

# Capitol Contact

## Virginia General Assembly

Virginia Association of Counties • 1207 E. Main Street, Suite 300 • Richmond, VA 23219  
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Thursday, March 12, 2026

## Bills Mandating Statewide Standards for Solar Facilities Headed to the Governor

[HB 711 \(Herring\)](#) and [SB 347 \(VanValkenburg\)](#) require that, unless otherwise permitted “by right,” a locality shall require and review any “special exception” (aka special use permit) for any application of a solar project one megawatt or more in generating capacity in all zoning districts classified as agricultural, commercial, industrial and institutional. The legislation then mandates specific criteria to be applied to such applications, and they be adopted in local zoning ordinances.

VACo opposes the bills and has requested a veto ([see letter](#)).

### **ACTION REQUESTED**

- Contact [Governor Abigail Spanberger](#) and ask her to oppose HB 711 and SB 347.
- While there is no mandate to approve such applications, the legislation does require localities to review all such applications, regardless of whether the location of the proposed facility is contrary to local comprehensive plans and land use ordinances, and ... *furnish the State Corporation Commission a record of special exception decisions reached pursuant to this section not more than 60 days after such decision is made. The record shall include (i) the reason for any adverse decision, (ii) any finding of nonconformity with the local comprehensive plan, and (iii) the date of the last revision to the comprehensive plan.*

## **KEY POINTS**

- VACo supports maintaining local authority to address all impacts and all choices associated with utility-scale installations of solar power.
- Projects vary in size and potential impacts on agriculture, forests, and local waterways. Virginia's counties have responsibly reviewed and approved such applications to address such impacts with the input of all relevant stakeholders.
- According to the [UVA Weldon Cooper Virginia Solar Dashboard](#), since 2013 Virginia localities, in working with developers to address all stakeholder concerns, have approved 397 utility-scale solar projects with total of 16,996 megawatts of rated capacity for an application approval rate of 77.8 percent.

## **KEY CONTACT**

- [Governor Abigail Spanberger](#)

VACo Contact: [Joe Lerch, AICP](#)

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## **Bills to Make Utility-Scale Batteries a By-Right Use Headed to the Governor**

[HB 891 \(Shin\)](#) and [SB 443 \(McPike\)](#) would make utility-scale Battery Energy Storage Systems (BESS) a by-right use on any parcel that has previously been approved for utility-scale solar and that is subject to an approved special use permit. The legislation bypasses local decision-making authority to make battery energy storage permitted use on all approved utility-scale. The bills have passed both chambers and are headed to the Governor for consideration. VACo opposes the bills and has requested a veto ([see letter](#)).

## **ACTION REQUESTED**

- Contact [Governor Abigail Spanberger](#) and ask her to oppose HB 891 and SB 443.
- The legislation also exempts such installations from the requirement that applicants give the locality written notice of their intent to locate in such locality and request a meeting to negotiate a host siting agreement pursuant to [Virginia law on the Siting of Solar Projects and Energy Storage Projects](#).

- It is important to note the host siting agreement law was amended in 2021 to include battery storage projects as a way to offset the loss in revenue due to state mandated exemptions from local machinery and tools tax on the equipment – 80% exemption for the first 5 years of operation; 70% exemption for years 6-10; and 60% exemption for years 11 and beyond (see [Legislature passes complex changes to laws regarding the siting and taxing of solar and energy storage projects - Virginia Association of Counties](#)).

## **KEY POINTS**

- The legislation would permit the installation of battery storage infrastructure on any land associated with hundreds of locally approved utility-scale solar sites across the Commonwealth without the consent of the counties and the constituents they represent.
- Additionally, the legislation would remove such installations from the requirements of the host siting agreement law, which have proven very successful for solar and BESS projects to be negotiated for approval by localities.
- Without the requirement for an applicant to seek a host siting agreement, and because of loss in revenue due to state-mandated exemption from local taxes, counties cannot adequately address limited resources of their fire departments and public safety operations who must be familiar with the layouts and protocols for each site and have adequate resources to respond to fire and emergency calls.

## **KEY CONTACT**

- [Governor Abigail Spanberger](#)

VACo Contact: [Joe Lerch, AICP](#)

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## **PFAS Regulatory Framework for Biosolids Headed to the Governor**

[HB 1443 \(Lopez\)](#) and [SB 386 \(Stuart\)](#) have had a long journey through the legislature and are headed to Governor Spanberger’s desk to await her decision. HB 1443 and SB 386, as passed by the General Assembly, would institute a new regulatory regime for PFAS in biosolids across the Commonwealth. The contents are as follows:

### **Testing Requirements (effective January 1, 2027)**

Any owner of a sewage treatment works that land applies, markets, or distributes sewage sludge in Virginia must test it monthly for PFAS. After 2027, testing can be

reduced to quarterly with DEQ approval. Out-of-state facilities supplying sludge to Virginia must comply with the same requirements.

### **Management Tiers Based on PFOS/PFOA Concentration**

Beginning July 1, 2027, the bill establishes a three-tier system based on rolling 12-month averages of PFOS or PFOA concentrations:

- **≥ 50 µg (microgram)/kg:** Land application prohibited. Owner must arrange alternative treatment/disposal until subsequent testing confirms levels drop below 50 µg/kg.
- **≥ 25 but < 50 µg/kg:** Land application limited to 3 dry tons/acre. Permit holder must notify landowners of PFOS/PFOA concentrations via email or mail.
- **< 25 µg/kg (PFOS and PFOA):** Land application permitted per existing permit with no additional requirements. Permit holders must notify landowners of PFOS/PFOA concentrations via email or mail.

A single test result above 75 µg/kg triggers immediate retesting; a second high result halts land application entirely.

### **Transition to Combined PFOS+PFOA Standard (effective July 1, 2029)**

The same three-tier structure applies, but the thresholds shift from measuring PFOS or PFOA individually to measuring their combined concentration.

### **Blended Sludge**

When sludge from multiple facilities is blended, the tiers apply to the blended product meaning no additional testing required.

### **Other Provisions**

The bills state that DEQ must convene a work group (or use the existing PFAS Expert Advisory Committee) to study and recommend approaches for reducing PFAS in sewage sludge. Recommendations are due to the Governor and relevant legislative committees by November 1, 2027.

VACo thanks Delegate Lopez and Senator Stuart for working with us and other stakeholders, hearing our [concerns on the introduced bills](#) and amending the bill to be more favorable to localities and wastewater utilities. VACo currently has no position on the bills and will provide further updates once the Governor has acted on this legislation.

**VACo Contact:** [James Hutzler](#)

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## Fire and EMS Funding Legislation Recap

The 2026 General Assembly session has included several legislative proposals focused on strengthening funding and support mechanisms for Virginia's fire and emergency medical services (EMS) system. These measures range from grant programs to funding formula reviews and adjustments to existing aid streams. As counties across the Commonwealth continue to face rising call volumes, workforce shortages, and increasing equipment costs, these initiatives highlight ongoing efforts by policymakers to examine how the Commonwealth supports local fire and EMS systems. VACo supports additional state resources for fire and EMS coverage across the Commonwealth.

Perhaps the one non-budget amendment driven bill remaining with a chance of passing is [SB 233 \(Head\)](#), which directs the Virginia Department of Fire Programs to convene a workgroup to review the current funding formula used to distribute the Fire Programs Fund. The workgroup would examine how funding is allocated to localities and fire service organizations and evaluate whether the existing formula reflects current service demands, regional differences, and operational costs. A representative from VACo would serve on the workgroup. As originally introduced, the bill would have provided that, for the purposes of funds distributed to localities as aid for fire programs, if a locality does not provide the required annual report and forms, any funds due to the locality for the next year shall be returned to the Fire Programs Fund and redistributed as grants to enhance firefighting and rescue services in accordance with policies developed by the Virginia Fire Services Board. Under current law, such funds are added to the 75 percent of the Fund allocated to the counties, cities, and towns of the Commonwealth for improvement of fire services in localities. The Fire Programs Fund represents one of the Commonwealth's primary funding streams supporting local fire and EMS services, providing resources for training, equipment, and other operational needs. The bill passed the House of Delegates unanimously in the form of a substitute, which was agreed to by the Senate.

[HB 1054 \(Phillips\)](#) and [SB 80 \(Mulchi\)](#) would have created the Virginia Fire Personnel and Equipment Grant Program. This would have established a competitive grant program administered by the Department of Fire Programs to support local fire and EMS agencies. Eligible uses under the program would include:

- Hiring additional firefighters
- Transitioning part-time or volunteer personnel to full-time positions
- Purchasing fire and EMS vehicles
- Acquiring operational equipment and protective gear

Such a program could help localities address staffing shortages and increasing equipment costs, particularly in communities experiencing rapid population growth or significant call volume increases and is a recommendation of previous workgroups that [fire](#) and [EMS](#) funding. VACo testified in support of both bills. Unfortunately, neither bill advanced out of the respective money committee for each chamber.

[\*\*HB 394 \(Askew\)\*\*](#) would have increased the fire insurance assessment from 1 percent of total direct gross premium income for such insurance to (i) 1.5 percent on and after July 1, 2026, but before July 1, 2027, and (ii) 2 percent on and after July 1, 2027. This was also a recommendation of previous fire and EMS funding workgroups. VACo testified in support of the bill. Unfortunately, the bill did not advance out of the House Appropriations Committee.

Similarly, [\*\*HB 986 \(Garrett\)\*\*](#) would have established a Virginia At-Risk Fire Grant Program designed to assist fire departments facing operational or financial challenges that could threaten their ability to maintain adequate service levels. The program was intended to provide targeted assistance to departments experiencing staffing shortages, declining volunteer participation, or other structural challenges. VACo testified in support of the bill. Unfortunately, the bill did not advance out of the House Labor and Commerce Committee.

In the proposed House and Senate budgets, VACo strongly supports [\*\*Item 406 #1s\*\*](#), which would provide an additional \$20 million in grants to localities for the purchase of emergency response vehicles and other equipment. This funding would provide much-needed assistance to counties working to replace aging fire and EMS apparatus and maintain reliable emergency response fleets.

VACo also strongly supports [\*\*Item 275 #1s\*\*](#), which would provide \$10 million in FY 2027 for the Rescue Squad Assistance Fund. This fund has long been a critical source of state support for local EMS agencies and volunteer rescue squads, particularly in rural and small communities where resources are limited and equipment costs continue to rise.

VACo appreciates the Senate's action to preserve current law regarding the use of the Fire Programs Fund, which supports local volunteer and career fire programs, rather than diverting funds for personnel in the State Fire Marshal's Office ([\*\*Item 405 #2s\*\*](#)).

Taken together, these proposals reflect growing recognition among policymakers that Virginia's fire and EMS system, largely organized and funded at the local level, faces significant structural pressures. Counties and other local governments continue to shoulder most of the responsibility for providing emergency response services while navigating workforce recruitment challenges, aging equipment, and rising operational costs.

VACo will continue monitoring these legislative efforts and working with policymakers and local officials to ensure that statewide policies support sustainable, locally delivered fire and EMS services across the Commonwealth.

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

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## Local Lobbying Bill Tabled in Appropriations

On March 9, the House Appropriations committee voted unanimously to table [SB 50 \(Rouse\)](#), legislation that as originally written would have expanded the definition of “lobbying” to include influencing or attempting to influence local government action, defined in the bill, or solicitation of others to influence a local government official, also defined in the bill. Current law limits such influencing to executive or legislative action and soliciting to executive or legislative officials. The bill would have required the Secretary of the Commonwealth to prepare a list of the positions and names of local government officials to be revised at least semi-annually and made available to lobbyists to assist them in complying with the provisions of the bill. SB 50 had a delayed effective date of May 1, 2027.

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

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## VACo Highlights Op-Ed and Letter on Collective Bargaining; Counties Encouraged to Contact Governor’s Office

VACo continues to raise concerns on [HB 1263 \(Tran\)](#) / [SB 378 \(Surovell\)](#), legislation which would curtail local authority and create substantial local fiscal impact by imposing mandatory collective bargaining for local governments if a group employees petition and vote to form a bargaining unit. This would be administered by the Public Employee Relations Board (PERB) with powers of enforcement, including binding arbitration. These bills are likely headed to a committee of conference and then to Governor Spanberger’s desk.

VACo President and Prince William County Supervisor, Victor Angry, recently authored an opinion piece published in *Cardinal News* titled “[Let Local Governments Lead on Collective Bargaining](#).” In the column, Supervisor Angry highlights how Prince William County has already implemented collective bargaining through a locally designed framework, demonstrating that counties are capable of working collaboratively with employees while maintaining accountability to local taxpayers. The op-ed underscores a key point raised by counties across the Commonwealth: Virginia’s current law already allows local governments to adopt collective bargaining if they choose. Several localities have done so in ways that reflect their workforce needs, fiscal capacity, and community priorities.

As previously [reported](#), a statewide one-size-fits-all mandate, however, risks overriding locally tailored approaches and imposing structures that may not work for every community, particularly rural and smaller counties with fewer fiscal options.

Building on those concerns, VACo Executive Director Dean Lynch sent a [letter](#) to Governor Abigail Spanberger on March 9 outlining the potential impacts of the legislation on counties across the Commonwealth.

The letter notes that the bills would replace Virginia's locally driven system with a state-administered framework overseen by PERB, raising several concerns for counties, including:

- Expanded PERB authority over local labor relations without dedicated local government representation
- Authority for PERB to seek judicial enforcement of its rulings, exposing counties to litigation risk
- Binding arbitration provisions that could impose compensation, staffing, or benefit obligations regardless of local fiscal constraints
- Unpredictable fiscal impacts for counties required to maintain balanced budgets while funding core services
- Potential disruption of locally negotiated agreements and workforce policies already in place

The letter also notes that Virginia counties vary widely in population, workforce structure, and economic capacity, reinforcing the importance of preserving local decision-making authority over workforce policy.

VACo encourages county officials to share their perspectives directly with the Governor's policy team, particularly regarding potential fiscal and operational impacts on your locality.

### **Governor's Policy Team Contacts**

- Bonnie Krenz-Schnurman  
Chief of Staff to Governor Abigail Spanberger  
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- Gerica Goodman  
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- Rebecca Eichmann  
Policy Director  
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When you do reach out to the Governor’s policy team, please include VACo in any correspondence. VACo will continue to keep counties informed as the legislation progresses and the administration reviews the legislation and considers next steps.

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

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## **ACTION ALERT: Contact Legislators to Oppose SB 388 and HB 1279**

Fate of bills, which would allow “by-right” development of faith-based owned property, is to be decided in final days of the legislation session.

[SB 388 \(McPike\)](#) and [HB 1279 \(Cole\)](#) override local decision-making authority by allowing development of housing on land owned by property tax-exempt religious organizations or certain property tax-exempt nonprofit organizations and provides that zoning ordinances shall allow the by-right development of up to 20 units per acre on property owned by such organizations. The measures specify that the review of such developments be completed pursuant to general law and states that localities shall not require a special exception, special use permit, conditional use permit, rezoning, or any discretionary review or approval process.

### **ACTION REQUESTED**

- **VACo Members** – Contact ALL legislators in the General Assembly ([House of Delegates Emails 1](#) | [House of Delegates Emails 2](#) | [Senate of Virginia](#)) to oppose this legislation now.
- Both bills are now headed to a committee conference where select members of each chamber meet to determine if they can agree on the specific language and, more importantly, whether the bill becomes law this year, or whether it must be reintroduced next year for further consideration. Should no agreement be reached, the bills will fail.
- HB 1279 passed the House with a reenactment clause to state that ... *the provisions of this act shall not become effective unless reenacted by the 2027 Session of the General Assembly.*
- SB 388 was amended in committee to permit ground-floor nonresidential uses not to exceed 30 percent of gross floor area of the building. The amended bill specifies that ... *Permitted nonresidential uses shall include religious worship space, child day centers as defined in § [22.1-289.02](#), health clinics, coffee shops, or other uses that are ancillary to the operation or mission of the*

*property tax-exempt religious organization or 501(c)(3) property tax-exempt nonprofit organization. It passed the Senate without a reenactment clause.*

## **KEY POINTS**

- VACo supports maintaining local decisions regarding the location and density of residential and mixed-use development and how such projects may fit within and benefit their community.
- By-right development of residential and mixed-use development on any property, regardless of its location and access to adequate publicly funded facilities such as water, sewer, and roads, is inconsistent with the goals and objectives of sound land use policy and practice.
- Virginia Code requires that all ... *zoning regulations shall be uniform for each class or kind of buildings and uses throughout each district* ([15.2-2282. Regulations to be uniform](#)). This legislation upends this longstanding legal land use principle by granting different rights to properties of the same zoning classification based on ownership.

## **KEY CONTACTS**

- [House of Delegates Emails 1](#) | [House of Delegates Emails 2](#)
- [Senate of Virginia](#)

VACo Contact: [Joe Lerch, AICP](#)

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## **Key Dates for 2026 General Assembly Session**

The General Assembly convenes today for a scheduled 60-day session.

Key dates for the 2026 session, as approved by the Joint Rules Committee in the procedural resolution setting out the schedule for the session, are as follows:

- **Wednesday, January 14:** General Assembly convenes; pre-filed bills must be submitted by 10:00 a.m. (after the pre-filing deadline, legislators are limited to five additional bills or resolutions). Last day to submit bills creating or continuing a study or to submit bills dealing with the Virginia Retirement System. Governor Youngkin will address a joint session of the General Assembly at 7 p.m.
- **Friday, January 16:** Deadline to submit budget amendments.

- **Saturday, January 17:** Inauguration of Governor-Elect Spanberger, Lieutenant Governor-Elect Hashmi, and Attorney General-Elect Jones.
- **Monday, January 19:** Joint session of the General Assembly for remarks by Governor Spanberger.
- **Friday, January 23:** Last day to submit legislation, other than bills submitted by unanimous consent or bills requested by the Governor.
- **Tuesday, February 17:** Last day for bills to be acted upon in their chambers of origin, other than the budget bills. Bills must “cross over” to the opposite chamber by Wednesday, February 18.
- **Sunday, February 22:** “Budget Sunday” deadline for House Appropriations and Senate Finance and Appropriations committees to report their respective budget proposals.
- **Thursday, February 26:** Deadline for each chamber to act on its respective budget proposal.
- **Wednesday, March 4:** Deadline for each chamber to act on budget and revenue bills from the other chamber and appoint conferees as necessary.
- **Monday, March 9:** Deadline for committee action on all legislation by midnight.
- **Saturday, March 14:** Scheduled adjournment *sine die*.
- **Wednesday, April 22:** Reconvened session to consider Governor’s actions on bills and budget items.

VACo Contact: [Katie Boyle](#)