

# Capitol Contact

## Virginia General Assembly

Virginia Association of Counties • 1207 E. Main Street, Suite 300 • Richmond, VA 23219  
www.vaco.org • 804.788.6652

Thursday, January 18, 2024

## House Version of Line of Duty Act (LODA) Benefits for Campus and Private Police Bill Falts

[HB 232 \(Campbell\)](#), which provides employees of contributing nonprofit private institutions of higher education and contributing private police departments with the benefits granted to employees of participating employers under the Line of Duty Act, failed to recommend reporting in the House Public Safety Committee's Public Safety Subcommittee by a 4-2 vote. VACo supported the legislation.

The bill was drafted in response to the death of a Wintergreen Police Officer in the line of duty. There are currently less than 10 private police departments in the Commonwealth, though they provide the same services and duties of public departments. They are currently excluded from protection in [LODA](#). VACo supports changes to LODA that would allow state authorized and trained private law enforcement agencies to participate in and contribute to the LODA program in a manner that does not create an unfunded mandate to local government and testified in support of the legislation.

The Senate companion to this legislation, [SB 466 \(Obenshain\)](#), has been rereferred to the Senate Finance and Appropriations Committee.

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

## Finance Bills Begin to be Heard

The House Finance Committee began to consider legislation on January 16 with a meeting of its Subcommittee #2, which deals with local taxes, followed by the full Committee's meeting on January 17. Three bills were reported by the Committee and are headed to the House floor:

- [HB 226 \(Cherry\)](#) was introduced at the request of Chesterfield County and addresses a situation in which the local commissioner of the revenue (or other assessing officer) finds that a local tax has not been assessed, or has been assessed at less than the law required. Under current law, in this case, the commissioner must issue corrected assessments and levy taxes on the new or supplemental assessment. The bill provides flexibility to the local governing body to work with taxpayers who receive a new or supplemental tax bill under these circumstances, and would allow the local governing body to authorize the local treasurer (or other officer responsible for the collection of taxes) to enter into an agreement with the taxpayer to allow payment of the taxes and any penalties and interest over a reasonable period, not to exceed 72 months. VACo spoke in favor of the bill, which is also supported by the Treasurers Association of Virginia.
- [HB 258 \(Simonds\)](#) adjusts the maximum value of certain tax-delinquent real property that may be subject to a nonjudicial sale from \$25,000 to \$40,000, under certain circumstances (taxes have been delinquent for at least three years, the property is not subject to a recorded mortgage or deed of trust lien, and the property is unimproved, one-half acre or less in size, and located within a designated urban redevelopment or revitalization zone).
- [HB 25 \(Reid\)](#) would make the annual retail sales and use tax holiday permanent, effective July 1, 2025, when the current authorization contained in the Appropriation Act expires. The bill provides that the annual sales tax holiday would take place on the first full weekend in August, beginning August 1, 2025; during this time, retail sales and use tax will not apply to certain school supplies, clothing and footwear, certain energy-efficient products, portable generators, and certain hurricane preparedness equipment.

The Senate Finance and Appropriations Committee began to consider legislation this week, following a series of subcommittee meetings for briefings on aspects of the introduced budget. [SB 116 \(Lucas\)](#), which was reported by the Committee, is the Senate companion to HB 25. Senate Finance and Appropriations Committee staff also provided a briefing on the Governor's budget to members on Wednesday; the slides may be found at [this link](#).

**VACo Contact:** [Katie Boyle](#)

## VACo Supports Swatting Reimbursement to Localities

Legislation supported by VACo, which aims to allow localities to obtain a reimbursement of a “reasonable expense” for any cost incurred in responding to terrorism hoax incident, bomb threat, or malicious activation of fire alarm, was recommended to report from Subcommittee #2 of the House Counties, Cities, and Towns Committee by a vote of 7-1.

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

VACo was happy to testify in support of this important update to enacted “swatting” [legislation](#) from last year. The senate companion for this legislation, [SB 656 \(Favola\)](#), has been referred to the Senate Local Government Committee.

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

## Privileges and Elections Committees Begin to Consider Elections Bills

The House and Senate Privileges and Elections Committees began considering elections legislation this week. In the Senate, several bills that would have reversed or limited certain policy decisions enacted in recent years to expand voting access were defeated, including [SB 42 \(Peake\)](#), which would have reduced the absentee voting in person period from 45 to 21 days preceding an election; [SB 81 \(McGuire\)](#), which would have required voters to present photo identification; and [SB 92 \(Peake\)](#), which would have eliminated same-day voter registration on Election Day at polling places and instead required same-day registration to take place at the general registrar’s office up to the day of election.

[SB 165 \(Reeves\)](#), which clarifies the date on which candidates may begin circulating petitions of qualified voters to have their names printed on the ballot, was reported from the Committee, as was [SB 109 \(Suetterlein\)](#), after extensive discussion. This bill provides that when a candidate in a primary files his or her declaration of

candidacy, that declaration must include a statement that if the candidate's name appears on the primary ballot and he or she is not nominated, his or her name is not to be printed on the ballots for the general election. The bill addresses a situation in which a candidate might withdraw from the primary during the early voting period but before the date of the primary itself.

The Committee "carried over," or continued to 2025, several Constitutional amendments that were proposed for the first time this year. Since Constitutional amendments must pass once prior to a General Assembly election and once after the election before being placed before the voters, Constitutional amendments are traditionally heard for the first time in odd-numbered years. There is one proposed amendment that is being considered for the second time this year, [HJ 45 \(Tran\)/SJ 3 \(McPike\)](#), which would expand the existing real property tax exemption for the surviving spouses of servicemembers killed in action to cover surviving spouses of servicemembers who die in the line of duty, with a Line of Duty determination from the Department of Defense.

The House Privileges and Elections Committee's Subcommittee on Campaign Finance met January 17 and recommended reporting [HB 40 \(Simon\)](#), which would bar the use of campaign funds for personal use, a concept that has been considered several times in past legislative sessions. Also recommended for reporting was [HB 126 \(Watts\)](#), which provides that a person who fails to file at least one of the campaign finance reports required by law to be filed in an election year by July 20 is not entitled to have his or her name printed on the ballot at the general election. The full House Privileges and Elections Committee is scheduled to meet Friday morning.

**VACo Contact:** [Katie Boyle](#)

## Local Financing Authority for School Capital Needs – Call Your Legislators to Support

[HB 600 \(Kilgore\)](#), [HB 805 \(Rasoul\)](#), and [SB 14 \(McPike\)](#) 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 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. [HB 60 \(Wright\)](#) and [HB 193 \(Cole\)](#) would expand this authority to Prince Edward County and Stafford County respectively and are also supported by VACo.

**These bills allow counties to exercise a local voter approved option to meet their community needs and are about creating parity between local governments.**

[Here is a one-pager](#) that further explains this issue and what the bills would accomplish.

[Here is a short video](#) explaining the legislation and the urgent need.

Contact your legislators today to encourage their support of these measures. Please let VACo know how your legislators respond to your request.

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

## **Advocate for your locality at the VACo Local Government Day**

**In Partnership with VML, VAPDC and the Virginia Rural Center**

**Thursday, February 1, 2024**

**[Richmond Marriott Hotel](#)**

**[REGISTRATION FORM](#) | [REGISTER ONLINE](#)**

### **Local Government Day**

It's a day for all of us. Counties. Cities. Towns. Planning Districts. It's a day for us to learn how the decisions being made by the General Assembly might affect us. And it's a day to make our voices heard. Attend Local Government Day. Then visit the Capitol to meet with your legislators and observe committee meetings. Later join us for a reception.

### **Registration Fee**

\$100 Day Briefing only (Noon – 2pm)

\$100 Reception only (530pm)

\$150 for both | \$175 late registration

### **Agenda**

- **9am** | VACo Board of Directors Meeting

- **10am** | Registration
- **1130am** | Lunch
- **Noon** | Local Government Day
- **Afternoon** | Visit the Capitol to speak with legislators
- **530pm** | Reception

For information on how to reach your representatives, see the [Virginia House of Delegates](#) and the [Senate of Virginia](#) member websites. Find information about VACo's positions in the [2024 Legislative Program](#). We will distribute the Local Government Day Bulletin before the event.

Be a part of the legislative process at the 2024 General Assembly Session.

Register for the event at [VACo Local Government Day Online](#) or fax the [Registration Form](#) to 804.788.0083. Also, here's how you can book a room at the [Hilton Richmond Downtown](#) or the [Hampton Inn & Suites Richmond](#).

**VACo Contact:** [Valerie Russell](#)

## Key Dates for the 2024 General Assembly

As part of its organizational work on the first day of the 2024 session, the General Assembly adopted a procedural resolution on January 10 that sets out important dates and deadlines for the 2024 legislative session.

- **January 10:** General Assembly convened at noon. Bills that were “prefiled” were due to be submitted by 10:00 a.m. Bills affecting the Virginia Retirement System, or creating or continuing a study, were required to be filed by adjournment of the floor session.
- **January 12:** Deadline for submission of member budget amendments.
- **January 19:** 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 13:** “Crossover” deadline for each chamber to complete work on legislation originating in that chamber (except for the budget bill).

- **February 18:** “Budget Sunday,” the deadline for the “money committees” to report their respective budgets by midnight.
- **February 22:** Deadline for each chamber to complete consideration of its budget bill.
- **February 28:** Deadline for each chamber to complete consideration of the other chamber’s budget bill and revenue bills.
- **March 4:** Deadline for committee consideration of legislation, by midnight.
- **March 9:** Scheduled adjournment *sine die*.
- **April 17:** Reconvened session for consideration of Governor’s amendments and vetoes.

**VACo Contact:** [Katie Boyle](#)