

VACo

LEGISLATIVE DAY CAPITOL CONTACT

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PREPARED BY
VACo Legislative Team



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EDUCATION

School Construction Legislation.

VACo and VML support legislation that once again seeks to grant additional revenue raising authority if approved by local referendum for school capital needs. Funding for school construction and renovation is one of the biggest concerns and responsibilities of local governments in the Commonwealth and has been almost solely a local responsibility for decades. The condition of the facilities in which children are educated has a direct impact on their ability to learn.

Many localities face significant challenges in raising sufficient funds to undertake these projects. These challenges include over-reliance on real property taxes to generate revenue, which can have vastly different yields depending on the locality and disproportionately burden a subset of taxpayers within a jurisdiction. This raises concerns over equity and diversity of revenues.

[**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 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. These bills give parity to all counties and cities and are priority legislation for VACo and VML.

[**HB 60 \(Wright\)**](#) and [**SB 146 \(Mulchi\)**](#) would extend this authority for Prince Edward County and is supported by VACo.

[**HB 616 \(Price\)**](#) would extend this authority to the City of Newport News and is supported by VML.

[**HB 1437 \(Hayes\)**](#) would extend this authority to the City of Portsmouth and is supported by VML.

Please review this [video](#) and [one-pager](#) for information on the desperate need for more school construction financing options.

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 to cost \$24.8 billion.

- This legislation was a unanimous recommendation by the Commission on School Construction and Modernization.
- This bill is about parity for local governments, giving all counties the same authority currently given to nine localities.
- This bill is **NOT** a tax increase. It would merely create a local option and another tool in the toolbox of local government, which would only be enacted by local referendum.

JLARC Recommendation Bills.

Following the Joint Legislative Audit and Review Commissions (JLARC) study on how to improve the Standards of Quality (SOQ) in the Commonwealth, which was released this summer, several legislators have introduced legislation. JLARC provided 12 recommendations that can be done in the short term (right now). Each of these recommendations has been addressed through legislation specified below.

VACo and VML support each JLARC recommendation and the subsequent legislation as well as thank JLARC for the fantastic report.

[SB 609 \(Aird\)](#) and [HB 825 \(Cousins\)](#) would establish an At-Risk Program defined as any state funding provided for programs of prevention, intervention, or remediation according to the at-risk add-on program designed to support programs for students determined to be educationally at risk. With this new definition funding level criteria are administered. This is in conjunction with the state's already existing At-Risk Program for which localities receiving state funding would be held harmless if they received more funding with the existing program.

[SB 228 \(Hashmi\)](#) would require additional positions to be added to the basic aid support list such as special education and English as a second language support staff.

[SB 128 \(VanValkenburg\)](#) would place several parameters around the SOQ funding calculations. Parameters include adding facilities and transportation staff to the calculations, including facilities staff in the cost of competing adjustment, prohibiting caps on support positions during rebenchmarking, and using a three-year average for the local composite index.

[HB 359 \(Simonds\)](#) would require the Department of Education to include costs associated with leased facilities and work-related travel into nonpersonal costs, examine division spending on support costs, require support positions to be funded based on prevailing costs, and prohibit a cap being put on instructional and support positions.

[SB 227 \(Hashmi\)](#) and [HB 624 \(Rasoul\)](#) would create an omnibus bill encompassing all JLARC recommendations that came from the JLARC SOQ study from this summer. This bill includes items such as eliminating the support cap, including competing cost

adjustments for instructional and support staff salaries, amount of funding for at-risk programs, using a three-year average for the local composite index, estimating consumption costs, and amending the SOQ formula and definitions. This bill contains all JLARC recommendations.

KEY POINTS:

- For far too long localities have been trying to emphasize how out-of-date and inadequate the current SOQs are.
- Per code, the State should be funding 55% of the costs of education and localities should be funding 45% of the costs of education. However, over time localities have been forced to pay far more than the allotted 45%.
- These recommendations change the standards for the better and finally provide the changes localities desperately need to help support our schools.

Budget Amendments to Support

School Capital Funding.

[Item 125 #17h \(Carr\)](#) and [Item 125 #9s \(Deeds\)](#) come as a **request of VACo and VML to add \$1.2 million each year of the biennium to the School Construction Assistance Grant Program. This program was created in 2022 to provide grants to qualifying localities for construction and renovation needs. Initially, this program was funded by general fund dollars in the amount of \$450 million in FY23. These funds have been utilized leaving the fund at \$0. The School Construction Assistance Grant Program is to be funded by the Gaming Proceeds Fund which is funded by casino profits. However, the Gaming Proceeds Fund only has \$80 million each year of the biennium which is not enough. This amendment adds an additional \$120 million each year resulting in a combined total of \$400 million which is similar to the initial amount of funding placed in this program.**

[Item 125 #14h \(Reid\)](#), [Item 125 #43h \(Simonds\)](#), [Item 125 #12s \(Carroll-Foy\)](#), and [Item 125 #30s \(Favola\)](#) provide \$200.3 million in FY25 and \$202 million in FY26 to eliminate the inflation cap placed on support positions in 2009. This would change the number of support positions from 20 per 1,000 students to 24 per 1,000 students. **This is also a request of VACo and VML.**

[Item 125 #32s \(Deeds\)](#) allocates \$312 million each year of the biennium using general funds to implement the JLARC recommendation from the 2023 report to remove the support cap and other Great Depression Era cuts. This moves the inflation cap on support positions from 20 per 1,000 students to 24 per 1,000 students. **VACo and VML support this amendment.**

KEY POINTS:

- Virginia desperately needs to increase funding in all schools regardless of location. Teachers and other support and instructional staff deserve to be paid more and proportionately.
- Schools also must be clean, safe, and inviting places to learn in. If the roof is leaking, the ceiling is cracked, or the HVAC is old learning cannot properly take place.
- Please support additional funding for school buildings and the providers that work within.

Instructional assistants.

[Item 125 #10h \(McQuinn\)](#) and [Item 125 #33s \(Locke\)](#) provide \$143.8 million in FY 2025 and \$146.2 million in FY 2026 for instructional assistants in schools accredited with conditions (in the House version) or not meeting performance benchmarks for three or more school quality indicators (in the Senate version).

KEY POINTS

- These amendments are meant to provide additional state support for school divisions for positions that are currently funded with local dollars.
- This additional support is a recommendation of the 2022 JLARC study of the effect of the pandemic on public education. JLARC notes that the state provides funding for fewer than 3,000 instructional assistants, while school divisions employ approximately 21,000.

Aid to local public libraries.

[Item 227 #1h \(Carr\)](#)/[Item 227 #2h \(Morefield\)](#)/[Item 227 #1s \(Locke\)](#) provide \$2.5 million each year from the general fund to increase state aid to local public libraries. This funding represents the third installment of a four-year plan to fully fund the state library aid formula by fiscal year 2026.

ELECTIONS

Budget amendments to assist with early voting costs.

Two helpful budget amendments would ensure that \$2.9 million in federal funding from the American Rescue Plan Act that was appropriated in 2021 to support early voting will be spent for that purpose. [Item 486 #1h \(Carr\)](#), an amendment to the “caboose” bill, would reverse the proposed action in the introduced budget to revert these dollars, and [Item 77 #1s \(Deeds\)](#), an amendment to the biennium budget, would direct the Department of Elections to expend the funds by December 31, 2024.

VACo supports this budget amendment.

KEY POINTS:

- The recent expansion of early voting opportunities has been largely funded by local dollars. This federal funding will provide important assistance in supporting early voting, which will be particularly helpful with a Presidential election later this year.
- The 2021 budget language directed that this funding be used to “support local efforts to expand early voting to include the adoption of Sunday voting.” This language has been interpreted to award funds based on expansions to early voting beyond what was offered in November 2020. More flexible language may be needed to allow these dollars to support early voting in general, rather than using an election conducted during the pandemic as the baseline.

Voter satellite offices a topic of interest.

Several bills dealing with the establishment of voter satellite offices are under consideration this session. Since the establishment of voter satellite offices is currently a local option, and would be funded by local dollars in the absence of additional state support, **VACo and VML have encouraged the preservation of local flexibility in making these decisions.**

[HB 1172 \(Sickles\)](#), as introduced, would have required the governing body of a county or city with a population of 50,000 or more to establish at least one satellite office, which must be in operation for the duration of the absentee voting period. Earlier this week, a subcommittee recommended incorporating this bill into [HB 1408 \(Srinivasan\)](#), which has been amended to direct the Department of Elections to develop standards and guidelines for determining the minimum number of voter satellite offices and their relative locations for general elections, taking into account the population of registered voters, population density and distribution, proximity to major transportation corridors, and access to public transportation. **VACo and VML have encouraged a less prescriptive approach**, suggesting the development of

guidelines rather than standards, but the bills have been improved from their original versions.

A more specific bill, [HB 941 \(Shin\)](#), which would have required the establishment of at least one voter satellite office on the campus of any baccalaureate public institution of higher education with more than 3,000 enrolled students, was continued until 2025 with a planned workgroup to be directed by a letter from the Chair of the House Privileges and Elections Committee.

[HB 942 \(Shin\)](#), as introduced, would have allowed tribal governments to request the establishment of a voter satellite office on a tribal reservation on the first and second Saturday preceding the general election, directed a governing body to consider certain factors in establishing voter satellite offices, and barred the use of a police station or sheriff's office from being used as a voter satellite office. This bill was proposed to be amended in subcommittee this week to deal only with the prohibition on use of law enforcement facilities as satellite offices. [HB 1490 \(Reaser\)](#), which has not yet been heard, would authorize the local governing body to prescribe dates and hours of operation for satellite offices (in accordance with existing Code requirements) and would prohibit any reduction in dates or hours of operation from being enacted within 60 days of a general election. Under current law, the governing body may establish the locations of satellite offices by ordinance and the electoral board sets dates and times of operation.

Problematic legislation could fast-track removals of elected officials.

[HB 1149 \(Cordoza\)](#) would make a significant change to the process of removing an elected officer or officer who has been appointed to fill an elective office. Under current law, the removal process begins with a petition to a circuit court signed by registered voters within the jurisdiction equating to ten percent of the total number of votes cast at the last election for the office that the officer holds. HB 1149 would create an alternative process that would allow the Governor, instead of the voters, to petition the court.

VACo opposes this measure.

KEY POINTS:

- This bill would substitute one person's judgment for the will of a subset of the voters in a jurisdiction in initiating the removal process.

Bills take competing approaches to staffing in general registrars' offices.

[HB 465 \(Runion\)](#) and [SB 147 \(Head\)](#) were introduced at the request of Augusta County and would direct the State Board of Elections to adopt guidance for determining the recommended number of deputy registrars, including a recommended number based on a county or city's population. Under current law, the electoral board determines the number of deputy registrars (with a minimum of one deputy in localities

with populations over 15,500 and one substitute registrar in smaller localities). Under the bills, the electoral board would continue to determine the number of deputy registrars, but that number could not exceed the State Board's recommended number unless the local governing body voted to approve additional deputy registrars. The bills direct the Department of Elections to convene a workgroup on the development of the recommended number of deputy registrars, with a report due by December 1, 2024.

VACo supports this legislation.

HB 1530 (Cordoza) would require all localities to have a chief deputy registrar; for localities with populations of greater than 10,000, the chief deputy registrar would serve full-time, and for smaller localities, the general registrar would determine whether the chief deputy registrar served on a part-time or full-time basis. The bill would require that full-time chief deputy registrars be paid not less than 60 percent of the general registrar's salary. **VACo and VML have expressed concerns** about mandating staffing in this manner and have encouraged the patron to consider pursuing additional state support for staffing in general registrars' offices.

KEY POINTS:

- Currently, the state provides partial reimbursement for the compensation of general registrars and electoral board members. Additional staffing in general registrars' offices is funded by the locality.

Ranked choice voting bills of interest.

Several pieces of legislation have been introduced regarding ranked choice voting. **VACo does not have a position** on ranked choice voting as a concept; however, not all localities currently have the equipment or software necessary to handle this form of voting. The expenses are the reason for concern from both associations and underpin our position that the decision to conduct an election in this manner must remain with the entity bearing responsibility for the associated costs.

HB 841 (Hope) and **SB 428 (VanValkenburg)** would allow local and constitutional officers the ability to conduct an election via ranked-choice voting if approved by the local governing body. These bills are a local option, giving authority to localities to determine how best to conduct elections based on the equipment and software readily available. These bills also direct the Department of Elections to review the testing and approval framework for voting equipment in the Commonwealth.

SB 270 (Subramanyam) would allow for presidential primaries to be conducted via ranked-choice voting if the political party chooses to do so. **VACo and VML have raised questions** about how this legislation would be implemented since not every jurisdiction has the equipment or software to handle ranked-choice voting elections.

KEY POINTS:

- The decision to conduct an election via ranked-choice voting should continue to rest with the locality, since the financial responsibility would be borne locally.
- Not all systems can currently accommodate ranked-choice voting. New or updated equipment would be necessary, which is a direct cost to localities.
- Voter education would be needed as well to ensure this process is done correctly.

ENVIRONMENT AND AGRICULTURE

PFAS.

[HB 1085 \(Rasoul\)](#) and [SB 243 \(McPike\)](#) as introduced, would have would require municipal wastewater and drinking water plants to monitor PFAS (also known as “forever chemicals”) levels in effluent, influent, and biosolids at least quarterly and report all such data on an applicable discharge monitoring report required by federal regulations. **VACo initially opposed the bills** as they would mandate the very expensive monitoring rather than a focus on PFAS emitting sources to the plants or any targeting to minimize burden.

During the House Chesapeake Subcommittee, a more favorable PFAS bill ([HB 245 Bulova](#)) was incorporated into HB 1085 and the legislation was subsequently substituted. Currently, HB 1085 as a substitute, is more favorable legislation for localities. The substitute removes the mandatory testing of local drinking water facilities to be done by the locality and would put the onus on state and relevant agencies to test for PFAS. If the tests reveal PFAS levels that are above the U.S. Environmental Protection Agency’s maximum contaminant level, then the Department of Environmental Quality would develop and implement a plan to identify and assess the significant sources of PFAS in the water system. The bill also creates the PFAS Expert Advisory Committee. The Committee is tasked with assisting the Department of Environmental Quality and the Virginia Department of Health in identifying PFAS sources through PFAS assessments, associated monitoring and reporting, public and private lab testing capacity and identifying options for reducing PFAS in source waters.

VACo thanks Delegates Bulova and Rasoul for hearing our concerns and offering the substitute bill. VACo expects similar amendments to be made in the Senate for [SB 243 \(McPike\)](#) and [SB 462 \(Marsden\)](#).

Compliance with water quality standards.

[HB 1472 \(Gardner\)](#) requires the State Water Control Board to ensure all activities allowed under any water certificate or permit are in compliance with the water quality standards promulgated by the Board. What this means in practice is that the bill requires the State Water Control Board to ensure all activities allowed under any water certificate or permit are “conditioned upon” compliance with the water quality standards promulgated by the Board. DEQ already ensures that a discharge or activity complies with water quality standards via a reasonable potential analysis which yields permit limits and/or conditions. As drafted, the legislation would require the addition of a vague regulatory requirement of water quality standards compliance, which could undermine the regulatory certainty that is foundational to the water discharge permitting program and leave permittees exposed to inconsistent, arbitrary, and unpredictable enforcement actions.

The same thing happened in California and the San Francisco Public Utilities Commission's (SFPUC) has petitioned the Supreme Court on the following question: Whether the Clean Water Act allows EPA (or an authorized state like Virginia) to impose generic prohibitions in Clean Water Act discharge permits that subject permittees to enforcement for exceedances of water quality standards without identifying specific limits to which their discharges must conform. With pending litigation, we expect to see the bill pulled but will update accordingly.

Budget Amendments to Support

Stormwater Local Assistance Fund: [Item 365 #2h \(Bulova\)](#) and [Item 365 #6s \(Marsden\)](#) provide \$35 million each year from the general fund to meet the estimated fiscal year 2024-2026 biennium financial need for state matching grants through the Stormwater Local Assistance Fund (SLAF). [Item 365 #7s \(Marsden\)](#) would provide \$50 million per year for SLAF.

Wastewater improvements: [Item 365 #5s \(Marsden\)](#) provides \$200.0 million GF each year for the Commonwealth's portion of municipal wastewater facility projects that are now under or entering active construction to meet the Commonwealth's obligations under the U.S. EPA Chesapeake Bay TMDL and Virginia Phase III Watershed Implementation Plan. [Item C-53.50 #1s \(Marsden\)](#) and [Item C-53.50 #1h \(Bulova\)](#) authorize \$400.0 million in VPBA tax-supported bonds for the Commonwealth's portion of municipal wastewater facility projects that are now under or entering active construction to meet the Commonwealth's obligations under the U.S. EPA Chesapeake Bay TMDL and Virginia Phase III Watershed Implementation Plan.

Virginia Farmland Preservation Fund.

The Virginia Farmland Preservation Fund is used to support local Purchase of Development Rights (PDR) programs, which allow localities to limit development on priority farm and forest lands and provide an incentive to landowners to voluntarily protect their working lands. [Item 86 #1s \(Favola\)](#) provides an additional \$5.0 million the first year and \$5.0 million the second year from the general fund to be deposited to the Virginia Farmland Preservation Fund.

Forest Sustainability Fund: [Item 96 #4h \(Lopez\)](#)/[Item 96 #1s \(Perry\)](#) provide \$5 million per year to the Forest Sustainability Fund

Broadband: [Item 103 #3h \(Bulova\)](#)/[Item 103 #8s \(Marsden\)](#) provide \$60 million per year to the Virginia Broadband Resiliency Initiative to supplement costs for make-ready work related to projects funded under the FY 2022 VATI program. It also dedicates 50 percent of non-deployment resources received from the Broadband Equity, Access, and Deployment (BEAD) Program to this initiative. [Item 103 #10h \(Krizek\)](#)/[Item 103 #13s \(Boysko\)](#) restores \$29.7 million in FY 2025 and \$49.7 million in FY 2026 to the Virginia Telecommunication Initiative (VATI) and allows use of these funds for make ready costs, including pole replacements, in areas served by not-for-profit public utilities. These funds shall only be awarded to a unit of government that previously received VATI funding with a private sector internet service provider as a co-awardee and may be used to supplement the make ready costs in its previously awarded VATI projects.

KEY POINTS

- These amendments provide funds to the Virginia Telecommunications Initiative (VATI) to be used for make-ready costs, including pole replacements, to accommodate the installation of broadband infrastructure, such as fiber optic cables.
- These funds will help to overcome bottlenecks in the delivery of high speed internet service to unserved and underserved areas in Virginia counties.

FINANCE

Grocery tax – Budget amendments to restore the hold-harmless for K-12.

The introduced budget does *not* include funding to maintain the state’s commitment to replace lost revenue for K-12 associated with elimination of the state’s portion of the sales and use tax on food, which took effect January 1, 2023. Language in the budget proposes to override the statutory requirement to provide an amount equal to the revenue that would have been distributed for this purpose had the state portion of the “grocery tax” not been eliminated. This action runs contrary to the understanding at the time that the state’s portion of the grocery tax was eliminated. That understanding – which was incorporated into statute – was that the revenue replacement would be ongoing.

The patrons of the 2022 legislation that eliminated the state’s portion of the grocery tax have introduced budget amendments that would honor the 2022 commitment and restore the hold-harmless for K-12. [Item 125 #11h \(McNamara\)](#) and [Item 125 #7s \(Boysko\)](#) reflect the net additional funding required to be provided to hold school divisions harmless (\$121.3 million in FY 2025 and \$121.8 million in FY 2026).

VACo supports these amendments.

KEY POINTS:

- Please thank the patrons and encourage your legislators to support the amendments.
- Although the Administration has indicated that it understands that the expansion of the sales tax base that is also included in the budget would make up for the lost revenue, there is no guarantee that the General Assembly will agree to this policy action. The General Assembly needs to honor the state’s commitment and ensure that school divisions do not lose revenue, regardless of the outcome of separate tax policy discussions.

Grocery tax – Legislation would eliminate local portion.

Legislation has also been introduced to eliminate the local portion of the grocery tax and replace the lost revenue with a supplemental school payment that would initially be based on each city’s and county’s estimated average share of sales tax distributions attributable to sales of food and essential personal hygiene products between February 2022 and December 2023, and then based on a pro rata share of sales tax collections (after July 1, 2026). [HB 540 \(McNamara\)](#) has been referred to the House Finance Committee, but has not been heard; [SB 110 \(Suetterlein\)](#) was passed by indefinitely in Senate Finance and Appropriations on Tuesday, January 30, 2024.

VACo opposes eliminating this local revenue source; while the bills would provide for replacement revenue, localities would be relying on the state to honor this commitment in the future.

Local fiscal distress.

HB 655 (Coyner) and **SB 645 (Aird)** address specific issues being reported in one locality. The concern about these bills is that the proposed solutions are designed to address the situation in that locality but may have ramifications for all counties, cities, and towns, at least the ones flagged as being in fiscal distress, according to the Auditor of Public Accounts (APA). It's imperative that we avoid addressing an issue in one community at the expense of other local governments.

The bills codify and expand upon language that has been in the Appropriations Act that outlines a process and plan to work with localities identified as in "fiscal distress" by the APA.

But the bills go further, authorizing a more assertive role for the Governor to intervene in the fiscal operations of a locality if the Commission on Local Government, which will assume additional responsibility under the bill, determines that "a locality is either unwilling or unable to comply with the conditions necessary to address its fiscal distress." Moreover, as introduced, the bills allow the Governor to "use all powers available to him to intervene for the purpose of addressing such fiscal distress." **VACo and VML have offered amendments** to narrow the scope of the bill and to place guardrails on the proposed intervention; these bills are works in progress.

Local tax collections.

HB 1483 (McQuinn) and **SB 294 (DeSteph)** are designed to address some of the problems restaurant owners in the city of Richmond have been experiencing related to meal tax collections. In response, the city has announced measures designed to address the concerns of restaurant owners. **VACo and VML have had discussions with the bill patrons** and proponents about ways to address the circumstances that precipitated the bill without hampering local tax collections in other localities.

Changes to the car tax.

When the Governor rolled out his budget proposals in late December, he asked "the General Assembly to work with me to completely eliminate the hated car tax and replace it with an increase in the local sales tax."

Two days after his announcement, VACo, VML, and local government officials met with Youngkin Administration officials from the Governor's Office as well as state agency staff from the departments of Taxation, Motor Vehicles, and the Auditor of Public

Accounts. The purpose of this meeting was to gather additional information regarding local car tax revenues.

To date, no car tax proposals outlining the Governor's intentions or how to replace those lost revenues have emerged. As a reminder, the car tax generates significant revenues for local governments.

While no bills have been introduced mirroring the Governor's proposal, several bills recommend changes to the car tax. [HB 1308 \(Green\)](#) effectively eliminates the car tax by reducing the tax rate localities can charge to no more than \$0.000001 per \$100 of assessed value of the qualifying vehicle. The bill makes up the lost revenue with a sum sufficient appropriation from the state's general fund. This bill was heard on Tuesday in subcommittee and recommended to be tabled.

[SB 126 \(New Craig\)](#), on the other hand, proposes to set aside a portion of any general fund surpluses for increased car tax relief. The amount to be provided would come from any general fund balances that remain AFTER all mandatory assignments are made under current law, for example, required deposits to the Rainy Day Fund or Water Quality Improvement Fund. The bill also increases from \$20,000 to \$30,000 the base vehicle value for which a county, city, or town shall establish its tangible personal property tax rate for each qualifying vehicle beginning in 2025.

Administration officials continue to collect and review data collected from localities, but whether that additional information results in a fleshed-out car tax proposal remains to be seen.

Transient Occupancy Taxes: Competing approaches for collection from accommodations intermediaries.

[HB 1328 \(McNamara\)](#) would centralize collections of transient occupancy taxes from accommodations intermediaries with the Department of Taxation, which would be tasked with contracting with a third-party provider to develop an electronic interface for accommodations intermediaries to make a single filing and payment for all localities. The electronic interface would allow for monthly distributions of taxes to the locality in which the taxes were collected.

VACo and VML have historically been opposed to proposals of this nature.

KEY POINTS:

- The transient occupancy tax is a local tax that should continue to be administered locally, where collections can best be audited and verified.
- Although the legislation stipulates that the Department of Taxation shall not withhold any portion of the local taxes collected to cover its administrative expenses, it is unclear how the electronic interface would be funded, and it is

possible that in the future the Department would need to turn to this revenue stream to fund its costs of collection.

- Laws already in place provide the framework for accommodations intermediaries to comply with their payment obligations, and most short-term rental operators are in compliance with current law. Legislation enacted in 2022 requires intermediaries to submit on a monthly basis the property addresses and gross receipts for all accommodations facilitated by the accommodations intermediary in each locality, and 2023 legislation requires the Department of Taxation to post on its website the current transient occupancy tax rates imposed in each locality after timely submission of the data from local tax-assessing officers.

A helpful bill, [HB 695 \(Ware\)](#), would improve enforcement of compliance with tax collections and other local regulations for short-term rentals. The bill requires accommodations providers and accommodations intermediaries to register with the Department of Taxation and provide information regarding the addresses of individual properties offered for short-term rental and amounts collected for room charges, fees, and taxes. The Department would provide access to this information to the Commissioners of the Revenue or other assessing officials, who would be able to share certain information with local zoning officials.

VACo supports the bill.

Budget amendments for increased funding for Planning District Commissions.

Six budget amendments – four in the House and two in the Senate – have been introduced to provide an additional \$150,000 from the general fund each year for the 21 planning district commissions (PDCs) in the Commonwealth.

The amendments are:

House of Delegates

- [Item 103 #2h \(Rasoul\)](#) – Roanoke
- [Item 103 #4h \(McQuinn\)](#) – Richmond
- [Item 103 #5h \(Kilgore\)](#) – Gate City
- [Item 103 #9h \(Bulova\)](#) – Fairfax

Senate

- [Item 103 #6s \(Marsden\)](#) – Fairfax
- [Item 103 #7s \(Pillion\)](#) – Abingdon

PDCs are critical components of the work that the state and local governments do to promote and provide efficient and effective services on a regional basis. Each of the 21 PDCs in Virginia is unique. While all are active in spearheading affordable housing development, many serve as strategic and administrative partners in implementing economic development and rural broadband expansion projects. Others guide oversight

and administrative services for their GO Virginia region, trigger tourism enhancement, and facilitate actions that protect the Chesapeake Bay and our other natural resources. What they share is their experience and expertise in convening, cooperating, and collaborating with these other partners to facilitate the “recognition and analysis of regional opportunities and take account of regional influences in planning and implementing public policies and services.”

KEY POINTS:

- Please thank the patrons of these amendments and encourage your legislators to support the amendments.
- Remind lawmakers that PDC’s have been challenged by the adequacy of resources to carry out these functions, or at the expense of other worthwhile projects that assist the state and local governments.
- House and Senate members introduced amendments to increase funding for each PDC by \$150,000.

Support staffing for directors of Finance: [Item 62 #31h \(Callsen\)](#)/ [Item 62 #1s \(Marsden\)](#) provide \$1.4 million in FY 2025 and \$1.5 million in FY 2026 to restore funding for unfunded positions in the offices of local finance directors (recent General Assembly actions provided funding for positions in the offices of Treasurers and Commissioners of the Revenue).

FOIA/PUBLIC NOTICE

FOIA Bills Update.

VACo opposed [SB 324 \(Roem\)](#), which is an unfunded mandate bill and would allow every citizen of the Commonwealth, and representative of newspapers and magazines with circulation in the Commonwealth, and media in or into the Commonwealth, to make four free two-hour FOIA requests per 31 consecutive days. Then after the 8 free hours per person, per month, the highest rate that a locality could charge is \$33/hour unless they successfully petition the court for a higher fee.

VACo opposed this bill in Senate General laws and Technology Committee and was told by the Chair of the Committee to engage in negotiations with the patron over the next week. A meeting was held with a number of stakeholders which included VACo, VML, the Attorney Generals' office, the Sheriff's Association, the Coalition for Open Government, and the Press Association.

After the meeting, the patron offered a substitute at the January 24 Senate Local Government Committee Meeting, which passed unanimously. The substitute included provisions for one free hour per calendar year for each person, a cap of \$40 per hour and some language providing an exception for legal review by public bodies and requires the collection of data by public bodies for any request that takes over 30 minutes. In addition, the bill expires on July 1, 2025, and incorporates a provision for a study of FOIA fees to be completed by November 30, 2024. This bill is headed to the Senate Finance Committee next.

VACo supports [SB 244 \(McPike\)](#) and [HB 816 \(Cherry\)](#), which seek to validate otherwise lawful actions taken by a public body using electronic communication means occurring from March 20, 2020, until July 1, 2021, with respect to FOIA if the body provided public notice, public access, and public comment commensurate with the requirements of existing FOIA provisions regarding electronic and closed meetings.

VACo supports [SB 36 \(Locke\)](#) and [HB 818 \(Cherry\)](#), which amend the definition of "meeting" as it relates to the Virginia Freedom of Information Act (FOIA) to clarify that a gathering of two or more members of a public body is not a meeting if there is no discussion or transaction of any public business as defined in the bill, by the members of the public body and that certain educational trainings are not meetings subject to FOIA. The bill is in response to the decision of the Supreme Court of Virginia in *Gloss v. Wheeler* (2023) and is a recommendation of the Virginia Freedom of Information Advisory Council.

[HB 671 \(Frietas\)](#) adds to the definition of "public body" any organization, corporation, or agency that received more than 50 percent of its annual revenue, within any of the three preceding years, from public funds. VACo opposed this bill which was struck from the docket.

VACo supports [HB 894 \(Bennett-Parker\)](#) and [SB 734 \(Marsden\)](#), which provide that except for local governing bodies, local school boards, planning commissions, architectural review boards, zoning appeals boards, and boards with the authority to deny, revoke, or suspend a professional or occupational license, any public body may hold all-virtual public meetings 2 times per year or no more than 50% of the meeting whichever is greater, provided that they have an electronic meeting policy in place. Previously, the limit was 25%.

Public Notice and Transparency Bills of Interest.

VACo opposes [HB 710 \(Webert\)](#) and [SB 549 \(Russet Perry\)](#), which provide that any travel expense of a local official, as defined in the bill, to be paid from public funds, that is anticipated to exceed \$2,500 shall be subject to approval in advance by a vote of the local governing body in an open meeting. The bill specifies that if the final travel expense exceeds the previously approved amount, such expense shall be reported to the governing body and noted in the meeting agenda or meeting minutes within 60 days of the determination. It also requires a local official to repay to the locality any travel expense that the governing body determines such local official misappropriated within 10 days and to furnish a copy of any receipts for such expense at the next public meeting. The bill allows a locality to adopt more stringent standards for local officials' travel expenses.

VACo supports [HB 443 \(Williams\)](#), [HB 1488 \(Henson\)](#), and [SB 413 \(Head\)](#), which standardize the frequency with which and length of time in which notices of certain meetings, hearings, and other intended actions of localities must be published. The bills also standardizes descriptive information in such notices related to (a) proposing, amending, or repealing ordinances; (b) local budget adoption; and (c) zoning ordinances and planning-related actions.

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

HEALTH AND HUMAN SERVICES

Support Medicaid coverage of behavioral health/SUD treatment for incarcerated individuals in local/regional jails.

HB 30/SB 30: [Item 288#55h \(Coyner\)](#) ; [Item 288#5s \(Favola\)](#) were requested by VML and VACo in concert with the Virginia Association of Regional Jails and other stakeholders, and direct the Department of Medical Assistance Services (DMAS) to seek a waiver or state plan amendment to expand Medicaid coverage for behavioral health and substance use treatment for qualifying incarcerated individuals. Such coverage would be provided during the first 30 days of incarceration and the last 90 days prior to release.

KEY POINTS:

- In 2023, the Centers for Medicare and Medicaid Services (CMS) issued guidance on a new Medicaid Reentry Section 1115 Demonstration Opportunity that would allow federal funding to cover certain medical and behavioral health services for state prisoners and local and regional jail inmates while they are in a correctional facility. Currently, Virginia Medicaid covers only costs incurred during a hospital admission for these individuals.
- Jails continue to serve large numbers of individuals with mental illness and substance use disorders, despite commendable efforts to develop a comprehensive continuum of community-based services, including crisis services. The State Compensation Board indicates that approximately 22 percent of the jail population is known or suspected to have a mental illness; of those with a mental illness, approximately 55 percent have a co-occurring substance use disorder (SUD). Of those without a mental illness, approximately 12 percent of the jail population is reported to have a SUD.
- Avoiding gaps in health care coverage for those reentering the community has been demonstrated to assist in a successful transition and avoid recidivism.
- The assumption is that the program would be operational by at least July 1, 2026.

Support substance use disorder treatment in local/regional jails.

HB30: [Item 60 #12h \(Coyner\)](#) / [Item 394 #20h \(Coyner\)](#)

SB 30: [Item 60 #13s \(Favola\)](#) / [Item 394 #8s \(Favola\)](#)

KEY POINTS:

- Moves funding from the Compensation Board to the Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund administered by the Department of Criminal Justice Services and increases funding from \$500,000 to \$2.0 million each year.

- VML and VACo supported the creation of the Virginia Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund , which was established (but not funded) in 2023.
- This fund is to be used for the planning or operation of substance use disorder treatment services and transition services, such as medically assisted treatment therapies, addiction recovery, and other services for persons with substance use disorder who are incarcerated in local and regional jails.

Clarify use of funds to reimburse local social services agencies for administrative costs.

VACo and VML worked with the Virginia League of Social Services Executives on amendments that would clarify the use of Percentage of Income Payment Program (PIPP) non-general funds to reimburse local social services agencies for administrative costs. Amendments were filed for both HB/SB 29 and HB/SB 30):

HB 29/SB 29: [Item 340#1h](#) (Sullivan); [Item 340#1s](#) (Deeds)

HB 30/SB 30: [Item 324#8h](#) (Sullivan); [Item 324#3s](#) (Deeds)

KEY POINTS:

- This amendment clarifies that non-general funds from the Percentage of Income Payment Program (PIPP) Fund shall be used to reimburse local departments of social services for the administration of the PIPP program, consistent with § [56-585.6](#) of the Code of Virginia.
- The PIPP program is a non-general fund program, funded by collection of Universal Service Fees from all residential customers of Dominion Energy and Appalachian Power Company. No public funds are involved.
- The objectives of the PIPP program are to reduce the energy burden of eligible participants and to reduce the amount of energy/electricity used by these households.
- There are no state or federal funds involved, so no local match for these private funds was envisioned when the program was approved by the General Assembly.
- These amendments would clarify that no local match should be required for this privately-funded program.

Human services bills of interest.

HB 177 (Gardner) directs the Department of Medical Assistance Services to convene a work group of relevant stakeholders to assess and make recommendations related to reimbursement rates for the federal Early Intervention Program for Infants and Toddlers with Disabilities. **VACo and VML support** this legislation to ensure sustainable funding for this program.

Several bills and budget amendments have been introduced to implement recommendations from a 2022 JLARC study of the Community Services Board system and a 2023 JLARC study of the state hospital system, including:

- [HB 888 \(Watts\)](#) and [SB 176 \(Favola\)](#) which seek to avoid the admission of individuals with neurocognitive disorders or developmental disabilities into state hospitals.
- [HB 808 \(Rasoul\)](#) which allows state psychiatric hospitals to delay admission of an individual under a temporary detention order to determine whether the individual has medical needs that the state hospital cannot meet.
- [HB 314 \(Hope\)](#) and [SB 179 \(Favola\)](#) which require state hospitals to conduct discharge planning for individuals with shorter stays.
- [HB 885 \(Watts\)](#) and [SB 590 \(Deeds\)](#) have been introduced as recommendations from the Behavioral Health Commission (i) to clarify required services that must be offered as part of the STEP-VA initiative to provide a standard array of services across Community Services Boards and (ii) to direct an assessment of unmet need for these services and the development of a cost estimate for meeting these needs.

VACo and VML are monitoring these bills and budget amendments and will be providing further updates throughout the session.

Budget Amendments to Support

Local departments of social services training academy: [Item 324 #1h \(Coyner\)](#)/[Item 324 #2s \(Favola\)](#) provide \$844,524 the first year and \$2.2 million the second year from the general fund (as well as matching nongeneral funds) for the Department of Social Services to implement a cohort-based "training academy" model.

Child Welfare Stipend Program: [Item 329 #2h \(Coyner\)](#)/[Item 329 #3s \(Favola\)](#) expand Virginia's Title IV-E Child Welfare Stipend Program to include individuals preparing to work in Child Protective Services (CPS) slots as well as several additional child welfare position slots.

Replacement of public benefits IT system: [Item 334 #2h \(Carr\)](#)/[Item 334 #1s \(Aird\)](#) provide funding to replace the Commonwealth's eligibility and enrollment system (currently known as the Virginia Case Management System or VaCMS) for public benefit programs, including Medicaid, TANF, SNAP, Child Care Subsidy, and energy assistance.

Catawba Hospital: [Item C-48 #2h \(Rasoul\)](#) provides \$2 million in FY 2025 for Catawba Hospital renovations.

HOUSING AND LAND USE

Oppose bill mandating localities to approve utility-scale solar and battery storage facilities.

SB 697 (Van Valkenburg) requires localities to permit utility-scale solar and energy storage facilities as a “special exception” per [15.2-2288.8](#) of Virginia Code and to develop an ordinance that establishes “reasonable criteria and requirements” for the siting of utility-scale solar and battery storage projects. Additionally, the legislation states that such reasonable criteria and requirements “*...shall not include limits on the total amount, density, or size of solar and storage facilities that can be developed.*”

The legislation effectively requires counties to permit any application, regardless of the cumulative impact of such facilities, so long as the requirements of a local ordinance with “reasonable” criteria are met.

VACo opposes **SB 697**, which will be heard in the [Senate Local Government Committee](#) on Monday, February 5.

KEY POINTS:

- VACo supports maintaining local authority to address all impacts and all choices associated with utility-scale installations of solar power and battery storage facilities.
- The state should not require counties to permit these facilities, regardless of the total amount, density, or size of such projects.

Oppose bills giving local land use authority to SCC for the siting of utility-scale solar, wind and energy storage projects.

HB 636 (Sullivan) and **SB 597 (Deeds)** give the Virginia State Corporation Commission (SCC) the authority to override local comprehensive plans and zoning ordinances for the siting of utility-scale solar, wind and battery storage facilities. The legislation sets up the process for applicants to essentially bypass local planning commissions and boards of supervisors when seeking approval for the siting and operations of solar projects with a rated generation capacity 50 megawatts (MW) or more, wind projects of 100 MW or more, and energy storage facilities of 50 MW or more.

HB 636 and SB 567 modify the current law regarding the host site agreement that an applicant must seek when proposing a utility-scale solar or battery storage facility. Specifically, the bill proposes to:

To include “wind energy facilities” (turbines) that produce energy for sale to the requirement to apply for a siting agreement with the host locality.

Within the 30 days of the initial meeting to discuss the siting agreement, the locality must notify the applicant if they have a “compatible renewable energy ordinance”. The legislation then defines the parameters of what qualifies as a compatible renewable energy ordinance with specific limitations on what a locality can require regarding facility setbacks, height and other design and operating features. The result is one statewide ordinance for all jurisdictions to follow.

If the locality fails to act on the application within a specified time period, or if it denies the application for land use approval, even though such application complies with minimum requirements of the statewide ordinance, then it may apply for approval from the SCC. If the SCC approves the application, then it “shall be exempt from obtaining approvals or permits, including any land use approvals or permits under the regulation and ordinances of the host locality.”

VACo opposes both bills. SB 567 will be heard in the [Senate Commerce and Labor Committee](#) on Monday, February 5. HB 636 will be heard in the [House Labor and Commerce Committee’s Subcommittee #3](#).

KEY POINTS:

- Utility-scale energy projects such as solar, wind, and battery storage are in effect largescale power plants, many of which may have oversized footprints. For example, a solar facility with a generating capacity of 100 MW can occupy 1,000 acres or more of land.
- Local review and approval of utility-scale solar, wind and battery storage projects are necessary to determine if the use and location are consistent with a locality’s land use goals and objectives. The state should not usurp local authority to determine how such facilities fit within local landscapes.

Oppose bills to make accessory dwelling units (ADU) a by-right use. [SB 304 \(Salim\)](#) / [HB 900 \(Srinivasan\)](#) mandates all localities permit accessory dwelling units (ADUs) as an accessory use in residential zoning districts. The legislation also prohibits a locality from requiring (1) dedicated parking for the ADU; and (2) lot sizes or setbacks for the ADU greater than that of the primary dwelling.

VACo opposes both bills. SB 304 will be heard in the [Senate Local Government Committee](#) on Monday, February 5. HB 900 will be heard in the [House Counties, Cities and Towns Subcommittee #2](#) on Thursday, February 1.

KEY POINTS:

- Local governments have the authority to allow for the inclusion of ADUs within their zoning ordinances and determine the context of where ADUs can be reasonably accommodated to meet the needs of residents and homeowners.

- A mandate to authorize an ADU in all single-family zoning districts excludes input from citizens and communities on whether, and how, ADUs can fit within existing and proposed residential developments.

Oppose bills to make short-term rentals a by-right use.

[SB544 \(Bagby\)](#) prohibits a locality from barring the use of or requiring that a special exception, special use, or conditional use permit be obtained for the use of an accessory dwelling unit (ADU) for a short-term rental in an area zoned for residential use where the primary dwelling unit on the site is occupied by the property owner.

[HB 1461 \(Mundon King\)](#) prohibits a locality from barring an operator, as defined in existing law, who is a lessee or sublessee of property from offering such property as a short-term rental provided the property owner has granted permission for its use as a short-term rental.

VACo opposes both bills. SB 544 will be heard in [Senate Local Government Committee](#) on Monday, February 5. HB 1461 will be heard in the [General Laws Housing Committee's Consumer Protection Subcommittee](#).

KEY POINTS:

- Local governments have the authority to regulate and address any potential impacts from the operation of short-term rentals within their community.
- Mandated changes to this authority, including exemptions, will erode the ability of local elected officials to address impacts from the operation of short-term rentals.

PUBLIC SAFETY AND COURTS

Support bill to compensate jails for actual cost of incarceration.

SB 41 (Peake) would direct the Department of Corrections to compensate local and regional jails for the actual cost of incarceration, based on the rate calculated in the Compensation Board's annual Jail Cost Report, for state-responsible inmates (individuals with felony convictions with sentences of one year or more) who should otherwise be confined in a state correctional facility. The bill was reported by Senate Rehabilitation and Social Services and referred to Senate Finance and Appropriations. **VACo and VML support the bill.**

Juvenile detention, jail bills, and budget amendments of note.

HB 912 (Shin) is a bill in flux. As introduced, it proposed caps on certain fees and costs in local and regional jails. The bill was amended last week to address how funds collected in jail stores/commissaries would be used by the jail; namely, that funds would be used within the facility for educational, recreational, or other rehabilitative purposes for the benefit of the inmates. A subcommittee of House Public Safety recommended the proposed substitute on Jan. 25; however, additional amendments may be considered before the bill is taken up by the full committee on Feb. 2.

VACo and VML are monitoring the bill and any additional amendments to come forward. We support renewed state support for local and regional jails; we are working still to make up for reductions in state support made during the Great Recession (2009-2010).

SB 438 (Suetterlein) would *require* all members and alternates for a juvenile detention home, group home, or residential care facility commission to have a background in law enforcement or corrections. VML and VACo oppose this bill because it removes the authority of local governments to appoint members who bring a variety of expertise and voices (e.g., finance, rehabilitation, education, behavioral health) to such commissions. The bill has been referred to Senate Courts of Justice.

HB 1438 (Wiley) would *require* local governments to provide enhanced retirement benefits for hazardous duty service to juvenile detention specialists beginning July 1, 2024. This would put these employees in a different category than other public safety personnel in local governments. VML and VACo oppose such a mandate; we would support allowing local governments to decide to include such employees in the category for enhanced retirement benefits. The bill has been referred to the House Appropriations Committee's Compensation Subcommittee; we understand that the patron plans to amend the mandate language to provide instead for a local option.

[HB 704 \(Webert\)](#) would end sovereign immunity for any car wreck case, where the locality owns or operates the vehicle involved. The bill has been referred to House Courts of Justice Committee, to be heard next week. **VACo and VML oppose any loss of sovereign immunity.** VACo has concerns about the potential financial impact to local governments of eroding sovereign immunity and opposes the bill.

[HB 1001 \(Tran\)](#) / [SB 374 \(Boysko\)](#) would undermine the existing local option local governments to engage in collective bargaining agreements with their employees and require local governments to engage in collective bargaining should their employees so choose. The bill creates the Public Employee Relations Board, which shall determine appropriate bargaining units and provide for certification and decertification elections for exclusive bargaining representatives of state employees and local government employees. The bills have other, problematic provisions. **VACo opposes any effort to mandate collective bargaining for public employees.**

[HB 1284 \(Askew\)](#) / [SB 623 \(Lucas\)](#) would authorize firefighters and emergency medical services providers employed by a political subdivision of the Commonwealth to engage in collective bargaining through labor organizations. The bills set up a three-member board of arbitration regarding any dispute arising between an employer and firefighters or emergency services. Under the bills, determinations made by the board are final on a disputed issue and are binding on the parties involved. **VACo opposes any effort to mandate collective bargaining for public employees.**

Budget Amendments to Support

Support increase to the state per diem for “local-responsible” inmates in local and regional jails.

HB 30/SB 30: [Item 61#2h](#) (Krizek) ; [Item 61#1s](#) (Peake) were requested by VACo and VML and would provide \$8.7 million in FY 2025 and \$17.7 million in FY 2026 to restore the per diem rate for local-responsible inmates to the rates paid prior to the Great Recession. The first-year amount reflects a partial year due to the schedule of Compensation Board reimbursements.

KEY POINTS:

- In 2009, local-responsible per diems were \$8/day for local and regional jails and \$22/day for jail farms
- In 2010, the state reduced these per diem rates to \$4/day for local and regional jails and \$18/day for jail farms
- This remained frozen until Fall 2023, when the General Assembly increased these per diems by \$1 each.

- These amendments would return the local-responsible per diem to the 2009 level.

Support state assistance to local law enforcement (HB 599 program).

[Item 396#2h \(McQuinn\)](#) and [Item 396 #1s \(Locke\)](#) would add \$6.3 million the first year and \$19.8 million the second year to put the Aid to Localities with Police Departments (HB599 program) in compliance with the statutory requirement that this funding grow in proportion with overall state general fund revenue growth.

KEY POINTS:

- Law enforcement is a basic governmental service and the 599 program provides vital assistance to local enforcement operations.
- More than 70 percent of Virginia’s population is served by a police department.
- A total of 175 localities – all cities, counties, and towns with police departments – receive this funding. (Counties served by sheriffs’ departments receive funding through the State Compensation Board.)
- Localities receiving 599 funding must certify each year their compliance with state requirements to receive this funding.
- By Code, funding for this program is required to grow in proportion with overall state general fund revenue growth.

Support staffing for sheriffs’ deputies.

[Item 60 #7h \(Delaney\)](#)/[Item 65 #2h \(Delaney\)](#) and [Item 60 #4s \(Boysko\)](#) and [Item 60 #14s \(Diggs\)](#) would provide \$13.9 million in FY 2025 and \$16.7 million in FY 2026 to fund the statutorily-required staffing ratio of one law-enforcement deputy for each 1,500 people in a jurisdiction in which the sheriff bears primary law enforcement responsibilities.

KEY POINTS:

- 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 327 deputy positions are required over the biennium to meet the 1:1,500 statutory ratio.
- Localities make significant local contributions toward public safety, including providing salary supplements and positions in Sheriffs’ offices in addition to staffing funded by the Compensation Board, but the continued partnership of the state in support of this critical function of government is essential.

Support Virginia Firefighting Personnel and Equipment Grant Program. [Item 406 #3h \(Sickles\)](#) and [Item 406 #3s \(Marsden\)](#) provide funding for a new grant program being considered in legislation this session. The program would make grants to localities for programs to hire new, additional full-time firefighters; convert part-time or volunteer firefighters to full-time firefighters; recruit and retain volunteer firefighters, or acquire firefighting and emergency medical services vehicles and equipment and modify facilities. The House amendment would provide \$50 million per year and the Senate amendment would provide \$25 million per year.

KEY POINTS:

- Establishment of such a grant program was recommended by a working group directed by 2023 legislation and these resources would help localities meet critical public safety needs.

TRANSPORTATION

Reduction of speed limits; local authority.

[HB 1071 \(Carr\)](#) and [HB 793 \(Henson, Jr.\)](#) expand the current authority of any locality to reduce the speed limit to less than 25 miles per hour, but not less than 15 miles per hour, on highways within its boundaries that are located in a business district or residence district to include highways within the state highway system, provided that such reduced speed limit is indicated by lawfully placed signs. **VACo supports HB 1071 and HB 793.**

Photo speed monitoring devices.

[SB 336 \(Roem\)](#) permits a state or local law-enforcement agency to place and operate a photo speed monitoring device at a high-risk intersection segment, defined in the bill, located within the locality for the purpose of recording violations resulting from the operation of a vehicle in excess of the speed limit, provided that such law-enforcement agency certifies that a traffic fatality has occurred since January 1, 2014, in such segment. **VACo supports SB 336.**

[HB521 \(Laufer\)](#) expands local ordinance authority to use photo speed enforcement on roads with a speed limit of more than 35 mph, in a location where speed, crash, or fatality data support the need for stronger enforcement, the ordinance identifies the speeding offense to be enforced by the locality and in localities with VDOT controlled roadways the road is in the secondary highway system or is a designated Virginia byway. **VACo supports HB 521.**

KEY POINTS:

- These bills are narrowly targeted public safety bills
- These bills allow local governing bodies to respond to constituent concerns regarding traffic safety within the locality.

Towing.

[HB 421 \(McQuinn\)](#) creates the Commonwealth Trespass Towing Rate-Setting Advisory Panel to advise the General Assembly and the Governor on statewide trespass towing fees and related ancillary fees. The bill increases from \$150 to \$190 the maximum statewide hookup and initial towing fee of any passenger car, from \$30 to \$65 the maximum ancillary fee for towing a vehicle between 7:00 p.m. and 8:00 a.m., and from \$30 to \$35 the maximum ancillary fee for towing a vehicle on a Saturday, Sunday, or holiday. The bill requires localities to set their own towing rates to at least the amounts of the maximum statewide rates and removes requirements specific to

Planning Districts 8 and 16 regarding localities setting their own towing rates. **VACo opposes this legislation.**

Budget Amendments to Support

WMATA: [Item 433 #1s \(Marsden\)](#), [Item 433 #1h \(Sickles\)](#), and [Item 433 #2h \(Krizek\)](#) provide general fund support of \$65.0 million the first year and \$65.0 million the second year for the Washington Metropolitan Area Transit Authority during the implementation of a corrective action plan to provide for rightsizing of the Authority's total costs, operating costs, headcount, and automation. **[Item 433 #2s \(Marsden\)](#)** is a language amendment that would provide an exemption from the three percent cap on increases to the state share of WMATA's budget due to recent increases in inflation, provided that planning and reporting requirements are met.

I-81: [Item 438 #12h](#) and [Item 438 #6s \(Obenshain\)](#) provide \$295.5 million GF the first year and \$365.5 million GF the second year (\$660.5 million total) for improvements and safety enhancements identified in the I-81 Corridor Improvement plan.

Thursday, February 1, 2024

General Assembly Committee Schedule

15 minutes after adjournment

[\(View Meeting\)](#) [\(committee info\)](#)

30 min after adjournment

Senate Education and Health Subcommittee on Public Education; Senate Room C, 3rd Floor, General Assembly Building - 30 minutes after adjournment ([subcommittee info](#))

30 min after adjournment

House Labor and Commerce; House Committee Room A - 008, General Assembly Building - 1/2 hour after adjournment of House ([committee info](#))

Adjournment full

House Labor and Commerce - Subcommittee #2; House Committee Room A - 008, General Assembly Building - Immediately upon adjournment of full committee ([subcommittee info](#))

30 min after adjournment

House General Laws; House Committee Room B-205, General Assembly Building - 1/2 hour after adjournment of House ([committee info](#))

Adjournment full

House General Laws - Housing/Consumer Protection; House Committee Room B - 205, General Assembly Building - Immediately upon adjournment of full committee ([Provide Comment](#)) ([subcommittee info](#))

2 hours after adjournment

House General Laws - Professions/Occupations and Administrative Process; House Committee Room B - 205, General Assembly Building - 2 hours after adjournment of full committee ([Provide Comment](#)) ([subcommittee info](#))

3 p.m.

Senate Finance and Appropriations Education Subcommittee; Senate Finance & Appropriations Room, 13th Floor, General Assembly Building

4 p.m.

House Health and Human Services - Social Services; House North Subcommittee Room - 200, General Assembly Building ([subcommittee info](#))

4 p.m.

House Health and Human Services - Health; House North Subcommittee Room - 200, General Assembly Building - Immediately upon adjournment of HHS Social Services Subcommittee ([subcommittee info](#))

4 p.m.

Senate Finance and Appropriations Resources Subcommittee; Senate Finance & Appropriations Room, 13th Floor, General Assembly Building

4 p.m.

House Transportation - Innovations (Ad Hoc); House South Subcommittee Room - 210, General Assembly Building ([Provide Comment](#)) ([subcommittee info](#))

4 p.m.

House Public Safety - Firearms; House Committee Room C - 206, General Assembly Building ([subcommittee info](#))

5 p.m.

House Technology & Innovation Caucus; House Subcommittee Room 8, General Assembly Building

5 p.m.

Rural Caucus; Senate Subcommittee Room 500, General Assembly Building