \(Sickles\)](#)/[Item 313 #5s \(Boysko\)](#) provides \$8.7 million in FY 2024 to address inflation costs for same day access, primary care screening, and outpatient services at community services boards (CSBs), which are the first three steps of STEP-VA.
- [Item 313 #9h \(Fariss\)](#) provides \$162.6 million in FY 2024 for recruitment and retention bonuses of \$4000 for direct care staff at CSBs. [Item 313 #10h \(Fariss\)](#)/[Item 313 #2s \(Deeds\)](#) are similar but do not specify the bonus amounts.
- [Item 408 #6h \(Coyner\)](#) provides \$5 million in FY 2024 for the Virginia Opioid User Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund, which would be created via legislation under consideration this session. The Fund would support the planning and implementation of locally administered jail-based addiction recovery and substance use disorder treatment and transition programs in local and regional jails. [Item 408 #2s \(Favola\)](#) would provide \$2 million in FY 2023 and \$5 million in FY 2024 for the Fund.
- [Item 345 #1h \(Coyner\)](#)/[Item 345 #1s \(Favola\)](#)/[Item 345 #3s \(Mason\)](#) would provide \$180,000 GF and \$60,000 in federal funds to expand Virginia's Title IV-E Child Welfare Stipend Program. Under this program, students receive a stipend in exchange for working at a local department of social services for one year for each year of stipend funding.

Public safety

- [Item 404 #1h \(Wachsmann\)](#) removes language that exempts the Department of Corrections from making payments for service charges levied in lieu of taxes and provides \$2 million in FY 2024 as a preliminary estimate of the service charges the Department would be required to pay localities should the exemption from payment in lieu of taxes be eliminated.

VACo Contact: [Katie Boyle](#)

School Construction Financing Bills Pass Senate

On January 23, the full Senate passed [SB 1408 \(McClellan & McPike\)](#) on a bipartisan vote of 26-10. As previously [reported](#), this bill would permit any county or city to impose an additional local sales and use tax of up to 1 percent, if initiated by a resolution of the local governing body and approved by voters at a local referendum. The revenues of such a local tax would be used solely for capital projects for the construction or renovation of schools. Any tax imposed shall expire when the costs for capital projects are to be repaid and shall not be more than 20 years after the date of the resolution passed.

Currently, this authority is limited to the qualifying localities of Charlotte, Gloucester, Halifax, Henry, Mecklenburg, Northampton, Patrick, and Pittsylvania Counties and the City of Danville. This bill is a [recommendation](#) of the Commission on School Construction and Modernization and an identical bill passed the Senate last year with bipartisan support. [SB 1287 \(Deeds\)](#), which expands this authority to Albemarle County and the City of Charlottesville, was also passed by the Senate by a bipartisan vote of 27-10.

VACo supports both bills and has testified in committee to that effect.

VACo supports the House companion of SB 1408, [HB 2316 \(Bourne\)](#), as well as a standalone bill expanding this authority for Prince Edward County, [HB 1605 \(Edmunds\)](#). Both bills have been referred to the House Finance Committee's Subcommittee #3.

VACo urges its members to contact [legislators](#) serving on this committee to support these bills once they are heard in subcommittee.

Despite historic investments last session, the [issue](#) of school construction and modernization remains an approximately \$25 billion issue that many localities struggle to address.

These bills would provide one more tool in the toolbox to local governments. VACo encourages its members to support these bills as they make their way through the General Assembly.

VACo Contact: [Jeremy R. Bennett](#)

School Board Unexpended Funds Bill Falters

On January 24, the House Education Committee's K-12 Subcommittee acted on [HB 2399 \(Simonds\)](#). As originally drafted, this bill would permit any school board to establish a capital reserve fund as a savings account into which it exclusively deposits the local operating funds that remain unexpended at the end of the year for future school division capital expenditures at no additional cost to local taxpayers, subject to certain conditions enumerated in the bill.

Currently, all year-end funds appropriated to local school divisions by the locality revert to the locality, retaining discretion with the governing body to evaluate and approve reallocation of year-end fund balances. The bill would subvert this authority given to localities and would be a dramatic policy change negatively impacting local governing bodies financially and in their relationships with other governmental entities.

VACo has [historically](#) opposed these measures.

After expressing concerns, the patron offered an amendment that still required the conditions of the original bill but stipulated that the approval of the local governing body was also needed. Though grateful to the patron for this change that addressed a substantial portion of VACo's concerns, to which VACo testified, VACo still expressed concerns regarding the impact this might have on existing arrangements between county governments and school boards as well as the precedent this legislation would set.

After some discussion, the subcommittee failed to recommend reporting the bill on a vote of 3-5.

VACo Contact: [Jeremy R. Bennett](#)

Restoration of Recordation Tax

Starting in 1993 and up until 2020, localities across Virginia received a portion of state recordation tax revenue. Localities were yearly slated to receive \$20 million, apportioned amongst the various counties and cities and could use these funds for transportation or public education purposes. In the 2020 General Assembly Session, this revenue was [redirected towards Hampton Roads Regional Transit](#),

effectively eliminating the funding to localities. VACo over the years has worked closely with legislators to try and restore the funding to localities while holding Hampton Roads Regional Transit harmless.

Senator Stuart has introduced a [budget amendment](#), in consultation with VACo staff, that seeks to do just this. The amendment allocates \$20 million from the general fund in FY 2024 to be redistributed amongst localities as it had been up until the change in 2020. The budget amendment does not affect funding to Hampton Roads Regional Transit.

The Senator further assisted VACo as he introduced legislation that seeks to add recordation tax revenue distributable to localities to code. [SB 1161 \(Stuart\)](#), as introduced, raises from \$20 million to \$60 million the amount of recordation tax revenue that should be annually distributed. This bill holds Hampton Roads Regional Transit harmless by keeping their \$20 million allocation annually. The important change in this bill, and one VACo members will be delighted to learn, is that SB 1161 not only re-establishes the recordation tax revenue that localities should receive, but this raises the amount from \$20 million to \$40 million.

VACo supports budget amendment Item 266 #1s and SB 1161 (Stuart).

VACo Contact: [James Hutzler](#)

Enhanced Retirement Bills Referred to JLARC

Several bills adding employee categories to the list of employees eligible to receive benefits under the State Police Officers' System were laid on the table by the House Appropriations Committee's Subcommittee on Compensation and Retirement. The bills were referred to the Joint Legislative Audit and Review Commission (JLARC), which is currently conducting a [study](#) of public safety officer enhanced retirement benefits. The existing list of employee categories eligible under subsection B of [§ 51.1-138](#) of the Code of Virginia may receive these benefits if their employer elects to provide them. These bills would have preserved that local option except one.

VACo is grateful to the subcommittee and the Chair, Delegate Brewer, for their careful consideration of these matters. A brief overview of such legislation is listed below.

[HB 1571 \(Walker\)](#) / [HB 2327 \(Cherry\)](#) would have added 911 dispatchers to the list of local employees eligible to receive enhanced retirement benefits for hazardous duty service under the Virginia Retirement System, among other provisions.

[HB 2292 \(Williams\)](#) would have required localities to provide enhanced retirement benefits to school resource officers. The bill would also allow a retired law-enforcement officer to return to work as a school resource officer after a break in

service of at least 12 months without impacting his retirement benefits. VACo has concerns over any legislation that would impose an unfunded mandate.

VACo Contact: [Jeremy R. Bennett](#)

An Overview of Relevant Workers' Compensation Bills

As in past session, several bills have been filed that would amend the Workers' Compensation Act, specifically impacting county employees and insurance systems. A brief overview of such legislation is listed below.

[HB 1631 \(Bulova\)](#) / [SB 1088 \(Ebbin\)](#) would allow dispatchers to claim workers' compensation benefits relating to post-traumatic stress disorder under the Workers' Compensation Act. Currently, only law-enforcement officers and firefighters may claim such benefits. This bill would result in higher insurance costs to local governments. VACo does not oppose the policy intent of the bill but is opposed to the legislation as it is a significant unfunded mandate. SB 1088 was heard in the Senate Commerce and Labor Committee. Despite VACo and other stakeholders voicing concern over fiscal impact, the bill reported from Committee and was referred to Senate Finance and Appropriations on a vote of 12-3. HB 1631 has not yet been heard in committee, but has been referred to the House Commerce and Energy Committee's [Subcommittee #2](#).

[HB 1905 \(Batten\)](#) would establish a workers' compensation presumption for back, hip, knee, and neck injuries that cause the death or disability of law-enforcement officers, as defined in the bill, who have completed five years of service and are required to wear a duty belt, as defined in the bill, as a condition of employment. This bill would significantly increase local government risk insurer liability, which would in turn result in higher insurance costs to local governments. VACo does not oppose the policy intent of the bill but is opposed to the legislation as it is a significant unfunded mandate. The bill has also been referred to the House Commerce and Energy Committee's [Subcommittee #2](#).

[HB 1408 \(Brewer\)](#) / [SB 906 \(Saslaw\)](#) as originally drafted would expand the workers' compensation presumption of compensability for certain cancers causing the death or disability of certain employees who have completed five years of service in their position to include melanoma, non-Hodgkin's lymphoma, and bladder and thyroid cancer. The presumption for these cancers does not apply for any individual diagnosed with such a condition before July 1, 2023. VACo did not oppose the policy intent of the bill but was opposed to the legislation as in its original form, it is a significant unfunded mandate. VACo is grateful to the patrons and community stakeholders who agreed to amendments, which removed melanoma and non-Hodgkin's lymphoma from the list of proposed presumptive illnesses and thereby addressed the majority of VACo's concerns over fiscal impact to local governments.

VACo staff testified our appreciation of these changes. Both bills have advanced on unanimous votes to the respective House Appropriations Committee and the Senate Appropriations and Finance Committee.

[HB 2322 \(E. Campbell\)](#) / [SB 904 \(DeSteph\)](#) as originally drafted would provide that an anxiety disorder or depressive disorder, as both are defined in the bill, incurred by a law-enforcement officer, public safety telecommunicator, or firefighter is compensable under the Virginia Workers' Compensation Act on the same basis as post-traumatic stress disorder, among other provisions. The addition of public safety telecommunicators to the list of current employee categories eligible for compensation under the Virginia Workers' Compensation Act would likely increase risk insurance premiums for this category of employees by almost 3,000 percent. VACo is grateful to Senator DeSteph for negotiating with stakeholders to amend this legislation to remove public safety telecommunicators from the bill as this was the principal driver of local fiscal impact and testified to that effect when the bill was heard in Senate Commerce and Labor. The amended version of the bill was unanimously reported and referred to Senate Finance and Appropriations on a vote of 15-0. VACo is also grateful to Delegate Campbell who tabled her bill. SB 904 is now nearly identical to [HB 1775 \(O'Quinn\)](#), which VACo does not oppose.

VACo Contact: [Jeremy R. Bennett](#)

VACo Supports Bill Giving Additional Authority to Localities with Appointed School Boards

On January 24, the House Education Committee's K-12 Subcommittee took action on [HB 1574 \(Walker\)](#), which allows the governing body of a county, city, or town to file a petition with the circuit court of the county or city or of the county within which the town or the greater part thereof is located asking that a referendum be held on the question of whether the members of the school board of the county, city, or town shall be elected directly by the voters.

Currently, there are only a handful of localities that still have appointed rather than elected school boards. Under current code, the only way to move from an appointed school board to an elected school board is through a voter referendum triggered by a petition signed by at least 10 percent of the number of registered voters in locality filed to a locality's circuit court. This bill would impose no requirements on localities that choose to keep their appointed school board and would provide one more tool in the toolbox of local governments.

VACo testified in support of the bill, which was recommend to report by the subcommittee on a vote of 5-3.

VACo Contact: [Jeremy R. Bennett](#)

Environment/Ag Bills Start Being Heard

[HB 1406 \(Anderson\)](#) seeks to eliminate the requirement for citizens in a locality to pay a licensing fee for registering their dog or cat with the locality. Further, this legislation would eliminate the misdemeanor penalty for failing to pay this licensing fee. VACo believes this legislation eliminates existing authority held by localities while curtailing a local revenue source which will ultimately reduce local animal control funding. VACo staff spoke in opposition to HB 1406 and the measure was recommended to be laid on the table by a 10-0 vote.

[SB 999 \(Mason\)](#) requires the Department of Professional and Occupational Regulation to issue a reciprocal license in Virginia for waterworks and wastewater works operators licensed in another state. Such license is to be issued, without examination, for the highest Virginia classification that is generally comparable to the applicant's existing license or certificate with appropriate credit given for an applicant's education and experience. This bill helps localities with recruitment and retention of these necessary public works employees in every corner of the Commonwealth.

VACo supports SB 999.

VACo Contact: [James Hutzler](#)

Senator Jeremy McPike joins Dean Lynch on the first episode of Commonwealth Conversations





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Key Dates for the 2023 General Assembly

As part of its organizational work on the first day of the 2023 session, the General Assembly adopted a procedural resolution on January 11 that sets out important dates and deadlines for the [2023 legislative session](#).

January 11: General Assembly convened at noon. Bills that were “prefiled” were due to be submitted by 10 a.m. All bills and regulations affecting the Virginia Retirement System or creating or continuing a study were required to be filed before adjournment. Governor Youngkin delivered the State of the Commonwealth address at 4 p.m.

January 13: Deadline for submission of budget amendments

January 20: Deadline for all bills or joint resolutions to be filed by 3 p.m. (with some exceptions, such as legislation introduced at the request of the Governor or legislation allowed to be introduced after deadlines by unanimous consent)

February 5: Money committees report budgets by midnight

February 7: Money committee budget proposals available by noon; “crossover” deadline for each chamber to complete work on legislation originating in that chamber (except for the budget bill)

February 9: Houses of introduction must complete work on budget

February 15: Deadline for each chamber to complete work on other chamber's budget proposal and revenue bills and appoint conferees

February 20: Deadline for committee action on legislation by midnight

February 25: Scheduled adjournment *sine die*

April 12: Reconvened session for consideration of Governor's amendments and vetoes

VACo Contact: [Katie Boyle](#)