

Capitol Contact

Virginia General Assembly

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

Tuesday, March 17, 2026

ACTION ITEM: Conference Report Advances to Governor Spanberger on Mandatory Collective Bargaining Bills

Counties encouraged to continue contacting Governor Spanberger's office as well as passing resolutions stating concerns and opposition to the legislation. Your advocacy is required.

The General Assembly has approved legislation requiring mandatory collective bargaining for local governments in certain cases, and it now heads to the Governor for a decision. Lawmakers advanced identical conference reports on [HB 1263 \(Tran\)](#) / [SB 378 \(Surovell\)](#), combining them into a single final package. VACo continues to oppose the legislation, arguing it limits local decision-making and could create significant costs by requiring collective bargaining if employees petition and vote to form a bargaining unit.

ACTION REQUESTED

- Contact [Governor Abigail Spanberger](#) and urge the Governor to preserve meaningful local flexibility rather than impose a one-size-fits-all statewide model.

The House approved the conference report on March 14, 2026, by a 62–34 vote, and the Senate approved it 20–18. The legislation now goes to Governor Abigail Spanberger, who has until April 13 to take action.

VACo remains concerned that, even as revised, the legislation would replace Virginia's current system, where local governments can choose whether to allow collective

bargaining with a single, statewide framework. This new system would be overseen by a state-created Public Employee Relations Board (PERB).

The conference report would also eliminate existing law that currently gives localities and school boards the authority to decide if and how to implement collective bargaining.

The conference report also preserves language recognizing existing bargaining relationships and agreements entered before July 1, 2028, but it does not preserve indefinite local discretion outside that new statewide structure. Existing certifications, active negotiations, and agreements are not superseded before that date, but on and after July 1, 2028, they are folded into the new framework administered by the state.

KEY POINTS

Even after conference, several major VACo concerns remain:

- **Local decision-making is still preempted.**
The legislation repeals the existing local option framework and replaces it with a statewide model. That means local, democratically elected officials would lose significant authority to tailor labor-relations policy to local fiscal capacity, workforce structure, and administrative realities.
- **A state PERB would oversee local labor relations.**
The conference report establishes the Public Employee Relations Board within the Department, with five members, and no guaranteed local government representation. That board would determine bargaining units, oversee certification and decertification, handle disputes, and administer the new system.
- **Arbitration remains.**
For public employees generally, unresolved impasses proceed from mediation to arbitration, and for firefighters and EMS providers the bill contains separate arbitration procedures whose final determinations are binding, subject to judicial review. This continues to raise serious concern about unpredictable fiscal outcomes and reduced local budget control. The following language has been included, “No provision of this section shall be construed to restrict a governing body's authority to establish the budget of or appropriate funds to the public employer.” However, in practice, this does not protect localities; instead, it shifts the conflict into disputes over good faith compliance, where refusals to appropriate funds can trigger legal challenges and enforcement actions, exposing counties to litigation rather than preserving real fiscal control.
- **Existing local agreements are not a permanent shield.**
The conference language protects agreements and certifications already in place before July 1, 2028, but only as a transition. It does not preserve a long-term locally controlled alternative system once the statewide framework takes effect.

- **Implementation work begins before 2028.**
Although major provisions take effect on July 1, 2028, the conference report directs the Department of Labor and Industry to promulgate regulations necessary to implement the act by that same date. That means substantive implementation work begins well before the nominal effective date.
- **The scope remains broad.**
The final version provides that public employees may organize, choose representatives, and engage in concerted activity for collective bargaining and mutual aid, while also extending the framework to local governments, school boards, many state employees, home care providers, and certain higher education service employees.
- **Public employers must provide employee contact information and access.**
The bill requires public employers to provide extensive employee contact information to exclusive bargaining representatives and to provide access to represented employees, including in connection with orientations for new hires. These operational requirements would create new administrative obligations for local governments.

With the General Assembly having adopted the conference reports, county attention should continue to focus on the Governor’s office. Your advocacy is required. As previously [reported](#), counties that have concerns about fiscal impact, administrative burden, public safety implications, interaction with existing personnel systems, or disruption of current local arrangements should continue sharing those concerns directly with the Governor’s policy team while the legislation is under executive review.

Governor’s Policy Team Contacts

- **Bonnie Krenz-Schnurman**
Chief of Staff to Governor Abigail Spanberger
Bonnie.Krenz-Schnurman@governor.virginia.gov
- **Gericca Goodman**
Legislative Director
Gericca.Goodman@governor.virginia.gov
- **Rebecca Eichmann**
Policy Director
Rebecca.Eichmann@governor.virginia.gov

When you reach out to the Governor’s policy team, please include VACo in any correspondence. VACo also encourages county boards of supervisors to pass resolutions expressing their opposition to the legislation in its current form. Additional VACo members continue to voice [concerns](#) in statewide media.

While the conference report resolves differences between the House and Senate versions, it does not resolve VACo's core concern: the bills would still move Virginia away from a local-option approach and toward a mandatory statewide structure with significant local fiscal, legal, and operational consequences. Counties should continue making the case that labor relations policy in Virginia must preserve meaningful local flexibility rather than impose a one-size-fits-all statewide model.

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

Oppose Bills to Allow “By-Right” Development of Faith-Based Owned Property Headed to The Governor

[SB 388 \(McPike\)](#) and [HB 1279 \(Cole\)](#) override local decision-making authority by allowing development of housing, with up to 30 percent of certain ground-floor nonresidential uses, on land owned by property tax-exempt religious organizations or certain property tax-exempt nonprofit organizations. The legislation also mandates 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

- Contact [Governor Abigail Spanberger](#) and urge the Governor to veto SB 388 and HB 1279 ([see letter](#)).

The legislation includes the following key provisions, some of which were not decided until the last day of session by a committee of conference to overcome differences in how they passed each chamber:

- A qualifying religious or non-profit organization must own the property for five years prior to applying for a housing development application.
- At least 60 percent of the total housing units must be affordable at 80 percent or less AMI (area median income) for rental units, and up to 120 percent AMI for for-sale units.
- Affordability of units must be recorded and preserved for a minimum of 30 years by deed restrictions or other legally binding requirements.

- Existing public water and sewer must be within 500 feet of the property line.
- It does not apply to ... *property zoned for or adjacent to land zoned for industrial use provided there has been an active and operational industrial use as defined by the locality on the property within the previous five years.*
- The provisions of the legislation become effective on January 1, 2027 and expire on January 1, 2031

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 CONTACT

- [Governor Abigail Spanberger](#)

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

Legislation Centralizing Intake for Child Protective Services, Providing State Oversight of Local Departments of Social Services Approved by General Assembly

Related bills that would allow the Commissioner of Social Services to create and enforce corrective action plans for local departments and centralize child protective services intake at the state level emerged from conference committees and received General Assembly approval in the final days of the 2026 regular session.

As passed by the General Assembly, [HB 1490 \(Tran\)](#) and [SB 640 \(Pillion\)](#) contain the following provisions regarding centralized intake:

- Once the bills' provisions are fully implemented, the Virginia Department of Social Services (VDSS) would be responsible for establishing and maintaining a 24/7 hotline to receive reports or complaints of child abuse and neglect and determining the validity of these reports. Under current law, validity determinations are the responsibility of local departments of social services.
- Under the new process, VDSS would refer valid complaints to local departments of social services for an investigation or a family assessment.
- The State Board of Social Services would be required to promulgate regulations to implement the legislation by July 1, 2027; VDSS would implement centralized intake through a phased process that would begin July 1, 2028, and conclude July 1, 2030.
- As part of the implementation of the bills, VDSS is required to contract with a third party for a comprehensive study and review of the screening process for child protective services complaints, which would also identify best practices and make recommendations for the most effective intake system. The bills also direct VDSS to convene a stakeholder workgroup to evaluate the results and recommendations of this study. A report would be due by December 1, 2026.
- The State Board of Social Services is also required to promulgate regulations that require local departments to respond to valid reports of suspected abuse and neglect of a child under the age of three within 24 hours of receipt; current law requires this expedited response for children under the age of two.

As passed by the General Assembly, [HB 1366 \(Callsen\)](#) and [SB 640 \(Pillion\)](#) contain the following provisions regarding state oversight of local departments, which are similar to existing authority granted to the Commissioner of Social Services to establish corrective action plans for the provision of foster care services:

- The state Commissioner of Social Services would have the authority to create and enforce a corrective action plan for any local board or local department of social services that fails to administer public assistance, social services, or child welfare programs in accordance with applicable laws and regulations, or acts or fails to act in a manner that poses a substantial risk to the health, safety, or well-being of a child or adult.
- The Commissioner must provide advance written notice of intent to implement a corrective action plan to the chair of the state Board of Social Services, chair of the local board of social services, and local director, and must hold a hearing upon request about whether a corrective action plan is appropriate.

- If the local board fails to comply with the corrective action plan, the Commissioner would have authority to temporarily assume control of the local board's operations to provide public assistance, social services, and child welfare services. The Commissioner would also be empowered to withhold state funds until the local board complies with the corrective action plan. Control over local operations would be returned upon the Commissioner's determination that the local board has made necessary adjustments to provide services in compliance with law.
- The bills also provide explicit authority for the Commissioner to use state staff or contract with private entities to assist local departments when they request help in administering programs.
- The bills require the Secretary of Health and Human Resources to convene a Social Services Task Force to review the state's approach to benefits application and eligibility determination, and require VDSS to hire a third party to review the current funding sources for child welfare, child protective services, benefits, and administration, as well as the local match and the methodology used to allocate administrative funds. A report with recommendations and an implementation plan is due by November 1, 2026.

VACo Contact: [Katie Boyle](#)

General Assembly Scales Back Public Works Legislation to Limit Local Impact

Several pieces of legislation affecting public works contracting and labor requirements moved through the 2026 General Assembly with notable revisions that significantly reduced potential impacts on counties and other local governments. While introduced with broader requirements, [HB 569 \(Feggans\)](#) / [\(SB 518 Rouse\)](#) and [HB 1046 \(Carr\)](#) / [SB 324 \(McPike\)](#) were all amended during the legislative process to better reflect practical implementation concerns raised by VACo and local partners such as the Virginia Association of Governmental Procurement.

HB 569 and SB 518 as introduced, created potential liability for contractors and subcontractors for prevailing wage violations, including liquidated damages enforced by the Department of Labor and Industry. VACo raised concerns and testified in committee that the proposal could increase project costs for local governments, create uncertainty in procurement, and shift compliance risk indirectly onto localities. The bills were ultimately amended to limit the scope and preserve the ability of local governments to opt in to the provisions of legislation, rather than mandated compliance and creating an unfunded liability. Both bills passed the General Assembly on a vote of 62-35 in the

House of Delegate and a vote of 21-17 in the Senate. The legislation now awaits action from the Governor.

As introduced, SB 324 and HB 1046 proposed to expand requirements on contractors and subcontractors involved in public construction projects, including additional compliance and documentation mandates tied to public works contracts under the Virginia Public Procurement Act. VACo and local partners raised concerns that the initial proposals would increase administrative burdens, delay project delivery, and expose local governments to compliance risk. The amended versions of the legislation now focus more narrowly on contractor compliance rather than imposing broad new administrative responsibilities on localities. Both bills passed the General Assembly by similar vote margins to the previously mentioned legislation and as also await action by the Governor.

VACo actively engaged throughout the session to ensure that these proposals did not impose unfunded mandates or disrupt local procurement practices. VACo is grateful to the Virginia Association of Governmental Procurement and others for their partnership in working on these issues. The final legislative outcomes in the General Assembly reflect meaningful improvements over the version of the bills as originally introduced. VACo supports enhanced local authority and autonomy in matters including procurement and other issues of local concern.

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

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](#)

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](#)

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](#)