

**FAIRFAX COUNTY BOARD OF SUPERVISORS
2023 GENERAL ASSEMBLY
FINAL LEGISLATIVE REPORT
March 7, 2023**

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This report will be available on the Board of Supervisors Webpage at <https://www.fairfaxcounty.gov/boardofsupervisors/> listed under “2023 Board Legislative Reports.”

For a more detailed summary, action, and wording of an individual bill please visit the Virginia Legislative Information System Website at <https://lis.virginia.gov/lis.htm>

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“Protecting and enriching our quality of life for people, neighborhoods, and diverse communities.”

Fairfax County’s Strategic Plan was adopted by the Board of Supervisors on October 5, 2021, and includes Ten Community Outcome Areas, which ensure a focus on the priorities of our community, including:

• Cultural and Recreational Opportunities • Economic Opportunity • Effective and Efficient Government • Empowerment and Support for Residents Facing Vulnerability • Environment • Health • Housing and Neighborhood Livability • Lifelong Education and Learning • Mobility and Transportation • Safety and Security

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Final Report to Board of Supervisors 2023 General Assembly

SECTION I BOARD PRIORITIES, INITIATIVES, AND BUDGET

OVERVIEW

The 2023 General Assembly (GA) convened on January 11, with the November 2023 elections for all 140 GA seats looming in the background. The session before an election is always challenging, as the election changes the dynamics of legislative work – votes on particular issues are amplified, things can become more partisan, and a number of “brochure” bills will be introduced.

Some unexpected issues received national, and even international, attention. After the U.S. Supreme Court overturned *Roe v. Wade*'s protections for abortions, returning the issue to the states, many expected legislation to be introduced on this topic at the GA. But no one expected the outpouring of attention on legislation designed to shield menstrual app data from search warrants – when Governor Youngkin publicly opposed the bill, the story went viral. Similarly, as the session began, the Governor decided to take Virginia out of the running for a \$3.5 billion Ford plant in an economically distressed area near Danville, because the electric-vehicle battery factory would use Chinese technology – a very unexpected turn of events for a typically pro-business Governor.

A short session is typically very frenzied, and 2023 was no exception. But after a protracted budget standoff in 2022, the conventional wisdom was that legislators wanted to finish their work on time and return home to campaign for their elections. Though the GA managed to avoid prolonged debates on many thorny policy issues, a budget agreement still proved elusive, and the GA adjourned after voting on a “mini budget” containing a few key items, with negotiations on the remaining items to be held in the coming weeks.

Overall, it was a year of change. 2023 was the last session in the Pocahontas building, after the major reconstruction of the GA building over the last five years. However, the November election will be like no other in Virginia. In the 2020 election, Virginia voters approved an amendment to the Constitution establishing a redistricting commission composed of state legislators and other residents of the Commonwealth. The commission was tasked with drafting and approving state and congressional district maps. If the commission failed to reach consensus, the Supreme Court of Virginia was required to take over the process, which is ultimately what happened. The Supreme Court then assigned redistricting to two experts, who drew new legislative maps and ignored the interests and residency of incumbents. As a result, a substantial number of legislators have now been drawn into the same legislative district (often from the same party), leaving them to decide if they want to run against a fellow incumbent, run for another office, or retire from elected office. When coupled with the retirements typically expected in advance of any election, the GA is facing a tsunami of turnover that is unprecedented. From the Fairfax County delegation, Senate Majority Leader Dick Saslaw is retiring, the longest serving member of the Senate, as well as Delegate Ken Plum, the longest serving member of the House of Delegates. So is Senator Janet Howell, the first woman to chair the powerful Senate Finance Committee, and Delegate Kathleen Murphy. A number of retirements from other parts of the state have been announced as well, including Senate Minority Leader Tommy Norment and many committee chairmen in both the House and the Senate, and the list is likely to only grow longer. The 2024 GA will definitely have many new faces.

In addition to recognizing their own retiring members, the GA also passed resolutions commending retiring members of the Fairfax County Board of Supervisors, including Vice-Chair Penny Gross (**SJ 391** (Saslaw)) and Supervisor John Foust (**SJ 386** (Boysko)), praising them for their years of service and contributions to the Commonwealth. The 2023 GA also passed resolutions commending other Fairfax County officials and institutions, including: Tom Biesiadny, Director of the Department of Transportation (**HR 502** (Sickles)) on his retirement; retiring School Board members Karen Corbett Sanders (**HJ 780** (Krizek)/**SJ 409** (Surovell)), Tamara Derenak Kaufax (**HJ 683** (Sickles)/**SJ 374** (Surovell)), and Megan McLaughlin (**HJ 730** (Filler-Corn)/**SJ 369** (Petersen)); Historic Huntley (**HJ 571** (Krizek)) on its 50th anniversary on the Virginia Landmarks Register and the National Register of Historic Places; the Fairfax County Redevelopment and Housing Authority (**HR 425** (Kory)) for more than 55 years of helping individuals and families find safe, affordable housing; and, the Urban Search and Rescue

Virginia Task Force 1 (**HR 427** (Kory)) for their deployment to Turkey and Syria to assist an international rescue and recovery effort after two major earthquakes in 2023.

LOCAL GOVERNMENT OVERVIEW

After the watershed achievements of the 2020 and 2021 GAs, which enacted a wide variety of legislation granting local authority that had failed repeatedly in previous sessions, the 2022 GA stopped that significant forward momentum and did not grant localities much major new authority. The 2023 GA followed the same path. However, while there was a resurgence of appreciably adverse legislation – as numerous bills were introduced to roll back the authority granted to local governments on issues ranging from local authority over weapons in public facilities to land use and taxation – most of this legislation was dealt with fairly expeditiously. As the 2024 GA will feature many new faces, it is very unclear what the future holds, and local governments will need to remain diligent in advocating for local authority.

The overall volume of bills was high; 2,863 bills and resolutions (down from 3,143 last year) were introduced. County legislative staff reviewed the majority of this legislation in order to separate those bills of importance to the County from the hundreds of other measures not pertinent to local government, and referred 1,310 bills for review by County operational and legal staff. The Board took formal positions on 139 bills this year, and originally opposed or sought to amend 50 bills. At the end of the session, two bills remained in that category. Though there were bills that created significant concerns for localities, most failed to survive the session.

However, because the 2023 GA adjourned without a budget at a time of historic state surplus, it is difficult to fully assess this session for local governments prior to knowing what will be included in the 2022-2024 biennium budget conference report. For the last three years, the pandemic created uncertainty for the Commonwealth's budget – from unprecedented challenges and dramatically decreased revenues to rapidly increasing surplus revenues. Though local governments experienced the same extraordinary fiscal challenges the state experienced, they did not rebound nearly as quickly or as thoroughly. And while the state has made some significant investments in core services at this critical time, it has not been enough to turn the tide in areas that have been underfunded for far too long – K-12 education; human services and mental health; public safety and the criminal justice system; and transportation, among others.

Looking toward the 2024 GA session, the ripple effects of the pandemic on core services, from the health and economic impacts to affordable housing and transit, may last for months and years to come. Though there is reason to be optimistic that the budget will show the 2023 GA made progress in some of these areas, the state's funding commitment will require long-term, ongoing investments, which will likely continue to be a major area of focus in the years ahead.

COUNTY LEGISLATIVE INITIATIVES

The County had three legislative initiatives this year, all related to transportation. In particular, all would have improved transportation safety, which has become an increasingly important issue in Fairfax County. Two of the County's initiatives were successful, but unfortunately, one was not.

Transportation – Illegal Signs in the Right-of-Way

In Virginia, the state-maintained right-of-way includes property along a roadway, on either side and in the median. It must be kept clear for motorist safety and to allow road crews room to work. Signs and advertisements are prohibited within the limits of the highway. Unfortunately, illegal signs in the right-of-way have been an issue throughout the Commonwealth for many years, and the proliferation of signs creates dangerous hazards, as well as a negative effect on the appearance of highways. The Virginia Department of Transportation (VDOT) is authorized to remove any sign that is in violation of state code and can levy a civil penalty for each violation. Virginia Code authorizes VDOT to work with localities to enforce this law, with a specific statute authorizing the Commissioner of Highways to enter into an agreement with Fairfax County for this purpose. The statute allows the County to authorize law-enforcement agencies, local governmental entities, employees, and volunteers to act on its behalf. **HB 1587** (Sullivan) adds contractors to the list of those able to act on behalf of the County, providing Fairfax County the flexibility to address this issue in the most efficient, cost-effective manner; thereby improving the safety and appearance of roads in the County. The bill passed both the House and the Senate unanimously.

Transportation – Stop for Pedestrians Signs

Transportation safety has always been a critically important issue. However, the urgency of this issue, particularly in Fairfax County and Northern Virginia, has been highlighted in recent months, as a number of tragic accidents have heightened the community's concerns about the need to implement measures to protect drivers, bicyclists, and pedestrians throughout the area.

In 2020, the GA passed legislation requiring drivers in Virginia to stop for pedestrians in these areas. However, the legislation was crafted to say that in state law "yield" now means "stop." Unfortunately, street signs could not be changed because federal regulations say that "Stop for Pedestrians" signage can only be used in states where the state law specifically requires that a driver must stop for a pedestrian in a crosswalk, and Virginia's law is not written that clearly. To address this issue, the County initiated legislation, **SB 1069** (Saslaw), to clarify that drivers must stop for pedestrians at clearly marked crosswalks, any regular pedestrian crossings, or any intersections where the speed limit is 35 miles per hour or less. **SB 1069** also makes it clear that localities authorized to install such signs can do so, helping to avoid confusion among drivers (who are required to stop for pedestrians under state law, but are confronted by street signs that continue to say "yield").

SB 1069 took a complicated path through the GA. While it originally passed the Senate Transportation Committee overwhelmingly, and was then sent to the Senate floor, the publication of a fiscal impact statement noting that the cost of replacing the signage on VDOT facilities was "indeterminate" led to the bill being sent to the Senate Finance and Appropriations Committee for further consideration. As the bill awaited action by that committee, VDOT further analyzed the bill and determined that the cost to the agency would only be approximately \$70,000 statewide. VDOT did request a clarifying amendment, stating that vehicles must stop when a pedestrian is within the driver's lane or within an adjacent lane and approaching the driver's lane, which was added in Senate Finance and Appropriations. When coupled with the revised fiscal impact statement, the bill was reported from the committee and again reached the Senate floor. The bill then passed the Senate 32-8. The path through the House was smooth, and the bill ultimately passed the full House 83-16.

According to the Virginia Department of Motor Vehicles (DMV), in 2022, 32 pedestrians were killed as a result of crashes in Fairfax County, compared to 14 in 2021 – that is an increase of more than 100 percent. Making signs clear so drivers know what they are supposed to do is a critical next step in eliminating some of these fatal accidents.

Transportation – Local Authority for Speed Limits

In 2021, the GA passed legislation authorizing local governments to reduce speed limits to less than 25 miles per hour, but not less than 15 miles per hour, in business or residential districts. Following enactment of that bill, VDOT made a determination that the legislation does not apply to streets in the state highway system. As a result, the traffic safety authority provided by the GA is not available on essentially all roads within Fairfax County, as well as other counties that do not maintain their own roads. **HB 1939** (Plum) would have clarified that Fairfax County, and other counties that do not maintain their own roads, were allowed to reduce certain speed limits. This would have been helpful in addressing vehicle, bicycle, and pedestrian safety across Fairfax County. Unfortunately, the Youngkin Administration opposed this legislation, arguing that all roads under the Commonwealth's control should have the same requirements. Because of that opposition, the legislation failed in a House Transportation subcommittee, though it would have been helpful in improving multimodal safety, which is essential as more and more Virginians not only drive, but also walk, bike, and utilize transit to travel across the Commonwealth.

OVERARCHING PRIORITIES

(1.) Funding Core Services – K-12 Education

Principle: Public education funding in the Commonwealth is enshrined in the Virginia Constitution as a joint responsibility of both state and local governments, so it is essential that the state fully and appropriately meet its Constitutional responsibility to adequately fund K-12 education. Unfortunately, the Commonwealth continues to allow the gap between state funding and the actual costs of providing a high-quality education, particularly in high cost-of-living jurisdictions like Fairfax County, to expand.

State funding for K-12 education is always a top priority issue in Fairfax County's Legislative Program. Funding for public schools in Virginia is a partnership between the state and localities, and should reflect that shared financial responsibility. However, it is the state that determines what costs it recognizes in its funding formulas, through the Standards of Quality (SOQ) and other means. The resulting state funding framework often differs substantially from the actual costs to school divisions of providing a high-quality education, leaving localities to fill critical funding gaps. At present, the state is failing to provide the funding necessary to implement its own standards and requirements, while Fairfax County and other Northern Virginia localities more than meet their responsibilities for K-12 education through large contributions to the state General Fund (GF), strong local effort, and the effect of high local composite indices.

Though there have been some recent helpful infusions of state funding, the current funding formulas do not adequately address the challenges facing high cost-of-living localities like Fairfax County. Those challenges are exacerbated by structural features in the formulas that systematically underestimate actual local costs. As the Joint Legislative Audit and Review Commission (JLARC) noted in its 2015 review of K-12 spending, localities provided a majority of total funding for school divisions in FY 2014, contributing an additional \$3.6 billion beyond the minimum funding required (that figure is over \$4 billion today). More recent data from JLARC shows that Virginia's state per pupil funding effort is among the lowest in the U.S., ranking 40th nationwide – it increases to 29th when local funding is added. This reflects Virginia's overreliance on local effort and a continued imbalance in what should be a state and local partnership.

In a significant step forward for K-12 funding, the 2022 GA included a partial removal of the state cap on funding for support positions, first implemented in FY 2010. The cap has artificially lowered the state's funding contributions for critical educational support positions for more than a decade. The current cap costs Fairfax County Public Schools (FCPS) approximately \$36 million annually, and the 2022 action is estimated to restore approximately one-third of those revenues (approximately \$10.2 million). The Senate budget in the 2023 GA includes an amendment to remove the support cap entirely. If this amendment is included in the final budget, it would restore approximately \$25.6 million to FCPS, finally reversing a long-standing policy that has contributed to the structural imbalance in education funding between state recognized costs and actual local costs and support staffing needs for all localities. It will be important for localities to continue to press for additional, adequate funding for K-12 in the years to come, to ensure state funding continues to improve and that the state and local partnership needed to provide a high-quality public education system is restored.

(2.) Funding Core Services – Regional Transportation Funding

Principle: The Commonwealth must fully restore the \$102 million of funding to the Northern Virginia Transportation Authority (NVTA) that was diverted to the Washington Metropolitan Area Transit Authority (WMATA) in 2018, to ensure that transportation projects continue to advance in Northern Virginia after decades of state underfunding (approximately \$63.5 million has been restored thus far).

The 2023 GA did not consider legislation to restore regional funding. However, the GA did enact legislation that creates funding impacts for WMATA and the Virginia Railway Express (VRE). Currently, all transit systems, excluding WMATA, compete against each other for state operations and capital funding, using specific metrics. However, it is difficult to compare a commuter rail system to other public transit systems for a variety of reasons. As a result, **HB 1495** (Austin) and **SB 1079** (Cosgrove) were introduced to remove VRE from the prioritization process, instead allowing it to be eligible for its own source of funding (similar to what currently occurs with WMATA funding). The bills specify that 3.5 percent of the Commonwealth Mass Transit Fund could be allocated

to VRE for operations and capital purposes based on service delivery factors established by the Commonwealth Transportation Board (CTB). Any remaining funding will revert to statewide transit capital funding.

This legislation also specifies that state funding to WMATA cannot exceed 50 percent of Virginia's total local operating and capital subsidy provided in the approved WMATA budget. The remaining funding must be paid by Virginia's member localities (any state funding above 50 percent will also revert to statewide transit capital funding). It is important to note that, historically, state funding has not typically exceeded 50 percent, with the exception of a time period during the COVID-19 pandemic.

In addition to funding provisions, **HB 1495** and **SB 1079** also establish reporting requirements for WMATA and VRE. They also codify language passed in the 2018 WMATA funding bill requiring the CTB to withhold funding if WMATA does not provide certain required information to the Commonwealth (the language had previously been included as an enactment clause to HB 1539/SB 856 (2018), which meant it had the force of law but was not written within the Code of Virginia, making it more difficult to locate in the future). **HB 1495** and **SB 1079** passed the House and Senate unanimously.

(3.) Funding Core Services – Transportation Funding

Principle: The Commonwealth should build upon the successful enactment of significant transportation revenues by the 2013 and 2020 GAs to ensure sufficient funding for transportation needs, which include new projects, state road maintenance (encompassing improved repaving, snow removal, mowing in the right-of-way, and stormwater management), and continued state assistance for local and regional transit systems (including the Fairfax Connector, the Virginia Railway Express, and WMATA). However, while those actions moved the Commonwealth in the right direction, the impacts of the COVID-19 pandemic have changed transportation in unexpected ways and have led to additional transportation funding challenges that need to be addressed.

The GA did not consider many bills related to statewide transportation funding this session. In general, the bills that were considered addressed the uses of existing funding rather than increasing revenues, which is not surprising given that the 2022 GA eliminated the portion of the sales tax on food that had been dedicated to transportation without replacing that revenue (even in future years), instead relying on a temporary influx of federal transportation funding to bridge the gap.

Transportation Partnership Opportunity Fund

In an effort to provide funding for transportation projects related to economic development opportunities, **HB 2302** (Adams, L.)/**SB 1106** (Newman), as introduced, would have required the Governor to include in the budget an appropriation of up to \$200 million, limited to \$100 million each year, from the Commonwealth Transportation Fund (CTF) to maintain a minimum available balance of \$300 million in the Transportation Partnership Opportunity Fund (TPOF). As Youngkin Administration initiatives, the bills would have authorized the Governor to direct funds from TPOF to the CTB for transportation projects determined to be necessary to support major economic development initiatives, or to enhance the economic development opportunities of the Commonwealth's transportation programs, when recommended by the Secretary of Transportation and Secretary of Commerce and Trade. The bills would have removed the requirement for the Governor to provide copies of guidelines and criteria for awarding grants and loans to the Chairmen of the House Appropriations, Finance, and Transportation Committees, and the Senate Finance and Appropriations and Transportation Committees. The bill also would have repealed the requirement that the CTB ensure projects are not undertaken primarily for economic development purposes.

As the bills moved through the legislative process, the GA asserted its authority as a partner in state government. As approved by the House and Senate, both bills removed the required appropriation of funds to the TPOF, instead allowing the CTB to utilize existing CTF funds for this purpose. Both bills also retained the language requiring the CTB to ensure that projects are not undertaken primarily for economic development purposes (which was repealed in the introduced bills). The GA also included provisions related to their involvement in the program's processes. As passed by the Senate, **SB 1106** specified that if more than \$5 million in TPOF funds were directed to transportation projects or programs, the Secretary of Transportation would have to submit a report to the Chairmen of the Senate Finance and Appropriations Committee and the House Appropriations Committee within 30 days of the direction of funds. If more than \$35 million were directed to transportation projects, the proposal

would need to be submitted for review, within seven days, to the Chairmen of the Senate Finance and Appropriations Committee and the House Appropriations Committee. If the Chairmen were to take no action within the seven day period, the distribution of funds would proceed. However, the Chairmen would also have seven days to object to the recommendation, which would stop the distribution of funds – if only one Chairman objected, the distribution of funds would also be prevented unless the full GA were to authorize the distribution. As passed by the House, **HB 2302** specified that any transfer of TPOF funds in excess of \$35 million would have to be submitted for review to the Major Employment and Investment (MEI) Project Approval Commission, and if such transfer was not recommended by the Commission, the transfer would be prohibited unless authorized by the GA.

The bills were sent to a conference committee, and the conference report that emerged provides that upon the direction of more than \$5 million, the Secretary of Transportation must submit a report on the direction of funds to the Chairmen of the Senate Finance and Appropriations Committee and the House Appropriations Committee within 30 days. The report must include the name of the transportation project receiving the funds; the locality in which the transportation project is being developed; the amount of the grant or loan made or committed to from the fund and the purpose for which it will be used; the number of jobs retained, created, or projected to be retained or created, by the transportation project; the expected rate of return on investment of the transportation project; and, the amount of a company's investment in the Commonwealth. Any proposal to direct more than \$35 million in TPOF funds (cumulatively) to one project must be submitted for review to the MEI Project Approval Commission, which must then complete a review within 14 days (if the Commission objects to the funding within 14 days then the distribution cannot go forward unless it is authorized by the GA, but if the Commission takes no action on the funding within 14 days then the distribution of funds proceeds as directed by the Governor). Additionally, the conference report states that the CTB must ensure that projects are not undertaken *exclusively* for economic development purposes (current law says a project cannot be undertaken *primarily* for economic development purposes). The conference reports passed both the House and Senate.

Bridges

SB 1035 (McPike) expands the condition rating for bridges eligible for the Commonwealth's state of good repair funds. Currently, bridges must be structurally deficient to be eligible. The bill authorizes the use of state of good repair funds for improvements anticipated to extend the useful life of a bridge by at least 10 years. The bill also changes the funding distribution to a needs-based distribution of funding among the highway construction districts, a recommendation of JLARC. Currently, the Code requires that each district receive no more than 17.5 percent, or less than 5.5 percent, of state of good repair funds. **SB 1035** passed the Senate unanimously, and the House 69-28.

Transit Ridership Incentive Program

The Commonwealth's Transit Ridership Incentive Program (TRIP) was created to improve transit's regional connectivity in urban areas with a population in excess of 100,000 and reduce barriers to transit use by supporting low-income and zero-fare programming. This program was created shortly before the COVID-19 pandemic, which greatly impacted the use of transit and utilization of the program's funding. As such, some of the funding has not been allocated (specifically funding related to regional routes, which were significantly impacted over the past three years). To allow additional uses of this funding for other transit needs, **HB 2338** (McQuinn)/**SB 1326** (McClellan) direct the CTB to use up to 30 percent of available TRIP funds to support local, regional, and state entities in improving the accessibility of transit bus passenger facilities and transitioning public transit to zero-emission bus fleets and infrastructure. The bills direct the CTB to develop guidelines for applications for grants to any local, regional, or state public entity that supports a transit system. **HB 2338** passed the House 64-35 and the Senate 24-15, while **SB 1326** passed the Senate 22-18 and the House 65-34.

Other bills related to TRIP that were not as successful were **HB 1609** (Tata)/**SB 977** (Mason), which would have included the development and implementation of on-demand microtransit operations as part of the goal of TRIP. The bills also would have provided that an approved initiative or service is eligible to continue receiving funding for the duration of the program on an annual basis, for up to 80 percent of costs, from funds that are available to the urbanized area in which the initiative or service is located – current policy provides a step-down process, requiring transit agencies to fully fund the project after a certain number of years. **HB 1609** and **SB 977** were both stricken at the request of their respective patrons.

(4.) Governance – Local Authority

Principle: Existing local government authority must be preserved and expanded, particularly in such key areas as taxation, land use, and the protection of public health, safety, and welfare. Further, local authority should be enhanced to provide localities additional flexibility in the administration of local government. Finally, local government representatives should be included on all commissions or bodies established by the state for the purpose of changing or reviewing local revenue authority or governance. Each level of government has unique strengths.

However, because Virginia is a Dillon Rule state, local governments are significantly restricted in their authority, which impedes their ability to react quickly and efficiently to emerging problems. In many instances, an overemphasis on statewide uniformity does not adequately consider the particular issues experienced in growing and urbanizing localities in Northern Virginia, limiting the ability of local governments to respond to community standards and priorities.

Taxation

Disabled Veterans and Property Tax Exemptions

HB 1470 (Watts) would have allowed a person who is eligible for the real property tax exemption for certain disabled veterans and surviving spouses to receive a refund, retroactive to his date of eligibility, of taxes paid during the period of exemption, excluding interest or penalties. This bill would have created significant implementation issues for localities, as the lookback period for the property tax exemption would go back to 2011, irrespective of when a person were to file for the tax exemption, creating a situation where, for example, someone could apply for the exemption in 2040 and the locality would have to process a refund all the way back to 2011. This would be particularly problematic because records are not kept in perpetuity – per the current Library of Virginia Records Retention and Disposition Schedule, localities are required to destroy real estate tax exemption records three years after an event. If the bill had passed in its current form, a locality would essentially have to retain records for every residential property in the locality indefinitely, as the locality would never know who might seek an exemption in the future on any given property. This concept was considered by the 2022 GA, and passed the House easily, but was killed in the Senate Finance and Appropriations Committee after crossover as a result of implementation concerns from local governments. When **HB 1470** was introduced this session, numerous local governments and local government organizations had conversations with the patron over the course of the session, in hopes of establishing a more limited lookback period. While Fairfax County mostly raised concerns about the challenge of retaining tax records for virtually every property in the County in perpetuity if such legislation were to pass, given the fact that it would be impossible for the County to know which property might be claimed to have been owned by an eligible individual; some localities expressed concerns about the potential for exposure to large, unanticipated refunds if the bill were to pass. The bill again passed the House easily, but because a compromise was not reached, and the Senate Finance and Appropriations Committee had numerous questions about the implications of the legislation, **HB 1470** was referred to the Joint Subcommittee on Tax Policy for study.

Local Taxing Authority

HB 2200 (Robinson), as introduced, would have mandated a deduction from gross receipts that would otherwise be subject to Business, Professional and Occupational License (BPOL) taxes for the amounts paid for anti-cancer drugs purchased by a medical practice and administered to patients whose treatment costs are paid for by Medicare, Medicaid, or TRICARE. After concerns were raised by local governments because the original legislation required such a carveout, and could set a precedent for other businesses to seek similar favorable tax treatment in the future, the Senate Finance and Appropriations Committee recommended a substitute that would instead require a work group to be convened to analyze and review current reimbursement and operational challenges for medical practices that administer anti-cancer drugs in an in-office setting to patients covered by Medicare, Medicaid, or TRICARE. With the work group language in place, the bill passed the GA.

Sales Tax on Food

HB 1484 (McNamara) and **SB 850** (Suetterlein) proposed to eliminate the one percent local option sales and use tax on groceries and essential personal hygiene products, effective July 1, 2023, resurrecting a proposal from the

2022 GA. The bill would require the state to backfill the lost revenue to localities in the form of a supplemental school payment. From July 1, 2023, until July 1, 2025, this revenue would be distributed based on each city and county's estimated average share of monthly sales and use tax distributions attributable to the sales tax on food and essential personal hygiene products. After July 1, 2025, funding would be distributed based on each city and county's pro rata share of sales and use tax collections. The sales tax on food was the focus of extensive discussions during the 2022 legislative session and the subsequent special session, culminating in a compromise proposal finalized in June 2022. That compromise, which took effect January 1, eliminated the state portion of the sales and use tax on food and committed to replacing the portion that is distributed based on school-age population out of the state GF. **HB 1484** was left in House Appropriations, while **SB 850** was passed by indefinitely in Senate Finance and Appropriations. Several related measures were also introduced, and were also unsuccessful. **HB 1686** (Greenhalgh) and **SB 1008** (DeSteph) would have authorized local governing bodies of cities and counties to provide an exemption from the one percent local option sales and use tax for food for human consumption and essential personal hygiene products. **HB 1686** was left in House Finance, while **SB 1008** was passed by indefinitely in Senate Finance and Appropriations. **HB 2196** (Byron) would have exempted essential personal hygiene products and infant formula from the local option sales and use tax, but was left in House Appropriations.

Bank Franchise Tax

HB 1896 (Byron) and **SB 1182** (Ruff) would have established a process, as of January 1, 2024, allowing banks with \$40 billion or greater in Virginia deposits (based on the June 30 Federal Deposit Insurance Corporation (FDIC) deposit market share report of the preceding tax year) to elect to pay the bank franchise tax directly to the Virginia Department of Taxation (TAX) rather than to localities. The bill also would have directed TAX to apportion 80 percent of the bank franchise tax revenue from banks making such an election to localities through a newly created Local Bank Franchise Tax Fund, as of January 1, 2025. This new apportionment methodology would have likely created winners and losers of bank franchise tax revenue among localities, but because tax information is strictly confidential, it was very difficult for localities to discern the potential impacts of this legislation. The introduced legislation also provided for the electronic filing of bank franchise tax returns through a secure online portal maintained by TAX, extended the time to file such tax returns by 60 days, and required localities to provide banks access to real estate assessment records upon request. These provisions were retained in the final legislation, but the provisions related to the redistribution of bank franchise revenue were eventually removed, and the bills were amended to instead direct TAX to convene a work group to assess potential alternative methods for the filling and allocation of bank franchise tax revenues. Once they were amended, the bills passed the GA.

Land Use

Short Term Rentals

In 2017, after extensive study and consideration over two sessions, the GA affirmed its intention to allow localities to adopt regulations for short-term lodging that are appropriate for their community. At that time, short-term lodging (renting out a residence for less than 30 days) was illegal in Fairfax County. In response to the GA's action, Fairfax County undertook an extensive public process to modernize and update its ordinance to allow short-term lodging in residential areas. In July 2018, Fairfax County adopted an ordinance legalizing short-term lodging with reasonable restrictions, based on community feedback (the ordinance went into effect in October 2018).

Since that time, the GA has considered legislation that would severely restrict the ability of localities to address community concerns regarding short-term lodging, but such bills have been unsuccessful. In 2023, another attempt was made to substantially rollback local authority in this area. **HB 2271** (Marshall) and **SB 1391** (Lewis) would have prevented localities from enforcing a short-term lodging ordinance against property managed by a Virginia realtor where the ordinance (i) prohibits short-term rentals; (ii) limits occupancy in a short-term rental property to less than what is allowed under the building code or local zoning regulations; (iii) limits the number of days in a calendar year for which a short-term rental property can be rented; (iv) requires an owner to occupy the short-term rental property as his primary residence for any number of days in a calendar year; (v) requires any type of remote monitoring device to be installed on the short-term rental property, including decibel, audio, or video; (vi) requires exterior or interior inspections of the short-term rental property pertaining to any items defined under the building code more frequently than every five years, unless a complaint has been filed with the locality or building authority; (vii) requires repairs, renovations, or updates to the structure of the short-term rental property that are greater than those required under the applicable building code; or (viii) requires an owner to add additional

or otherwise alter existing parking spaces for the short-term rental property. These bills would have allowed operators to circumvent many of the provisions of the County's short-term rental ordinance by simply hiring a realtor. Limits on the number of days a property can be used as a short-term rental, an owner occupancy requirement, additional parking requirements, and other provisions of the short-term rental ordinance, strike a balance between allowing short-term lodging while protecting the surrounding neighborhood from some of the most serious impacts. These bills would have allowed properties managed by a realtor to upend that careful balance. Fortunately, after significant pushback from the public and localities, each patron requested that their bills be sent to the Housing Commission to be studied after the session.

A third bill, **HB 2103** (Hudson), would have allowed localities that use special use permits to regulate short-term lodging, to allow such permits to expire under certain circumstances, including: a change in ownership of the property; a change in ownership of the business or transfer of majority control of a business entity; a change in possession, operation or management of a facility; or, the passage of a specific period of time. Fairfax County does not use special use permits to regulate short-term lodging, so this bill would not have had an impact on the County. However, the bill's failure in committee suggests that the GA has little appetite for giving localities more authority to regulate short-term lodging.

Accessory Dwelling Units

Affordable housing is a fundamentally important issue, and it is the underpinning of all human services programs – improving physical and mental health, reducing stress, and improving nutrition, educational outcomes, and family stability. It also provides vital benefits to communities, from helping to attract and retain employees to reducing congestion, improving the environment, and stimulating economic growth. Preserving and creating additional affordable housing has long been a County priority, as evidenced by the substantial investments the County makes with local dollars, the creative use of multiple funding sources, and the innovative partnerships. But moving this issue forward requires a strong commitment from the Commonwealth as well, by providing both funding and increased authority to localities seeking to explore all avenues to addressing this issue, particularly in a high cost of living area like Northern Virginia.

Unfortunately, at times discussion at the state level about how to tackle affordable housing leads to proposals that impose mandates on local governments or seek to reduce local land use authority. Such approaches are destined to fail, because ultimately land use is best addressed at the local level, through community solutions. **HB 2100** (Hudson) was a very prescriptive bill that would have required localities to allow an accessory dwelling unit (ADU) on any lot where a single-family dwelling unit is a permitted use (the ADU could be built before, after, or concurrently with the primary dwelling). The locality would be prohibited from enacting an owner occupancy requirement, additional parking requirements, larger minimum lot sizes, and rear or side setbacks larger than five feet. This bill would have greatly limited local authority over ADUs and would have conflicted with the County's existing ADU ordinance (adopted in 2021). As a result of early opposition to the bill, the patron amended it to remove the mandate on localities and to instead require the Department of Housing and Community Development (DHCD) to study the issue of ADUs and create a model local ordinance for the administration of ADUs. Despite that amendment, the bill failed in House Counties, Cities, and Towns.

Extension of Local Land Use Approvals

In what has seemingly become a routine exercise, the development community returned to the GA this session to ask for yet another two-year extension of local land use approvals. As introduced, **HB 1665** (Marshall) and **SB 1205** (Lewis) would extend those approvals until July 1, 2025, and the rationale for the extension this time was purportedly the COVID-19 pandemic. However, when **HB 1665** was heard in subcommittee, the bill was amended to remove all references to the COVID-19 pandemic. Instead, developers argued that they needed an additional extension because of uncertain economic conditions, an increase in inflation, and a possible recession. Previous extensions granted by the GA were for events that had already occurred, like the housing crisis and COVID-19. Allowing extensions for future events would create a troubling precedent, potentially opening the door for extensions to be based on a multitude of speculative reasons. Because of opposition from local governments, **SB 1205** was not amended to remove the COVID-19 language, and instead, **HB 1665** was conformed to **SB 1205** after crossover. Both bills then passed the GA.

HB 1944 (Hodges) and **SB 1390** (Lewis), as introduced, would have extended land use approvals for solar photovoltaic projects outstanding as of July 1, 2023, to July 1, 2026. The bills were amended to give localities the

option to extend such approvals by a resolution of the governing body. Once amended, both bills successfully passed the GA.

Trees

The GA considered two bills that could have had implications for tree canopy in Virginia. However, both were unsuccessful. The first bill would have had profound negative effects on tree canopy across the Commonwealth. **HB 2282** (Edmunds) would have created a new exemption for tree clearing for development purposes, allowing roads and loading areas to be graded and trees cut and harvested without the currently required permit for appropriate erosion control and stormwater management measures. In effect, the bill would have allowed the removal of more trees with substantially less oversight, as the clearing of trees would not be required to comply with local stormwater and erosion control, undermining local authority to protect water quality and removing opportunities for localities to work with developers to maintain existing trees. Although language in the bill sought to ensure the minimum amount of land disturbance necessary to clear the trees, that discretion was left to the property owner with no provision for local oversight. Entire lots of any size could have been cleared of trees before the locality was notified of the potential development. Bizarrely, the Department of Environmental Quality (DEQ) advocated for the bill on the basis of economic development. Local governments attempted to find a compromise with DEQ to place some local oversight into the exemption, but the negotiations were unsuccessful; and while the bill narrowly passed the House, it ultimately failed on the Senate floor.

The second tree bill considered by the GA was **SB 1467** (Petersen), which would have permitted the Town of Vienna to require that a subdivision or development provide for the preservation or replacement of trees on a development site, so that the minimum tree canopy coverage would be met 10 years after development. Under current law, tree canopy coverage must be met 20 years after development. Had this bill been successful, the Town of Vienna would have been the only locality in Planning District 8 with the authority to require tree canopy coverage twice as fast as any other locality. Because the bill was limited to the Town of Vienna, it was considered special legislation and required a two-thirds vote to pass each body. Initially the bill failed to reach that threshold in the Senate, but after a motion for reconsideration, it did pass the Senate (33-7). To the surprise of many, **SB 1467** was successfully reported from a House Counties, Cities, and Towns subcommittee when three members of the majority party were absent from the meeting. Nevertheless, before the final vote on the House floor, the bill was rereferred to committee near the end of the session, effectively killing it.

Additional Land Use and Local Government Authority Bills

Among other land use and local government authority bills that were successful this year, **SB 1495** (Surovell) creates a new legal remedy (cause of action) for a person negatively affected by some type of local government enforcement action (for example, zoning enforcement actions or decisions or determinations made by the zoning administrator) if the local government's action willfully disregards the law or regulations. In court, a case like this requires a fairly high standard of proof, but if the person who is negatively affected by the local government is successful in court they will be entitled to compensatory damages and may be awarded attorney's fees and costs. **HB 2041** (Shin) and **SB 807** (Favola) authorize a locality or park authority to establish, conduct, and regulate a system of walking trails; and to release property owners from certain civil liability for any property leased, licensed, or provided by easement for use in the walking trail system. These bills may make it easier for the Fairfax County Park Authority (FCPA) to obtain easements from property owners. **SB 1025** (Stuart) remedies a long-standing omission in state law by allowing a representative of a government agency to attend court proceedings in civil cases (current law allows representatives of corporations, associations, or other organizations to attend such court proceedings, but that allowance was not granted to government agencies until now).

Local Flexibility

Garbage and Refuse Pickup and Disposal Services

Frustrated by inconsistent and unreliable garbage collection service offered by some haulers in the County, **SB 1158** (Marsden) was introduced to grant localities in Planning District 8 (Northern Virginia) additional authority to manage solid waste collection, in order to address community needs comprehensively and in a timely manner. The bill would have allowed local governments to establish exclusive service areas and award them to businesses engaged in the pickup and disposal of garbage, trash, or refuse. As part of that process, a locality could establish procedures for removing or adding businesses and adjusting the boundaries of such service areas as needed.

Property owners' associations could continue to contract with properly licensed businesses of their choice, unimpeded by the establishment of exclusive service areas. Because **SB 1158** was introduced in response to an avalanche of consumer complaints over many months, primarily against one large company serving Fairfax County, the patron included a reenactment clause in the bill to give existing companies the opportunity to improve their service before the bill would go into effect (a reenactment clause requires a future GA to pass legislation in order to actually change the law). The bill ran into trouble in the Senate Local Government Committee when the patron and a representative of the County's problematic service provider shared with the committee that service in the County had improved as a result of a consent decree negotiated between the County and the service provider. The feeling on the committee was that the bill was no longer necessary, and it was passed by indefinitely by a 10-3 vote (the three dissenting votes were legislators representing portions of Planning District 8). However, the consideration of this legislation at the GA did attract the attention of the solid waste companies, making them aware that continued poor service may not be tolerated in the future without consequences to ensure good public sanitation, protect the environment, enhance the quality of life, and protect consumers by providing additional remedies when ongoing issues are not resolved.

Materials Recovery Facilities

A materials recovery facility (MRF) is a facility that separates recyclable material from household trash. The facility recycles the material that it recovers and disposes of the residue. Many localities in Virginia have enacted flow control ordinances, which direct where garbage, trash, or refuse may be deposited. In Southwest Virginia, both Montgomery County and the City of Christiansburg have enacted flow control ordinances which, in part, direct local MRFs to deliver residual garbage to the municipal landfill. The local MRF in Southwest Virginia filed a lawsuit against those localities, arguing that they did not have the authority to control the waste generated by a MRF (the MRF was represented in that case by a lawyer who is also a member of the GA). The lawsuit was ultimately dismissed, as the judge determined that localities do have the authority to control such waste under state law. **SB 1365** (Lewis) was introduced to circumvent that ruling by eliminating local authority in this area.

The MRFs, with the assistance of DEQ, argued that **SB 1365** was simply a cleanup bill that would ensure DEQ remained the permitting authority over MRFs, and with DEQ's support, the bill easily passed the Senate. But as the bill moved through the GA and its implications became better understood, it also attracted more attention; and in the House, opposition from local governments across the Commonwealth began to increase. The bill was assigned to a House Agriculture, Chesapeake, and Natural Resources subcommittee, where it was recommended to report on a 4-2 vote. Normally, the next step in the legislative process would be for the bill to be considered by the full committee, but since the bill was removing local authority it was suggested to the Chairman of the full committee that the House Counties, Cities, and Towns Committee would be the more appropriate committee to hear the bill. Just before the hearing in the full committee, the Chairman was convinced to rerefer the bill to House Counties, Cities, and Towns for further consideration, rather than reporting the bill directly to the House floor. The next day, an amendment that would have exempted several localities, including Fairfax County, was offered and accepted in a House Counties, Cities, and Towns subcommittee. With that amendment, the subcommittee recommended that the amended bill report on a 5-4 vote. But the twists and turns on this legislation were not complete, and in full committee the next morning a member of the Montgomery Regional Solid Waste Authority made the long drive to Richmond and testified about the significant loss of revenue it and other localities would suffer if the authority to regulate the waste generated by MRFs was eliminated. Many others testified against the bill as well, and after hearing significant opposition from the public, the patron asked that his bill be laid on the table, with a request for the issue to be studied in the off-session.

BUDGET PRIORITIES

Principle: The Commonwealth should rebalance its resources and responsibilities so that the funding partnership with localities is restored, ensuring the delivery of critically needed services in communities throughout Virginia. State established standards for locally delivered services must be accompanied by adequate state funding to successfully provide those services, and reciprocal accountability for successes and failures, ensuring both the state and localities accept responsibility commensurate with their respective roles.

Highlights of Fairfax County Priorities in 2022-2024 Budget

The state budget is always the single most important piece of legislation considered by the GA. While it is often believed that budgeting during difficult economic times when revenues are stagnating, or worse declining, is particularly challenging; and while reduced resources make prioritization more crucial and require a spirit of cooperation to bridge the gap between available revenues and critical needs, it is equally true that budgeting in times of substantial surplus can create significant challenges as well. That is the case for the 2023 GA, where a feeling that the size of the ongoing revenue increases presents a generational opportunity to make progress on a number of policy priorities – the problem at present is that there is not agreement on what those priorities should be and where compromises can be made, as the House and Senate budgets are approximately \$1 billion apart.

The state's revenue picture includes approximately \$3.6 billion over last year's revenue projections. In advance of the session, Governor Youngkin's budget amendments proposed using those increased revenues and an additional \$1 billion worth of tax cuts, on top of the historic tax cuts enacted last year. His proposal includes reducing the income tax rate for top earners to 5.5 percent and increasing standard deductions by \$500, bringing the individual to \$9,000 and the joint to \$18,000, fulfilling his campaign promise to double them during his tenure. He also proposed lowering the corporate tax rate to five percent and removing the age limit on military retirement pay deductions (which currently only applies to those 55 and older). The House budget retains all of the Governor's tax cuts while the Senate rejected them, and instead, appropriated that money to core services, including education, law enforcement, and behavioral health.

Just before the House and Senate released their budgets, the Superintendent of Public Instruction Jillian Balow emailed school superintendents across the Commonwealth letting them know that due to human error at the Virginia Department of Education (VDOE), the Basic Aid Calculation Tool released in mid-December did not include recognition of the grocery tax hold harmless payment, which began in FY 2023 as part of the offset in the Basic Aid formula. This means that VDOE overestimated Basic Aid payments to local school divisions during the FY 2023 – FY 2024 biennium by approximately \$200 million, including \$58 million during the current K-12 school year. Most funding for the SOQ is distributed as Basic Aid, which accounts for the costs of general instruction, support services, transportation, and some fringe costs, including health care. Both the House and Senate money committees vowed to make sure no school division was harmed in FY 2023 by this oversight, but approached backfilling the amount in different ways. The Senate budget allocates the full \$58.1 million for schools in FY 2023, while the House allocates \$4.9 million and states that the remainder of the funding will be provided through increased sales tax revenues (it is important to note that those increased revenues would have been distributed to localities even without the calculation error). Neither budget proposal directly addresses any calculation tool-related shortfalls in FY 2024.

There are additional budget items included in both budgets of importance to localities. Though amounts differ, both budget proposals include funding for salary increases for state-supported local employees and Community Services Board (CSB) staff as well as funding to support libraries and local efforts on Medicaid unwinding as the national COVID-19 emergency order comes to an end. The budgets also include \$8.4 million to address the youth mental health crisis, and \$1.4 million to reimburse localities for presidential primary expenses.

Though the early days of budget negotiations seemed promising, they began to break down over the level of tax cuts versus spending on core services in the final days of the session. The inability to finish the budget on time is not new, and has become a frequent occurrence in recent years, but this year the GA took a slightly different approach and decided to address the budget in two parts. Before leaving Richmond, the GA passed a mini budget, or "skinny budget," as Senator Janet Howell, Co-Chair of the Senate Finance and Appropriations Committee, called it. It includes a required deposit to the Revenue Stabilization Fund (also known as the Rainy

Day Fund), addresses unfunded liabilities in the Virginia Retirement System (VRS), and provides funding for a few discrete K-12 items – providing funding to fix the state’s K-12 funding calculation error (though it remains unclear if the action the GA took actually addresses the calculation error in a satisfactory manner), adjusting sales tax revenues, and providing funding for changes in enrollment. The rationale for taking this action was to reassure the rating agencies that all is well in Virginia and the state’s financial management is sound while allowing the conferees more time to continue negotiating the overall budget.

Priority Budget Items for Fairfax County 2022-2024 House and Senate Biennium Budget Amendments

K-12 Funding

The House and Senate budgets take different approaches to providing compensation increases for teachers and support staff. The Governor’s budget maintains the five percent salary increase in FY 2024 enacted by the 2022 GA, and proposes a statewide retention bonus and a performance bonus. The House and Senate both added two percent to the salary proposal, providing the state share of a seven percent salary increase in FY 2024. Both budgets removed the Governor’s proposed bonuses, though the Senate also includes a \$1,000 bonus for staff with no required local match. The salary increases in both budgets require a local match based on a division’s Local Composite Index of Ability to Pay (LCI). It is important to note that for FCPS this is a substantial requirement, as the state only provides funding for its portion of SOQ-recognized positions. In a high cost-of-living locality like Fairfax County, that means the state is likely to pay approximately 18 percent of the cost of an additional salary increase while local dollars would be needed to fund approximately 82 percent of that cost. For example, in FY 2023 the state provided FCPS with approximately \$22 million in state funding for a five percent salary increase, while requiring approximately \$103 million in local funding (approximately 3.5 cents on the real estate tax rate).

House: Provides approximately \$109.6 million GF in FY 2024 for the state’s share of an additional two percent salary increase, effective July 1, 2023. To receive the FY 2024 funding, divisions must have provided the minimum 2.5 percent increase in both FY 2023 and FY 2024. For FCPS in FY 2024, the cost to provide an additional two percent salary increase totals \$53.9 million. After accounting for state funding, the net cost to FCPS would be \$43.3 million.

Senate: Provides approximately \$116.8 million GF in FY 2024 for the state’s share of an additional two percent salary increase, effective July 1, 2023. To receive the FY 2024 funding, divisions must have provided the minimum 2.5 percent increase in both FY 2023 and FY 2024. Also provides a \$1,000 bonus for SOQ-recognized instructional and support staff in December 2023. Language allows school divisions discretion to determine the amount of bonus per employee. No local match is required, but localities are encouraged to use additional available funds to provide bonuses to other eligible instructional and support positions. For FY 2024, the cost to provide an additional two percent salary increase totals \$53.9 million. After accounting for state funding, the net cost to FCPS would be \$42.6 million.

Senate: Provides \$24.3 million GF in FY 2024 to increase the ratio of English Language Learner positions from 20 per 1,000 students to 24 per 1,000 students. FCPS appears to meet this ratio already, so this amendment would provide additional state funding to FCPS.

Senate: Provides \$56.9 million GF in FY 2024 for the state’s share of four specialized support positions per 1,000 students, up from the current requirement of three positions per 1,000 students. These positions include nurses, school psychologists, and school social workers. The last time the state increased the specialized support position ratio, it cost FCPS significant funding to meet the new standard, which could happen again in this case. Additional state funding to assist local school divisions in implementing any new standards would be very important.

At-Risk Add-On

Senate: Provides \$37.1 million GF in FY 2024 to increase the At-Risk Add-On maximum from 36 percent to 40 percent. This funding is provided to localities based on their percentage of Free Lunch participants. Given the high number of students who qualify for Free Lunch in FCPS, this would likely provide some additional funding.

Support Cap

Senate: Provides \$270.6 million GF in FY 2024 statewide to fully eliminate the cap on K-12 support positions implemented in FY 2010. The 2022 GA eliminated one-third of the cap, which provided an additional \$10.2 million per year to FCPS. Eliminating the remaining two-thirds of the cap would provide an additional \$25.6 million per year to FCPS.

HB 599

Senate: Provides approximately \$2.1 million GF in FY 2024 for localities with police departments, based on the projected GF revenue growth rate included in the budget (not accounting for tax proposals) of 5.2 percent in FY 2024. The adopted state budget had already assumed growth of 4.2 percent in FY 2024, resulting in \$1.2 million in additional state funding for the County. This amendment would bring the increased funding to the County to approximately \$1.5 million.

School Construction

House and Senate: Both budgets include language modifying provisions of the School Construction Assistance Program, including: adding the principal portion of debt service payments on projects that have not yet been completed as an eligible use; clarifying that any project that began construction after July 1, 2022, may qualify for grant funds; allowing the most favorable year among three years of fiscal stress index data to be used to determine the grant award amounts; and, requiring the program guidelines to address joint grant applications for regional school construction projects. The Senate also provides \$100 million from unobligated FY 2023 balances to the School Construction Grants Program, contingent on FY 2023 revenues and other required deposits.

Senate: Includes authority for all counties and cities to impose an additional local sales and use tax, at a rate not to exceed one percent, with the revenue used only for capital projects for the construction or renovation of schools if such levy is approved in a voter referendum. Currently, there are a small number of localities that have this authority, and this amendment would grant it to the rest of the state.

Stormwater Local Assistance Fund (SLAF)

House: Deposits \$10 million GF in FY 2024 in SLAF.

Senate: Deposits \$20 million GF in FY 2024 in SLAF to provide funding based on the 2022 Needs Assessment. Approximately \$10 million of this funding is dedicated to two projects outside of Fairfax County, which makes the House and Senate amendments equal in terms of funding that would be available to the County.

Behavioral Health

Virginia's behavioral health services were already strained before the COVID-19 pandemic, and the need for services has increased significantly due to the global health crisis. This increased need has created a crisis situation, as the state's behavioral health system has been unable to provide sufficient support to meet its own mandated requirements. This issue is not only true for the state's system of temporary detention orders (TDOs), but also for community-based services that if sufficiently funded would reduce the reliance on state hospital beds. Efforts at the state level to address the funding, service, and staffing needs to support localities providing these critical services to some of Virginia's most vulnerable populations are vitally important, and should not disproportionately rely on local funding for service implementation.

Compensation Increases for CSBs

Fairfax County is experiencing unprecedented workforce issues, and despite local investments in new hiring incentives, significant staff vacancies in critical services positions remain. Funding for increased salaries to remain competitive in Northern Virginia is critically important.

House: Provides \$36.5 million GF in FY 2024 to increase compensation for CSB staff. This amendment appears to maintain the current format for distributing funding to CSBs, ensuring that increased compensation will be provided to all CSB staff.

Senate: Provides \$50 million GF in FY 2024 to increase compensation for CSB staff. While the higher funding level is helpful, it is unclear how the funding would be provided to Fairfax-Falls Church CSB staff. The budget directs the Department of Behavioral Health and Developmental Services (DBHDS), in collaboration with the CSBs, to develop criteria for allocating this increased state funding.

STEP-VA Implementation Costs

Senate: Increases funding for the first three steps of STEP-VA (same-day access, primary care screening, and outpatient services) by \$8.7 million GF in FY 2024 to address inflation. STEP-VA, the Commonwealth's behavioral health transformation plan, was enacted by the 2017 GA, and mandates that the CSBs provide a number of new core services. Significantly, at no point since the implementation of STEP-VA has the Commonwealth provided adequate funding to implement any of the newly mandated services. As additional mandated services are implemented, the chasm between the funding the state provides and the actual costs of providing such services in Fairfax County continues to grow. Including state funding to address inflation is a helpful step, but substantial, ongoing funding for these increasing mandates is essential.

Children's Behavioral Health

House and Senate: Adds \$8.4 million GF in FY 2024 in additional support for children's behavioral health services, bringing FY 2024 total funding to \$16.8 million. Both budgets also include language allowing flexible uses for the funds to build service capacity focused on the specialized needs of children and youth.

Crisis Stabilization Services

House: Provides \$25 million GF in FY 2024 to create additional crisis receiving centers and crisis stabilization units in addition to those proposed in the "*Right Help, Right Now*" plan. This amendment directs DBHDS to place the new crisis stabilization units in priority areas in the state (where the population has a large percentage of emergency custody orders (ECOs) and TDOs, the area is not within an hour's drive from the closest crisis receiving center or crisis stabilization unit, and the area is underserved in regards to mental health treatment). The prioritization criteria included in this amendment raise concerns about the potential emphasis on areas outside of Northern Virginia, though Northern Virginia has high levels of need for crisis stabilization as well.

Senate: Provides \$30 million GF in FY 2024 for the creation of additional crisis receiving centers and crisis stabilization units, and for enhancements to existing sites, with language directing DBHDS to prioritize funding based on need. This amendment includes more funding than the House version and does not include the priority area language, but it is unclear how this funding would be distributed.

Plan for Restoring State Psychiatric Hospital Bed Capacity

Senate: Directs DBHDS to develop and begin implementation of a plan to restore the psychiatric bed capacity of the state hospital system, resulting from beds that were taken offline in recent years due to workforce shortages. DBHDS is directed to identify any additional resources needed to staff the beds, and to restore the previous state capacity by June 30, 2024. Though restoring the beds that were taken offline is helpful, this amendment does not have funding attached, and the delayed timeline is of concern. Additionally, it only seeks to restore capacity to the inadequate levels of recent years, when the Northern Virginia Mental Health Institute (NVMHI) was experiencing periods of 100 percent capacity. Addressing the current state psychiatric bed crisis requires a more comprehensive approach, including substantial, ongoing funding to restore and increase capacity immediately, as well as substantial, ongoing funding to increase the availability of community-based crisis services and community residential capacity for early intervention to prevent hospitalization.

State-Supported Local Employees

House and Senate: Both budgets provide funding in FY 2024 to increase salaries for state employees and state-supported local employees by an additional two percent, for a total seven percent increase.

House: Provides \$7.2 million GF in FY 2024 to increase the state's share of salaries for assistant Commonwealth's Attorneys and career prosecutors by an additional 15 percent to improve recruitment and retention. This could result in an additional \$390,000 to the County from the Compensation Board.

Senate: Provides \$4.6 million GF in FY 2024 to increase the state's share of salaries for Commonwealth's Attorneys' offices, to align with the salary levels included in the Governor's budget for employees of the Indigent Defense Commission. Provides \$1.1 million GF in FY 2024 to increase circuit court deputy clerk salaries to align them with district court deputy clerk salaries. This would increase pay by \$750 per clerk, for a total of \$39,000 in additional reimbursement to Fairfax County from the Compensation Board.

Virginia Housing Trust Fund (VHTF)

Senate: Contingent on FY 2023 revenues, provides \$150 million GF for a deposit to the Virginia Housing Trust Fund. The funding will be provided from any unobligated balances at the end of FY 2023, after any required deposits have been made.

Medicaid Waivers

The Governor's budget provides approximately \$15.2 million GF and \$15.8 million NGF in FY 2024 to increase the number of developmental disability (DD) waiver slots to 1,100 by adding 500 additional slots, beginning on July 1, 2023. This amendment increases the number of new Family and Individual Supports (FIS) waiver slots from 500 to 930 in FY 2024, and the number of new Community Living (CL) waiver slots from 100 to 170 in FY 2024. The House and Senate did not make changes to this budget item.

Senate: Directs the Governor to include in his 2024-2026 biennium budget funding for sufficient slots to eliminate the Priority One waitlist for DD waivers by the end of the biennium.

Medicaid Unwinding

When the federal Public Health Emergency Order ends in May, localities will face a substantial task in redetermining Medicaid eligibility (Medicaid unwinding). Both the House and Senate provide funding to assist with this process, and it is important that localities have as much flexibility as possible to use such funding to support the needs within their individual systems.

House: Adds \$3.3 million GF and \$12.5 million NGF in FY 2024 for associated costs, with a contract to support local agencies during the unwinding of Medicaid continuous coverage requirements.

Senate: Adds \$2.8 million GF and \$13.4 million NGF in FY 2024 to support costs for a contract to provide additional eligibility redetermination capacity. Also moves American Rescue Plan Act (ARPA) funding provided to assist local departments of social services with redetermination from FY 2024 to FY 2023.

Manufactured Housing

Senate: Provides \$3 million GF to establish a Manufactured Home Parks Affordable Housing Pilot Program. DHCD is instructed to develop program guidelines, and the incentive grant program will encourage the purchase of manufactured home parks by entities owned by at least 25 percent of the residents or nonprofit housing organizations.

Transportation

There were not many changes proposed to the transportation budget this session, with a few exceptions. In addition to changes to the underlying TPOF policy provided in **HB 2302** and **SB 1106** (see also pages 7-8), TPOF funding was also considered as part of the budget. The Governor's proposed budget amendments transfer \$100 million from uncommitted balances in the Virginia Transportation Infrastructure Bank (VTIB) to TPOF. The Governor also proposes providing \$200 million from revenue increases identified in the December 2022 revenue forecast of the CTF in the FY 2024-2029 Six-Year Improvement Program to TPOF. The House budget retains the language, while the Senate reduces the proposed transfer by \$100 million. The GA has also continued its practice of including funding and/or language related to specific transportation projects.

House: Directs the Secretary of Commerce and Trade and VDOT to review the economic development, transportation, and public safety benefits of expanding Van Buren Road in Prince William County; authorizes the Commissioner of Highways to evaluate whether the contract for the Dulles Greenway should be converted to a

Public Private Transportation Act (PPTA) project; provides \$150 million GF in FY 2024 to support widening of I-81 in Roanoke and Botetourt County; requires VDOT to conduct an analysis of projected traffic demand and the current infrastructure in and around the I-95/Arthur Ashe Boulevard Interchange in Richmond; and, requires VDOT to assess the current condition of the Powhite Parkway Extension and provide a report on how it will be maintained.

Senate: Confirms the Commonwealth's commitment to the I-81 corridor, and directs the CTB and VDOT to ensure and accelerate the completion of improvements to the corridor without reducing current funding for the Corridor Improvement Program; directs VDOT to identify and leverage federal funding to support the Corridor Q elk crossing project in Buchanan; requires VDOT to assess the current condition of the Powhite Parkway Extension and provide a report on how it will be maintained; provides \$7.5 million GF in FY 2024 for the York County Cruise Line Tourism Project; provides \$10 million GF for preliminary planning related to the establishment of an inland port in the Mount Rogers Planning District; and, provides a contingent allocation of \$250 million to improve I-81 in the Staunton area from any unobligated balances at the end of FY 2023, after certain required deposits (but before the allocation of any remaining unobligated balances to the CTF).

**BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2023 GENERAL ASSEMBLY SESSION
as of February 16, 2023**

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
DURING THE 2023 GENERAL ASSEMBLY SESSION
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General

Source	Amendment	Fairfax County Impact
Compensation/Compensation Board		
Governor Item 483	Provisions in the state budget approved in June 2022 for a 5% salary increase for state-supported local employees, effective July 1, 2023, remain unchanged.	Positive. The County would receive approximately \$1.86 million in additional state funding in FY 2024 from the Compensation Board.
House Item 483 #2h	Redirects funding included in the Governor’s budget for employee bonuses, and provides an additional 2% salary increase in FY 2024 for state-supported local employees (for a total of 7% salary increase).	Positive. The County would receive approximately \$2.6 million in additional state funding in FY 2024 from the Compensation Board.
Senate Item 483 #1s	Redirects funding included in the Governor’s budget for employee bonuses, and provides an additional 2% salary increase in FY 2024 for state-supported local employees (for a total of 7% salary increase).	Positive. The County would receive approximately \$2.6 million in additional state funding in FY 2024 from the Compensation Board.
Governor Item 72.S	Provides \$13.9 million General Funds (GF) in FY 2024 to address compression issues for sworn sheriff deputies and regional jail officers.	Positive. It is unclear how much the County will receive in FY 2024 from the Compensation Board as there is no specific language on how these funds would be allocated through the state.
House/Senate	No change.	
Governor Item 72.T	<p>Provides \$4 million GF in FY 2024 for a pilot program to provide resources to sheriffs’ offices and regional jails to assist with staffing costs incurred in court-ordered transportation of individuals in their custody subject to temporary detention and emergency custody orders (funding and language allows for up to 71 deputy sheriff positions or additional part-time funding).</p> <p>Positions and funding will be allocated to sheriff’s offices, jails, and regional jails in localities within regions 1, 2, 3, 4, and 5 as established by DBHDS. The program will exclude any sheriff’s office in these regions that has a memorandum of understanding with DBHDS to provide off-duty deputies for time spent supervising individuals subject to Temporary Detention Orders (TDOs) or Emergency Custody Orders (ECOs).</p>	<p>Positive. It is unclear how much the County will receive in FY 2024 from the Compensation Board as there is no specific language on how these funds would be allocated through the state.</p> <p>Currently, law enforcement spends hundreds of hours transporting individuals under a TDO to an inpatient bed, affecting resources needed for other public safety duties.</p>
Senate Item 72 #2s	Transfers the funding that was included in the Governor’s budget to assist sheriffs’ and jail	TBD. Funding impact for Fairfax County TBD.

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	offices with workloads related to TDOs or ECOs to the Department of Behavioral Health and Developmental Services (DBHDS).	
<i>Senate</i> Item 73 #1s	Provides \$8.8 million GF in FY 2024 to increase the per diem payments to local and regional jails, for housing local responsible inmates with state charges, from the current rate of \$4 per day to \$6 per day. This funding reflects a partial-year cost to align with Compensation Board payment schedules.	Positive. The Sheriff's Office received approximately \$965,000 in FY 2022 for state reimbursed room and board. The increase from \$4 per day to \$6 per day would result in an increase of about \$488,500 in revenue.
<i>Senate</i> Item 75 #1s	Provides \$1.7 million GF in FY 2024 to fully fund the remaining unfunded positions in local offices of Commissioners of Revenue.	Positive. Funding impact for Fairfax County TBD.
<i>House</i> Item 76 #1h	Provides \$7.2 million GF in FY 2024 to increase the state share of salaries for assistant Commonwealth's Attorneys and career prosecutors by an additional 15% to improve recruitment and retention.	Positive. Could result in an additional \$390,000 from the Compensation Board.
<i>Senate</i> Item 76 #1s	Provides \$4.6 million GF in FY 2024 to increase the state share of salaries for Commonwealth's Attorney's offices, to align with the salary levels included in the Governor's budget for employees of the Indigent Defense Commission.	Positive. Will result in additional reimbursement from the Compensation Board, amount TBD.
<i>Senate</i> Item 77 #1s	Provides \$1.1 million GF in FY 2024 to increase circuit court deputy clerk salaries to align them with district court deputy clerk salaries.	Positive. Would increase pay by \$750/clerk for a total of \$39,000 in additional reimbursement from the Compensation Board.
<i>House</i> Item 78 #1h	Provides \$3 million GF in FY 2024 to fund the state share of 227 unfunded deputy Treasurer positions.	Positive. Funding impact for Fairfax County TBD.
<i>Senate</i> Item 78 #1s	Provides \$3.6 million GF in FY 2024 to fully fund the remaining unfunded positions of local deputy treasurers.	Positive. Funding impact for Fairfax County TBD.
<i>Senate</i> Item 79 #2s	Directs the Compensation Board to study the compensation and staffing levels of offices of circuit court clerks and report its findings to the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2023.	Study.
<i>Senate</i> Item 79 #3s	Directs the Compensation Board to examine the feasibility of including information in the annual jail cost report that would provide an estimate of fees charged to local jail inmates.	Study.

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Judiciary/Public Safety		
Governor Item 42	Provides \$3.5 million GF in FY 2024 to support specialty treatment dockets for Veterans, Behavioral Health, and Drug Treatment.	Positive. It is unclear how much the County will receive in FY 2024 as there is no specific language on how these funds would be allocated through the state.
House/Senate	No change.	
Governor Multiple Items	Provides additional GF funding in FY 2024 to increase the per diem for retired and recalled judges, from \$250 to \$400 per workday in Circuit Courts, General District Courts, and Juvenile and Domestic Relations District Courts.	No direct fiscal impact to the County, as paying for judges is a state responsibility.
Senate Item 42 #3s	Adds \$1 million GF in FY 2024 to increase the substitute judge per diem payment to \$400, the same level provided for retired recalled judges in the Governor's budget.	No direct fiscal impact to the County, as paying for judges is a state responsibility.
House Item 42 #1h	Extends by one year the due date for a judicial caseload study, authorized by the 2022 General Assembly (GA), to allow time for case volumes to level-out with respect to backlogs that accumulated as a result of the pandemic.	Study.
House Item 44 #2h	Provides \$1.4 million GF in FY 2024 to increase the jury duty allowance from \$30 to \$50 per day, pursuant to HB 2317.	Would result in an increase to County expenditures of approximately \$100,000.
Senate Item 44 #1s	Provides \$5.3 million GF in FY 2024 to increase the jury duty allowance from \$30 to \$100 per day, pursuant to SB 789.	Would result in an increase to County expenditures of approximately \$350,000.
Governor Item 51	Provides \$7.4 million GF in FY 2024 for compensation adjustments to address recruitment and retention issues in public defender offices.	Positive. It is unclear how funds or positions would be allocated across Virginia; however, there would be a budget impact to Fairfax County as the County provides 15% salary supplements to all positions in the Public Defender's Office.
House/Senate	No change.	
Governor Item 410 F.1	Provides \$30 million GF in FY 2024 as one-time appropriation to support the Operation Bold Blue Line Initiative. The funds will be distributed to state and local law enforcement agencies to bolster recruiting and training efforts. Funds may be used for hiring bonuses and relocation expenses for new officers, among other purposes.	Positive. It is unclear how much the County will receive in FY 2024 as there is no specific language on how these funds would be allocated through the state.
Senate Item 410 #1s	Uses funding from the American Rescue Plan Act (ARPA) instead of GF resources for the proposed Operation Bold Blue Line initiative.	Uses a different funding source for the initiative compared to the Governor's budget.

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Senate Item 410 #3s	Provides \$2.1 million GF in FY 2024 for the State Aid to Localities with Police Departments ("HB 599") Program, based on the projected GF revenue growth rate included in the budget (not accounting for tax proposals) of 5.2% in FY 2024.	Positive. The adopted state budget had already assumed growth of 4.2% in FY 2024, resulting in \$1.2 million additional state funding for the County. This amendment brings the increase to \$1.5 million.
Governor Item 408 N.2	Increases by \$20 million GF funding available in FY 2024 for Operation Ceasefire Grant Fund. This funding is for purposes of implementing violent crime reduction strategies, providing training for law-enforcement officers and prosecutors, providing equipment for law-enforcement agencies, and awarding grants to organizations such as state and local law-enforcement agencies, local attorneys for the Commonwealth, localities, social service providers, and nonprofit organizations that are engaged in group violence intervention efforts.	Positive. Support for community violence intervention programs is included in the County's legislative program. The Fairfax County Police Department (FCPD) would need to put together an Operation Cease Fire strategy and possibly track the outcomes of that strategy. It is unclear how much the County will receive in FY 2024 as there is no specific language on how these funds would be allocated through the state.
Senate Item 408 #1s	Transfers the proposed \$20 million GF in FY 2024 for the Operation Ceasefire Grant Fund to the Firearm Violence Intervention and Prevention Grant Fund.	FCPD does not currently receive grant funding from this program, but could consider submitting a grant application in the future.
Senate Item 408 #2s	Provides \$10 million GF in FY 2024 to establish the Safer Communities Program and the Office of Safer Communities at the Department of Criminal Justice Services (DCJS). At least \$9.5 million is provided directly to the Cities of Norfolk, Portsmouth, and Richmond, which had the highest incidence of gun-related murders in 2021 based on Virginia crime data.	No impact. FCPD does not currently receive funding for this program, and does not believe the County is eligible based on the criteria of the number of gun-related murders.
House Item 408 #4h	Provides an additional \$8 million GF in FY 2024 for the School Resource Officer (SRO) Incentive Grant program, to support the establishment of additional school resource and school security officer positions, as well as to support the provisions of HB 1691, which would allow for grants to be provided to local law enforcement agencies and school divisions for the costs of training, programming, and equipment for school resource officers and school security officers.	Positive. Would allow for the expansion of the SRO program. It should be noted that a 68% local match was required in the past.

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Senate Item 408 #3s	Provides \$2 million GF in FY 2023 for the School Resource Officer Incentive Grant Fund, for expenses related to school resource officers, school security officers, and other relevant school safety personnel, including expenses related to the equipment necessary for officers and enhancement of the school-law enforcement partnership through training and programming, pursuant to SB 1099.	Positive. FCPD could apply for equipment related expenses under these new guidelines, such as ballistic vests.
Governor Item 408 T.1	Provides \$10 million to create the Virginia Mass Violence Care Fund to assist victims of mass violence in Virginia.	TBD.
Governor Item 408 P	Removes language requiring a 50% match from localities for the body-worn camera grant program.	Positive.
Libraries		
House Item 240 #1h	Provides \$2 million GF in FY 2024 to increase State Aid to Local Public Libraries. With this amendment, state funding in FY 2024 will total \$4.5 million, in an effort towards fully funding the state aid library formula.	Positive. Every additional \$1 million in State Aid to Local Public Libraries results in about \$10,000 in direct funding to Fairfax County Public Libraries (FCPL). This amendment would result in about \$20,000 more in FY 2024.
Senate Item 240 #1s	Provides \$5 million GF in FY 2024 to increase State Aid to Local Public Libraries (for a total of \$7.5 million). This funding represents the second installment of a four-year plan to fully fund the state aid library formula by FY 2026.	Positive. Every additional \$1 million in State Aid to Local Public Libraries results in about \$10,000 in direct funding to FCPL. This amendment would result in about \$50,000 more in FY 2024.
Elections		
Governor Item 485 M	Provides \$5.9 million GF in FY 2024 to reimburse localities for their presidential primary expenditures.	Positive. The population of Fairfax County is about 13% of the state population. Based on this percentage, the County would receive approximately \$767,000 of the \$5.9 million in state funding for the Presidential Primary reimbursement.
House Item 485 #3h	Adds \$1.4 million GF in FY 2024 to provide \$7.3 million to cover costs associated with the 2024 presidential primary.	Positive. The County would receive approximately \$950,000 of the \$7.3 million in state funding for the Presidential Primary reimbursement, based on the County's population share.
Senate Item 485 #4s	Adds \$1.4 million GF in FY 2024 to provide \$7.3 million to cover costs associated with the 2024 presidential primary.	Positive. The County would receive approximately \$950,000 of the \$7.3 million in state funding for the Presidential Primary reimbursement, based on the County's population share.

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Economic Development/Workforce/Housing		
Governor Item 113 O	Increases funding by \$35.5 million GF in FY 2023 (for a total of \$78 million) for required payments from the Major Headquarters (HQ) Workforce Grant Fund for the new Amazon headquarters (HQ2). This funding was contingently appropriated from 2022 actual revenue collections.	Although there is no direct fiscal impact to the County, since the Major HQ Workforce Grant Fund was established specifically for incentives related to the HQ2 project located in Arlington County, there is significant potential for regional benefits.
Governor Item 113 P.1	Increases funding by \$50 million GF in FY 2023 (for a total of \$104.5 million) for the Virginia Business Ready Sites Program Fund for the preparation of sites for industrial or commercial development. This funding was contingently appropriated from 2022 actual revenue collections.	TBD. The new Business Ready Sites Program and ongoing appropriation has the potential to make Fairfax County less suitable for Fund awards, as mega-sites are rare in Fairfax County.
Senate Item 113 #2s	Expands the eligibility for the Business Ready Sites Program Fund to include smaller sites of at least 50 acres. The amendment also makes smaller sites statewide eligible for the fund, rather than just sites in GO Virginia Regions 1 and 2.	TBD. Still unlikely that Fairfax County may have eligible sites, but including smaller sites could open the door for projects in the County.
Senate Item 113 #3s	Provides \$100 million GF in FY 2023 and \$150 million GF in FY 2024 for the Virginia Business Ready Sites program. The amendment increases the flexibility of the fund by allowing for the match requirement to be waived or reduced in economically distressed localities.	TBD. Fairfax County is likely not considered an economically distressed locality and will likely remain non-competitive for this program.
Governor Item 113 S.1 and T.1	Provides \$200 million GF in FY 2023 and \$250 million in FY 2024 for a Site Acquisition Pilot Program to identify and fill gaps in the Commonwealth's current portfolio of industrial properties available for economic development projects, or be deposited to the Business Ready Sites Program Fund. FY 2024 funding is contingent on actual GF revenue collections for FY 2023 being equal to or in excess of the official revenue estimate. Language sets out a process for prioritizing up to five sites for potential purchase or option by the Commonwealth.	TBD. There are three sites that have been reviewed and funded for the Virginia Economic Development Partnership to continue to investigate, with up to an additional five sites for exploration; however, none are in Fairfax County.
House Item 113 #2h	Eliminates the Site Acquisition Pilot Program included in the Governor's budget and redirects \$250 million to the Virginia Business Ready Sites Program Fund and \$200 million to the Virginia Business Ready Sites Acquisition Fund over the biennium. Funding provided in	TBD. Fairfax County does not have a known location identified in the Site Acquisition Plan, therefore loss of the funding will not negatively impact ongoing projects.

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	FY 2024 is contingent on meeting or exceeding the FY 2023 revenue forecast.	
<i>Senate</i> Item 113 #4s	Removes the proposed Site Acquisition Pilot Program from the budget.	No Impact. Fairfax County does not have a known location identified in the Site Acquisition Plan, therefore loss of the funding will not negatively impact ongoing projects.
<i>Senate</i> Item 114 #1s	Provides \$3 million GF in FY 2024 to establish a Manufactured Home Parks Affordable Housing Pilot Program.	Positive.
<i>Senate</i> Item 114 #2s	Provides \$400,000 to implement the provisions of SB 839, which requires a statewide comprehensive housing assessment once every five years, an annual housing plan and goals, and collection and publication of certain local zoning information.	No significant impact.
<i>Senate</i> Item 114 #3s	Provides \$350,000 GF and in FY 2024 to implement the provisions of SB 1114 which directs the establishment and operation of the Virginia Residential Sites and Structures Locator, a web-based platform to assist localities in marketing parcels and existing structures that the locality has deemed suitable for residential or mixed-use development or redevelopment.	No significant impact.
<i>Governor</i> Item 115 U.1	Expands the GO Virginia Talent Pathways program by providing \$24.5 million GF in FY 2024 for qualifying regions to support organizational, administrative, and capacity building activities, as well as funding grants to support the development of the talent pathways development collaborations.	Positive. Support for workforce development is included in the County's legislative program. Appears in alignment with County goals and workforce strategy.
<i>House</i> Item 115 #1h	Decreases the amount included in the Governor's budget by \$5 million in FY 2024 for the GO Virginia Talent Pathways program.	Includes less funding compared to Governor's budget.
<i>Governor</i> Item 115 X.1	Provides \$10 million GF in FY 2024 for allocations to four regional councils to further workforce development efforts.	Positive. Support for workforce development is included in the County's legislative program. However, Fairfax County is not included in regions targeted for this funding.
<i>Senate</i> Item 115 #7s and Item 487.50 #1s	Redirects \$10 million provided for workforce development to a grant program administered by the State Council of Higher Education for Virginia (SCHEV) for initiatives in high demand areas that further align educational and training curricula, incorporate work-based learning, and demonstrate a partnership with	Support for workforce development is included in the County's legislative program.

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	high schools, higher education, and private sector partners.	
Governor Item 115 W	Provides \$1.3 million GF in FY 2024 under the GO Virginia program to address workforce needs in agricultural technology industries.	Positive. Support for workforce development is included in the County's legislative program.
Senate Item 115 #5s	Reduces support provided in the Governor's budget by \$650,000 for agriculture technology workforce development.	Provides less funding compared to the Governor's budget.
House Item 115 #5h	Provides \$400,000 GF in FY 2024 to support the Fairfax County Workforce, Innovation, Skills Hub (WISH). The funding is for programming costs including tuition grants, transportation stipends, wraparound services, and consumables. The state will study the feasibility of implementing similar regional workforce center models throughout the state.	Positive.
House Item 115 #7h	Provides \$5.3 million GF in FY 2024 to recapitalize the Community Development Financial Institutions Fund and program to invest in small businesses, housing development and rehabilitation projects, and community revitalization real estate projects in the Commonwealth.	Positive.
Senate Item 115 #3s	Provides \$5 million GF in FY 2024 to support the Virginia Community Development Financial Institutions Fund and program to invest in small businesses, housing development and rehabilitation projects, and community revitalization real estate projects in the Commonwealth.	Positive.
Governor Item 212 DD	Provides \$3 million GF in FY 2024 for career placement centers on community college campuses.	Positive. Support for workforce development is included in the County's legislative program.
House Item 212 #3h	Eliminates the funding included in the Governor's budget for career placement centers on community college campuses.	Negative.
Senate Item 212 #1s	Adds \$25 million GF in FY 2024 for ongoing support for workforce initiatives at community colleges.	Positive.
Governor Item 215	Provides \$15 million GF in FY 2024 to establish five accelerator programs that partner community colleges with local school divisions to teach courses that lead to attainment of industry-recognized certifications or credentials that are in demand by regional employers.	Positive. Support for workforce development is included in the County's legislative program.

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<i>House</i> Item 215 #1h	Reduces the funding provided in the Governor’s budget for courses that lead to attainment of industry-recognized certifications or credentials by \$5 million.	Provides less funding compared to the Governor’s budget.
<i>Senate</i> Item 215 #1s	Eliminates the \$15 million included in the Governor’s budget and redirects it to other higher education initiatives.	
<i>Governor</i> Item 487.50 B.1	Includes an increase of \$5 million GF in FY 2024 (for a total of \$15 million) for the Innovative Internship Fund and Program. This funding is designated to expand paid or credit-bearing student internships and other work-based learning experiences in collaboration with Virginia employers.	Positive. Support for workforce development is included in the County’s legislative program.
<i>Governor</i> Item 117	Provides \$10 million GF in FY 2024 for a program to assist local building authorities in addressing permitting backlogs.	Positive. It is unclear how much the County will receive in FY 2024 as there is no specific language on how these funds would be allocated through the state.
<i>House</i> Item 117 #1h	Clarifies that financial assistance to local building authorities will be provided in the form of grant funding to support local building departments or regional activities, including building code enforcement, plan review, and technology advancements. Criteria and guidelines will be developed for the deployment and use of the funding based on a competitive scoring process that considers the need and fiscal stress of the locality or region.	TBD. Impact depends on criteria and scoring that will be developed.
<i>Senate</i> Item 117 #1s	Removes the funding provided in the Governor’s budget.	Negative.
<i>Governor</i> Item 142	Increases the maximum reimbursement amount for eligible institutions participating in the New Economy Workforce Credential Grant Program from \$3,000 to \$4,000 per eligible student.	Positive. Support for workforce development is included in the County’s legislative program.
<i>Senate</i> Item 142 #1s	Provides \$25 million GF in FY 2024 to support initiatives that attract, enroll, and retain low-income higher education students, including to provide internship opportunities.	Positive. Support for workforce development is included in the County’s legislative program.
<i>Governor</i> Item 122	Deposits \$10 million GF in FY 2024 into the new Virginia Power Innovation Fund, which will be used for research and development of innovative energy technologies, including nuclear, hydrogen, carbon capture and utilization, and energy storage. Included in this appropriation is \$5 million to support	Positive. Supports legislative program innovation and green energy use and expansion.

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	establishing a Virginia Nuclear Innovation Hub and \$5 million for energy innovation grants.	
<i>Senate</i> Item 122 #2s	Reduces by \$8 million the funding included in the Governor’s budget for the Virginia Power Innovation Fund.	Provides less funding compared to the Governor’s budget.
<i>House</i> Item 121 #1h	Provides \$5 million GF in FY 2024 to support the Virginia Brightfields Program, to redevelop coalfields and brownfields as renewable energy generation sites.	Positive. Supports legislative program innovation and green energy use and expansion.
Agriculture and Forestry		
<i>Governor</i> Item 99 A	Provides \$1.25 million additional GF in each year to support the Agriculture and Forestry Industries Development Fund for agricultural technology grants.	TBD.
<i>Governor</i> Item 99 D	Provides \$1 million GF in FY 2024 for competitive grant funding for agricultural technology research.	TBD.
<i>House</i> Item 99 #3h	Provides an additional \$1.3 million GF in FY 2024 to the Agriculture and Forestry Industries Development Fund (AFID), and directs this amount to be used for grants to individuals and businesses that would increase meat processing capacity in the Commonwealth.	Positive. Businesses located in Fairfax County have received AFID grants in the past.
<i>Senate</i> Item 99 #2s,	Provides \$1 million GF in FY 2024 to increase meat processing capacity in Virginia through the Governor’s AFID Fund.	Positive. Businesses located in Fairfax County have received AFID grants in the past.
<i>Senate</i> Item 100 #2s, Item 108 #3s, Item 374 #8s, Item 382 #1s	Provides \$2.45 million GF in FY 2024 for invasive species management.	Positive.
<i>Senate</i> Item 108 #1s	Adds \$10 million GF in FY 2024 to the Forest Sustainability Fund, which provides allocations to localities that have adopted a use value and taxation for real estate devoted for forest use.	Positive. In FY 2023, the state had budgeted a total of \$1 million for this program, and the County received an award in the amount of approximately \$17,000.
Natural and Historic Resources		
<i>Governor</i> Item 374	Increase the appropriation for the Water Quality Improvement Fund (WQIF) by \$87.1 million GF in FY 2024. This funding meets the mandatory deposit requirements associated with the FY 2022 excess GF revenue collections and discretionary year-end general fund balances.	Positive. Support for WQIF funding is included in the County’s legislative program.
<i>Governor</i> Item 374	Increases the appropriation for the Resilient Virginia Revolving Loan Fund by \$100 million	TBD.

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	GF in each year, which provides loans or grants to local governments to finance or refinance the cost of resilience projects. Funding in FY 2024 is contingent on actual GF revenue collections for FY 2023 being equal to or in excess of the official revenue estimate.	
House Item 374 #1h	Removes the \$100 million GF contingent deposit included in the Governor’s budget for the Resilient Virginia Revolving Loan Fund in FY 2024.	TBD.
Governor Item 374	Allocates a supplemental deposit of \$50 million GF in FY 2024 to the Virginia Natural Resources Commitment Fund to support agriculture best management practices.	TBD.
Governor Item 380 L.1, M and Item 486	Includes \$107.1 million GF in FY 2024 to deposit in the Virginia WQIF to reimburse eligible entities for costs incurred in implementing the Enhanced Nutrient Removal Certainty Program. Additional \$86.1 million is provided from distributions of the federal State and Local Recovery Fund pursuant to the American Rescue Plan Act of 2021 and an additional \$43.9 million GF is included from excess 2022 GF revenue collections and discretionary year-end general fund balances required for deposit to the WQIF.	TBD.
House Item 380 #6h	Provides for the deposit of \$10 million GF in FY 2024 in the Stormwater Local Assistance Fund (SLAF).	Positive.
Senate Item C-80 #1s	Provides \$20 million GF in FY 2023 to SLAF to provide funding based on the 2022 Needs Assessment from the Department of Environment Quality in order to assist the Commonwealth in meeting Virginia’s Chesapeake Bay Phase III Watershed Implementation Plan. Approximately \$10 million of this is dedicated to two projects.	Positive. Note neither of the two projects are in Fairfax County.
Governor Item 386	Provides one-time funding of \$5 million GF in FY 2023 for the Black, Indigenous, and People of Color Preservation Fund (BIPOC).	TBD.
House Item 386 #8h	Provides \$200,000 GF in FY 2024 to Fairfax County to support preservation efforts at the Gum Springs Museum and Cultural Center, contingent upon provision of \$100,000 in matching funds by the County.	Positive.

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<i>Senate</i> Item 375 #2s	Provides an additional \$10 million GF in FY 2024 to the Virginia Land Conservation Fund. State agencies, local governments, other public bodies, state and federally-recognized Indian Tribes and nonprofit land trusts are eligible to receive matching grants from the fund to purchase land or conservation easements. Grant awards are based on applications for 50% or less of total project costs.	TBD.
Other Items of Interest		
<i>Governor</i> Item 483 AA1	Provides \$99.8 million for a one-time bonus in the amount of \$1,500 for state employees on December 1, 2023.	No fiscal impact to the County.
<i>Governor</i> Item 483 BB1	Provides \$100 million for a merit bonus of up to 10% of base pay on December 1, 2023, for top-performing state employees (contingent on actual GF revenue collections for FY 2023 being equal to or in excess of the official revenue estimate).	No fiscal impact to the County.
<i>House</i> Item 483 #2h	Redirects \$199.8 million included in the Governor’s budget for bonuses. \$113.1 million of this from GF is provided to increase FY 2024 salary increase for state employees, and state-supported local employees from 5% to 7%. \$21.1 million is provided to the allocations to implement targeted pay actions as needed. The remaining \$65.2 million captured in this amendment is redirected to higher education to support the tuition moderation amendment.	Positive. The County will receive an additional reimbursement increase from the Compensation Board for the salaries of state-supported local employees.
<i>Senate</i> Item 483 #1s, #2s and #3s	Redirects \$100 million GF included in the Governor’s budget for a merit bonus for state employees, and provides an additional \$7 million GF in FY 2024 to increase salaries of state employees, state-supported local employees, adjunct faculty, and graduate teaching assistants by an additional 2%. Reduces proposed across-the-board bonus for state employees in the Governor’s budget from \$1,500 to \$1,000.	Positive. The County will receive an additional reimbursement increase from the Compensation Board for the salaries of state-supported local employees.
<i>Governor</i> Item 267	Appropriates \$406 million for the mandatory deposit to the Revenue Stabilization Fund in FY 2024.	No fiscal impact to the County.
<i>House/Senate</i>	No change.	

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Governor Item 269	Appropriates \$250 million for a deposit to the Virginia Retirement System in FY 2023 (which was contingently appropriated last session).	Positive. Improving the funded status of the VRS will provide long-term financial savings for the state and localities.
House/Senate	No change.	
Senate Item 485 #1s	Proposes contingent allocations of \$995.2 million for eight uses: <ul style="list-style-type: none"> • \$100 million for additional higher education access and affordability support to public higher education institutions; • \$80 million for childcare subsidy grants; • \$150 million for a deposit to the Housing Trust Fund; • \$250 million for a deposit to the highway share of the Transportation Fund to improve I-81 in the Staunton Area; • \$15.2 million for 500 additional Developmental Disability (DD) waiver slots; • \$50 million for Soil and Water Conservation District dam and state owned dam repairs; • \$250 million for a lump sum payment to deposit to the Virginia Retirement System (VRS) to address the unfunded liability for the statewide plans; and • \$100 million for allocation to the School Construction Grants Program. The funding is from any unobligated balances at the end of FY 2023 after any required deposits. 	Positive. A number of these items are included in the County’s legislative program.
Tax Changes		
Governor Item 4-14	Reduces the corporate income tax rate from 6% to 5% beginning January 1, 2023 (\$362.1 million revenue reduction).	
House	No change from Governor’s budget.	
Senate	Not included.	
Governor Item 4-14	Allows a qualified business income deduction of up to 50% of the deduction allowed under the Internal Revenue Code (excluding qualified Real Estate Investment Trust dividends) for taxable years beginning January 1, 2023 (\$10.3 million revenue reduction).	
House	No change from Governor’s budget.	

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<i>Senate</i>	Not included.	
<i>Governor</i> Item 4-14	Reduces the top marginal individual income tax rate from 5.75% to 5.5% for taxable years beginning January 1, 2024, contingent on meeting revenue estimates in FY 2023 (\$333.3 million revenue reduction).	
<i>House</i>	No change from Governor's budget.	
<i>Senate</i>	Not included.	
<i>Governor</i> Item 4-14	Authorizes an increase in the standard deduction to \$9,000 for single filers and \$18,000 for married filers for taxable years beginning January 1, 2024, and before January 1, 2026 (\$94.9 million revenue reduction).	
<i>House</i>	No change from Governor's budget.	
<i>Senate</i>	Not included.	
<i>Governor</i> Item 4-14	Removes the age limit on military retirement pay deductions beginning January 1, 2023. Currently, this only applies to those 55 and older (\$37.8 million revenue reduction).	
<i>House</i>	No change from Governor's budget.	
<i>Senate</i>	Not included.	
<i>Senate</i> Item 4-14 #3s	Authorizes all counties and cities to impose an additional local sales and use tax at a rate not to exceed 1%, with the revenue used only for capital projects for the construction or renovation of schools if such levy is approved in a voter referendum.	Positive.
<i>House</i> Item 3-5.29 #1h	Requires fixtures in a data center, when classified as real estate, to be valued by a locality based on the cost approach (cost less depreciation) rather than the income generated.	Negative. Attempts to add onto and modify 58.1-3295.3, which dictates how data center fixtures should be valued when assessing real estate.

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Public Education

Source	Amendment	Fairfax County Impact
Sales Tax		
<i>Governor</i> Item 137	Updates sales tax estimates (approximately \$168 million GF over the biennium) and updates Average Daily Membership projections based on actual fall membership (\$71.2 million over the biennium).	This results in additional state funding of \$28.8 million in FY 2023 and \$9.1 million in FY 2024 over the FY 2023 Approved Budget.
<i>House</i> Item 137 #7h	Provides \$4.9 million GF in FY 2023 to address the Virginia Department of Education’s (VDOE) Calculation Tool error regarding sales tax payments regarding sales tax payments, which resulted in an overestimated amount of state funding totaling \$200 million over the biennium., with the intention of offsetting the remaining discrepancy through the net impact of the sales tax reforecast of \$84.8 million. Does not address FY 2024 shortfall as a result of the calculation error.	<p>The House proposal maintains the updates in sales tax estimates from the Governor’s budget.</p> <p>The House ensures divisions receive a per pupil amount of Basic Aid and sales tax in FY 2023 equal to the per pupil amount shown on the VDOE calculation tool in June 2022. 64 divisions are affected, and other divisions are offset by the net impact of the FY 2023 sales tax reforecast of \$84.8 million.</p> <p>The House proposal does not directly address the shortfall in FY 2024.</p>
<i>Senate</i> Item 137 #8s	Includes \$58.1 million in FY 2023 to hold school divisions harmless for the VDOE’s Calculation Tool error regarding sales tax payments, which resulted in an overestimated amount of state funding totaling \$200 million over the biennium. The budget amendment does not address the calculation tool shortfall in FY 2024.	<p>The Senate proposal maintains the updates in sales tax estimates from the Governor’s budget. The Senate proposal provides a direct hold harmless payment for the FY 2023 shortfall resulting in \$5.1 million to Fairfax County Public Schools (FCPS).</p> <p>The Senate proposal does not directly address the shortfall in FY 2024.</p>
Bonuses and Compensation Increases in FY 2024		
<i>Governor</i> Item 137	Provides \$45.2 million GF in FY 2024 for the state share of a 1% retention bonus for SOQ-recognized instructional and support positions on September 1, 2023. Staff eligible for the bonus payment can be hired at any point during FY 2023 but must also remain employed with the same school division in FY 2024.	<p>The proposal would provide state funding of approximately \$4.3 million. A required local match based on the division’s Local Composite Index (LCI) is required in FY 2024.</p> <p>For FY 2024, the cost to provide a 1% retention bonus totals \$19.9 million. After accounting for state funding (and the fact that FCPS must pay 100% of any bonus for non-Standards of Quality (SOQ) positions), the net cost to FCPS would be \$15.5 million.</p>

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<p>Governor Item 136</p>	<p>Provides \$50 million in FY 2024 for \$5,000 teacher performance bonuses, to be awarded to top performing teachers identified by VDOE in conjunction with local school divisions.</p>	<p>The impact for FCPS cannot be delineated at this time as eligibility metrics are not included in the proposal. Bonuses will be paid to top performing teachers identified by VDOE and local school divisions based on student academic growth as demonstrated on assessments provided in the 2023-2024 school year, including the Standards of Learning assessments, through-year growth assessments, or other metrics as determined by VDOE.</p>
<p>House Item 137 #5h</p>	<p>Redirects the funding included in the Governor’s budget for performance and retention bonuses, and provides approximately \$109.6 million GF in FY 2024 for the state’s share of additional 2% salary increase, effective July 1, 2023, for a total salary increase of 7% in FY 2024. To receive the FY 2024 funding, divisions must have provided the minimum 2.5 percent increase in both FY 2023 and FY 2024.</p>	<p>For FY 2024, the cost to provide an additional 2% salary increase totals \$53.9 million. After accounting for state funding, the net cost to FCPS would be \$43.3 million. (FCPS must pay 100% of any salary increase for non-SOQ positions.)</p> <p>The proposal would provide state funding of approximately \$6.2 million which reflects the elimination of the \$4.3 million retention bonus originally included by the Governor. A required local match based on the division’s LCI is required in FY 2024.</p>
<p>Senate Item 137 #5s and #7s</p>	<p>Redirects \$45.2 million of funding included in the Governor’s budget for performance and retention bonuses, and provides approximately \$116.8 million in FY 2024 GF for the state’s share of additional 2% salary increase, effective July 1, 2023, for a total salary increase of 7% in FY 2024.</p>	<p>The proposal would provide state funding of approximately \$11.3 million for salary for the additional 2% compensation supplement. However, that is reduced by the elimination of the 1% retention bonus of \$4.3 million originally included by the Governor. This results in a net increase of state funding to FCPS of \$6.9 million. A required local match for the 2% salary increase based on the division’s LCI is required in FY 2024.</p> <p>For FY 2024, the cost to provide an additional 2% salary increase totals \$53.9 million. After accounting for state funding, the net cost to FCPS would be \$42.6 million. (FCPS must pay 100% of any salary increase for non-SOQ positions).</p>
<p>Item 137 #14s</p>	<p>Provides \$140.4 million for a \$1,000 bonus for SOQ-recognized instructional and support staff in December 2023. Language allows school divisions discretion to determine the amount of bonus per</p>	<p>The Senate proposal includes funding of approximately \$20.3 million for a \$1,000 bonus for SOQ-funded instructional and support positions.</p>

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	employee. No local match is required, but localities are encouraged to use additional available funds to provide bonuses to other eligible instructional and support positions.	The cost to provide a \$1,000 bonus is estimated at \$33.9 million. After accounting for state funding, the net cost to FCPS would be \$13.6 million. (FCPS must pay 100% of any bonus for non-SOQ positions)
Governor Item 136	Provides \$10 million GF in FY 2024 for incentive payments for instructional positions in hard-to-fill positions or hard-to-staff schools.	The impact to FCPS cannot be delineated at this time as participating school divisions must report vacant instructional positions as of July 1, 2023, to VDOE and then VDOE will communicate each school division's available allocation for the program based on the vacancy data. FCPS may not qualify as distribution of these incentives is typically prioritized to school divisions experiencing an overall free and reduced lunch rate of 40% or more.
House/Senate	No change.	
Reading Specialist Positions		
Governor Item 137	Provides \$16.9 million GF in FY 2024 for the state share of one reading specialist position for each 550 students in grades 4 and 5, beginning in school year 2023-2024.	Positive. This results in estimated state funding of \$1.2 million for FCPS as compared to the FY 2024 budget forecast presented on November 22, 2022, and the FY 2023 Approved Budget. FCPS' current staffing for reading specialist positions would meet the new staffing ratio requirement.
House Item 137 #10h	Provides \$13.9 million GF in FY 2024 to fund the state share of one reading specialist per 1,100 students in grades 6 through 8.	Positive. This results in estimated additional state funding of \$1.3 million. FCPS' current staffing for reading specialist positions would meet the new staffing ratio requirement.
Senate Item 137 #s	Provides \$27.5 million GF in FY 2024 to fund the state share of one reading specialist per 550 students in grades 6 through 8.	This results in estimated additional state funding of \$2.5 million. This action requires an additional local share of \$1.4 million, resulting in a net increase in state funding of \$1.1 million.
Math Instructional Specialist Positions		
Governor Item 137	Provides \$7.2 million GF in FY 2024 for the state share of math instructional specialist positions at underperforming schools. The state share of one math specialist position will be provided to local school divisions	This results in estimated state funding of \$0.5 million for FCPS, as compared to the FY 2024 budget forecast presented on November 22, 2022, and FY 2023 Approved Budget.

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	with K-8 schools that rank in the lowest 10% statewide on the Spring 2021 Standards of Learning assessment.	This action requires an additional local share of \$0.8 million, generating a net cost of approximately \$0.4 million.
<i>House/Senate</i>	No change.	
English Language Learner Program		
<i>Senate</i> Item 137 #13s	Provides \$24.3 million GF in FY 2024 to increase the ratio of English Language Learner positions from 20 per 1,000 students to 24 per 1,000 students	Positive. This results in estimated new state funding of \$4.2 million. FCPS' staffing for English Language Learner staffing would meet the new staffing ratio requirement.
Support Cap and Specialized Support Positions		
<i>Senate</i> Item 137 #1s	Provides \$270.6 million in FY 2024 to fully eliminate the cap on support positions implemented in FY 2010. The current cap costs FCPS approximately \$26 million annually.	Positive. This results in estimated new state funding of \$25.6 million. The County and FCPS strongly support fully eliminating the support cap, which has artificially lowered the state's funding contributions for critical educational support positions for more than a decade.
<i>Senate</i> Item 137 #11s	Provides \$56.9 million in FY 2024 for the state's share of four specialized support positions per 1,000 students, up from the current requirement of three positions per 1,000 students.	FCPS would receive an estimated increase of \$5.4 million for the state's share of four specialized student support positions per 1,000 students. To meet this requirement in FY 2024, the total number of positions that would need to be added among psychologists, social workers, and nurses would be approximately 134 for a total of approximately \$18 million. After accounting for state revenue, the net cost totals approximately \$12.6 million. These positions include nurses, school psychologists, and school social workers. The last time the state increased the ratio of specialized support positions, it cost FCPS and the County significant funding to meet the new standard, which could happen again in this case. Additional state funding to assist local school divisions in implementing any new standards would be very important.

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At-Risk Add-on		
<i>Senate</i> Item #12s	Provides \$37.1 million GF in FY 2024 to increase the At-Risk Add-On maximum from 36 percent to 40 percent.	Positive. This results in estimated new funding of \$1.9 million.
Other Items of Interest		
<i>Governor</i> Item 137	Deposits an additional \$50 million in FY 2023 to the College Partnership Laboratory Schools Fund. A "college partnership laboratory school" means a public, nonsectarian, nonreligious school in the Commonwealth established by a baccalaureate public institution of higher education.	The impact for FCPS cannot be determined at this time.
<i>Senate</i> Item 137 #9s and #10s	Redirects \$145 million Lab School funding to other public education priorities.	The impact for FCPS cannot be determined at this time.
<i>House</i> Item 137 #12h	Provides \$12 million in FY 2024 in Lottery proceeds for school security grants.	The impact for FCPS cannot be determined at this time.
<i>Senate</i> Item 136 #8s	Provides \$50 million GF for school security grants in FY 2024.	The impact for FCPS cannot be determined at this time.
<i>Senate</i> Item 485 #1s	Contingent on FY 2023 revenues, would provide \$100 million from unobligated FY 2023 balances for school capital projects.	Positive. Based on last year's distribution, this could result in approximately \$6 million to FCPS.
Impact to the Fairfax County Public Schools' (FCPS) FY 2024 Operating Fund Budget:		
<p>Governor's Introduced Budget: Compared to FCPS' FY 2024 Budget Forecast, presented to the School Board and the Board of Supervisors on November 22, 2022, the Governor's budget amendments include \$23.5 million more in sales tax and \$5.8 million more in state aid which is contingent on providing an average salary increase of 5% and a 1% retention bonus. It should be noted that several items would require additional expenditures for the local share, including a net \$15.5 million local expenditure associated with the 1% retention bonus, which were not assumed in FCPS' FY 2024 Budget Forecast.</p> <p>House Amendments: Compared to FCPS' FY 2024 Proposed Budget, the House budget includes a decrease of \$5.2 million in state Aid.</p> <p>Senate Amendments: Compared to FCPS' FY 2024 Proposed Budget, the Senate's budget includes a \$53.7 million increase in state aid.</p> <p>Both House and Senate amendments come with significant expenditure requirements that exceed any revenue provided.</p>		

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Health and Human Services

Source	Amendment	Fairfax County Impact
Medicaid Waivers		
<i>Governor</i> Item 304.J	Provides approximately \$15.2 million GF and \$15.8 million Non-General Funds (NGF) in FY 2024 to increase the number of Developmental Disability (DD) waiver slots, beginning on July 1, 2023, to 1,100 by adding 500 additional slots. This amendment increases the number of new Family and Individual Supports (FIS) waiver slots in FY 2024 from 500 to 930, and the number of new Community Living (CL) waiver slots from 100 to 170 in FY 2024.	TBD. The Fairfax-Falls Church Community Services Board (CSB) did not receive additional waiver slots in FY 2023 as new waiver slots were not included in the FY 2023 budget. As a result of a significant delay in the release of the waiver slots provided in the FY 2022 budget, those slots were recalculated and the CSB was provided with 150 total additional slots. With the addition of the 500 slots projected statewide in FY 2024, the Fairfax-Falls Church CSB's allocation is projected to increase by 70 slots, to 220 additional slots overall (typically the CSB receives 12-14% of total state allocations). The County supports increasing Medicaid DD waiver slots to address the Priority One (P1) waiting list, which averages over 3,000 annually in Virginia (the current P1 waiting list in Fairfax County is 920). The slot increases afford greater capacity for much needed services; however, they also call for an increase in support coordinators (+11) and supervisors (+1.5), and given persistent workforce issues across the state, the CSB will likely be challenged to balance competing demands.
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 304	Provides an additional approximately \$163,000 GF and \$23,000 NGF in FY 2024 for one service authorization position and one provider development position to support the 500 additional DD Medicaid waiver slots.	No direct County fiscal impact as these are Department of Behavioral Health and Developmental Services (DBHDS) positions.
<i>Senate</i> Item 311 #9s	Reduces the associated funding for two new positions included in the Governor's budget for the DD waivers program.	No direct County fiscal impact as these are DBHDS positions.
<i>Senate</i> Item 308 #13s	Directs the Governor to include in his 2024-2026 biennium budget funding for sufficient	TBD. The County supports increasing DD waiver slots to address the Priority One waitlist. Slot increases create greater

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	slots to eliminate the Priority One waitlist for DD waivers by the end of the biennium.	capacity for much needed services; however, they also require increases in staff, and given persistent workforce issues across the state, the CSB will likely be challenged to balance competing demands.
Governor Item 304.VVVV.	Directs the Department of Medical Assistance Services (DMAS) to seek federal authority to implement telehealth service delivery options for DD waivers that are currently authorized by the Appropriation Act or Code of Virginia.	Telehealth service delivery would impact support coordinators' ability to effectively assess an individual's environment, general health/well-being, and safety. This may be sufficient on a case-by-case basis when in-person visits cannot be managed, but it is not ideal or sufficient in all circumstances.
House/Senate	No change.	
House Item 304 #1h	Provides an additional approximately \$243,000 GF and \$354,000 NGF in FY 2024 to increase rates for Medicaid consumer-directed service facilitation training and visits, to reflect recommendations in the most recent report on the rebasing of DD Medicaid waiver services.	Positive. This is a step toward ensuring that waiver rates cover the actual cost of services in Northern Virginia.
Senate Item 304 #1s	Provides \$1 million GF and \$1.1 million NGF in FY 2024 to increase the rate for the Supported Living Residential waiver service to equal the rate for Group Home Residential (4-person or fewer).	Positive. This is a step toward ensuring that waiver rates cover the actual cost of services in Northern Virginia.
House Item 304 #4h	Adds approximately \$454,000 GF and \$494,000 NGF in FY 2024 to amend the Medicaid DD Community Living, Family and Individual Support, and Building Independence waivers, to allow for the Ticket to Work and Work Incentives Improvement Act as an allowable category for the waivers. Also amends the Medicaid Works program to expand the initial enrollment from the current 138% of federal poverty level to 200%.	Positive. Takes steps needed to ensure individuals with a DD Waiver can work without losing access to services.
Senate Item 304 #12s	Directs DMAS to amend the DD waivers for the Community Living, the Family and Individual Support, and the Building Independence waivers, to allow for the Ticket to Work and Work Incentives Improvement Act as an allowable category for the waivers. Also amends the Medicaid Works program to expand the initial enrollment from the current 138 percent of the poverty level to 200 percent.	Positive. Takes steps needed to ensure individuals with a DD Waiver can work without losing access to services.

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<p><i>Senate</i> Item 308 #9s</p>	<p>Provides \$128,000 GF and \$384,000 NGF to implement SB 831, which directs DMAS to take steps to amend the Family and Individual Supports, Community Living, and Building Independence waivers, to implement a medically needy spend down provision that allows otherwise eligible individuals to spend income in excess of the limit for waiver services on medical expenses in order to meet the waiver income limit.</p>	<p>No significant County fiscal impact, but positive for individuals.</p>
<p><i>House</i> Item 304 #13h</p>	<p>Adds approximately \$550,000 GF and \$597,000 in matching federal Medicaid funding in FY 2024 for the fiscal impact of HB 1963, which combines the maximum annual allowable amount for assistive technology and electronic home-based support services for an individual receiving Medicaid DD waiver services to provide for greater flexibility (providing a total of \$10,000 available to an eligible individual for assistive technology and electronic home-based support services each year).</p>	<p>Positive. No significant County fiscal impact, but combining the maximum annual allowable amount for these services for a total of \$10,000 annually is positive for individuals. This would allow greater flexibility for individuals who may have Assistive Technology or Electronic home-based needs that far exceed the previous amount of \$5,000 per service. May be more impactful if the flexibility combined Assistive Technology and Environmental Modification, but ultimately a positive impact. The County supports HB 1963.</p>
<p><i>Senate</i> Item 304 #13s</p>	<p>Adds approximately \$550,000 GF and \$597,000 NGF for the fiscal impact of SB 945, which combines the maximum annual allowable amount for assistive technology and electronic home-based support services for an individual receiving Medicaid DD waiver services to provide for greater flexibility (providing a total of \$10,000 available to an eligible individual for assistive technology and electronic home-based support services each year).</p>	<p>Positive. No significant County fiscal impact, but combining the maximum annual allowable amount for these services for a total of \$10,000 annually is positive for individuals. This would allow greater flexibility for individuals who may have Assistive Technology or Electronic home-based needs that far exceed the previous amount of \$5,000 per service. May be more impactful if the flexibility combined Assistive Technology and Environmental Modification, but ultimately a positive impact. The County supports SB 945.</p>
<p><i>House</i> Item 304 #18h</p>	<p>Transfers \$180,000 GF in FY 2024, to be matched by \$180,000 in federal Medicaid funds, and two positions from DBHDS for administration of the DD Waiver programs at DMAS.</p>	<p>No direct County fiscal impact.</p>
<p><i>House</i> Item 304 #20h</p>	<p>Provides approximately \$6,900 GF and \$10,000 NGF in FY 2024 to increase the rate for Peer Mentoring waiver services, in accordance with</p>	<p>Positive. This is a step toward ensuring waiver rates cover the actual cost of services in Northern Virginia.</p>

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	the 2021 Burns & Associates rate report. The amendment assumes a growth in the number of individuals served.	
Senate Item 304 #7s	Provides approximately \$6,900 GF and \$10,000 NGF in FY 2024 to increase the rate for Peer Mentoring waiver services in FY 2024, in accordance with the 2021 Burns & Associates rate report. The amendment assumes a growth in the number of individuals served.	Positive. This is a step toward ensuring waiver rates cover the actual cost of services in Northern Virginia.
Senate Item 304 #9s	Provides \$28 million GF and \$30.5 million NGF to fund a 5% increase in rates for DD waiver services to reflect increasing inflationary and labor market pressures on providers.	Positive. This is a step toward ensuring waiver rates cover the actual cost of services in Northern Virginia.
Senate Item 304 #10s	Provides \$1.9 million GF and \$2.3 million NGF in FY 2024 for DMAS to update the rates for consumer-direct facilitation services based on a recent rate study.	Positive. This is a step toward ensuring waiver rates cover the actual cost of services in Northern Virginia.
Governor Item 308.HH	Moves \$85,000 GF and \$85,000 NGF in FY 2024 from DBHDS to DMAS to support agency responsibilities associated with DD waiver services that will be transferred effective July 1, 2023. Includes language designating DMAS as the agency responsible for all financial analysis, rates, and budget work associated with Virginia’s DD waiver services.	No significant County impact.
House/Senate	No change.	
Senate Item 308 #8s	Directs DMAS to conduct a feasibility study of the addition of a 1915(k) waiver that contains complementary core services for those with developmental disabilities, without the requirement to meet nursing facility criteria. Core services will include, but not be limited to: personal assistance, respite, companion, services facilitation, in-home supports, and assistive technology in both consumer-directed and agency-directed waivers where applicable. The study will involve relevant stakeholders, including advocacy groups and individuals with developmental disabilities, and the report will be submitted to the GA by November 1, 2023.	Positive. In general, extending comprehensive services and supports to those in need, who are not nursing facility eligible, is significantly positive. The addition of another waiver would require more CSB staff to effectively manage such supports. There would be no impact to CSB, however, if the Managed Care Organizations (MCOs) are responsible for management, as is the case with the Commonwealth Coordinated Care (CCC+) Waiver.
Senate Item 308 #11s	Directs DMAS to submit a follow-up report to its brain injury waiver initiative, which was approved by the 2022 GA. The secondary follow-up report requires cost, service, and eligibility criteria to better inform the 2024 GA, and prepare the Commonwealth for	TBD. The County closely monitor this workgroup and attend relevant meetings. At present, it is not clear how this may impact DD Support Coordination.

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	implementation of the brain injury waiver program.	
<i>House</i> Item 311 #5h	Transfers \$180,000 GF and two positions in FY 2024 from DBHDS to DMAS to support the workload associated with the transfer of financial management and oversight of the DD waivers.	No County fiscal impact.
<i>Senate</i> Item 311 #3s	Provides \$2 million GF in FY 2024 to implement a number of innovations for the DD system, including a workforce development and recruitment campaign, a business start-up/expansion incubator, and educational/informational resources on inclusive services for waiver recipients.	TBD. Further analysis is needed to determine how this funding could support local efforts.
<i>Governor</i>	Provides an additional \$350,000 GF in FY 2024 to maintain the Medicaid Waiver Management System (WaMS), including upgrades that will keep the system relevant and efficiently utilized, and to support interoperability with CSBs.	TBD. DBHDS system modernization to help decrease administrative burdens on CSB staff is critical. DBHDS currently has multiple, independent databases that create duplicate and, at times, triplicate data entry. This creates an administrative burden that reduces the ability of providers to deliver services, negatively impacts employees' working conditions, further exacerbates high staff turnover rates, and compromises data quality. Increasing collaboration between DBHDS and CSBs is positive.
<i>House/Senate</i>	No change.	
<i>Governor</i>	Provides an additional approximately \$261,000 GF in FY 2024 for two additional cybersecurity positions in the DBHDS central office, to support the IT security needs of the state-operated behavioral health and intellectual disability system, including state-operated facilities.	No significant County impact.
<i>Senate</i> Item 311 #8s	Eliminates funding for one of the two cybersecurity positions funded in the Governor's budget.	No significant County impact.
Children's Services Act (CSA)		
<i>Governor</i> Item 284.b.2.a	Reduces appropriation by \$6.9 million GF in FY 2023 to reflect the projected program spending level.	No County impact. Local CSA expenditures have been trending downward and therefore, sufficient budget authority is currently available. This represents state budgetary alignment with projected locality expenditures.

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<i>House/Senate</i>	No change.	
<i>Governor</i> Item 284.M	Directs the Director of the Department of Planning and Budget (DPB) to revert approximately \$29.2 million in FY 2022 balances that were carried forward into FY 2023 pursuant to budget language.	No County impact. State expenditures have decreased by an estimated \$5 million. This item appears to be budget management at the state level.
<i>House/Senate</i>	No change.	
<i>House</i> Item 285 #1h	Removes the requirement that the Office of Children’s Services (OCS) implement statewide rates for special education private day services, effective July 1, 2023, and redirects the existing FY 2024 funding for OCS to provide technical assistance to localities with private day placements above the statewide average.	Positive. These changes are generally helpful for CSA customers. No fiscal or programmatic impact anticipated.
<i>Senate</i> Item 285 #1s	Eliminates language implementing private day special education rate setting on July 1, 2023, and redirects the existing funding for OCS to provide technical assistance for localities with private day placements above the statewide average.	Positive. These changes are generally helpful for CSA customers. No fiscal or programmatic impact anticipated
Early Childhood Services		
<i>House</i> Item 128 #1h	Directs the Commission on Early Childhood Care and Education to evaluate the future of the child care workforce, and report to the Board of Education and the Chairs of the House Education and Senate Education and Health Committees no later than December 1, 2023. This amendment is contingent on the passage of HB 1423, which would establish the Commission.	No County impact but helpful to evaluate child care workforce.
<i>House</i> Item 128 #2h	Directs the Commission on Early Childhood Care and Education to develop recommendations to prevent the loss of federally funded Head Start classrooms across the state, and report to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees by December 1, 2023.	Positive. Fairfax County already has coordinated enrollment efforts that focuses to fill Head Start slots first.
<i>Senate</i> Item 128 #2s	Provides \$53,000 GF in FY 2024 to support the Commission on Early Childhood Care and Education.	No County impact.
<i>Governor</i> Item 129.V.	Allows the Superintendent of Public Instruction to alter staff-to-child ratios and group sizes for licensed child day centers and child day centers that participate in the Child Care Subsidy Program by increasing the number of children	This will provide flexibility for child-teacher ratio, likely due to staff shortage issues.

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	per staff (by one child for groups of children from birth to the age of eligibility to attend public school, and two children for groups of children from the age of eligibility to attend public school through 12 years). This authority is set to expire June 30, 2024.	
House/Senate	No change.	
Governor Item 136.S.	Provides \$20 million GF in FY 2024 to support a pilot program for full-day, full-year services for at-risk children in the Lenowisco and Crater Planning Districts through the Virginia Early Childhood Foundation Mixed Delivery preschool program.	No County impact.
Senate Item 136 #7s	Provides an additional \$20 million GF in FY 2024 compared to the Governor’s budget to support early childhood mixed delivery programs (funds may be used statewide).	No County impact.
Governor Item 137.C.14	Reduces by approximately \$331,000 GF in FY 2023 funding for schools and community-based organizations to provide quality preschool programs for at-risk four-year-olds who are unserved by HeadStart program funding, and for at-risk five-year-olds who are not eligible to attend kindergarten, or who did not have access to a sufficient preschool experience.	No County impact as it is reallocating adjustments from FY 2023.
House/Senate	No change.	
Governor Item 137.C.14	Reduces funding to serve at-risk three-year-olds who are unserved by Head Start funding by approximately \$2 million GF in FY 2023.	No County impact as it is reallocating adjustments from FY 2023.
House/Senate	No change.	
Governor Item 137.C.14	Revises teacher requirements for community-based providers that are recipients of Virginia Preschool Initiative (VPI) grants to align requirements for such providers under VPI and Mixed Delivery to increase the number of children served in high quality preschool settings.	Positive. This will allow reimbursement of teacher salary, which is currently not allowed.
House/Senate	No change.	
Governor Item 137.C.14	Reduces funding to support increased VPI teacher to student ratios and class sizes by approximately \$52,000 GF in FY 2023.	No County impact as it is reallocating adjustments from FY 2023.
House/Senate	No change.	
Governor Item 137.C.14	Provides an additional approximately \$4.3 million GF in FY 2023 as flexible funding available to supplement any of the initiatives	No County impact as it is reallocating adjustments and is providing flexibility.

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	provided for within section C.14 (VPI payments).	
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 137.C.15.a.	Reduces by \$7.7 million in FY 2023 and by \$7.7 million in FY 2024 the additional payment disbursed to local school divisions for the purposes of providing early reading intervention services to students in grades kindergarten through three.	TBD.
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 304.TTTT	Increases reimbursement rates for Early Intervention services, excluding case management, by 12.5%, effective for services provided on or after July 1, 2023. Provides \$1.1 million GF and \$1.2 million NGF in FY 2024 for the rate increase.	Positive. DMAS rates for Early Intervention services were increased temporarily by 12.5% on July 1, 2021, and expired on June 30, 2022, except for targeted case management/service coordination, which has been increased indefinitely. This would reinstate the increases that expired on June 30, 2022.
<i>House/Senate</i>	No change.	
Child Welfare		
<i>Governor</i>	Provides approximately \$8.3 million GF in FY 2024 to implement recommendations from the Office of the State Inspector General's audit of the state's Child Protective Services (CPS) system, to include additional CPS worker and supervisor positions, which will initially be targeted toward the local departments with the highest needs.	No County impact.
<i>House/Senate</i>	No change.	
<i>Senate</i> Item 55 #1s	Provides \$35,000 GF in FY 2023 for the Office of the Children's Ombudsman to support a feasibility study regarding the establishment of a Parents Advocacy Commission, consistent with the provisions of SB 1443.	No County impact.
<i>Senate</i> Item 55 #3s	Directs the Office of the Children's Ombudsman to continue its work with the work group established by Chapter 305, 2022 Acts of Assembly, consistent with the provisions of SJ 241 (2023 GA session).	No County impact.
<i>Governor</i> Item 137.C.23	Reduces by approximately \$1.2 million in FY 2023 the funding from the Lottery Proceeds Fund to support children attending public school who have been placed in foster care or other such residential care across jurisdictional lines.	No County impact.
<i>House/Senate</i>	No change.	

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House Item 340 #1h	Moves \$4.1 million GF in FY 2023 to FY 2024 to redirect funding for child welfare improvements. This funding is not expected to be spent in FY 2023 and language is modified to enhance child welfare efforts, modernize information technology for child welfare workers, and increase and enhance support for kinship caregivers in child welfare cases.	Positive. No County fiscal impact.
Governor Item 345	Reduces funding provided for the cost of providing foster care and adoption subsidy payments by approximately \$14.3 million GF and \$566,000 NGF in FY 2023, and by approximately \$5.6 million GF and \$5.9 million NGF in FY 2024. Based on recent expenditure trends and the impact of child welfare policy changes, this amendment adjusts the appropriation for the necessary costs of providing payments to foster care and adoptive families.	TBD. Forecasted economic downturns are correlated with potential for higher needs for foster care, and if that happens, more funding may be needed.
House Item 345 #1h	Reduces GF spending by \$4.5 million in FY 2023 and \$3.8 million in FY 2024, and adds a commensurate amount of federal matching funds each year for adoption assistance, foster care and the federal-funded Kinship Guardianship Assistance Program, due to changes in the enhanced federal medical assistance percentage (FMAP) pursuant to the federal Public Health Emergency and the federal Consolidated Appropriations Act of 2023.	TBD. Forecasted economic downturns are correlated with potential for higher needs for foster care, and if that happens, more funding may be needed.
Senate Item 345 #4s	Provides \$200,000 GF in FY 2024 to continue funding the State-funded Kinship Guardianship Assistance Program.	Positive. Helps promote stability with kin caregivers.
Governor	Provides an additional approximately \$2.3 million GF and \$2 million NGF in FY 2024, to raise maximum maintenance payments made to foster family homes on behalf of foster children by 5%. This increase is also assumed for adoption subsidy funding, to ensure that adoption subsidies keep pace with foster family rates and to avoid any disincentives to adoption.	Positive. Increased maintenance payments for foster parents will have a positive impact on the County's GF. Adoption subsidies are paid for through federal Title IV-E, having no impact on the County's GF.
House/Senate	No change.	
Governor Item 345.M	Provides that any unspent Comprehensive Child Welfare Information System (CCWIS) funds will carry forward. This amendment provides	Positive. This is needed to move forward with a new child welfare system.

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	flexibility to continue the systems build without additional potential delays.	
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 345.Q	Provides approximately \$935,200 GF in FY 2024 to support up to 12 kinship navigator programs. Includes language requiring the Virginia Department of Social Services (VDSS) to continue to seek and apply for any federal grant funds that can be used to support the cost of kinship navigator programs, and to submit a report on the effectiveness of kinship navigator programs by September 1 of each year.	Positive. The County is moving towards more placements with relatives.
<i>House/Senate</i>	No change.	
<i>Senate</i> Item 345 #1s	Provides \$180,000 GF and \$60,000 NGF in FY 2024 to expand Virginia's Title IV-E Child Welfare Stipend Program (CWSP), to include individuals preparing to work in Child Protective Services (CPS) slots, as well as several additional "general" child welfare position slots. The CWSP is a workforce development program, in partnership with five public state universities in Virginia, which prepares Master of Social Work (MSW) and Bachelor of Social Work students for a career in public child welfare. Students receive a \$10,000 stipend per academic year. In exchange, the recipient must commit to work at a local Department of Social Services within Virginia in foster care or adoption services for one year for each year of stipend funding.	Positive. Could have positive impact on recruitment for practitioners into child welfare field.
<i>House</i> Item 345 #3h	Provides \$250,000 GF in FY 2024 to support the development and implementation of a statewide driver's licensing program to support foster care youth in obtaining driver's licenses.	Positive. Helpful for older youth in foster care.
<i>Senate</i> Item 345 #2s	Provides \$250,000 GF in FY 2024 to support the development and implementation of a statewide driver's licensing program to support foster care youth in obtaining driver's licenses.	Positive. Helpful for older youth in foster care.
<i>Senate</i> Item 345 #3s	Provides \$250,000 GF in FY 2024 for the VDSS to establish criteria for service payments for allowable expenses related to afterschool/out of school time care for foster care youth aged twelve to eighteen. VDSS shall increase the foster care maintenance payment to compensate	Positive. Helpful for older youth in foster care; there is a County match rate.

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	for such allowable expenses for eligible foster care and adoptive parent recipients.	
<i>Senate</i> Item 345 #5s	Reflects \$4.5 million in FY 2023 and \$3.8 million in FY 2024 in federal match savings from the enhanced federal match rate for Medicaid, which also applies to the federal Title IV-E program. The recent extensions of the public health emergency and Congressional action to phase down the enhanced match rate through the end of calendar year 2023 are reflected in these savings.	No County Impact.
Health Departments		
<i>Governor</i> Item 283.J	Provides \$250,000 GF in FY 2024 to cover the one-time cost of a consultant to develop a statewide strategic plan on the Commonwealth's health care workforce needs.	TBD.
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 287.C.1	Provides an additional \$10 million GF in FY 2024 to the Nursing Preceptor Incentive Program, to raise the maximum incentive to \$5,000 (from \$1,000), and expand the program to include licensed practical nurses and registered nurses.	TBD.
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 287.E	Provides an additional \$1 million GF in FY 2024 to fund nursing scholarship and loan repayment programs to recruit and retain nurses and nurse faculty.	TBD.
<i>Senate</i> Item 287 #3s	Designates \$150,000 GF in both FY 2023 and FY 2024 to set aside a small portion of existing nursing scholarship funds for school nurse scholarships to address the lack of access to Registered Nurses (RNs) in schools.	TBD.
<i>Governor</i> Item 287.G	Provides \$30 million GF in FY 2024 for the Virginia Department of Health (VDH) to establish the Earn to Learn Nursing Education Acceleration Program.	TBD.
<i>Senate</i> Item 287 #2s	Reduces by \$10 million GF in FY 2024 funding for the Earn to Learn Nursing Education Acceleration Program, and transfers funding to higher education institutions to increase nursing faculty salaries at nursing schools to encourage more nurses to move into teaching. Also removes the designation of the program as one-	TBD.

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	time because such programs will take many years to have their desired effect.	
House Item 287 #1h	Reduces by \$5.4 million GF in FY 2024 funding for the Earn to Learn Nursing Education Acceleration Program. Also adds language to allow for the program to be implemented through contracts with private higher education institutions, as well as public ones.	TBD.
House Item 287 #2h	Adds approximately \$419,000 GF in FY 2024 and four positions in VDH to manage all of the state-funded Healthcare Incentive Workforce programs administered by VDH.	No County impact.
Senate Item 287 #1s	Provides approximately \$209,500 GF in FY 2024 to VDH for two positions to support the significant increase in workload based on the funding included in the introduced budget to expand a variety of workforce programs.	No County impact.
Senate Item 288 #1s	Provides \$5 million GF in FY 2024 to support Trauma Centers in the Commonwealth.	No County impact.
Senate Item 288 #2s	Provides \$2.5 million GF in FY 2024 to develop a grant program to fund hospital-based care management programs for frequent utilizers of emergency departments.	No County impact.
Governor Item 291.A	Provides an additional \$50,000 GF in FY 2024 to purchase medications for individuals who have tuberculosis (TB), to account for an increase in medication costs and to provide treatment options to more individuals.	Positive. On average, the Fairfax Health District has one-third of the Commonwealth's TB cases (reflecting the diversity of the population, which includes individuals from countries with high TB burdens). The Fairfax Health Department offers evaluation and treatment of active TB disease and latent TB infection. Additional funding will help mitigate the increasing medication costs to provide pharmacotherapy.
House/Senate	No change.	
Governor Item 291.N	Extends the repayment term for any existing Treasury loan authorized by VDH for the purpose of COVID-19 pandemic response activities to June 30, 2024, if federal reimbursement expected from the Federal Emergency Management Agency (FEMA) has not been received by the planned date of repayment.	TBD.
House/Senate	No change.	
Governor Item 291	Provides approximately \$150.8 million NGF in FY 2024 for Epidemiology and Laboratory	Positive. VDH received funding from the Centers for Disease Control and

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	Capacity for Prevention and Control of Emerging Infectious Diseases Cooperative Agreement grants, which are not funded by the federal American Rescue Plan Act (ARPA).	Prevention (CDC) through the Epidemiology and Laboratory Capacity grant to promote antimicrobial stewardship in acute care hospitals, outpatient, and skilled nursing facilities. The Fairfax Health District has entered into an MOU with VDH to improve antimicrobial stewardship among Fairfax County skilled nursing facilities. Additional funding would enhance the Health Department's ongoing efforts to address increasing antimicrobial resistance in these high-risk settings.
House/Senate	No change.	
Senate Item 293 #3s	Directs VDH to plan an elimination campaign for Hepatitis B and C.	No County impact.
Governor Item 294	Provides approximately \$944,000 GF and \$698,000 NGF in FY 2024 to support local health districts that are expecting significant cost increases resulting from moving to new facilities or increasing rent in existing facilities.	TBD.
Senate Item 294 #1s	Provides \$140,000 GF in FY 2023 and FY 2024 to provide additional support to address an increase in rent costs for the Hampton Health District.	No County impact.
Senate Item 294 #2s	Provides \$250,000 GF in FY 2024 to improve early breast cancer diagnosis and mortality rates. VDH would provide grants to at least two, but no more than four, community-based organizations with breast cancer expertise and experience with minority community outreach.	No County impact.
Senate Item 294 #3s	Provides \$2.5 million GF in FY 2024 to provide support to all local health departments, to ensure family planning services are available across the Commonwealth.	No County impact.
House Item 295 #5h	Provides \$1.5 million GF in FY 2024 to VDH to establish the Virginia First-Year Nurse Residency Collaborative to support health care providers in increasing the retention of first-year RNs.	No County impact.
Senate Item 295 #5s	Provides \$100,000 GF in FY 2024 to support enhancements to the SmartChart system, previously known as the Emergency Department Care Coordination program.	No County impact.
Governor Item 296.E	Provides approximately \$3.4 million GF in FY 2024 as a state match to draw down U.S.	TBD. This could be beneficial to Fairfax Water.

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	Environmental Protection Agency (EPA) grant funds for the Drinking Water State Revolving Fund. Increases NGF appropriation by \$91.9 million to keep pace with reimbursement and payment trends of drinking water grants.	
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 296	Provides an additional \$1.1 million GF in FY 2023 to cover federal deferrals associated with payments to the EPA dating back to March 2021.	TBD. This could be beneficial to Fairfax Water.
<i>House/Senate</i>	No change.	
<i>Senate</i> Item 299 #1s	Provides \$300,000 GF in FY 2024 and five positions to fund the Prescription Drug Affordability Board pursuant to SB 957.	No County impact.
<i>Governor</i> Item 404	Provides \$50,000 toward establishing a ban on abortions after 15 weeks of pregnancy.	Prohibition or limitations on abortion could interfere with the ability of individuals/families to determine the number and spacing of children. It may also increase the rates of unplanned births, which may increase families' risk factors, potentially increasing the likelihood of child abuse and neglect. There could also be an increase in unsafe abortions.
<i>House</i> Item 404 #1h	Provides \$50,000 into the Corrections Special Reserve Fund to reflect the estimated bedspace impact of HB 1795, which requires every health care provider licensed by the Board of Medicine who attempts to terminate a pregnancy to take steps to preserve the life and health of an infant that is born alive, similar to any other child born alive at the same gestational age.	This funding would be used to allocate additional beds in prisons for health care providers who are convicted of not taking life-saving measures when a fetus remains viable after the procedure is attempted. Though HB 1795 is no longer under consideration, it is likely that abortion-related issues will continue to receive attention in Virginia.
<i>Senate</i> Item 404 #1s	Removes language providing funding to the Corrections Special Reserve Fund related to abortion restrictions.	This would ensure that health care providers are not penalized for performing safe and legal abortions.
<i>Governor</i> Item 4-5.04	Prevents expenditures from GF or NGF sources from being used for providing abortion services, except as otherwise required by federal law.	Currently, public funds can only be used for abortion services in situations where pregnancy results from rape or incest, a physician certifies that the fetus is believed to have an incapacitating physical deformity or mental deficiency, or cases where the pregnancy threatens the life or health of the mother/birthing person. This prohibition could create health implications for pregnant individuals, as well as for victims of sexual violence.

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<i>Senate</i> Item 4-5.04 #1s	Restores language that allows spending from appropriations for the provision of abortion services in accordance with state law.	The restoration of language would ensure that victims of rape and incest or those who have life-threatening pregnancy complications can access safe, legal abortions, even if they do not have the financial resources to pay for them.
<i>Governor</i>	Provides an additional \$125,000 in FY 2024 for sexual assault examiner training for Emergency Department staff, as required by the Code of Virginia.	No significant County impact.
<i>House/Senate</i>	No change.	
<i>House</i> Item 6 #3h	Continues the work of the Joint Subcommittee to Examine the Commonwealth's Pandemic Response.	No County impact.
<i>Senate</i> Item 6 #1s	Continues the work of the Joint Subcommittee to Examine the Commonwealth's Pandemic Response for an additional year, and allows the funding to be carried forward to the subsequent fiscal year.	No County impact.
Department for Aging and Rehabilitative Services (DARS)		
<i>Governor</i> Item 330.A	Provides an additional approximately \$285,000 GF and \$2.2 million NGF in FY 2024 to ensure DARS has sufficient resources to fully access federal vocational rehabilitation grant dollars.	No County impact.
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 330.B	Provides an additional approximately \$139,400 GF in FY 2023, and \$139,400 GF in FY 2024, to provide vocational rehabilitation services for persons recovering from mental health issues, alcohol, and other substance abuse issues.	No significant County impact.
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 330.I	Provides an additional approximately \$37,400 GF in FY 2024 for the Centers for Independent Living, to reflect the latest statewide salary actions. Language requiring DARS to collect and make operating data available is also included.	No County impact.
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 330.K	Provides an additional approximately \$225,600 GF in FY 2024 to enable the Personal Assistance Services program to maintain wage alignment with Medicaid rates without reducing services. This program serves individuals who have the most severe physical disabilities, requiring assistance with daily living activities.	No County impact.

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<i>House/Senate</i>	No change.	
Governor Item 330.N	Provides an additional \$61,800 GF in both FY 2023 and FY 2024 for the Long-Term Rehabilitation Case Management Services Program.	No County impact.
<i>House/Senate</i>	No change.	
House Item 330 #1h	Provides \$570,000 GF in FY 2024 to expand community-based brain injury case management services to unserved or underserved areas of Virginia.	No County impact.
Senate Item 330 #2s	Provides \$570,000 GF in FY 2024 to expand community-based brain injury case management services. This funding would fund six case managers to serve approximately 300 Virginians.	No County impact.
Senate Item 330 #3s	Provides \$675,000 GF in FY 2024 to support publicly funded brain injury services providers – the inability to offer competitive wages and benefits has made it increasingly difficult to fill positions and retain employees.	No County impact.
Senate Item 330 #4s	Directs DARS to work with DBHDS, the Parent Educational Advocacy Training Center (PEATC), Virginia Commonwealth University’s (VCU) Partnership for People with Disabilities, and VCU-Rehabilitation Research and Training Center to ensure that online resources are readily available and disseminated to all individuals of transition age and their families.	No County impact.
House Item 331 #1h	Adds \$700,000 GF in FY 2024 for one-time supplemental funding to offset losses to local Area Agencies on Aging (AAAs) due to the impact of 2020 census changes on the distribution formula for federal Older Americans Act funding.	Eleven of the 25 AAAs in the Commonwealth will be affected by these financial losses, and may change or lessen services offered to older adults, adults with disabilities, and caregivers as a result. Though Fairfax County will not be negatively impacted by funding losses, the impact to other local jurisdictions may cause the migration of older adults to regions like Fairfax County in an effort to retain needed services. This supplemental funding will mitigate the negative impact to the AAA system as a whole. Strengthening the AAA system across the Commonwealth will need to be prioritized, as the percentage of older

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		adults in the Commonwealth is projected to reach 25% by 2030.
Senate Item 331 #1s	Adds \$700,000 GF in FY 2024 for one-time supplemental funding to offset losses to local AAAs due to the impact of 2020 census changes on the distribution formula for federal Older Americans Act funding.	Eleven of the 25 AAAs in the Commonwealth will be affected by these financial losses, and may change or lessen services offered to older adults, adults with disabilities, and caregivers as a result. Though Fairfax County will not be negatively impacted by funding losses, the impact to other local jurisdictions may cause the migration of older adults to regions like Fairfax County in an effort to retain needed services. This supplemental funding will mitigate the negative impact to the AAA system as a whole. Strengthening the AAA system across the Commonwealth will need to be prioritized, as the percentage of older adults in the Commonwealth is projected to reach 25% by 2030.
House Item 331 #2h	Adds \$380,000 GF in FY 2024 to expand the Virginia Public Guardian and Conservator Program to serve 50 additional individuals in need of guardianship services and add one position for a policy analyst.	No direct County impact but provides more slots/opportunities for incapacitated individuals to be served by public guardians. Will mitigate the waiting list for public guardians.
Senate Item 331 #2s	Provides \$160,000 GF in FY 2024 to support the implementation costs of SB 1140, which directs DARS to develop and provide training for court-appointed guardians by July 1, 2024.	Currently only public guardians (vs. private guardians) receive guardianship training by DARS. The vast majority of guardians in the Commonwealth, however, are private guardians who receive no formalized training. This funding will allow for all guardians to receive formalized training at the state level to obtain a foundational understanding on the court requirements and expectations for guardians, better equipping them to serve vulnerable wards under their care. Currently, there is one FTE who manages the Fairfax County guardianship program and provides regular orientation, consultation, or information to private guardians on their roles and responsibilities in the absence of a formalized training. This additional

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		funding for DARS to create a training program for guardians would expand the capacity for Fairfax County program staff to focus on guardianship tracking activities for the growing program (over 2,800 wards currently in Fairfax County). Centralized training for private guardians provided by DARS was a recommendation of the 2021 JLARC Guardianship study.
<i>Senate</i> Item 334 #1s	Reduces by \$1 million GF in FY 2023 and FY 2024 the appropriation provided for Disability Determination Services (DDS) for Medicaid.	No County impact.
<i>Senate</i> Item 336 #1s	Provides \$150,000 GF in FY 2024 to fund a position for an Executive Director for the Commonwealth Council on Aging, pursuant to provisions in SB 1218.	No County impact
Department of Medical Assistance Services (DMAS)		
<i>Governor</i> Item 302	Reduces funding by \$1.5 million GF in FY 2023 and \$250,000 GF in FY 2024 for the estimated cost of hospital and physician services for individuals subject to involuntary commitment. Projected expenditures are lower than previously estimated.	No significant County impact.
<i>House/Senate</i>	No change.	
<i>Governor</i>	Adjusts funding for the Family Access to Medical Insurance Security program to reflect the latest forecast of expenditures as projected by DMAS.	No County impact.
<i>House/Senate</i>	No change.	
<i>Governor</i>	Adjusts funding for the Commonwealth's Medicaid Children's Health Insurance Program (CHIP) to reflect the latest expenditure forecast as projected by DMAS.	No County impact.
<i>House/Senate</i>	No change.	
<i>Governor</i>	Provides funding for the cost of Medicaid utilization and inflation as estimated in the most recent expenditure forecast.	No significant County impact. Provides required increases due to higher costs and utilization.
<i>House/Senate</i>	No change.	
<i>Governor</i>	Adjusts Medicaid and CHIP appropriations to account for the anticipated extension of the national public health emergency through April 11, 2023. The expected extension would mean that the federal continuous enrollment requirement would expire on April 30, 2023,	No County impact.

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	and the federal Medicaid Assistance Percentages enhancement would continue through June 30, 2023. Allows DPB to move appropriations between fiscal years as necessary to maximize federal reimbursements.	
Governor Item 304	Adjusts Virginia Health Care Fund appropriation to reflect the latest revenue estimates.	Positive. Provides funding based on latest revenue estimates.
House Item 304 #2h	Adds \$11.7 million GF and reduces \$12.5 million NGF by capping the funds that DMAS retains related to the intergovernmental transfer of funds by which Medicaid provides supplemental payments for five local government owned and operated nursing facilities.	Positive. This amendment will allow the County-owned nursing home Birmingham Green (BG) to retain a higher portion of supplemental payments, thereby allowing for a smaller general fund transfer to BG, which is based on actual costs and utilization rates.
Senate Item 304 #6s	Allows five local government owned and operated nursing facilities to retain a higher portion of supplemental payments through intergovernmental transfer of funds.	Positive. This amendment will allow the County-owned nursing home BG to retain a higher portion of supplemental payments, thereby allowing for a smaller general fund transfer to BG, which is based on actual costs and utilization rates.
House Item 304 #3h	Increases funding for nursing homes through the Nursing Facility Value Based Program by \$31.1 million GF and \$31.1 million from matching federal Medicaid funds in FY 2024.	The increased reimbursement will offset costs of operation, allowing for nursing homes' continued capacity to serve the community.
Senate Item 304 #15s	Provides \$20 million GF and \$20 million NGF to increase nursing home reimbursement. These changes add funding to the Value-based program, encourage reinvestment in facility infrastructure, and eliminate the minimum occupancy adjustment for nursing facility capital rates.	The increased reimbursement will offset costs of operation, allowing for nursing homes' continued capacity to serve the community.
House Item 304 #6h	Adds approximately \$179,000 GF and \$211,000 NGF to increase adult day health care rates by 24%, bringing the rate from \$64.17 to \$78.97 per day for the rest of the state, and \$69.30 to \$85.93 in Northern Virginia.	Positive. This is a step toward ensuring waiver rates cover the actual cost of services in Northern Virginia.
House Item 304 #7h	Provides \$1.3 million GF and \$1.3 million NGF in FY 2024 for the fiscal impact of HB 1512, which provides for the initial purchase or replacement of Complex Rehabilitative Technology manual and power wheelchair bases and related accessories for Medicaid patients residing in nursing facilities.	Positive. Funding will allow for the purchase of critical wheelchairs and accessories for persons in nursing facilities, increasing their mobility options and quality of life.
House Item 304 #14h	Adds \$2.5 million GF and \$2.5 million from matching federal Medicaid funds in FY 2024,	Positive. Increasing the AG rate will further support the AG community. This

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	for the Medicaid impact of providing an increase in the Auxiliary Grant (AG) rate for low-income individuals residing in assisted living facilities.	increase would greatly increase the likelihood that assisted living facilities (ALFs) would sustain more AG bed set asides, which are already very low across the County and Commonwealth. Currently, AG rates are far below actual costs for ALF care.
<i>House</i> Item 304 #21h	Provides approximately \$200,700 GF and \$218,000 NGF in FY 2023 and FY 2024 to increase reimbursement for Early Periodic Screening Diagnosis and Treatment (EPSDT) therapeutic Group Homes that were excluded from the 12.5 percent rate increase, despite qualifying for such increase in 2021 and 2022.	Positive. This is a step toward ensuring waiver rates cover the actual cost of services in Northern Virginia.
<i>Governor</i> Item 304.A	Provides an additional approximately \$268,800 GF in FY 2024 and an additional approximately \$280,600 from the federal trust fund for reimbursement to the institutions within DBHDS.	TBD.
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 304.UUUU	Updates the reimbursement methodology for outpatient rehabilitation services to the resource-based relative value scale. This change is necessary to align Virginia's reimbursement methodology with Medicare and industry standards. All changes must be budget neutral.	No County impact.
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 304.XXXX	Increases provider rates for agency- and consumer-directed personal care, respite, and companion services by 5%, effective July 1, 2023. Provides \$42 million GF and \$47.2 million NGF in FY 2024 for the rate increase.	Positive. A rate increase would attract more qualified staff and increase provider capacity.
<i>Senate</i> Item 304 #3s	Provides \$58.3 million GF and \$66.1 million NGF in FY 2024 to increase reimbursement rates by 12% for Medicaid personal care, respite, and companionship services provided in agency-directed and consumer-directed waiver programs. This would change the consumer-directed rest-of-state rate from \$12.70 to \$14.22 per hour and the Northern Virginia rate from \$16.45 to \$18.42 per hour. The agency-directed rate would increase from \$18.51 to \$20.73 per hour for rest-of-state and from \$21.79 to \$24.40 per hour in Northern Virginia.	Positive. A rate increase would attract more qualified staff and increase provider capacity. There is a nationwide shortage of aides to perform critical waiver services at this time, and this is a step toward ensuring waiver rates cover the actual cost of services in Northern Virginia.

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<p><i>Senate</i> Item 305 #1s</p>	<p>Provides \$7.3 million GF in FY 2024 and ten positions to fund the fiscal impact of SB 1327, which would create a state-funded comprehensive health care coverage program for individuals in Virginia who are under 19 years of age, are not covered under a group health plan or health insurance coverage, and, but for their immigration status, would be eligible for Virginia's Medicaid or FAMIS program.</p>	<p>This would positively impact many youth served by the CSB, because if they had comprehensive medical coverage, they would have other options for behavioral health care beyond the CSB. And when such youth are served by the CSB, there would be funding to support those services.</p>
<p><i>Governor</i> Item 308.EE</p>	<p>Requires DMAS to convene a workgroup to examine the impact of including psychiatric residential treatment services in the managed care program. This workgroup must examine potential cost and program and system of care impacts, including how local funding and the federally required independent assessment process for these services must be accounted for in managed care.</p>	<p>Workgroup offers a potential for positive outcomes. This would be a new benefit that could potentially strengthen community support for behavioral health services. There is currently no reimbursement for residential treatment, so including psychiatric residential treatment services in the managed care program has the potential for opening up needed community supports. Ensuring any new program provides beneficial services that are easy for consumers to navigate in a cost-effective way is critically important, particularly if managed care is the option being examined by the state.</p>
<p><i>House</i> Item 308 #1h</p>	<p>Modifies language in the Governor's budget which establishes a workgroup to examine the impact of including certain children's psychiatric residential treatment services in the Medicaid managed care program. It adds children's residential services and children's group home services to be examined for including in the Medicaid managed care program. Language also is modified to include representatives of the public and private provider community as members of the workgroup.</p>	<p>Workgroup offers a potential for positive outcomes, and expanding to include children's residential services and children's group home services as additional services is positive.</p>
<p><i>Governor</i> Item 308.FF</p>	<p>Provides \$428,565 GF and \$428,565 from federal funds in FY 2024 for seven positions to increase the amount of third-party liability recoveries. It is expected that these positions will generate sufficient savings in the Medicaid program to offset the new administrative costs.</p>	<p>No significant County impact.</p>
<p><i>House/Senate</i></p>	<p>No change.</p>	

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<p>Governor Item 308.GG</p>	<p>Authorizes DMAS to reprocure the Commonwealth’s managed care service delivery system, with an expected implementation date of July 1, 2024. Additionally, authorizes DMAS to make changes to the managed care program, as necessary, to improve fiscal efficiency and enhance health care delivery. Provides approximately \$1.7 million GF and \$2.6 million NGF in FY 2023 to support one-time costs associated with the re-procurement.</p>	<p>TBD. It will be important to monitor the Request For Proposal process to ensure there are no significant changes to the Medicaid benefit package in areas related to behavioral health. It is essential that the state’s service delivery system provides beneficial services that are easy for consumers to navigate, including appropriate rates for providers and services, particularly in high-cost areas like Northern Virginia.</p>
<p>Senate Item 308 #2s</p>	<p>Provides direction to DMAS regarding the re-procurement of the Medicaid managed care contracts. In addition, \$500,000 GF in FY 2024 is provided for an independent review of the proposed changes in the program and any fiscal impacts. Since the implementation of the new contracts is delayed, the administrative funding provided in the Governor’s budget is unnecessary and removed by this amendment.</p>	<p>Amendment seeks to give DBHDS more direction related to re-procurement of Medicaid managed care contracts. No direct County impact, but it will be important to monitor the Request For Proposal process to ensure there are no significant changes to the Medicaid benefit package in areas related to behavioral health. It is essential that the state’s service delivery system provides beneficial services that are easy for consumers to navigate, including appropriate rates for providers and services, particularly in high-cost areas like Northern Virginia.</p>
<p>Governor</p>	<p>Directs \$20 million in FY 2024 from the State and Local Fiscal Recovery Funds from ARPA to DMAS to procure a vendor to assist in the redetermination of Medicaid enrollees following the end of the COVID-19 public health emergency. This funding would be in addition to the \$5 million in ARPA funding in FY 2023 previously provided. It also directs \$10 million in FY 2024 in ARPA funding to VDSS to support overtime costs at local departments for Medicaid redeterminations. Additionally, it bars the transfer of the new funding until a report detailing the Commonwealth’s final plan to perform all unwinding activities is provided to the Task Force on Eligibility Redetermination.</p>	<p>Positive. This would provide overtime pay for Medicaid Unwinding. Fairfax County Department of Family Services (DFS) has more than 40,000 Medicaid cases to address as a part of unwinding, and additional funding to support overtime is needed.</p>

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<i>House</i> Item 304 #17h	Adds \$3.3 million GF and \$12.5 million NGF in FY 2024 to support associated costs with a contract to support local agencies during the unwinding of Medicaid continuous coverage requirements.	Likely positive.
<i>Senate</i> Item 308 #1s	Provides \$2.8 million GF and \$13.4 million NGF for additional assistance in handling the increased workload for the Medicaid eligibility determination process that will begin as the Medicaid continuous enrollment requirement ends on April 1, 2023.	Likely positive.
<i>Senate</i> Item 486 #2s	Moves the appropriation provided by ARPA funding from FY 2024 to FY 2023 for Medicaid redetermination costs.	Likely positive.
Housing		
<i>House</i> Item 114 #2h	Provides \$500,000 GF in FY 2024 to the Department of Housing and Community Development (DHCD) to assist in the delivery and support of housing studies directed by the GA and the Virginia Housing Commission, the housing needs assessment, plans included in HB 2046, and the proposed expansion of the Livable Homes Tax Credit in HB 2099.	No County impact. Funding would go to DHCD. The Livable Homes Tax Credit could help County residents, but it is a state tax credit so no fiscal impact to the County.
<i>House</i> Item 346 #1h	Requires VDSS to allow applications for the Low-Income Home Energy Assistance Program (LIHEAP) to be submitted in any month during the year, and allows for grant awards to be made retroactively for the 2022-2023 heating season.	No significant County impact.
<i>Senate</i> Item 346 #1s	Requires VDSS to allow applications for the LIHEAP program to be submitted in any month during the year, and allows individuals to apply retroactively for heating assistance, since the close of the prior application period in November 2022.	No significant County impact.
Behavioral Health		
<i>Governor</i> Item 144.W	Provides \$9 million GF in FY 2024 to support student mental health services in K-12 and institutions of higher education.	TBD. This is a positive use of funding to address significant youth behavioral health challenges, though it is unclear how and where funding will be allocated. Support for additional state funding for youth behavioral health services is included in the County's Legislative Program.

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House Item 144 #2h	Makes technical changes to provide for higher education specific solutions, rather than combined higher education and K-12 solutions. Funding for K-12 mental health services is provided under VDOE.	No County impact.
Senate Item 144 #1s	Clarifies the use of funds to support higher education institutions, and removes language related to elementary and secondary schools as a result of other initiatives provided in public education.	No County impact.
Governor Item 283.I.	Provides \$750,000 GF in FY 2024 to cover the one-time cost of a consultant to assist with implementing a plan to transform behavioral health.	TBD. Further analysis and information on how and where funding will be allocated is needed.
Senate Item 283 #1s	Removes \$750,000 GF in FY 2024 included in the Governor’s budget for a Behavioral Health Transformation Contractor.	No significant County impact.
Senate Item 283 #2s	Removes \$250,000 GF in FY 2024 included in the Governor’s budget to develop a strategic plan for the health care workforce.	No significant County impact.
Governor Item 283.K.	Provides \$250,000 GF in FY 2024 for the Secretary of Health and Human Resources, in collaboration with the Secretary of Veterans Affairs, to cover the one-time cost of a consultant that will study the Commonwealth’s coordination of behavioral health and substance abuse programs, with an emphasis on veteran services. The study will include state efforts to address substance use disorder, suicide, and post-traumatic stress disorder. A report will be due by October 1, 2023.	No direct County fiscal impact, but study is focused on an at-risk population.
Senate Item 283 #3s	Removes \$250,000 GF in FY 2024 included in the Governor’s budget for a statewide coordination study of behavioral health and substance use disorder services with an emphasis on veterans.	No direct County fiscal impact.
Governor Item 287.B	Provides an additional \$2.5 million GF in FY 2024 to VDH for the Virginia Behavioral Health Loan Repayment Program, raising the maximum award amount for child and adolescent psychiatrists, psychiatric nurse practitioners, and psychiatrists, from \$30,000 to \$50,000.	TBD. A positive step by the state to find ways to stabilize the behavioral health care workforce in the future. To support behavioral health staff working at CSBs and other public agencies, language could be added prioritizing access to such funding for those participating in the public behavioral health care system.
House/Senate	No change.	

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Governor Item 287.H	Provides \$5 million GF in FY 2024 to VDH for loan repayments for psychiatric registered nurses and psychiatric nurse practitioners who work in Virginia for four years. The schedule will provide repayment of 25% of the eligible loan at the end of each year for the four completed years of service.	TBD. A positive step by the state to find ways to stabilize the behavioral health care workforce in the future. To support behavioral health staff working at CSBs and other public agencies, language could be added prioritizing access to such funding for those participating in the public behavioral health care system.
Senate Item 287 #4s	Consolidates a proposed psychiatric registered nurse and psychiatric nurse practitioner loan repayment program, included in the Governor’s budget, into the existing Behavioral Health Loan Repayment Program. The existing program already provides loan repayment to psychiatric nurse practitioners, so this amendment adds psychiatric RNs to the program, eliminating the need for a completely separate program that otherwise imposes an administrative burden on VDH.	Language-only administrative change. The amendment also moves the \$5 million GF for the proposed program to the Behavioral Health Loan Repayment Program, increasing the program’s FY 2024 appropriation to \$9.1 million.
House Item 295 #2h	Provides \$250,000 GF in FY 2024 for a pilot program between the Association of Free and Charitable Clinics and the Virginia Telehealth Network, to support the integration of behavioral health safety planning and intervention into clinical health services.	No significant County impact.
Governor	Transfers approximately \$1 million GF in FY 2024 from DBHDS’ central office to state-operated facilities, to assist with infrastructure requirements for implementation of electronic health records. Per DPB, this zero-sum transfer has no fiscal impact.	No significant County impact.
House/Senate	No change.	
Governor Item 304.GG	Provides an additional \$1 million GF and an additional \$1 million NGF in FY 2024 to support 20 additional psychiatric residency slots, funded through Medicaid, beginning in FY 2024.	TBD. Positive step by the state to find ways to stabilize the behavioral health care workforce in the future.
House/Senate	No change.	
Governor Item 304.WWWW	Provides authority to expand provider qualifications, allowing individuals working on their required hours of supervision for certification through DBHDS to be eligible for registration through the Department of Health Professions (DHP) to be approved as a Medicaid provider type for mental health and substance use disorder peer supported services.	TBD.

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	Authorizes DMAS to adjust caseload limits for peer recovery specialists to align with DBHDS and DHP revised policies to increase access to peer recovery services.	
<i>House/Senate</i>	No change.	
<i>House</i> Item 304 #5h	Adds approximately \$438,000 GF and \$1.3 million NGF and language directing DMAS to establish reimbursement parity between certain substance use disorder and mental health services.	Positive. Increased funding is an important step towards increasing behavioral health service capacity, as community providers are challenged to meet ongoing community needs for this service.
<i>Senate</i> Item 304 #14s	Directs DMAS to establish reimbursement parity between substance use disorder (SUD), and mental health (MH) partial hospitalization (PHP) and intensive outpatient programs (IOP) by increasing the MH PHP and IOP reimbursement rates to the same reimbursement rate as SUD PHP and IOP.	Positive. Directs DMAS to increase the rates for MH PHP from a per diem rate of \$250.62 to \$500.00, and to increase the rate for MH IOP from a per diem of \$159.20 to \$250.00. DMAS will have the authority to implement this reimbursement change effective July 1, 2023.
<i>House</i> Item 304 #10h	Provides approximately \$43,000 GF and \$384,000 NGF in FY 2024 to provide Medicaid reimbursement for collaborative care services to treat mental health conditions and substance use disorders.	Positive. Beginning Medicaid reimbursement for collaborative care management services in a primary care setting is helpful for individuals.
<i>Senate</i> Item 304 #5s	Provides approximately \$43,000 GF and \$384,000 NGF in FY 2024 to provide Medicaid reimbursement for collaborative care services to treat mental health conditions and substance use disorders.	Positive. Beginning Medicaid reimbursement for collaborative care management services in a primary care setting is helpful for individuals.
<i>Senate</i> Item 304 #4s	Provides \$17.4 million GF and \$37 million NGF in FY 2024 to increase reimbursement rates for community-based mental health services.	Positive. Increasing rates by 10% for these services supports increased capacity for community providers.
<i>Senate</i> Item 304 #8s	Provides \$28.2 million GF and \$30.7 million NGF to increase the reimbursement rates by 5%, for physicians providing adult preventative and primary care, pediatric, and psychiatric services.	No significant County impact.
<i>Senate</i> Item 308 #3s	Provides \$275,000 GF in FY 2024 and directs DMAS to contract with the Virginia Center for Health Innovation to develop a plan for a value-based payment pilot program to advance the integration of mental health services in primary care settings, in consultation with the Virginia Task Force on Primary Care.	TBD.
<i>Senate</i> Item 308 #5s	Provides \$225,000 GF and \$225,000 NGF in FY 2024 for DMAS to conduct the following rate studies: (i) to establish a methodology for an annual adjustment of community-based	TBD. Impact depends on the recommendations that come out of the study.

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	behavioral health services rates for inflation; and (ii) for a one-time redetermination for Therapeutic Day Treatment rate and unit structure.	
Governor Item 311.HH	Provides \$15 million GF in FY 2024 for grants to school divisions, public community-based providers, or private community-based providers to contract for the provision of school-based mental health services.	TBD. Further analysis and information on grant process is needed, but could be a positive use of funds as the CSB continues partnering with schools to enhance youth behavioral health services in the community. Support for additional state funding for youth behavioral health services is included in the County's Legislative Program.
House Items 136 #17h and Item 311 #4h	Moves \$15 million GF in FY 2024 (included in the Governor's budget) for school-based mental-health services from DBHDS to VDOE.	No concerns with moving this from DBHDS to VDOE.
Senate Item 311 #22s	Restores the budget language for the school-based pilot for mental health services in schools.	TBD. Further analysis and information on grant process is needed, but could be a positive use of funds as the CSB continues partnering with schools to enhance youth behavioral health services in the community. Support for additional state funding for youth behavioral health services is included in the County's Legislative Program.
House Item 311 #1h	Provides approximately \$181,000 GF in FY 2024 to create a social media campaign for suicide prevention targeting teens and one position to manage the campaign.	No significant County impact.
Governor Item 311.MM	Provides \$20 million GF in FY 2024 for comprehensive psychiatric emergency programs or similar models of psychiatric care in emergency departments. Projects may include public-private partnerships, including contracts with private entities. All selected programs must collaborate with the region's CSB or Behavioral Health Authority.	TBD. Further analysis and information on how and where funding will be allocated is needed. Investments in a comprehensive psychiatric care program would be a positive use of funds.
House Item 311 #6h	Adds \$250,000 GF in FY 2024 to the Carilion Comprehensive psychiatric emergency program to provide technical assistance to the new psychiatric emergency programs across the state. This amendment also directs DBHDS to report on the projects and their impact on the state behavioral health hospital census, and to consider the location of the proposed psychiatric	No County impact.

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	emergency programs so they serve priority areas in the state.	
<i>Senate</i> Item 311 #2s	Provides \$650,000 GF in FY 2024 for DBHDS to contract with a vendor to implement a secure online portal for CSBs to upload and share patient documents with inpatient psychiatric facilities. This is a recommendation of the Behavioral Health Commission.	Using a Health Information Exchange or building interconnectivity between DBHDS, hospitals, and CSB's using industry standard live exchange integration technology would likely provide a better solution than the creation of a new portal.
<i>House</i> Item 311 #2h	<p>Directs DBHDS to</p> <ul style="list-style-type: none"> • Identify all current DBHDS requirements related to documentation and reporting of CSB behavioral health services; • Identify which of these requirements currently apply to work by CSB direct care staff; • Identify any DBHDS requirements of direct care staff that are duplicative of or conflict with other DBHDS requirements; • Eliminate any requirements that are not essential to ensuring consumers receive effective and timely services; and • Report to the State Board of Behavioral Health and Developmental Services and the Behavioral Health Commission on progress made toward eliminating administrative requirements that are not essential, duplicative, or are conflicting. 	Positive step toward reducing administrative burdens and ensuring CSB does not have to do duplicative work. CSB direct care providers spend a significant amount of time on administrative work, which reduces time available to provide care to patients. Given staff shortages and apparent delays in consumers' access to services, existing direct care staff need to be able to maximize their work time devoted to consumer care to the fullest extent possible.
<i>Senate</i> Item 311 #18s	Directs DBHDS to identify and eliminate duplicative and non-essential documentation and reporting requirements for CSBs. This is a recommendation of the Behavioral Health Commission.	Positive step toward reducing administrative burdens and ensuring CSB does not have to do duplicative work.
<i>Senate</i> Item 311 #13s	Directs DBHDS to complete a comprehensive review of the performance contracts with CSBs and revise all performance measures in the base performance contracts and addendums. DBHDS is directed to report to the Behavioral Health Commission by December 1, 2023, and implement changes before finalization of FY 2025 performance contracts. This is a recommendation of the Behavioral Health Commission.	This is very broad and could lead to additional administrative burdens for the CSB if DBHDS does not carry this out within the scope of existing performance contracts.

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<p>Senate Item 311 #4s</p>	<p>Requires DBHDS to share CSB performance information with local CSB Boards and other key state-level entities on a regular basis to help improve accountability in the CSB system. (There is currently no requirement for DBHDS to share information with local CSB governing boards about their CSB’s performance on a regular basis). This is a recommendation from the JLARC report on CSB behavioral health services, as well as a recommendation of the Behavioral Health Commission.</p>	<p>No anticipated impact as CSB already shares this information with the CSB Board.</p>
<p>House Item 311 #3h</p>	<p>Requires DBHDS to report annually on CSB performance to ensure it is monitoring performance and consumer outcomes and appropriately intervening if needed.</p>	<p>CSB is concerned with the broad language in this amendment, as DBHDS already captures information from the CSB’s monthly report as a part of the state performance contract. This would be an additional administrative burden unless it is integrated into existing business processes.</p>
<p>Senate Item 312 #5s</p>	<p>Directs DBHDS to amend CSB performance contracts to require that (i) any funding appropriated by the GA to CSBs for staff compensation only be used for staff compensation and (ii) CSBs report annually on any staff compensation actions taken during the prior fiscal year to DBHDS. This is a recommendation of the Behavioral Health Commission.</p>	<p>TBD.</p>
<p>House Item 311 #7h</p>	<p>Allows licensed marriage and family therapists to partake in the Boost 200 pilot program, and receive payment of supervisory hours, along with licensed clinical social workers and licensed professional counselors. This amendment also allows the Virginia Health Care Fund to use any carryforward money in FY 2024 to continue funding the Boost 200 pilot program.</p>	<p>This could help staff seeking licensure and those supervising them.</p>
<p>Senate Item 311 #21s</p>	<p>Allows licensed marriage and family therapists to partake in the Boost 200 pilot program, and receive payment of supervisory hours, along with licensed clinical social workers and licensed professional counselors. This amendment also allows the Virginia Health Care Foundation to use any carryforward money in FY 2024 to continue funding the Boost 200 pilot program.</p>	<p>This could help staff seeking licensure and those supervising them.</p>

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<p><i>Senate</i> Item 311 #6s</p>	<p>Provides approximately \$343,000 GF in FY 2024 for DBHDS to develop a comprehensive trauma-informed care training program for elementary and secondary school teachers, providing such trauma-informed care training once every three years to each school division.</p>	<p>Aligns with SB 1300, which directs the Board of Education to work in collaboration with DBHDS to develop a comprehensive trauma-informed training program. No significant County impact, but important to ensure this DBHDS and VDOE effort does not interfere with ongoing local efforts. DBHDS and VDOE developing a new standardized training program would be ineffective, as excellent trainings already exist. DBHDS/VDOE could compile a list of existing programming and resources specific to trauma sensitive school work. Coordination with the Department of Criminal Justice Services (DCJS) could be important as well.</p>
<p><i>Senate</i> Item 311 #16s</p>	<p>Includes language to override the Code of Virginia such that DBHDS shall deem appropriate community housing to include housing for individuals with a developmental disability (DD), serious mental illness (SMI), or SUD.</p>	<p>TBD.</p>
<p><i>Senate</i> Item 311 #17s</p>	<p>Directs DBHDS to work with DMAS to:</p> <ul style="list-style-type: none"> • Develop and implement a targeted review process to assess the extent to which CSBs are billing for Medicaid-eligible services; • Provide technical assistance and training, in coordination with Medicaid MCOs, on appropriate Medicaid billing and claiming practices to relevant CSB staff; • Evaluate the feasibility of central bills; and • Report the results of targeted reviews. <p>This is a recommendation of the Behavioral Health Commission.</p>	<p>TBD. DMAS is probably the more appropriate agency for this work, as it is not a content expertise area for DBHDS. It will be important that this is helpful to CSBs, rather than creating additional work for them.</p>
<p><i>Senate</i> Item 311 #19s</p>	<p>Directs DBHDS to develop and begin implementation of a plan to restore the bed capacity of the state hospital system that was taken offline in recent years due to workforce shortages.</p>	<p>TBD. No immediate impact as it directs the Commissioner to develop and begin implementation of a plan. Unfortunately, this amendment does not include funding and includes an extended timeline for implementation.</p>

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<p><i>Senate</i> Item 311 #20s</p>	<p>Directs DBHDS to report annually to the State Board of Behavioral Health and Developmental Services and the Behavioral Health Commission on average salaries, turnover, and vacancy rates by position type across community services boards. This is a recommendation of the Behavioral Health Commission.</p>	<p>VACSB recently completed a salary survey, so this information is already available.</p>
<p><i>Governor</i> Item 312.D</p>	<p>Combines funding and earmarks for alternative transportation and alternative custody for court-ordered individuals subject to temporary detention and emergency custody orders to provide needed flexibility to target resources toward the specific needs of each community. The combination of these appropriations will ensure that the elements of the emerging system are compatible with one another and support continuous care of the population. The amended language also clarifies that alternative transportation and custody programs can be administered through contracts with private contractors, local law enforcement organizations, CSBs, or other methods as necessary to implement the program. It also includes \$1 million GF in FY 2024 for local law enforcement agencies that agree to utilize off-duty officers to transport and/or maintain custody of an individual awaiting admission to a mental health facility or for whom a bed has not yet been identified.</p>	<p>TBD. Further analysis is needed to determine full impacts to the County.</p>
<p><i>House</i> Item 312 #3h</p>	<p>Delineates the funding for alternative transportation and alternative custody to provide additional transparency on the use of this funding.</p>	<p>TBD. Similar to the Governor’s budget, further analysis is needed to determine full impacts to the County. If combining funding for alternative transportation and alternative custody provides greater flexibility in how funding is spent, the Governor’s proposed budget item is preferable.</p>
<p><i>House</i> Item 312 #5h</p>	<p>Directs DBHDS to use NGF to contract with local law enforcement agencies to utilize the off-duty officer program to provide transportation services, or assume custody of an individual under a TDO awaiting admission to a facility or for whom a bed has not yet been identified.</p>	<p>No significant County impact. Amendment directs DBHDS to use NGF first.</p>

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<p><i>Senate</i> Item 311 #5s</p>	<p>Transfers \$4.1 million GF in FY 2024 from the amounts included in the Governor’s budget for the Compensation Board for a program to support sheriffs with transportation and custody of temporary detention orders. This amendment moves those funds to DBHDS, which has a new program that reimburses off-duty law enforcement for these activities. Since this program is temporary the funding is consolidated in the DBHDS program and is expanded to reimburse for over-time and on-duty time.</p>	<p>No County impact. Amendment makes a technical change to where funding will be, moving it from the Compensation Board to DBHDS. Overall, the \$4.1 million is positive as a funding source outside of law enforcement to assist with the custody of individuals awaiting admission.</p>
<p><i>Senate</i> Item 311 #11s</p>	<p>Directs the Commissioner of Behavioral Health and Developmental Disabilities to convene stakeholders to develop a shared understanding of the roles and responsibilities of CSBs, law enforcement, private hospitals, and state hospitals to appropriately manage and transfer patients during periods where severe capacity constraints threaten to delay access to care for prolonged periods of time. The Commissioner shall submit a plan to the Behavioral Health Care Commission by October 30, 2023.</p>	<p>TBD. There is significant variation in how this is handled across the Commonwealth, so it could be positive to have a shared understanding and standard. County would monitor development of plan.</p>
<p><i>Governor</i> Item 312.O.2</p>	<p>Sets aside \$1.5 million GF to pursue a pilot program to support the discharge of private hospital patients at-risk of transfer to state mental health hospitals from the existing appropriation of \$7.5 million GF in FY 2024 for DBHDS to pursue alternative inpatient options to state hospitals, or to increase capacity in the community for individuals on the Extraordinary Barriers List.</p>	<p>TBD. Further analysis and information on location of pilot program needed to determine full impacts to the County.</p>
<p><i>House/Senate</i></p>	<p>No change.</p>	
<p><i>Governor</i> Item 312.P</p>	<p>Expands language to allow funding currently earmarked for dementia patients to also be used for the discharge and diversion of all older adults (aged 60 and older) who may otherwise be admitted to a state facility.</p>	<p>TBD.</p>
<p><i>House/Senate</i></p>	<p>No change.</p>	
<p><i>Governor</i> Item 312.W</p>	<p>Provides \$58.3 million GF in FY 2024 to expand and modernize the comprehensive crisis services system, including but not limited to, investment in additional crisis receiving centers, crisis stabilization units, and enhancements to existing sites. This funding includes</p>	<p>TBD. Further analysis and information on where funding will be allocated is needed to determine full impacts to the County. Funding going toward crisis services is positive, but it is essential that the allocation is fair to localities based upon population size.</p>

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	approximately \$845,000 for administrative costs.	
House Item 312 #1h	Provides \$25 million GF in FY 2024 to create additional crisis stabilization units in addition to those proposed in the Right Help, Right Now plan. This amendment also directs DBHDS to place the new crisis stabilization units in priority areas in the state.	Based on the criteria included in this amendment, the County has concerns that Region 2 (Northern Virginia) may not be considered a priority area, and these funds could be disproportionately sent to other areas of the state. The County supports increasing the availability of community-based crisis services, community residential capacity for early intervention to prevent hospitalization, and local psychiatric beds for people with behavioral health issues.
Senate Item 312 #1s	Provides \$30 million GF in FY 2024 for the creation of additional crisis receiving centers and crisis stabilization units, and to make enhancements to existing sites, with language directing DBHDS to prioritize funding based on need.	This amendment provides more funding than the House version, and does not include the priority area language, but it is unclear how this funding would be distributed. This could have a positive budgetary impact on the CSB.
Governor Item 312.X	Provides \$8 million GF in FY 2024 for supervised residential care, giving priority to projects that prioritize individuals on the state's Extraordinary Barriers List.	TBD. Further analysis and information on where funding will be allocated is needed to determine full impacts to the County
House Item 312 #2h	Requires DBHDS to report on the projects for supervised residential care funded through Item 312 in the budget to the Chairs of the House Appropriations and Senate Finance and Appropriations Committees.	No significant County impact.
Governor Item 312.Y	Provides \$20 million GF in FY 2024 for the one-time costs of establishing additional mobile crisis services in underserved areas.	No significant County impact.
House/Senate	No change.	
Governor Item 313	Provides an additional \$8 million to expand housing opportunities for individuals with serious mental illness through the Permanent Supportive Housing (PSH) program.	Positive. The need for permanent supportive housing for individuals with SMI in the County is very high. It is important that this funding includes wraparound case management for individuals, to help ensure that those individuals are successful in maintaining their housing, as housing alone will not be sufficient.
Senate Item 313 #1s	Provides \$50 million GF in FY 2024 to increase funding for PSH, which provides stable housing for individuals with SMI. At an average annual	Positive. The need for PSH for individuals with SMI in the County is very high. It is important that this funding includes

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	cost of \$16,500 a person, this funding would support up to 3,000 individuals. According to DBHDS, there is a need for 7,000 PSH slots.	wraparound case management for individuals, to help ensure that those individuals are successful in maintaining their housing, as housing alone will not be sufficient.
House Item 313 #1h	Provides \$36.5 million GF in FY 2024 for salary adjustments for CSB staff.	Positive. State funding for increases in CSB staff compensation is a County priority. The House amendment maintains the current format for distributing funding.
Senate Item 313 #5s	Provides \$50 million GF in FY 2024 to increase compensation for CSB and Behavioral Health Authority staff in FY 2024.	Positive. State funding for increases in CSB staff compensation is a County priority. It is unclear how funding would be distributed in this amendment, as DBHDS would determine the allocations rather than the current format being utilized.
House Item 313 #2h	Provides \$2 million GF in FY 2024 to provide matching grants to the National Center for Healthy Veterans and Up Center in Virginia Beach to provide behavioral health care to veterans in Virginia.	No significant County impact, but funding is focused on an at-risk population.
House Item 313 #3h	Adds \$8.4 million GF in FY 2024 in additional support for children's behavioral health services, bringing the FY 2024 total to \$16.8 million. Also revises language to allow flexible uses of funds to build service capacity focused on specialized needs of children and youth.	TBD. These funds are divided among the regions based on the current availability of the services. In Region 2, this is one of the funding buckets for CR2 (Community Regional Crisis Response) and the funding goes directly to Arlington CSB as the fiscal agent and contract manager. While additional funding for psychiatrist hours or to expand CR2 services would be helpful, workforce challenges may impact the effectiveness of this funding. In FY 2023, the CR2 average vacancy rate is 23% of their staffing plan, despite increasing staff salaries and paying hiring bonuses. Support for additional state funding for youth behavioral health services is included in the County's Legislative Program.
Senate Item 313 #3s	Adds \$8.4 million GF in FY 2024 for children's behavioral health services and revises language to encourage flexible uses of funds to build service capacity focused on specialized needs of children and youth.	TBD. These funds are divided among the regions based on the current availability of the services. In Region 2, this is one of the funding buckets for CR2 (Community Regional Crisis Response) and the funding goes directly to Arlington CSB as the fiscal agent and contract manager. While

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		additional funding for psychiatrist hours or to expand CR2 services would be helpful, workforce challenges may impact the effectiveness of this funding. In FY 2023, the CR2 average vacancy rate is 23% of their staffing plan, despite increasing staff salaries and paying hiring bonuses. Support for additional state funding for youth behavioral health services is included in the County's Legislative Program.
<i>Senate</i> Item 312 #2s	Provides \$7.9 million GF in FY 2024 to support the continued implementation and management of the expansion of the Virginia Mental Health Access (VMAP) program to early childhood (ages zero to five). Funds would include the addition of regional early childhood specialists and new training of primary care providers. Funds will also allow VMAP to plan, implement, and manage an expansion to pregnant and postpartum mothers. VMAP will train both the OB/GYNs and pediatric clinicians on screening and early recognition of Perinatal Mood and Anxiety Disorders.	TBD. Further analysis needed to determine impact to County.
<i>Senate</i> Item 312 #4s	Directs DBHDS to contract with one or more higher education institutions to establish training and technical assistance centers for preadmission screening clinicians. This is a recommendation of the Behavioral Health Commission.	CSB has concerns about additional training requirements being added if some of the current state requirements are not eliminated or modified, as getting prescreening staff through the certification process is already a challenge. The Northern Virginia region already has one of the lowest hospitalization rates, and current prescreening training is robust, so additional training is likely not necessary in Northern Virginia.
<i>Senate</i> Item 312 #6s	Provides \$250,000 GF in FY 2024 to support Specially Adapted Resources Clubs (SPARC), which provide essential day programs for adults with profound disabilities at five locations in Northern Virginia. SPARC offers the same supportive structure and continued education that its participants enjoyed in school and provides a variety of educational services in the form of leisure learning that allows participants to work on life skills while socializing with a community of peers.	Positive. A number of CSB clients currently receive services from SPARC. CSB is also providing assistance to SPARC on funding opportunities for their program to help support those with intensive needs in the Fairfax-Falls Church community.

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<i>Senate</i> Item 330 #1s	Provides \$850,000 GF in FY 2024 to provide independent living services, including independent living skills training, advocacy, information and referral, peer mentoring, and transition services to people with significant disabilities.	TBD. Further analysis and information on how and where funding will be allocated is needed.
<i>Senate</i> Item 313 #4s	Provides \$8.7 million GF in FY 2024 to increase funding for same day access, primary care screening, and outpatient services at CSBs, which are the first three steps of STEP-VA.	Funding to adjust for increasing costs due to inflation would have a positive impact on addressing high inflation, but does not address the total shortfall in funding for these services.
<i>Governor</i>	Provides an additional approximately \$97,800 GF in FY 2024 for one position to track and gather data related to restoration of competency court orders in the forensic mental health system, both inpatient and outpatient.	No significant County impact.
<i>House/Senate</i>	No change.	
<i>Governor</i>	Provides an additional \$4 million GF in FY 2023 to begin the installation of duress systems at state-operated mental health facilities.	No significant County impact.
<i>House/Senate</i>	No change.	
<i>House</i> Item 33 #1h	Provides \$190,000 GF in FY 2024 and a position for the Behavioral Health Commission.	No significant County impact.
Department of Social Services (VDSS)		
<i>Governor</i> Item 341	Updates appropriation to Temporary Assistance for Needy Families (TANF) and Virginia Initiative for Education and Work (VIEW) to properly account for the anticipated cost of providing mandated TANF benefits, including cash assistance payments, employment services, and VIEW child care. This package also includes adjustments to the Unemployed Parents program.	Positive. Additional TANF funds will further support low-income families.
<i>Senate</i> Item 341 #1s	Provides \$9.8 million from TANF block grant funds and \$1.2 million GF for a 10 percent increase in the TANF standards of assistance. The 2021 Appropriation Act included language providing for annual increases for TANF until it was 50% of the federal poverty level.	Positive. Additional TANF funds will further support low-income families.
<i>Governor</i> Item 342	Funds the NGF portion of the salary increase state-supported local employees received in FY 2023, and increases the federal appropriation for pass through funding at local departments of social services.	No significant impact on County revenues as this funds the NGF portion of the salary increase for state supported local employees received in 2023 and increases the federal appropriation for pass through funding at local departments of social services.

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<i>House/Senate</i>	No change.	
<i>Governor</i> Item 343.F	Provides an additional approximately \$10 million NGF in FY 2024 to support the design, development, and implementation of a modernized child support technology system.	No significant County impact
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 344.A	Increases the AG rate from \$1,609 to \$1,682 per month, effective January 1, 2023.	Positive. Increasing the AG rate will further support the AG community.
<i>House</i> Item 344 #2h	Adds \$3.7 million GF in FY 2024 to increase the AG rate for ALFs by \$150 per month, from \$1,682 to \$1,832 per month.	Positive. Increasing the AG rate will further support the AG community.
<i>Senate</i> Item 344 #1s	Adds \$29 million GF in FY 2024 to increase the AG rant rate for ALFs, from \$1,609 per month to \$2,500 per month.	Positive. Increasing the AG rate will further support the AG community.
<i>House</i> Item 344 #1h	Adds \$1.2 million GF in FY 2024 to increase the monthly personal care allowance for AG recipients from \$82 per month to \$115 per month.	Positive. Increase in personal care allowance will further support AG recipients. Monthly allowances have not increased in several years.
<i>Senate</i> Item 344 #2s	Adds \$1.2 million GF in FY 2024 to increase the monthly personal care allowance for AG recipients, from \$82 per month to \$115 per month.	Positive. Increase in personal care allowance will further support AG recipients. Monthly allowances have not increased in several years.
<i>House</i> Item 347 #2h	Adds \$450,000 from the federal TANF block grant to support existing Child Advocacy Centers (CACs), which are facing a 10% reduction in funding from the federal Victims of Crime Act. The amendment also adds \$750,000 from the TANF block grant in FY 2024 to establish new centers, either standalone or satellite centers to meet the needs of children not currently served.	No County impact.
<i>Senate</i> Item 347 #2s	Adds \$1.2 million GF in FY 2024 to support existing CACs, after an FY 2024 10% reduction in Victims of Crime Act funds. In addition, \$750,000 GF is provided in FY 2024 to support CACs in the establishment of new centers, either standalone or satellite centers to meet the needs of children not currently served.	No County impact.
<i>House</i> Item 347 #3h	Adds \$300,000 in FY 2024 from the federal TANF block grant for the Virginia Community Action Partnership contract to manage the statewide "Virginia CASH Campaign," the state supported Volunteer Income Tax Assistance	Positive. DFS operates VITA for the region, and this further supports outreach efforts and increased returns for residents.

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	(VITA) program providing outreach, education and tax preparation services for Virginians who may be eligible for both the federal and new state Earned Income Tax Credit (EITC).	
Senate Item 347 #1s	Adds \$250,000 GF in FY 2024 for the Virginia Community Action Partnership contract to manage the statewide "Virginia CASH Campaign."	Positive. DFS operates VITA for the region, and this further supports community outreach.
Senate Item 347 #4s	Provides \$200,000 in FY 2024 from TANF block grant funds to Ecumenical Community Helping Others, in Springfield, VA, to assist with food, housing, child care and education, workforce training, mental health, or other services and supports for low-income families.	Positive. Further supports low-income families in the community.
Senate Item 347 #7s	Provides \$200,000 in FY 2024 from TANF block grant funds to the Lorton Community Action Center to assist with food, housing, child care and education, workforce training and mental health or other services and supports for low-income families.	Positive. Further supports low-income families in the community.
Senate Item 347 #9s	Adds language to combine three rounds of TANF funding for Community Employment and Training Programs into one consolidated pool of funding. This ensures that a grant awardee from any of the previous three rounds of funding may apply for funding in FY 2024.	Positive. Further supports low-income families in the community.
Senate Item 348 #1s	Adds language to update the ALF regulations for licensed administrators in the process of closing their facility, in order to assist in the transition of residents to other community placements. This is a recommendation of the Joint Commission on Health Care.	No County impact.
Governor Item 350.I	Provides approximately \$6.1 million GF in FY 2023 for VDSS to repay the federal Food and Nutrition Services for an over-issuance of Supplemental Nutrition Assistance Program (SNAP) benefits.	No County impact. Only impacts the state.
House Item 350 #1h	Eliminates \$6.1 million GF in FY 2023 and adds \$3 million GF in FY 2024 compared to the Governor's budget for a repayment of excess benefits paid out for SNAP.	No County impact.

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Senate Item 341 #2s	Reduces by \$3.1 million GF in FY 2023 the appropriation provided in the Governor’s budget for a repayment of excess benefits paid out for SNAP.	No County impact.
Governor Item 350	Provides approximately \$110,900 GF and \$110,900 NGF in FY 2024 to convert part-time SNAP evaluation reviewer positions to five full-time positions. This conversion will allow for more comprehensive monitoring of, and compliance with, the federal SNAP requirements.	No County impact. Only impacts the state.
House/Senate	No change.	
Governor Item 350.J	Provides approximately \$3.8 million GF and \$3.8 million NGF in FY 2024 for a new virtual desktop model to provide local department shared support sites with the functionality the locality requires, while also maintaining compliance with Commonwealth security standards.	No significant County impact.
House/Senate	No change.	
Substance Use		
Governor Item 61	Provides an initial \$3.5 million NGF appropriation and five positions in FY 2024, allowing the Opioid Abatement Authority (OAA) to provide grants, loans, and awards at the beginning of the fiscal year without delay. Also, creates the Commonwealth Opioid Abatement and Remediation Fund, which will receive deposits from settlements, judgments, verdicts, or other court orders relating to consumer protection claims regarding the manufacturing, marketing, distribution, or sale of opioids. The Fund will support efforts to treat, prevent, or reduce opioid use disorder or the misuse of opioids, or otherwise abate the opioid epidemic. Related legislation will be introduced during the 2023 GA session.	Appears to be an administrative step in establishing the OAA.
House Item 61 #1h	Removes sunset provisions related to the establishment of the Commonwealth Opioid Abatement and Remediation Fund. These technical changes will ensure the Fund is	Appears to be an administrative step in establishment of the Commonwealth Opioid Abatement and Remediation Fund.

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	established for the entirety of the current biennium in support of companion budget amendments that appropriate eligible disbursements from the Fund in FY 2023 and FY 2024.	
Governor Item 362.50	Provides that the OAA will abate and remediate the opioid epidemic in the Commonwealth through financial support from the OAA Fund, in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and misuse of opioids in the Commonwealth. Authorizes the OAA to request NGF appropriation increases from the OAA Fund.	Appears to be an administrative step in establishing the OAA.
House Item 362.50 #1h	Provides NGF appropriation in each year to designate uses of monies deposited to the Commonwealth Opioid Abatement and Remediation Fund. These monies, resulting from settlements, judgements, verdicts, and other court orders relating to consumer protection claims regarding the manufacturing, marketing, distribution, or sale of opioids are to be used for opioid abatement and remediation. Also directs the OAA to provide as an addendum to its requisite annual executive summary, an accounting of all activity related to monies deposited, appropriated, and expended from the Fund.	Appears to be a technical change dealing with monies deposited to the Commonwealth Opioid Abatement and Remediation Fund.
Senate Item 362.50 #1s	Adjusts language under the OAA and clarifies that any funds from the Commonwealth Opioid Abatement and Remediation Fund shall only be spent from an appropriation made by law.	Appears to be a technical change in establishment of OAA.
Governor Item 283.L	Provides \$5 million NGF in FY 2024 (from the OAA Fund) to conduct a public awareness campaign to reduce the number of incidents of fentanyl poisoning among youth.	TBD. It will be critical for any statewide awareness campaign materials to be available in multiple languages.
House Item 283 #2h	Transfers \$5 million NGF in FY 2024 and language describing the fentanyl public awareness campaign from the Secretary's office to the OAA.	TBD. Amendments change who would carry out the campaign. Unclear at this time if OAA or Foundation for Healthy Youth would be preferable to do this work.
Senate Items 283 #4s, 482 #1s	Transfers \$5 million from opioid settlement funds provided in the Governor's budget for a public awareness campaign for youth and the dangers of fentanyl to the Foundation for Healthy Youth.	TBD. Amendments change who would carry out the campaign. Unclear at this time if OAA or Foundation for Healthy Youth would be preferable to do this work.

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Governor Item 291.P	Provides \$7 million NGF in FY 2024 (from the OAA Fund) to support costs associated with a statewide fentanyl response strategy, pursuant to legislation to be introduced in the 2023 GA.	TBD. More information is needed on the goals and implementation timeline of the statewide strategy.
House Item 291 #1h	Transfers \$7 million NGF in FY 2024 and language describing the statewide fentanyl response strategy from VDH to the OAA.	No concern with amendment changes as they simply modify how this response would be done.
Senate Item 291 #1s	Modifies language in the Governor’s budget to clarify that funding for the statewide fentanyl response strategy covers the direct and administrative costs to purchase and distribute naloxone and fentanyl test strips, or other costs consistent with the statewide fentanyl response strategy.	No concern with amendment changes as they simply modify how this response would be done.
Governor Item 312.H	Provides approximately \$1.4 million NGF in FY 2023 and \$1.4 million NGF in FY 2024 (from the OAA Fund) to purchase and distribute additional REVIVE! kits and associated doses of naloxone used to treat emergency cases of opioid overdose or suspected opioid overdose.	TBD. It remains unclear how funding will be allocated throughout the state.
House Item 312 #6h	Transfers \$1.4 million NGF in FY 2023 and FY 2024 and language describing the purchase of additional REVIVE kits from DBHDS to the OAA.	TBD. No concerns with amendment change to which state agency is distributing/running the program. It remains unclear how funding will be allocated throughout the state, but there is potential for community partners in Northern Virginia to get naloxone from this source.
House Item 2 #1h	Directs annual audits of local expenditures to include a review of the use of any opioid abatement funds.	Appears to be technical amendment to ensure auditing of OAA and opioid abatement funds.
Senate Item 2 #1s	Directs annual audits of local expenditures to include a review of the use of any opioid abatement funds.	Appears to be technical amendment to ensure auditing of OAA and opioid abatement funds.
House Item 299 #1h	Removes \$200,000 NGF in FY 2023 and FY 2024 and removes the VDH Central Office’s responsibility to perform administrative functions for the OAA. The OAA is setting up a Memorandum of Understanding with the DBHDS to perform these functions instead.	No direct County impact. Amendment changes who would be doing the administrative functions for OAA.
House Item 429 #2h	Provides \$167,000 GF in FY 2024 and two positions pursuant to HB 1525, which permits DBHDS, direct care service providers, and community boards to hire peer recovery specialists who have been convicted of certain barrier crimes where a history of such offense	No County fiscal impact.

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	does not pose a risk in the work of a peer recovery specialist.	
<i>Senate</i> Item 313 #2s	Provides \$1 million GF in FY 2024 to develop and engage in cannabis youth prevention programs.	TBD. Further analysis needed to determine impact to County.
<i>Senate</i> Item 408 #14s	Establishes the Virginia Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund and provides \$1 million NGF in FY 2024 from the Opioid Abatement and Remediation Fund for the program, which supports planning and implementation of locally administered, jail-based programs for addiction recovery, treatment, and transition services in local and regional jails.	TBD. Fairfax has a robust jail-based program, and this would be a potential funding stream for those efforts. Currently unclear how funds would be distributed throughout the state. This is the budget item for SB 820, which would establish the Virginia Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund.
Other		
<i>Senate</i> Item 32 #1s	Directs the Joint Commission on Health Care (JCHC) to incorporate an ongoing focus on the health care workforce into the JCHC's annual work plan.	No County impact.
<i>Senate</i> Item 55 #2s	Provides approximately \$107,000 GF in FY 2024 to cover administering the costs of convening the Social Work Advisory Board, consistent with the provisions of SB 1503.	No County impact.
<i>House</i> Item 127 #1h	Authorizes the Virginia Biosciences Health Research Corporation to invest an estimated \$2.4 million, originally provided for investment in research and development of therapeutic drug treatments for COVID-19, in biosciences research, development, and commercialization projects.	No County impact.
<i>House</i> Item 225 #1h	Provides \$1 million GF in FY 2024 to research the efficacy of establishing sites to provide treatment using transcranial magnetic stimulation (TMS) machines and encephalogram (EEG) machines to diagnose brain disorders.	No County impact.
<i>Senate</i> Item 311 #1s	Directs DBHDS to fund the pilot program at two locations to provide TMS services pursuant to SB 1234.	No County impact.
<i>Senate</i> Item 340 #1s	Adds language to clarify the organizations that can apply for funding to assist refugees that relocate to the Commonwealth, expands the definition of who can be supported with such funds, and describes services that can be provided.	No County impact, however this funding could help refugees in the Commonwealth.

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<i>Governor</i> Item 353	Provides an additional \$22,800 GF in FY 2024 to the Virginia Board for People with Disabilities to cover increased operating costs and avoid reductions to core services.	No County impact.
<i>House/Senate</i>	No change.	
<i>Governor</i> Item 357.B	Provides additional support for vocational rehabilitation services provided to blind and vision impaired Virginians. The funding provided will allow the agency to support approximately 55 cases.	No County impact.
<i>House/Senate</i>	No change.	
<i>Senate</i> Item 426 #1s	Provides \$3 million GF in FY 2024 for the implementation of the Virginia Delinquency Prevention and Youth Development Act, including \$2.8 million for grants to local prevention programs and \$200,000 for administration by the Department of Juvenile Justice. Grants to localities are for programs such as mentorships, community service opportunities, trauma-informed behavioral and mental health services, career planning, non-academic supports in school, and afterschool programs.	TBD.

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Transportation

Source	Amendment	Fairfax County Impact
REGIONAL ITEMS		
Northern Virginia Transportation Authority (NVTA) Funding		
<i>Governor</i> Item 460	Includes approximately \$869.1 million for distribution of NVTA Fund revenues over the biennium, approximately a \$47.1 million increase.	<p>The amount received by the County is dependent on actual collections from revenue sources. Through its Six Year Program, NVTA allocates 70% (approximately \$608.4 million in 2022-2024) to regional projects, and that funding has already been approved for projects through adoption of NVTA's FY 2018-2023 and FY 2020-2025 Six Year Programs.</p> <p>Fairfax County should receive approximately \$117 million over the biennium to allocate for local projects approved by the Board of Supervisors (30% funding returned to localities), minus the respective shares provided to the Towns of Vienna and Herndon. Approximately \$14 million annually of this "30% funding" will likely be transferred to the Commonwealth's Washington Metropolitan Area Transit Authority (WMATA) Capital Fund for the County's share of local funding for State of Good Repair, as required by HB 1539/SB 856 (2018).</p>
<i>House/Senate</i>	No change.	
Regional Gas Tax		
<i>Governor</i> Item 444	Provides approximately \$207.4 million over the 2022-2024 biennium for regional gas taxes (for NVTC, Potomac and Rappahannock Transportation Commission (PRTC), and other regional gas taxes). Estimates approximately \$88.3 million for NVTC over the 2022-2024 biennium, and an additional \$22.2 million annually that is transferred to the WMATA Capital Fund per HB 1539/SB 856 (2018). Also, \$15 million of NVTC and PRTC revenues are transferred annually to the Commuter Rail Operating and Capital Fund.	The amount received by NVTC and the County is dependent on actual collections from the revenue sources.
<i>House/Senate</i>	No change.	

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STATEWIDE PROGRAMS		
General Funding		
<i>Senate</i> Item 434 #1s	Directs the Commonwealth Transportation Board (CTB) to report on the impact of the elimination of the state sales tax on food to transportation funding.	Will help demonstrate and quantify the reduction in funding to the Commonwealth Transportation Fund (CTF).
Department of Rail and Public Transportation (DRPT)		
<i>Governor</i> Item 447	<p>Provides approximately \$1.14 billion for Public Transportation Programs (no change), including:</p> <ul style="list-style-type: none"> • Approximately \$213 million for Operating Assistance (no change); • Approximately \$120 million for Capital Assistance (no change); • Approximately \$357.7 million for WMATA operating and capital costs (state share of WMATA assistance) (no change); • \$4 million for federally mandated state safety oversight of fixed rail guideway transit agencies, i.e. the Metrorail Safety Commission (MSC) (no change); and, • \$100 million as the state match for the federal Passenger Rail Investment and Improvement Act (PRIIA) (no change). <p>Includes approximately \$318.8 million for the WMATA Capital Fund, which includes state funding as well as the local and regional funding redirected as part of HB 1539/SB 856 (2018) (no change).</p>	Statewide Operating and Capital funding is subject to the transit prioritization process required by legislation passed in the 2018 General Assembly, entitled MERIT, and programs created in HB 1414/SB 890 (2020), so the impact to Fairfax Connector and PRTC is unclear.
<i>Senate</i> Item 447 #1s	No changes to program funding levels. However, also provides that the CTB may annually allocate up to 30% of Transit Ridership Incentive Program (TRIP) funding to improve bus infrastructure and facilities, and to assist transit agencies in transitioning to zero-emission planning, charging infrastructure, and workforce training.	Would provide funding to a program that could help fund electric vehicle infrastructure for the Fairfax Connector. Similar to HB 2338 (McQuinn)/SB 1326 (McClellan), which the County supports.
Virginia Passenger Rail Authority/Rail Programs		
<i>Governor</i> Item 445	Includes approximately \$615.3 million for passenger rail development and operation programs (no change).	TBD. Will help fund rail projects, including those located in Northern Virginia (such as improvements in the I-95 Corridor).
<i>House/Senate</i>	No change.	

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Virginia Department of Transportation (VDOT)		
<u>Environmental Monitoring and Evaluation</u>		
Governor Item 450	Includes \$37.8 million for Environmental Monitoring and Evaluation (approximately \$17 million decrease). This includes approximately \$21.8 million for Environmental Monitoring and Compliance for Highway Projects (approximately \$1.9 million increase) and approximately \$7.8 million for Municipal Separate Storm Sewer System (MS4) Compliance Activities (approximately \$19.6 million decrease).	TBD.
House/Senate	No change.	
<u>Highway Construction</u>		
Governor Item 452	<p>Provides approximately \$8.52 billion for Highway Construction Programs, an approximately \$452 million decrease. This includes:</p> <ul style="list-style-type: none"> • Approximately \$221.7 million for the Virginia Highway Safety Improvement Program (approximately \$69.3 million increase); • Approximately \$922.4 million for the Interstate Operations and Enhancement Program (approximately \$484.4 million increase); • Approximately \$648.9 million for State of Good Repair (approximately \$183.2 million decrease); • Approximately \$601.1 million for the High Priority Projects Program (approximately \$262.8 million decrease); • Approximately \$796.8 million for the Construction District Grant Program (approximately \$226.6 million decrease), which includes \$227.5 million from the regional fuel tax collected in transportation districts that do not have a regional authority; • Approximately \$4.71 billion for Specialized State and Federal Programs (approximately \$339.4 million decrease); and, 	<p>Many of these funds are subject to Smart Scale or other prioritization processes, so the impact to Fairfax County is unclear.</p> <p>The approximate \$131 million decrease in CMAQ should decrease the amount of funding from this program that is provided to Northern Virginia.</p> <p>The increases in RSTP and Transportation Alternative funds could benefit the County and region.</p>

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	<ul style="list-style-type: none"> • Approximately \$510.2 million for Legacy Construction Formula Programs (no change). <p>Of the Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> • Approximately \$251.9 million for the federal Regional Surface Transportation Program (RSTP) (approximately \$18.5 million increase); • Approximately \$82 million in federal funds for a new federal resiliency program (approximately \$7.5 million decrease); • Approximately \$160.1 million for the federal Congestion Mitigation and Air Quality Program (CMAQ) (approximately \$131.8 million decrease); • Approximately \$405.4 million for Revenue Sharing (no change); • Approximately \$52.3 million for the Surface Transportation Block Grant Program Set-Aside (approximately \$12 million increase); and, • Approximately \$67.9 million federal and state matching funds for the federal Carbon Reduction Program (approximately \$2.3 million decrease). <p>Included in the amounts for Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> • Approximately \$2.43 billion represents estimated project participation costs from localities and regional entities; and, • The reappropriation of approximately \$901.1 million from bond proceeds from various bond programs. <p>Transfers \$100 million from uncommitted balances in the Virginia Transportation Infrastructure Bank to the Transportation Partnership Opportunity Fund (TPOF). Also provides \$200 million from revenue increases identified in the December 2022 revenue forecast of the CTF in the FY 2024-2029 Six-Year Improvement Program to the TPOF.</p>	
<i>House</i>	No change to these programmatic provisions.	

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<p>Senate Item 452 #2s</p>	<p>Reduces the transfer of one-time funding to the TPOF to \$100 million, but does not make other changes to programmatic provisions.</p>	<p>Reduces the amount of funding to TPOF, though the funding would be utilized for other transportation purposes (roadway construction and maintenance, transit, rail, etc.).</p>
<p>House Item 434 #1h</p>	<p>Creates a workgroup to review VDOT’s contracting policies, with the intent of increasing the participation of Disadvantaged Business Enterprise (DBE) businesses in VDOT construction and maintenance projects.</p>	<p>Could lead to legislative and/or policy changes related to DBE requirements.</p>
<p>Senate Item 434 #2s</p>	<p>Creates a workgroup to review VDOT’s contracting policies, with the intent of increasing the participation of DBEs in VDOT construction and maintenance projects.</p>	<p>Could lead to legislative and/or policy changes related to DBE requirements.</p>
<p>House Items 112 #1h, 452 #3h, 453 #1h, 453 #2h, and 458 #1h</p>	<p>Includes funding and/or language related to specific projects, including:</p> <ul style="list-style-type: none"> • Directs the Secretary of Commerce and Trade and VDOT to review the economic development, transportation, and public safety benefits of expanding Van Buren Road in Prince William County. • Provides \$150 million GF in FY 2024 to support the widening of I-81 in Roanoke and Botetourt Counties. • Requires VDOT to conduct an analysis of projected traffic demand and the current infrastructure in and around the I-95/ Arthur Ashe Blvd Interchange in Richmond. • Authorizes the Commissioner of Highways to evaluate whether the contract for the Dulles Greenway should be converted to a Public Private Transportation Act (PPTA) project. • Requires VDOT to assess the current condition of the Powhite Parkway Extension and provide a report on how it will be maintained. 	<p>The review of Van Buren Road will include representatives from NVTA, which has provided some funding for the project.</p> <p>This Greenway evaluation could lead to a change in ownership of the facility.</p> <p>The other project allocations could reduce either GF or CTF available for other programs or projects in this or future years.</p>
<p>Senate Items 452 #1s; 452 #3s, 458 #1s, 465 #1s, 465 #2s, and 485 #1s</p>	<p>Includes funding and/or language related to specific projects, including:</p> <ul style="list-style-type: none"> • Confirms the Commonwealth’s commitment to the I-81 corridor, and directs the CTB and VDOT to ensure and accelerate the completion of improvements to the corridor without any 	<p>The project allocations could reduce either GF or CTF available for other programs or projects in this or future years.</p>

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
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	<p>reductions in funding currently pledged for its Corridor Improvement Program.</p> <ul style="list-style-type: none"> • Directs VDOT to identify and leverage federal funding to support the Corridor Q elk crossing project in Buchanan. • Requires VDOT to assess the current condition of the Powhite Parkway Extension and provide a report on how it will be maintained. • Provides \$7.5 million GF in FY 2024 for the York County Cruise Line Tourism Project. • Provides \$10 million GF for preliminary planning related to the establishment of an inland port in the Mount Rogers Planning District. • Provides a contingent allocation of \$250 million to improve I-81 in the Staunton area from any unobligated balances at the end of FY 2023 (after certain required deposits but before the allocation of any remaining unobligated balances to the CTF). 	
House Item 452 #1h	Allocates the funding appropriated for multi-use trails to specific projects.	None of the projects are located in Fairfax County.
Senate Item 375 #3s	Directs the Department of Conservation and Recreation (DCR) to convene a work group of agencies involved with trail construction and operations, including VDOT, to ensure the various state trails funded by the 2022 and 2023 GAs are completed efficiently and effectively.	
<u>Highway Maintenance</u>		
Governor Item 453	<p>Provides \$4.83 billion for Highway System Maintenance and Operations, an approximately \$579.4 million increase. This includes:</p> <ul style="list-style-type: none"> • Approximately \$1.19 billion for interstates (approximately \$201.7 million increase); • Approximately \$1.54 billion for primaries (approximately \$3.8 million decrease); • Approximately \$1.32 billion for secondaries (approximately \$142 million increase); and, 	Using historical estimates, approximately \$87 million more may be available for maintenance and operations within Northern Virginia.

BUDGET PROPOSALS FOR THE 2022-2024 BIENNIUM
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	<ul style="list-style-type: none"> Approximately \$641.8 million for Transportation Operations Services (approximately \$241.4 million increase). 	
<i>House/Senate</i>	No change.	
<u>Special Structures</u>		
<i>Governor</i> Item 454	Provides \$165 million for this program (approximately \$3.8 million increase).	The Commonwealth's report on the overall condition of special structures identified only one such structure in Northern Virginia, so this will likely have little impact on the region.
<i>House/Senate</i>	No change.	
<u>Toll Facilities</u>		
<i>Governor</i> Item 455	Provides approximately \$173.9 million for toll facilities (approximately \$23 million decrease), including approximately \$100.4 million for Maintenance and Operations (approximately \$23 million decrease); and approximately \$73.5 million for the Revolving Fund (no change).	TBD.
<i>House/Senate</i>	No change.	
<u>Charging Stations</u>		
<i>House</i> Item 458 #4h	Requires VDOT to work with stakeholders to promote the usage of Integrated Directional Signing Program signs near exits to inform drivers about the availability and location of electric charging stations.	Could help drivers with electric vehicles find charging facilities, improving range anxiety issues.
<u>Airline Service Expansion</u>		
<i>Governor:</i> Item 125	Allocates \$1.2 million GF for a study to assess the viability of expanding airline services in the Commonwealth, of which \$200,000 will be used to study how to increase capacity at the Roanoke Airport.	
<i>Senate:</i> Item 125 #2s	Removes language requiring the study and the associated funding.	

OTHER LEGISLATION OF INTEREST

Abortion

With the historic reversal of *Roe v. Wade*, the constitutional right to an abortion, the United States Supreme Court returned this issue to the states. In advance of the session, there was tremendous anticipation about the potential volume of abortion-related legislation, as well as the impact the tone of the debate might have on other legislative business. However, in the end, abortion was not the defining issue of the 2023 GA, and while there was extensive dialogue on this topic across a number of committees, ultimately no bill changing Virginia abortion law was successful.

Current state law allows abortion up to the end of the second trimester, and for the health of the mother in the third trimester. Before the session, Governor Youngkin indicated his support for a 15-week ban. **HB 2278** (Byron)/**SB 1385** (Newman), the Pain-Capable Unborn Child Protection Act, sought to limit abortions to 15 weeks or earlier, with exceptions for the health of the mother, rape, or incest. **HB 2278** was never heard in the House Courts of Justice Committee, and **SB 1385** was passed by indefinitely in the Senate Education and Health Committee. Several other House bills seeking to eliminate or limit access to abortion were never heard in committee, as the House leadership decided to avoid public debate on this topic given that the bills would not likely pass the Democratic majority in the Senate.

A number of other bills sought to change or limit abortion services in different ways and were likewise left in their respective subcommittees. **HB 1488** (McGuire) would have prohibited state agencies from entering into contracts with, or granting public funds to, any entity that provides abortion services or operates abortion facilities. Currently, there is a small window where the Virginia Department of Health (VDH) can pay the cost of abortions for women who meet financial eligibility if the pregnancy is the result of a rape or incest, reported to the proper authorities, or a physician certifies in writing that the fetus will be born with a gross and totally incapacitating physical deformity or with a gross and totally incapacitating mental deficiency. **HB 1865** (Scott, P.) would have prohibited abortions sought due to a known disability, sex, or ethnicity of the unborn child, and would have created a civil penalty for the person who knowingly performs it. **SB 1483** (Dunnivant) sought to change the current state timeframe for legal abortions from the end of the second trimester to a viability marker of 24 weeks, requiring facilities that perform abortions to have life-saving care equipment present and to use it if there is any clearly visible evidence of viability (though this would not apply to nonviable pregnancies). **HB 1999** (Kory) would have established an individual's right to access contraceptives, contraception, or contraception-related information.

There were several bills that passed their respective chamber only to be defeated in the other. In the Senate, **SB 1243** (Surovell) sought to protect health care providers from extradition for certain crimes – for example, if a doctor prescribed medication in Virginia to a resident from another state who took the medication in their home state (and the medication is banned in that state), the physician could not be extradited for prosecution in the individual's home state. **HJ 519** (Herring)/**SJ 255** (McClellan) sought to codify the right to abortion, according to the *Roe v. Wade* precedent, into the Virginia Constitution (see also *Constitutional Amendments section below*). **HB 2270** (Greenhalgh) would have created a right to informed consent for abortion procedures. **HB 1795** (Freitas) would have required lifesaving efforts for a child born during an attempt to terminate a pregnancy. The bill also would have required that the child be transferred to a hospital as soon as possible, and any health care provider failing to comply with such requirements could be charged with a Class 4 felony.

Finally, some GA members brought forth bills seeking to address this topic through different tactics, and again, were also unsuccessful. **HB 1395** (March) took the arguments against abortion a step further and sought to grant rights of citizenship at conception. The bill was left in the House Rules Committee. **SB 1284** (Hackworth) similarly specified that life begins at conception and outlawed abortions, only allowing exceptions for the life of the mother and instances of rape and/or incest reported to police at or before 20 weeks. Under this bill, a person who illegally performs the abortion would be guilty of a Class 4 felony. **SR 87** (Chase) was a resolution to recognize that life begins at conception. The bills were passed by indefinitely in the Senate Education and Health Committee and Senate Rules Committee, respectively.

Constitutional Amendments

Constitutional amendments must pass the GA in identical form twice – once before and once after a House election – before being placed on the ballot for consideration by the voters of Virginia. As this is an election year,

many constitutional amendments were introduced (29 in total), but the House Privileges and Elections Committee chose not to hear any of the 21 proposed constitutional amendments originating in that chamber. The Senate Privileges and Elections Committee considered eight constitutional amendments on a variety of issues. Two bills, **SJ 224** (Chase), which would have created term limits for GA members, and **SJ 254** (Obenshain), which would have granted the GA the power to establish charter schools, were tabled in committee.

Five constitutional amendments passed the full Senate, but were tabled in the House Rules Committee on party-line votes. **SJ 223** (Locke) would have automatically reinstated the right to vote to persons released from prison upon their release. **SJ 255** (McClellan) sought to codify the right to abortion into the Virginia Constitution, according to the *Roe v. Wade* precedent. **SJ 243** (Ebbin) would have repealed the same-sex marriage prohibition that currently exists in the Virginia Constitution, which was essentially nullified by the United States Supreme Court ruling in *Obergefell v. Hodges*. **SJ 226** (Locke) sought to allow local governments to grant perpetual easements on public property for governmental units. Finally, **SJ 247** (Hashmi) would have allowed local governments the ability to grant property tax exemptions to residents with low-income and/or low-net worth. As introduced, **SJ 247** was a fairly broad bill, which was narrowed after much discussion to only allow local governments to grant property tax exemptions to long-term residents on fixed incomes in cases when property taxes are increasing rapidly.

The only constitutional amendment that passed both houses was **SJ 231** (McPike), which would expand the current property tax exemption for surviving spouses of soldiers who were killed in action to include surviving spouses of soldiers who died in the line of duty, as defined by the United States Department of Defense. Though there was much debate about what being killed in the “line of duty” would include, the amendment is aimed at expanding the current exemption to relatives of those who died while working on 9/11 or in the shooting at Fort Hood, and it ultimately passed both chambers unanimously. This constitutional amendment will need to pass the GA with identical language again next year after the election in order to be put before the voters of Virginia for adoption.

Elections

After a couple of groundbreaking sessions expanding access to voting, due to the differing perspectives of the House and Senate majorities, additional expansions were not successful this year. In fact, there were a number of bills considered to roll back some of the newly enacted voting access provisions. There were also bills related to the implementation of the recent expansions, as well as a number of campaign finance reform bills and a few rank choice voting bills. Not surprisingly, bills related to elections often received party-line votes, as this legislation continues to be the battleground for some of the most partisan fights in the GA.

The GA considered several bills related to election processes and accessibility. As legislative changes played out over the last several elections, it was obvious some of the deadlines and other responsibilities placed on the registrars and local Boards of Elections needed to be examined. **SB 1442** (Spruill) would have extended the period of time a locality has to forward its abstract of votes to the State Board of Elections before a law-enforcement officer is sent to obtain the abstract to 10 days for any election. Whereas in recent years, the GA has sought to limit the amount of outside influence in state election functions, **SB 1180** (Ebbin) sought to carve out some exceptions for subject matter experts and technical assistance for localities, as well as money, grants, property, or services given by a private individual or nongovernmental entity, such as donuts for poll workers or subject matter experts providing training to local registrars. Both bills passed the Senate but were tabled in House Privileges and Elections along party lines. **HB 2266** (Ransone) requires local registrars to report absentee votes by precinct within seven days of an election, and passed both the House and Senate unanimously.

Absentee Voting

Most of the bills seeking to roll back prior expansions to absentee voting centered around early voting, the permanent absentee list, and ballot drop boxes. While some of these bills did pass the House, none were reported out of the Senate Privileges and Elections Committee. **HB 1444** (Ware) and **SB 794** (McDougle) sought to reinstate photo identification requirements for all voters, and included a requirement that anyone without photo identification be provided with one by the DMV. **HB 1499** (Runion), **HB 1877** (Scott, P.), **HB 1901** (Durant), and **SB 880** (McDougle) sought to shorten the early in-person voting window from the current 45 days, while **HB 2234** (Wachsmann) and **SB 967** (Peake) sought to limit same-day registration to narrow populations (such as military personnel who have been overseas). While still allowing for same-day registration, **HB 1683** (Ransone) would

have provided a clear procedure for same-day registration and provisional voting, also adding a statement that anyone who votes more than once in an election in the same or different jurisdictions is guilty of a Class 6 felony. **HB 1947** (Bloxom) and **SB 834** (Chase) would have repealed the permanent absentee list, making it an annual list that individuals would have to apply for each year. Currently, Fairfax County has over 50,000 voters who have signed up for the permanent absentee list – a majority of them experience health or mobility challenges, and the expanded access provided by the permanent list has been particularly helpful to that population. **HB 1693** (McGuire) and **SB 1319** (Chase) would have prohibited the use of drop boxes for absentee ballot returns. Lastly, **HB 1910** (Batten) sought to limit who could send out absentee applications, eliminated pre-filled information, and required the Department of Elections to ensure no voter receiving such mailings had already applied for an absentee ballot.

Witness Signature

During the COVID-19 pandemic, concerns were raised about the existing requirement at the time that absentee ballots must be completed in the presence of a witness, who was required to sign the outside of the ballot envelope. Members of the disability community were successful in challenging this requirement in court during the pandemic, and in response, the GA passed legislation allowing for exceptions to the witness requirement for a declared state of emergency related to a communicable disease of public health. This was largely viewed as a stop gap measure, and members of the GA indicated that they would return to address the issue in the future. During the 2023 session, only one bill was introduced on this topic – **HB 1948** (Bloxom) which sought to repeal the witness requirement, replacing it with a requirement to include the voter's date of birth and last four digits of their Social Security number on the ballot's security envelope. In the House, an amendment was added to allow for the use of either the last four digits of the voter's Social Security number or a unique identifier provided by the state Department of Elections (for those who do not have Social Security numbers). With this amendment, **HB 1948** passed the House unanimously and passed the Senate 35-4.

Election Access and Security

In light of the attention focused on elections in the last several years, GA members brought forth several bills regarding the safety of those helping conduct elections. **SB 907** (Spruill) was proposed to ensure the safety of election officials and volunteers by adding election officials to the list of protected voters (meaning they may list a P.O. Box instead of their home address on their voter registration applications), and creating a Class 5 felony for anyone hindering or preventing an election official or employee of an election official from administering elections. **SB 907** passed the Senate, but was laid on the table in House Privileges and Elections. There were also efforts to ensure all voters have access to information and polling places, such as **HB 2049** (Bennett-Parker) which would have broadened those who could vote curbside to include individuals with non-physical and temporary disabilities, and **HB 2212** (Tran) which sought to require the State Board of Elections to ensure election and voter participation information on the internet was posted, updated, and provided in required languages. Both bills were tabled in the House Privileges and Elections Committee on party-line votes.

Others bills sought to tighten voting requirements. **SB 878** (McDougle) sought to codify that only citizens are eligible to vote, stating that anyone who helps non-citizens vote is guilty of a Class 6 felony. **HB 1377** (Greenhalgh), **HB 2454** (Campbell, E.), and **SB 965** (Peake) would have required review and/or verification of voter registration information more frequently. **HB 1847** (LaRock) and **SB 1316** (Chase) sought to expand audit options and requirements at both the local and state levels. **HB 1467** (Wyatt), **HB 1812** (March), and **SB 884** (Chase) sought to do a combination of things, including requiring a manual count of all votes and paper poll books (**SB 884**), repealing pre-registrations for those under 18, directing the Attorney General to review and report any foreign interference in elections (**HB 1812**), and requiring that absentee ballots received by mail be postmarked by the Saturday before the election and received before polls closed on election day (**HB 1467**). All of these bills were tabled by their respective Privileges and Elections committees, except **HB 1377** and **HB 2454**, which passed the House but were tabled by the Senate Privileges and Elections Committee.

Environment/Energy

Electric Vehicles (EVs)

Although there were a lot of sparks, there was very little movement on the issue of electric vehicles. Each party seems to have a different vision of how to proceed with this emerging technology, as a number of bills introduced

by Republican legislators would remove Virginia from the California emissions standards, including: **HB 1372** (Fowler); **HB 1378** (Wilt); **SB 778** (Stuart); **SB 779** (Newman); **SB 781** (DeSteph); **SB 782** (Reeves); and **SB 785** (McDougle). The proponents argued that Virginia should not cede its sovereignty to California, and do not believe that Virginia can meet the 2035 deadline established by California requiring 100 percent of all new car sales to be electric vehicles, because there is insufficient infrastructure to support those vehicles. **HB 1378** and **SB 779** became the primary vehicles for each body, and there were spirited debates by advocates on both sides of the issue. Although **HB 1378** passed the House on a party-line vote, both bills failed in the Senate Agriculture, Conservation and Natural Resources Committee.

Conversely, Democratic legislators introduced a number of bills that would have expanded electric vehicle charging infrastructure throughout Virginia; however, none were successful. **HB 1588** (Sullivan) and **SB 1466** (Marsden) would have created the Electric Vehicle Rural Infrastructure Program and Fund, designed to assist private developers with non-utility costs associated with the installation of electric vehicle charging stations. **HB 1790** (Reid) would have created a tax credit for taxable years 2023 through 2027 for expenses connected with installing qualified electric vehicle charging equipment in the Commonwealth, in an amount equal to 30 percent of the cost of purchasing and installing such equipment during the taxable year. **HB 1766** (Reid) would have required the Board of Housing and Community Development to promulgate regulations by January 1, 2024, for electric vehicle charging infrastructure standards in multifamily residential housing construction projects consisting of more than 25 residential dwelling units. Finally, **SB 1312** (Boysko) would have allowed any locality by ordinance to require electric vehicle charging stations as part of subdivision or site plan approval for a development containing commercial, industrial, or multifamily residential uses with a density of seven residential dwelling units per acre or greater.

Stormwater

The GA continues to take an interest in stormwater issues as Virginia continues to work towards meeting its Chesapeake Bay Watershed Implementation Plan (WIP III) goals. Unfortunately, several of the bills considered were antithetical to achieving those goals. **HB 1485** (Webert) and **SB 1129** (Hanger), as introduced, would have extended the deadline for the agriculture sector to comply with water quality protection requirements from July 1, 2026, to July 1, 2030. In addition, the bills would have tied the agriculture sector's compliance to the availability of sufficient state funding. Environmental groups, the Virginia Municipal Stormwater Association, and the agriculture sector worked with the bill patrons to reach a compromise reducing the extension of the deadline to July 1, 2028, and creating a work group tasked with developing measurable goals tracking the progress of the agriculture sector towards meeting the WIP III goals. The bills were amended to reflect that agreement and both bills passed the GA. **HB 2126** (Wilt) and **SB 1178** (Lewis) would have exempted Phase I Utilities (Appalachian Power Company) from obtaining a General Virginia Pollutant Discharge Elimination System permit for the discharge of stormwater from construction activities associated with permanent gravel access roads used during the construction and maintenance of transmission lines. Because gravel roads act like an impervious surface and can threaten the water quality of nearby streams, environmental groups opposed the introduced versions of the bills. The bills were amended to require DEQ to include specifications for stormwater management and erosion and sediment control, related to the installation of permanent gravel access roads by an electric utility, in the next publication of DEQ's Virginia Stormwater Management Handbook. The amended bill also includes standards and specifications for the construction of gravel roads for use until the handbook is updated. Once amended, the bills passed the GA. **HB 1848** (Wachsmann) and **SB 1376** (Vogel) allow farm buildings, as well as any buildings or structures used for agritourism activities, to submit an agreement in lieu of a plan instead of a stormwater management plan and an erosion and sediment control plan. Current law limits agreements in lieu of a plan to single-family residences. Expanding the use of such agreements has the potential to adversely affect water quality, so it will be important to monitor this issue in future GA sessions to determine if this trend is likely to continue.

Another bill that could have been detrimental to water quality was unsuccessful. **SB 1374** (Vogel) would have established a definition for "terrace," as used in the agricultural exemptions, to the prohibition on land-disturbing activities in the Stormwater Management Act and the Erosion and Sediment Control Law. The bill would have prevented such exemptions from applying to any activity that involves bringing more than 5,000 cubic yards of fill material onto the property in any 12-month period or raising the ground surface more than three feet above the existing ground surface. This would have allowed sites claiming to be an agricultural use to become unregulated landfills for excess soils from other construction sites, potentially creating an adverse impact on water quality,

while making oversight very difficult. The bill was defeated in the Senate Agriculture, Conservation and Natural Resources Committee.

In 2016, the GA enacted the Virginia Erosion and Stormwater Management Act and directed the State Water Control Board to adopt regulations to implement it. To date, the regulations have still not been adopted. **HB 2390** (Runion) and **SB 1168** (DeSteph) direct the State Water Control Board to adopt the regulations before July 1, 2024, and delay (from July 1, 2018, to July 1, 2024) the effective date of the amendments made by the 2016 GA and related regulations. Both bills passed the GA. Once these regulations have been adopted, the County will have to amend its ordinances, and this should provide the County sufficient time to complete that process.

There were three other successful stormwater bills worthy of note this session. First, **SB 1091** (Ebbin) expands the allowable uses of grants from a local Stormwater Management Fund to include joint flooding mitigation projects of condominium owners. **HB 1940** (Runion) and **SB 999** (Mason) require the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals, upon application by an individual and without examination, to recognize licenses or certificates issued by another state as fulfillment of qualifications for licensure in the Commonwealth if certain conditions are met. Hiring wastewater operators has become difficult, and licensing reciprocity may improve the number of qualified candidates.

Firearms

Once again, the GA spent a significant amount of time on bills that were designed to roll back many of the sweeping gun reforms adopted by the 2020 GA. **HB 1427** (LaRock), **SB 805** (Chase), and **SB 1236** (Obenshain) sought to repeal a locality's authority to prohibit the possession and/or carrying of firearms in any government building, property, or park. Both **SB 805** and **SB 1236** were passed by indefinitely in Senate Judiciary, and although **HB 1427** passed the House on a party-line vote, it too was passed by indefinitely in Senate Judiciary. **HB 2459** (McGuire) was an indirect way to diminish this local authority by waiving sovereign immunity in "firearm-free zones" created by the locality. The bill was referred to the House Rules Committee, but no action on it was taken. **HB 1428** (LaRock) would have repealed the prohibition on carrying certain loaded shotguns and semi-automatic center-fire rifles and pistols in some localities in the Commonwealth, including Fairfax County. The bill was referred to the House Public Safety Committee, but never received a hearing.

The GA also considered bills that would have repealed the procedure for obtaining substantial risk orders, commonly referred to as "red flag laws." **HB 1394** (March) and **HB 2464** (Freitas) were both referred to the House Rules Committee but were never acted upon. **SB 1488** (Chase) was passed by indefinitely in Senate Judiciary. **HB 1462** (Wiley) would have removed the provision that prevents a firearms dealer from selling or otherwise transferring a firearm to a prospective purchaser until 30 days after the date of issue of the prospective purchaser's original or duplicate photo identification. This law was enacted in the 1990s to prevent straw purchasers from buying firearms. Despite weakening photo ID laws, **HB 1462** passed the House on a party-line vote, but the bill failed to report from Senate Judiciary. Finally, **HB 1393** (March), **HB 1420** (Wiley), and **HB 1801** (Freitas) would have eliminated the requirement to obtain a concealed handgun permit, instead allowing a person to carry a concealed handgun anywhere they could open carry a handgun. All three bills were referred to House Rules, but no action was taken.

Several gun safety measures were also introduced; however, none were successful. **HB 1788** (Filler-Corn) would have made it unlawful for any licensed dealer in firearms to sell, offer for sale, exchange, give, transfer, or deliver any firearm manufactured on or after July 1, 2025, unless the firearm was a microstamping-enabled firearm. Microstamped firearms are easier for law enforcement to trace and could help solve cold cases. **HB 2240** (Helmer) and **SB 1382** (Deeds) would have banned the sale of assault weapons, large capacity magazines, and silencers. **HB 2407** (Williams Graves) would have required a prospective purchaser of a firearm to prove that they have demonstrated competence with a firearm, or that they have completed a firearms safety or training course within the past five years. **HB 2273** (Hayes) would have required a three-day waiting period before a firearm could be sold to a prospective purchaser. **HB 2288** (Sickles) would have increased the age to purchase an assault firearm to 21. **HB 2078** (Murphy) would have made it a Class 1 misdemeanor for a licensed dealer to sell a handgun without providing a locking device for that handgun, or without affixing a warning label to the handgun stating that guns should be locked and kept away from children. **HB 2070** (Murphy) would have made it a Class 1 misdemeanor for a person convicted of assault and battery against a person with whom they are in a dating relationship to purchase, possess, or transport a firearm. **HB 1729** (Bennett-Parker) and **SB 909** (Favola) would have required a person who is prohibited from possessing a firearm because of a protective order, or an assault

and battery conviction of a family or household member, to transfer their firearms to a person who is not otherwise prohibited from possessing a firearm, is 21 years of age or older, and does not reside with the person transferring the firearm. **SB 1192** (Ebbin) would have expanded the prohibition against carrying certain semi-automatic center-fire rifles, pistols, and shotguns on any public street, road, alley, sidewalk, or public right-of-way, or in any public park or any other place that is open to the public to all localities in Virginia. **SB 1181** (Ebbin) would have prohibited the sale, transfer, or purchase of unfinished frames or receivers and unserialized firearms, commonly referred to as ghost guns. **SB 901** (Marsden) would have created a civil penalty for leaving a firearm in an unattended motor vehicle unless the vehicle was locked.

In a tragic and shocking incident, shortly before the session began a six-year-old student shot and wounded his teacher at an elementary school in Newport News. It was against that backdrop that **HB 2350** (Simon) and **SB 1139** (Boysko) were introduced. These bills would have required any person who possesses a firearm in a residence where the person knows that a minor under 18 years of age, or a person who is prohibited by law from possessing a firearm, resides to store the firearm and the ammunition in a locked container, compartment, or cabinet that is inaccessible to the minor or prohibited person. A violation would have been a Class 4 misdemeanor under the legislation. Gun rights advocates argued that the bill was unnecessary because law abiding gun owners take responsible steps to secure their firearms. They also argued that the bill was an infringement on their Second Amendment rights. The debate was argued passionately by advocates on both sides of the issue, and **SB 1139** did pass the Senate. A House Public Safety subcommittee also heard passionate arguments from advocates, but ultimately both bills were tabled.

Two other bills that passed the Senate but failed in the House are worthy of note. First, **SB 1067** (Surovell) would have added a list of factors for a judge or magistrate to consider when determining probable cause before issuing an emergency substantial risk order or a substantial risk order. Second, **SB 1167** (Petersen) would have created standards of responsible conduct for firearm industry members, as well as a civil cause of action for any person who suffers harm as a result of a violation of those standards. Firearm industry members are often shielded from liability because of the intervening criminal act, and this bill attempted to circumvent that protection.

Although many firearm bills were unsuccessful, there were a few that managed to pass both bodies. **HB 2467** (Runion) provides that to establish personal identification and residence in Virginia for the purposes of purchasing a firearm, a prospective purchaser may present a special identification card without a photograph issued by the DMV to a person with a sincerely held religious belief prohibiting the taking of a photograph. This bill was introduced to help some segments of the Mennonite population who do not have a photo ID because of their religious beliefs. **HB 1422** (Coyner) and **SB 898** (Stuart) add firearm safety or training courses, offered by the United States Concealed Carry Association (USCCA) or by a USCCA-certified firearms instructor, to the programs that satisfy the demonstration of competence requirement for the issuance of a concealed handgun permit. Finally, **HB 2387** (Lopez) attempts to incentivize the use of firearm safety devices by establishing a nonrefundable income tax credit for taxable years 2023 through 2027 for individuals who purchase one or more firearm safety devices.

General Transportation

Transportation Safety

As in previous years, bills related to various types of transportation safety were considered during the session. One bill that was aimed at improving general roadway safety was **HB 2379** (Roem), which would have required the Governor, in any year in which there is a state surplus, to include in their proposed budget an appropriation of 10 percent of such surplus to the Virginia Highway Safety Improvement Program. **HB 2379** was tabled in a House Transportation subcommittee.

HB 1932 (Runion)/**SB 982** (Marsden) expand on the existing “move over” law. Specifically, they require drivers to make a lane change or reduce speed when passing stationary vehicles that have activated the vehicular hazard warning signal flashers, displayed caution signs, or been marked with properly lit flares or torches, on certain highways when it is safe and reasonable to do so. The legislation makes a violation of this requirement a traffic infraction. Currently, drivers are required to move into a nonadjacent lane on a highway with at least four lanes when approaching a stationary vehicle displaying flashing, blinking, or alternating blue, red, or amber lights, or, if changing lanes would be unreasonable or unsafe, to proceed with due caution and maintain a safe speed. **HB**

1932 passed the House unanimously, and the Senate 34-6. **SB 982** passed the Senate 29-8 and the House unanimously.

HB 2423 (Austin)/**SB 981** (Marsden), introduced at the request of WMATA, authorize vehicles operated by the Response and Recovery Coordination Branch of WMATA's Office of Emergency Preparedness to (i) be equipped with flashing red or red and white warning lights, and (ii) disregard certain regulations regarding the operation of vehicles without being subject to criminal prosecution when responding to an emergency, provided that the operator of such a vehicle has received training and recertification every two years. This is similar to what is allowed for other emergency vehicles in the Commonwealth. The bill adds responding to metropolitan transit-related incidents to the list of circumstances in which such lighted warning lights shall be displayed. **HB 2423** and **SB 981** were passed by the House and Senate unanimously.

One set of bills that was not successful was **HB 1437** (Wiley)/**SB 1165** (Lewis). That legislation would have allowed the CTB to create regulations for the use of License Plate Readers (LPR) for law-enforcement purposes on state highways, and would have authorized the Department of State Police or chief law-enforcement officer of a locality to install, maintain, and operate those devices for law-enforcement purposes on VDOT-maintained highways. The legislation specified that "law-enforcement purposes" meant an active felony investigation, an effort to prevent a targeted act of violence, or an attempt to locate missing, endangered, or wanted persons by law enforcement through the identification of a motor vehicle (and did not include the enforcement of speed limits, traffic regulations, tolling requirements, or high-occupancy vehicle requirements). **HB 1437** passed the House 80-19, was reported by the Senate Transportation Committee, and reached the Senate floor, but was then recommitted to Senate Transportation, effectively killing the bill. Suffering a similar fate, **SB 1165** passed the Senate 27-13, was reported by the House Transportation Committee, and reached the House floor, but was defeated and then re-referred to House Transportation.

Bicycle Operations

Similar to last year, various bills were introduced related to the operation of bicycles. Several bills (**HB 1589** (Sullivan), **HB 1773** (Carr), **SB 847** (Favola), and **SB 1009** (DeSteph)) would have created a statewide process for how a person riding bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, or motorized skateboards or scooters should respond to signs and lights at intersections. **SB 1293** (Deeds) would have authorized the local governing body of any county, city, or town to, by ordinance, authorize a bicyclist to treat a stop light as a stop sign, and a stop sign as a yield right-of-way sign, provided that certain safety measures were observed. **HB 1589** and **HB 1773** were tabled by a House Transportation subcommittee. **SB 1009** was incorporated into **SB 847**, which was then reported by the Senate Transportation Committee, but failed to pass on the Senate floor. **SB 1293** passed the Senate 24-16, but was then tabled by a House Transportation subcommittee.

School Bus and School Zone Safety

Various bills were introduced with the intent of improving transportation safety for the Commonwealth's students with varying levels of success. **HB 1723** (Simonds), introduced due to a court ruling in the Hampton Roads area, clarified that evidence that a bus was stopped with at least one warning device activated was prima facie evidence that the bus was stopped for the purpose of taking on or discharging children, the elderly, or mentally or physically handicapped persons. As introduced, **HB 2104** (Bourne) would have authorized the local governing body of a county, city, or town to place a "school crossing" sign at any location within the locality (current law authorizes such placement only by the council of the city or town or board of supervisors of a county maintaining its own system of secondary roads). It also would have increased the default boundaries of a school crossing zone from 600 feet to 750 feet beyond the limits of school property, and would have authorized the governing bodies of cities and towns statewide, along with the counties in Planning District 8, to decrease the speed limit in school crossing zones below 25 miles per hour without an engineering and traffic investigation, provided that such decreased speed limit is indicated by appropriate signs. **HB 2104** was amended in a House Transportation subcommittee to just increase the maximum boundaries of a school crossing zone from 600 feet to 750 feet from the limits of school property. **HB 1723** and **HB 2104** passed the House and Senate overwhelmingly.

Under current law, in any prosecution for which a summons charging a violation of passing a stopped school bus within ten business days of the alleged violation is issued, proof that the motor vehicle was operated in violation of this infraction, together with proof that the defendant was the registered owner of the vehicle, must give rise to

a rebuttable presumption that the registered owner of the vehicle was the person who operated the vehicle at the place where, and for the time during which, the violation occurred. **HB 1995** (Krizek) would have extended the time limit to 30 business days. As originally introduced, **SB 868** (Cosgrove) would have decreased the civil penalty for such a violation from \$250 to \$50, prohibited the imposition of court costs, and provided that a finding of a violation by a general district court would be appealable to the circuit court in a civil proceeding. It also would have allowed that a civil penalty imposed for a violation of the prohibition on passing stopped school buses as enforced by video-monitoring systems not be considered a conviction, be used for motor vehicle insurance coverage purposes, or become part of the driving record of the person found liable. **SB 868** also changed the period of time in which a summons must be issued to create a rebuttable presumption (from 10 days to 10 business days). During the bill's consideration, the patron noted that the provisions related to the civil penalty amounts were drafted in error, and he amended his bill to return the fine to its original amount, increased the time period in which the summons must be issued to 30 business days, and retained the remaining provisions related to the driving record, court costs, and appealability of the violation. This version passed the Senate unanimously, but was amended in the House to conform to **HB 1995**. In this posture, with both bills solely increasing the time limit for the summons to be issued (to 30 business days), they passed both chambers overwhelmingly.

One bill that was not successful this session was **HB 2218** (Tran), which would have authorized the governing body of a county in Planning District 8 to decrease speed limits in school crossing zones if the school board were to pass a resolution requesting the decrease (current law authorizes governing bodies to increase or decrease such speed limits after justification has been shown by an engineering and traffic investigation). The bill specified that the authority to increase and decrease such speed limits applies on highways in the state highway system.

Exhaust Noise

Three bills were introduced this year in an effort to address loud vehicle exhaust noise. **HB 1559** (Watts) would have allowed local governing bodies to regulate, by ordinance, noise from vehicles not conforming to exhaust system requirements that are operated on highways, or on public or private property in or within 500 feet of any residential district. Current law only allows such regulation by ordinance for vehicles that are operated on a highway. **HB 2102** (Bulova) would have prohibited (i) the sale or offering for sale of any mechanical or electronic device that creates or amplifies noise emitted by a motor vehicle, moped, or motorized skateboard or scooter that is louder than the noise emitted by the motor vehicle, moped, or motorized skateboard or scooter as originally manufactured, and (ii) the operation of a motor vehicle, moped, or motorized skateboard or scooter equipped with any such device. It also would have prohibited the issuance of a safety inspection approval sticker on any vehicle equipped with such a device or other unlawful muffler. **HB 1559** and **HB 2102** were tabled in a House Transportation subcommittee. **SB 1085** (Ebbin) was a bit more successful. It originally would have prohibited the sale and use of devices designed to create or amplify noise emitted from a motor vehicle, moped, or motorized skateboard or scooter to a level higher than that of the originally manufactured vehicle, and require motor vehicle inspection regulations to include compliance with such requirements. It also created a noise limit of 85 decibels measured from a distance of 50 feet that a motor vehicle, moped, or motorized skateboard or scooter may emit. The bill was amended to instead direct VDOT to convene a work group of stakeholders to examine the issue of vehicle noise in the Commonwealth, and to report its findings and recommendations, if any, to the Chairmen of the Senate and House Transportation Committees by November 1, 2023. In this form, **SB 1085** easily passed by the House and Senate.

Towing

Trespass towing was, again, before the GA this session. As originally introduced, **HB 1649** (Wyatt)/**SB 979** (Marsden) would have required all localities to set their initial towing fee of \$180, with additional fees for towing at night, on weekends, or on holidays of \$35 for each instance (with no more than two additional fees charged at the same time). The Senate patron felt that fees and consumer protections should be studied together, and asked that his bill be passed by indefinitely, sending a letter to the Secretary of Transportation and the Attorney General's office, asking them to create a work group to examine these issues. **SB 790** (Favola), which would have made violations of current law regarding tow truck drivers and towing and recovery operators subject to the Virginia Consumer Protection Act, was also passed by indefinitely in order to fold those issues into the study as well. In the House, **HB 1649** was instead amended to authorize towing and recovery operators to charge a fuel surcharge fee of up to \$30 for each vehicle towed or removed from private property (until July 1, 2024). The debate in the House Transportation subcommittee, as in years past, was emotional. **HB 1649**, as amended, was reported, while **HB 2062** (Lopez), identical to **SB 790**, was tabled. **HB 1649** then passed the House by a slim margin.

Following another long debate in the Senate Transportation Committee, the bill was reported to the Senate floor. While it was originally defeated 19-19, it was reconsidered and the fuel surcharge was reduced to up to \$20 per tow. After that change, **HB 1649** passed the Senate 21-19 and the House 50-45.

Another towing bill that had a complicated path this year was **HB 1516** (Adams, D.). As introduced, **HB 1516** prohibited towing and recovery operators from refusing, at their place of business, to allow the owner of a vehicle to access and recover any personal items not attached to the vehicle without retrieving the vehicle and without paying a fee. It also required the governing body of each county, city, and town to set reasonable limits on storage fees charged by towing and recovery operators after the first 24 hours, taking into consideration the average daily public parking rate in the locality. The bill failed to report from a House Transportation subcommittee on a 4-4 vote. However, it was revived and brought before the full Committee. The substitute removed the provisions related to storage fees, instead only prohibiting towing and recovery operators from refusing to allow the owner of a towed vehicle to access and recover any personal items not attached to the vehicle (without retrieving the vehicle and without paying a fee) at their place of business during the first 24 hours of vehicle storage. This version passed the House unanimously. In the Senate, the bill was again amended to remove the 24-hour time limit (at the request of the Attorney General's office). In this posture, **HB 1516** passed both the House and Senate unanimously.

Human Services

Food Trucks

Fairfax County has specific regulations governing how and where food trucks, or any readily movable mobile food establishments, may operate. Food trucks must obtain a food establishment permit from the Fairfax County Health Department, and can sell food in three different types of location within the County – designated right-of-way locations, private property (shopping centers, office parks, etc.), and Fairfax County parks. For designated right-of-way locations, VDOT has issued a land-use permit for mobile food vending to Fairfax County that allows food trucks in designated locations, and the Health Department has established a process for food trucks to operate in these locations. For private property and Fairfax County parks, a food truck must obtain a permit from the Fairfax County Department of Planning and Development or the Fairfax County Park Authority, respectively. Spurred by an incident in his district where a food truck was told food could not be prepared outside of the truck, Senator Obenshain introduced **SB 1474**, which would have directed VDH, each local health department, and each health district to amend their regulations and guidance documents relating to food trucks in order to allow up to 20 percent of sanitation and food preparation activities to take place within a 50-foot radius of each food truck. The bill passed through the Senate easily without opposition. However, because of the existing regulations governing food trucks in the County, including agreements with state agencies like VDOT, as well as public health concerns related to preparing food and sanitizing equipment outside, the County raised concerns about the bill as it moved over to the House. While efforts to amend the bill to exempt localities with locally administered health departments were unsuccessful, the bill ultimately failed to report in the House Health, Welfare, and Institutions Committee on a 10-10 party-line vote, when two Republican committee members were out of the room. Though there were rumors that the bill would be reconsidered because of the close vote, ultimately the bill was not brought back for further consideration.

COVID-19 Immunizations

While the COVID-19 pandemic had largely faded into the background during the 2023 GA session, several bills were nevertheless introduced to address COVID-19 immunization requirements. **SB 792** (Chase) and **SB 833** (Chase) would have prohibited the State Health Commissioner, Board of Health, Board of Behavioral Health and Developmental Services, Department of Health Professions, any associated regulatory board, and Department of Social Services from requiring any individual, including children, to undergo COVID-19 vaccination. Discrimination based on COVID-19 vaccination status would have been prohibited, including with regard to education, employment, and issuance of a driver's license or other state identification. The bills would also have imposed a civil penalty on employers determined to have violated this prohibition. **SB 876** (McDougle) would have prohibited children from being denied admission to school for not receiving a COVID-19 vaccine. All three bills were passed by indefinitely in the Senate Education and Health Committee. **HB 2306** (Freitas) would have exempted a person who objects to immunization on religious grounds from mandatory immunization requirements issued by the Commissioner of Health during an epidemic. The bill passed the House on a party-line vote (52-48) before being passed by indefinitely in the Senate Education and Health Committee. **HB 1889** (McGuire) would have prohibited

any prospective or current employee of a public institution of higher education from being required to receive a COVID-19 immunization, and **HB 2276** (LaRock) would have specified that parents could not be required to immunize their children against COVID-19. Both bills were ultimately left in the House Health, Welfare, and Institutions Committee.

Protective Orders

The GA considered several bills that would give courts more authority over protective orders this session. **HB 1897** (Bell) and **SB 1532** (Deeds) permit a court, upon the filing of a written motion requesting a hearing to extend a protective order, to issue an ex parte preliminary protective order until the extension hearing (allowing a court to issue a preliminary protective order without hearing additional evidence from the other side). Additional provisions in the bill permit the court to extend the ex parte preliminary protective order if the hearing must be continued. These bills ensure that a protective order remains in place until the hearing on the request for an extension can be heard. Both bills passed with minimal opposition. **HB 1961** (Mullin) allows a court to require in a protective order that the respondent provide the petitioner with the relevant password to an electronic device or cellular telephone that is solely the petitioner's to use. In addition, the bill permits the court to prohibit the respondent from using the cellular telephone or electronic device to conduct surveillance on the petitioner. This bill also passed the GA with little opposition. Finally, **SB 873** (McDougle) allows a Commonwealth's Attorney or local law-enforcement officer to file a petition for a protective order on behalf of a minor if an emergency protective order for the minor was previously issued, and if the petition is filed before the emergency protective order expires or within 24 hours of its expiration. The bill easily passed the Senate but was amended in House Courts of Justice to clarify that the respondent to the protective order must be either the minor's parent, guardian, or person standing in loco parentis (acting as the minor's parent). Once amended, the bill also passed the House.

SB 1472 (Stanley) sought to strengthen the penalties for violating a child protective order by making those violations a Class 1 misdemeanor. The Senate Judiciary Committee debated the merits of the bill, with some members expressing that the bill was unnecessary because courts already have the authority to punish respondents who violate a protective order. The bill was passed by indefinitely by an 8-6 vote.

Temporary Detention Orders (TDOs)

In light of the state hospital bed crisis, several bills were introduced to address different aspects of the temporary detention process in an attempt to relieve pressure on both the state hospital system and law-enforcement agencies. **HB 1976** (Bell) and **SB 1299** (Deeds) seek to provide additional flexibility to physicians in facilities where individuals are awaiting transport to a temporary detention facility. The bills would allow the CSB to release a person after an evaluation, prior to a commitment hearing, if the person no longer meets commitment criteria. As **HB 1976** passed the House, it would allow the director of such a facility, in consultation with the treating physician and the CSB, to perform a new assessment to determine if the person no longer meets commitment criteria, or request the CSB, in consultation with the treating physician, to conduct an evaluation to determine if the person no longer meets commitment criteria. As **SB 1299** passed the Senate, it would allow the director of a facility where a person is awaiting transport to a temporary detention facility to release a person if an employee or a designee of the local CSB, in consultation with the person's treating physician, conducts an evaluation, determines that the person no longer meets commitment criteria, authorizes the release of the person, and provides a discharge plan. The bills were sent to conference, and the Senate version, which more clearly delineates a stronger role for CSB staff, was selected as the preferred approach. As amended by the conference committee, both bills passed the House and Senate unanimously.

SB 1512 (Mason), as introduced, would have authorized a pilot program allowing a hospital with a psychiatric emergency department in Planning District 21 to employ "certified evaluators," who would perform evaluations to determine whether a person meets the criteria for temporary detention. The bill had a sunset date of July 1, 2025. Although the bill was specifically aimed at one hospital in Hampton Roads that is building a psychiatric emergency department (the first in Virginia), it was amended in a Senate Education and Health subcommittee to allow any hospital with a psychiatric emergency department to participate in the pilot program. Although no other hospitals have imminent plans to open a psychiatric emergency department, concerns were raised about the broader implications of allowing employees of any private hospital to perform a role historically performed by CSBs. Further, a study completed by the GA in 2021 found that expanding who conducts prescreening evaluations would likely have only a minimal impact on alleviating the issues of the overall temporary detention process, as the most time-consuming aspect of the preadmission screening process is the search for an available bed, not the

evaluation. Although the bill passed out of the Senate unanimously, the bill was laid on the table in a House Courts of Justice subcommittee on a 5-3 vote.

HB 1792 (Ransone) and **SB 1302** (Deeds), as passed, would allow physicians to seek an order from a magistrate or court authorizing medical temporary detention of an adult in a hospital emergency department or other appropriate facility for testing, observation, or treatment, if their condition appears to be the result of intoxication. **SB 808** (Favola), a similar bill, was incorporated into **SB 1302** in the Senate Education and Health Committee. **HB 1792** and **SB 1302** passed both chambers unanimously (the Senate concurred with the House amendments 34-6). **SB 872** (Newman), as passed, requires magistrates to authorize alternative transportation of a person subject to an ECO or TDO if appropriate alternative transportation is available. The bill passed both the House and Senate unanimously. Although the passage of some bills to improve the temporary detention process is helpful, it is important to note that these bills did not address the issue of getting hospital beds back online, or expand community-based services to help address behavioral health needs before they rise to the level of requiring temporary detention.

K-12 Background Checks

Following the arrest and conviction of an FCPS employee in another Virginia jurisdiction in 2022, concerns were raised about how Virginia handles sharing information about the arrest and/or conviction of individuals between jurisdictions in the Commonwealth, as well as across state lines. The Virginia State Police are currently in the process of implementing a state program as part of the Federal Bureau of Investigation (FBI) Next Generation Identification Record of Arrest and Prosecution (Rap) Back service, due to go live July 1, 2025. The program would provide continuous monitoring and notifications to employers about their enrolled employees, which should prevent a recurrence of the FCPS incident for any employee enrolled in the Rap Back service. In the meantime, **SB 821** (Surovell) and **HB 1704** (Bell) were brought forward to plug the gap until the Rap Back program goes live. Both bills sought to address this in slightly different ways. As introduced, **SB 821** would have required law-enforcement officers who arrest a school division employee for a felony or Class 1 misdemeanor to file a report with the person's division superintendent within 48 hours of the arrest (current law requires the report be filed as soon as practicable). To ensure that such notifications are not missed simply because the person being arrested does not disclose to law enforcement that they are an employee of a school division, the arresting officer would also need to verify the employer for each person arrested for a crime delineated in the Sex Offender and Crimes Against Minors Registry Act by submitting a written request to the Virginia Employment Commission (VEC). The bill also would have required circuit court or district court clerks to report convictions for certain felonies to the Superintendent of Public Instruction and the division superintendent of any employing school division within seven days of the order of conviction being signed (current law requires the report be filed as soon as practicable). Notification could be made by certified mail with a return receipt requested or by fax or email to the division superintendent. VDOE would be required to compile and make publicly available on its website a list of fax numbers, email addresses, and mailing addresses for all division superintendents.

HB 1704, as introduced, would also have required law-enforcement officers and court clerks to file reports when a school employee is arrested for felonies and Class 1 misdemeanors or convicted of felonies, but those reports would be sent to a division safety official designated by the school division superintendent. The Virginia Center for School and Campus Safety would need to designate an employee to serve as a school personnel safety official, who would compile and maintain a list of the division safety officials. The bill would also have required probation and parole officers supervising a person employed by a local school division to report any felony arrests or convictions to the Superintendent of Public Instruction and the person's school division. **HB 1704** did not include a requirement that law enforcement verify employment with the VEC, and also did not specify a timeframe for submission of the reports, only specifying that the reports be made as soon as practicable, remaining silent on the timeframe for reports from circuit or district court clerks.

The bills ultimately went to conference. Despite concerns being raised about a notification process that does not require a return receipt (like email and fax potentially), that provision remained unchanged in the conference substitute. As passed, **HB 1704/SB 821** would require:

- Each division superintendent to annually designate an employee as the division safety official, and provide updated contact information for such official to the Virginia Center for School and Campus Safety (the division superintendent would need to update contact information within 48 hours of any change);

- The Virginia Center for School and Campus Safety to designate a school personnel safety official to compile, maintain, and make publicly available a list of each division safety official (including contact information), confirming the accuracy of the contact information annually;
- Law-enforcement officers to file reports with the division safety official within 48 hours of arresting a person for any felony or Class 1 misdemeanor;
- Verification of employment by an arresting officer if that law-enforcement agency has existing access to VEC records and the person they arrested has committed a crime delineated in the Sex Offender and Crimes Against Minors Registry Act;
- Circuit or district court clerks to file reports with the division safety official within seven days of a felony conviction order being signed; and,
- Probation and parole officers supervising a person employed by a local school division to file reports with the division safety official as soon as practicable upon learning that a supervised person was arrested or convicted of a felony offense.

In a separate but related action, **HB 1859** (Webert)/**SB 1183** (Reeves) update the current code to reflect required language for implementing the Virginia Rap Back program. Originally, both bills required participating employers to pay an annual fee per employee, capped at \$10. Due to concerns about the level of costs associated with that, members of both chambers suggested changing this to “a reasonable fee.” After discussions with the patron and Virginia State Police, the bill was amended to cap the cost at \$12 annually, but with an agreement to form a work group to continue to discuss fees in the off session. Both bills passed the GA unanimously.

Local Government Notices

The Virginia Code Commission convened a work group before the 2023 session to examine and standardize the frequency and length of time that notices of certain meetings, hearings, and other intended actions of localities must be published in newspapers and other print media. **HB 2161** (Williams) and **SB 1151** (Edwards) were introduced as a result of this work. The notice provisions included in the bills are organized into three groups: (i) publication required one week before the meeting, hearing, or intended action; (ii) publication required two consecutive weeks before the meeting, hearing, or intended action; and (iii) publication required three consecutive weeks before the meeting, hearing, or intended action. In addition, the bills amend provisions related to the content of notices for zoning ordinances, and amendments to such ordinances, by removing the requirement that they contain a descriptive summary of the proposed action and providing that such notices shall include the street address or tax map parcel number of the parcels subject to the action. In cases where the intended action affects more than 25 parcels, the notice must also include the approximate acreage subject to the intended action. The bills also remove the requirement that notices of proposed amendments to a zoning map state the general usage and density range of the proposed amendment, and the general usage density included in the applicable part of the comprehensive plan. The bills direct the Virginia Code Commission to convene a work group to continue to review the notice requirements throughout the Code of Virginia, and require the Virginia Code Commission to submit a report to the Chairmen of the House General Laws Committee and the Senate General Laws and Technology Committee summarizing their work and any recommendations of the work group by November 1, 2023. Both bills were successful, but not without some controversy.

Although the intent of standardizing the various public notice provisions is a laudable goal, the bills contained a number of problematic provisions when they were introduced. However, because of the extensive negotiations held between members of the work group leading up to the session – which included members of the development community, local government representatives, and the Virginia Press Association – the patrons were reluctant to amend the bills. One area of concern was a provision in the bills that includes a requirement to include a list of every address or tax map number in a public notice advertising a Countywide zoning ordinance amendment that would reduce density. Although these types of amendments are rare, the number of addresses that would be included in the advertisement would be substantial, making the advertisement cost prohibitive and potentially increasing the likelihood of mistakes being made in the advertisement. The Town of Culpeper was able to provide a real world example of this problem, as it is currently in the process of a townwide zoning ordinance amendment that would be implicated by this new requirement. Culpeper received a cost estimate of over \$8,000 for the publication of their advertisement, which shocked the patron of **HB 2161**, who agreed to amend the bill so that if an amendment implicates more than 100 parcels of land, the advertisement may instead include a description of the boundaries of the area subject to the changes, and a link to a map of the area. This amendment was included in the language that passed.

A second problem that was discovered is that the bills make changes to current law, which requires that prior to an ordinance or resolution creating a community development authority, notice of a public hearing is published once a week for three successive weeks, and that the hearing shall not be held sooner than ten days after completion of the publication of the notice. Because of the way new language was added to language in the existing law, it appears that a timing conflict has been created inadvertently. Although attempts were made to resolve this issue, neither bill was amended to resolve it.

These two problems highlight the dangers of rushing through complex legislation during a short session. It remains to be seen whether there are any additional unforeseen consequences discovered; however, the work group will continue to meet after the session, and it is likely that close monitoring of future developments by local governments will be essential.

Marijuana

Though a range of marijuana legislation was introduced, including both Democrat and Republican-patroned bills to set up a retail marijuana market, the GA ultimately focused on Governor Youngkin's preferred approach – tightening regulations on intoxicating hemp-based products like delta-8 (which have become widely available in stores throughout the state) with an aim toward consumer safety, particularly for children. **SB 1393** (Lewis), as introduced, would have required certain labeling and testing requirements for hemp products, but was passed by indefinitely in the Senate Finance and Appropriations Committee on a 15-1 vote. Similarly, **HB 1973** (Leftwich), also would have established packaging, labeling, and testing requirements, as well as permitting requirements for businesses selling hemp products. The bill was reported from the House Courts of Justice Committee on a 10-9 vote with a substitute, but then failed to receive additional consideration on the House floor. **HB 2294** (Kilgore) and **SB 903** (Hanger) gained more traction, and as amended in conference, require businesses selling industrial hemp extract or food containing industrial hemp extract to have a valid permit from the Virginia Department of Agriculture and Consumer Services (VDACS), and establish product packaging, labeling, and testing requirements. The bills are identical, except that **SB 903** includes language noting that existing Virginia Code related to the permitting of pharmaceutical processors to produce and dispense cannabis products will remain effective until January 1, 2024. The conference reports for **HB 2294** and **SB 903** passed both the House and Senate by wide margins.

Supporters of the legislation asserted that it was an important first step toward addressing consumer safety and protection issues relating to the sale of largely unregulated products. Several Senate Democrats warned that delaying the establishment of a retail cannabis market, and the apparent split of regulatory authority between VDACS and the Virginia Cannabis Control Authority (VCCA), could lead to a confusing web of regulations relating to cannabis products. To that end, **HB 1464** (Hodges), **HB 1750** (Webert), and **SB 1133** (Ebbin), though not identical, would have established frameworks for a retail cannabis market in Virginia, administered by the VCCA. **HB 1464** and **HB 1750** were laid on the table in a House General Laws subcommittee, while **SB 1133** passed the Senate on a 24-16 vote (with support from two Senate Republicans) before meeting a similar fate in the same House General Laws subcommittee (the bill was passed by indefinitely on a 5-3 vote).

Other legislation, aimed to modify the medical marijuana program in Virginia, was more successful. **HB 1598** (Robinson)/**SB 788** (Favola), as passed, transfer oversight of the medical marijuana program from the Board of Pharmacy to the VCCA. **HB 1846** (Head)/**SB 1337** (Dunnavant), as passed, make a number of changes to the medical marijuana program, including updates to recordkeeping, product registration, expiration dates, dispensing, packaging, labeling, and advertising requirements. **HB 2368** (Adams, D.), as passed, requires cannabis products and botanical cannabis labels to be complete, accurate, easily discernable, and uniform among different products and brands. It also specifies that each label must include (i) the product name, (ii) all active and inactive ingredients, (iii) the total percentage of tetrahydrocannabinol (THC) and cannabidiol (CBD) included in the product as well as the number of milligrams per serving, (iv) the serving size and recommended dosage, (v) the product's purpose and detailed usage directions, and (vi) child safety warnings in a conspicuous font. Some bills related to medical marijuana did not move forward. **HB 2369** (Adams, D.) would have removed the requirement that a cannabis dispensing facility be owned, at least in part, by a pharmaceutical processor, and would have increased the number of cannabis dispensing facility permits the Board of Pharmacy may issue in a given year in each health service area from five to 12. The bill was stricken from the docket in a House Health, Welfare, and Institutions subcommittee at the patron's request. **SB 1090** (Ebbin), as introduced, would have increased the number of permits that the Board of Pharmacy can issue or renew in a given year for pharmaceutical processors (from one to two) and cannabis dispensing facilities (from five total to five per pharmaceutical

processor) in each health service area. The bill passed the Senate (23-17). Though amendments were offered in the House to limit the bill to Health Services Area I, which currently does not have an operating licensee, and otherwise direct the VCCA to study the quality of patient service in the existing medical cannabis program, the bill was ultimately left in the House Health, Welfare, and Institutions Committee. The committee Chair agreed to work with Senator Ebbin to send a letter to the VCCA to study the issue.

Additional legislation was filed to address a variety of other marijuana-related topics. **SB 1366** (McClellan) would have created the Virginia Cannabis Incubator Project to encourage social equity applicants and economic equity applicants from disproportionately impacted areas to apply for a cannabis license, and to provide counseling services, education, small business coaching, and financial planning to such licensees. The bill was passed by indefinitely in a House General Laws subcommittee on a 5-3 vote. **SB 1214** (Lucas) would specify that a child would not be considered abused or neglected solely on the basis of their parent's possession or consumption of marijuana. The bill passed the Senate 31-9, but a House Courts of Justice subcommittee failed to recommend reporting on a 3-4 vote. A pair of bills that were successful are **HB 2428** (Wilt)/**SB 1233** (Obenshain), which as passed, make it a Class 1 misdemeanor to advertise any marijuana or marijuana product other than those that may be legally sold in Virginia. The bills also place limitations on outdoor advertising and require the Board of Directors of the VCCA to give the advertiser written notice to take corrective action – if that action is not taken within 30 days, the advertiser may be guilty of a Class 4 misdemeanor. The conference report passed the House and Senate unanimously.

Opioids

Drug overdoses, especially due to opioid use, continue to be the leading cause of unnatural death in Virginia, resulting in more deaths than firearms and traffic accidents combined. In an effort to combat the rising overdose numbers, several bills were filed to expand access to naloxone or other opioid antagonists as well as treatment for substance use disorder. **HB 1709** (Cherry)/**SB 1424** (Pillion), as passed, add employees of the Department of Corrections (DOC) to the list of individuals who are authorized to possess and administer naloxone or other opioid antagonists. **SB 1415** (Pillion), as passed, would go further, allowing any person to possess and administer naloxone or other opioid antagonists used for overdose reversal, provided other conditions in current law are met. The bill also removes training requirements related to the possession and administration of naloxone. Additionally, the bill directs VDH to develop a registry of nonprofit organizations that work to reduce the impact of opioids in the Commonwealth, and directs DOC to require every inmate to receive training in the administration of naloxone prior to release. All three bills passed both the House and Senate unanimously. **HB 1524** (Coyner) and **SB 820** (Favola), as introduced, would establish the Virginia Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund (to be administered by the Department of Criminal Justice Services (DCJS)) to support and fund the implementation of locally administered jail-based addiction recovery and substance use disorder treatment and transition programs in local and regional jails. **HB 1524** was converted into a study by the House Appropriations Committee, and then passed the House unanimously. **SB 820** passed the Senate unanimously, but was also converted into a study in the House. Ultimately, the bills went to conference and the introduced language was restored with a technical change and a delayed effective date of July 1, 2024. The conference report then passed both the House and Senate unanimously.

Since the increase in opioid-related deaths has been linked to increased fentanyl present in most street drugs, several bills targeting that drug, and those who are illegally manufacturing it, were introduced in an effort to cut down the supply. They were met with mixed success. **HB 1682** (Wyatt)/**SB 1188** (Reeves), as passed, classify any mixture or substance containing a detectable amount of fentanyl as a weapon of terrorism, and make knowingly and intentionally manufacturing or distributing such a weapon of terrorism a Class 4 felony. Both bills passed their respective chambers in different forms – while the Senate version went to a conference committee, the House agreed with the Senate substitute 53-43. Because the House had already agreed to the Senate version, the conference committee for **SB 1188** also moved the Senate version forward, and the conference report was agreed to by the House 50-42 and Senate 35-5. **HB 1455** (Anderson) and **SB 1490** (Vogel) were similar bills that would have established criminal penalties for anyone who sells, gives, or distributes a substance they know contains two milligrams or more of any mixture or substance containing a detectable amount of fentanyl. If the sale, gift, or distribution were to result in the death of a person from the use of the substance, the person providing the substance would be guilty of first degree murder by poison. Otherwise, the person would be guilty of attempted first degree murder by poison. **HB 1455** passed the House 70-29, before being passed by indefinitely in the Senate Judiciary Committee on an 8-7 vote and referred to the Crime Commission for additional study. **SB 1490** was passed by indefinitely in the Senate Judiciary Committee on a 9-6 vote. Similarly, **HB 1642** (Kilgore)/**SB 881**

(McDoughle), which sought to allow an individual who sells drugs to another person who then overdoses to be charged with felony homicide, were also passed by indefinitely in the Senate Judiciary Committee (currently, a person can only be charged if they were present at the time of overdose). On many of these bills, concerns were raised that such measures would further punish those who use drugs instead of promoting sobriety and recovery, reversing the progress the GA has made to decriminalize drug use in favor of promoting services for those suffering from addiction.

In addition, bills were filed related to the administrative functions of the newly created Opioid Abatement Authority (OAA). The OAA is an independent body that was set up to abate and remediate the opioid epidemic through financial support in the form of grants, donations, or other assistance, for efforts to treat, prevent, and reduce opioid use disorder and the misuse of opioids in Virginia. The OAA will handle the distribution of opioid settlement funds to state agencies, localities, and regional efforts. **SB 1414** (Pillion) establishes the Commonwealth Opioid Abatement and Remediation Fund to receive opioid settlement funds and use such funds for efforts to treat, prevent, or reduce opioid use disorder. The bill passed the House and Senate unanimously. **HB 1799** (Freitas) would have increased the membership of the OAA from 11 to 13 members by adding two representatives of the addiction and recovery community, but was stricken in the House Health, Welfare, and Institutions Committee.

ONGOING ISSUES AND STUDIES

Studies

As in years past, the creation of new study commissions was kept to a minimum, with many studies being conducted by state agencies rather than legislative bodies. A large number of study resolutions were tabled in the House this session, with members of the House Rules Committee sending letters requesting (but not requiring or directing) that certain topics be studied by executive agencies, subcommittees, and commissions. Some examples include: **HB 1656** (Price), which would have directed JLARC to study the social, physical, emotional, and economic effects of gun violence on communities across the Commonwealth; **SJ 230** (Bell), which would have directed the Virginia State Crime Commission to study the increase in hate crimes and bias-motivated acts directed towards Asian Americans and Pacific Islanders; **HJ 545** (Sewell), which would have directed the Department of Energy to study the barriers for local governments to directly purchase clean energy or to facilitate the purchase of clean energy by their constituents; and, **HB 2036** (Sewell), which would have directed the Department of Veterans Services to study and develop a plan for the establishment of a veterans care center in the eastern portion of the Northern Virginia area.

A select list of additional studies/work groups of interest to the County that passed the GA this year is included below. County staff will be monitoring the progress of these studies throughout the year:

HB 2046 (Carr)/**SB 839** (Locke) direct DHCD to conduct a comprehensive statewide housing needs assessment at least every five years, develop a statewide housing plan and update such plan at least every five years, and provide annual updates to the GA regarding meeting the goals of the plan.

HB 2146 (Guzman) directs the Virginia Board of Social Work to convene a work group to examine the feasibility of licensure by reciprocity with other jurisdictions. Under the bill, the Board shall submit a report to the GA by November 1, 2023.

HB 2175 (Sickles) directs the Secretary of Public Safety and Homeland Security to establish a work group to study existing fire service needs, analyze the sustainability of current funding, and review alternative funding models from other states. In conducting its study, the work group may hire an outside consultant and is directed to create a needs assessment survey that analyzes existing fire service needs, the sustainability of current funding, any gaps in current funding, how other states fund fire services and emergency medical services (EMS), and best practices from other states. The Secretary is required to report the work group's findings and any recommendations to the Chairmen of the House General Laws Committee and the Senate General Laws and Technology Committee by October 1, 2023.

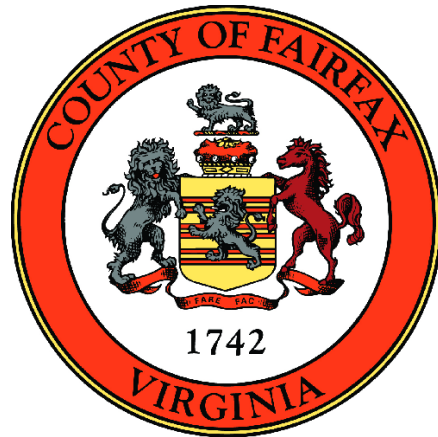
HB 2255 (Hodges)/**SB 1155** (Mason) direct DBHDS to review regulations that impact the providers it licenses, and develop reforms to increase efficiency, reduce redundancy, and decrease regulatory burdens on providers. The bill requires DBHDS to report its recommendations to the Chairmen of the Senate Education and Health Committee and the House Health, Welfare, and Institutions Committee by November 1, 2023.

SB 1215 (Lucas) requires VDOE to convene a stakeholder work group by August 15, 2023, to consider and make recommendations by November 1, 2023, on the appropriateness, feasibility, potential fiscal impact, and potential unintended consequences of certain definitions for, and calculations of, competitive teacher pay.

SB 1305 (Hanger) requires farm buildings and structures where the public is invited to enter and that are used for storage, handling, production, display, sampling, or sale of agricultural, horticultural, floricultural, or silvicultural products produced on the farm and that are exempt from the Uniform Statewide Building Code (the building code) to have (i) portable fire extinguishers, (ii) a simple written plan in case of an emergency, and (iii) a sign posted in a conspicuous place upon entry that states that the building is exempt from the provisions of the building code. The bill also directs the Agritourism Event Structure Technical Advisory Committee to meet at least four times between the 2023 and 2024 regular sessions of the GA, and provides guidance to the committee for topics on fire safety and the welfare of the general public to consider.

SB 1347 (Cosgrove) requires the State Corporate Commission (SCC), in consultation with the Secretary of Health and Human Resources, to convene a stakeholder work group to examine network standards for mobile crisis response services and the current availability of mobile crisis response services in the Commonwealth. The bill requires the work group to make recommendations regarding (i) the definition and standards of care for mobile crisis response services and short-term residential crisis stabilization services as they apply to the commercial insurance market, including balance billing protections; (ii) the licensure or accreditation required for such services in the Commonwealth; and (iii) how cost-sharing and deductibles will be addressed as part of accessing such services for commercially insured individuals. The bill requires the Commission to report the findings of the work group to the Health Insurance Reform Commission and the Governor by September 1, 2023.

SB 1411 (Norment) directs VRS and DCJS, in consultation with JLARC, to analyze and report on options for allowing law-enforcement officers to return to work as law-enforcement officers after retirement and continue to receive their retirement benefits.



SECTION II

Fairfax County Legislative Summary

2023 General Assembly

March 2, 2023

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Legislation That Passed the 2023 General Assembly

[VA - HB1442](#) Transient occupancy tax; administration.

County Position: Monitor

Primary Patron: Delegate Joseph P. McNamara (R)

Summary:

Transient occupancy tax; administration. Requires the Department of Taxation to annually publish on its website the current transient occupancy tax rates imposed in each locality. The bill also (i) requires the tax-assessing officer of a locality to administer and enforce the assessment and collection of transient occupancy taxes from accommodations intermediaries and (ii) specifies certain return filing requirements for accommodations intermediaries.

Actions:

February 20, 2023

- Bill text as passed House and Senate (HB1442ER)
- Enrolled

February 14, 2023

- VOTE: Adoption (98-Y 0-N)
- Senate amendment agreed to by House (98-Y 0-N)
- Placed on Calendar

February 10, 2023

- Passed Senate with amendment (39-Y 0-N)
- Engrossed by Senate as amended
- Amendment by Senator Barker agreed to
- Reading of amendment waived
- Read third time

February 9, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 8, 2023

- Reported from Finance and Appropriations (16-Y 0-N)

January 25, 2023

- Referred to Committee on Finance and Appropriations
- Constitutional reading dispensed

January 24, 2023

- VOTE: Block Vote Passage (100-Y 0-N)
- Read third time and passed House BLOCK VOTE (100-Y 0-N)

January 23, 2023

- Engrossed by House - committee substitute HB1442H1
- Committee substitute agreed to 23104573D-H1
- Read second time

January 20, 2023

- Read first time

January 18, 2023

- Committee substitute printed 23104573D-H1
- Reported from Finance with substitute (21-Y 0-N)

January 16, 2023

- Subcommittee recommends reporting with substitute (8-Y 0-N)

January 13, 2023

- Assigned Finance sub: Subcommittee #1

December 20, 2022

- Referred to Committee on Finance
- Prefiled and ordered printed; offered 01/11/23 23102584D

VA - HB1485 Chesapeake Bay Watershed Implementation Plan; changes contingency for effective date.

County Position: ~~Oppose~~, Monitor, bill has been amended to reflect an agreement reached by the stakeholders, see also SB 1129 (Hanger).

Primary Patron: Delegate Michael J. Webert (R)

Summary:

Chesapeake Bay Watershed Implementation Plan; effective date. Changes the contingency for the effective date of the Chesapeake Bay Watershed Implementation Plan to (i) allow consideration of a combination of point or nonpoint source pollution reduction efforts other than agricultural best management conservation practices when determining whether the Commonwealth's agriculture sector commitments in the Chesapeake Bay Total Maximum Daily Load Phase III Watershed Implementation Plan have been satisfied and (ii) bar such provisions from becoming effective unless the Commonwealth has fully funded the Virginia Natural Resources Commitment Fund as provided in the bill. The bill also advances from July 1, 2026, to July 1, 2030, the contingency effective date of the Chesapeake Bay Watershed Implementation Plan (the Plan). The bill requires the Secretary of Agriculture and Forestry and the Secretary of Natural and Historic Resources to convene a stakeholder advisory group to review annual progress and make certain recommendations toward the implementation of the Commonwealth's agricultural commitments in the Plan. The bill directs each soil and water conservation district to report to the Department any recommendations for improving the disbursement of funds from the Virginia Natural Resources Commitment Fund and program efficiencies that would expedite the disbursement of such funds. Finally, the bill prohibits any regulatory action to be imposed on agricultural practices before the effective date of the Chesapeake Bay Watershed Implementation Plan. This bill is identical to SB 1129.

Actions:

February 24, 2023

- Bill text as passed House and Senate (HB1485ER)
- Enrolled

February 21, 2023

- VOTE: Adoption (73-Y 24-N)
- Senate substitute agreed to by House 23106934D-S1 (73-Y 24-N)

February 17, 2023

- Passed Senate with substitute (39-Y 0-N)
- Engrossed by Senate - committee substitute HB1485S1
- Committee substitute agreed to 23106934D-S1
- Reading of substitute waived
- Read third time

February 16, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 14, 2023

- Committee substitute printed 23106934D-S1
- Reported from Agriculture, Conservation and Natural Resources with substitute (14-Y 0-N 1-A)

January 25, 2023

- Referred to Committee on Agriculture, Conservation and Natural Resources
- Constitutional reading dispensed

January 24, 2023

- VOTE: Passage (52-Y 47-N)
- Read third time and passed House (52-Y 47-N)

January 23, 2023

- Engrossed by House - committee substitute HB1485H1
- Committee substitute agreed to 23104627D-H1
- Read second time

January 20, 2023

- Read first time

January 18, 2023

- Committee substitute printed 23104627D-H1
- Reported from Agriculture, Chesapeake and Natural Resources with substitute (12-Y 10-N)

January 16, 2023

- Subcommittee recommends reporting with substitute (6-Y 4-N)

January 13, 2023

- Assigned ACNR sub: Chesapeake

January 1, 2023

- Referred to Committee on Agriculture, Chesapeake and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23101756D

VA - HB1496 Commonwealth Mass Transit Fund; 3.5 percent of Fund may be allocated to NVTC.

County Position: Support provisions related to VRE and remove cap on state aid for WMATA, see also SB 1079 (Cosgrove).

Primary Patron: Delegate Terry L. Austin (R)

Summary:

Commonwealth Mass Transit Fund. Allocates 3.5 percent of the Commonwealth Mass Transit Fund (the Fund) to commuter rail systems jointly operated by the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission and excludes such commuter rail systems from receiving allocations pursuant to other distributions of the Fund. The bill requires such commuter rail systems to submit reports to the Commonwealth Transportation Board. The bill limits allocations by the Northern Virginia Transportation Commission (NVTC) for distribution to the Washington Metropolitan Area Transit Authority (WMATA) to 50 percent of the total operating and capital assistance required to be provided by NVTC or other Virginia entities in the approved WMATA budget and establishes reporting requirements for WMATA. The bill codifies requirements for WMATA to adopt and submit certain planning documents first required pursuant to the eighth enactment of Chapter 854 and the eighth enactment of Chapter 856 of the Acts of Assembly of 2018 and repeals the original requirements. This bill is identical to SB 1079.

Actions:

February 27, 2023

- Governor's Action Deadline 11:59 p.m., March 27, 2023
- Enrolled Bill communicated to Governor on February 27, 2023

February 14, 2023

- Signed by President
- Signed by Speaker
- Bill text as passed House and Senate (HB1496ER)

- Enrolled
- **February 10, 2023**
- Passed Senate (39-Y 0-N)
- Read third time
- **February 9, 2023**
- Constitutional reading dispensed (40-Y 0-N)
- **February 8, 2023**
- Reported from Finance and Appropriations (16-Y 0-N)
- **February 1, 2023**
- Referred to Committee on Finance and Appropriations
- Constitutional reading dispensed
- **January 31, 2023**
- VOTE: (99-Y 0-N)
- Read third time and passed House BLOCK VOTE (99-Y 0-N)
- **January 30, 2023**
- Engrossed by House - committee substitute HB1496H1
- Committee substitute agreed to 23104630D-H1
- Read second time
- **January 27, 2023**
- Read first time
- **January 25, 2023**
- Reported from Appropriations (20-Y 0-N)
- **January 23, 2023**
- Subcommittee recommends reporting (8-Y 0-N)
- **January 20, 2023**
- Assigned App. sub: Transportation & Public Safety
- **January 19, 2023**
- Committee substitute printed 23104630D-H1
- Referred to Committee on Appropriations
- Reported from Transportation with substitute (20-Y 0-N)
- **January 17, 2023**
- Subcommittee recommends reporting with substitute (8-Y 0-N)
- **January 16, 2023**
- Assigned Transportation sub: Subcommittee #2 Transportation Infrastructure and Funding
- **January 3, 2023**
- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23101926D

VA - HB1516 Towing and recovery operators; vehicle storage.

County Position: Support

Primary Patron: Delegate Dawn M. Adams (D)

Summary:

Towing and recovery operators; vehicle storage. Prohibits towing and recovery operators from refusing to allow, consistent with current law, the owner of a towed vehicle, upon presenting proof of ownership, to access and recover any personal items without retrieving the vehicle and without paying any fee.

Actions:

February 24, 2023

- Signed by President

February 22, 2023

- Signed by Speaker
- Bill text as passed House and Senate (HB1516ER)
- Enrolled

February 17, 2023

- VOTE: Adoption (97-Y 0-N)
- Senate substitute agreed to by House 23106538D-S1 (97-Y 0-N)

February 16, 2023

- Passed by for the day

February 14, 2023

- Passed Senate with substitute (40-Y 0-N)
- Engrossed by Senate - committee substitute HB1516S1
- Committee substitute agreed to 23106538D-S1
- Reading of substitute waived
- Read third time

February 13, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 9, 2023

- Committee substitute printed 23106538D-S1
- Reported from Transportation with substitute (15-Y 0-N)

January 26, 2023

- Referred to Committee on Transportation
- Constitutional reading dispensed

January 25, 2023

- VOTE: Passage (100-Y 0-N)
- Read third time and passed House (100-Y 0-N)

January 24, 2023

- Engrossed by House - committee substitute HB1516H1
- Committee substitute agreed to 23104731D-H1
- Read second time

January 23, 2023

- Read first time

January 19, 2023

- Committee substitute printed 23104731D-H1
- Reported from Transportation with substitute (19-Y 1-N)

January 17, 2023

- Subcommittee failed to recommend reporting (4-Y 4-N)

January 13, 2023

- Assigned Transportation sub: Subcommittee #2 Transportation Infrastructure and Funding

January 4, 2023

- Referred to Committee on Transportation

- Prefiled and ordered printed; offered 01/11/23 23101940D

VA - HB1587 Commissioner of Highways; entering into certain agreements, civil penalties, agents.

County Position: Initiate

Primary Patron: Delegate Richard C. "Rip" Sullivan, Jr. (D)

Summary:

Commissioner of Highways; entering into certain agreements; civil penalties; agents. Adds contractors to the list of entities that the Commissioner of Highways, in agreement with Fairfax County, may authorize to act as agents for the enforcement of provisions related to signs or advertising within the limits of highways and the collection of associated civil penalties for violations of such provisions. The bill also requires such contractors to comply with applicable law and makes them subject to a right to reclaim a lawfully placed sign by the sign owner if such sign was confiscated in violation of the granted authority.

Actions:

February 20, 2023

- Bill text as passed House and Senate (HB1587ER)
- Enrolled

February 14, 2023

- Passed Senate (40-Y 0-N)
- Read third time

February 13, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 9, 2023

- Reported from Transportation (15-Y 0-N)

January 31, 2023

- Referred to Committee on Transportation
- Constitutional reading dispensed

January 30, 2023

- VOTE: (100-Y 0-N)
- Read third time and passed House BLOCK VOTE (100-Y 0-N)

January 27, 2023

- Read second time and engrossed

January 26, 2023

- Read first time

January 24, 2023

- Reported from Transportation (22-Y 0-N)

January 18, 2023

- Subcommittee recommends reporting (9-Y 0-N)

January 13, 2023

- Assigned Transportation sub: Subcommittee #3 Highway Safety and Policy

January 6, 2023

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23102486D

VA - HB1591 Data Governance and Analytics, Office of; repeals sunset provision.

County Position: Support, see also SB 914 (Hanger).

Primary Patron: Delegate Glenn R. Davis (R)

Summary:

Office of Data Governance and Analytics; Chief Data Officer. Repeals the sunset provision enacted in 2021 that created the Office of Data Governance and Analytics (the Office) and the position of Chief Data Officer within the Office of the Secretary of Administration, making both permanent. The provision is currently scheduled to expire on July 1, 2023. The bill also requires the Office to oversee and support any workforce development data systems, to facilitate data sharing, to identify innovative technology solutions, and to support processes that create data-informed decisions. This bill is identical to SB 914.

Actions:

February 24, 2023

- Signed by President

February 22, 2023

- Signed by Speaker
- Bill text as passed House and Senate (HB1591ER)
- Enrolled

February 17, 2023

- VOTE: Adoption (93-Y 5-N)
- Senate substitute agreed to by House 23106745D-S1 (93-Y 5-N)

February 15, 2023

- Passed Senate with substitute (40-Y 0-N)
- Engrossed by Senate - committee substitute HB1591S1
- Committee substitute agreed to 23106745D-S1
- Reading of substitute waived
- Read third time

February 14, 2023

- Constitutional reading dispensed (40-Y 0-N)
- Committee substitute printed 23106745D-S1
- Reported from Finance and Appropriations with substitute (16-Y 0-N)

February 8, 2023

- Rereferred to Finance and Appropriations
- Reported from General Laws and Technology (15-Y 0-N)

February 6, 2023

- Referred to Committee on General Laws and Technology
- Constitutional reading dispensed

February 3, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Read third time and passed House BLOCK VOTE (99-Y 0-N)

February 2, 2023

- Engrossed by House - committee substitute HB1591H1
- Committee substitute agreed to 23105800D-H1
- Read second time

February 1, 2023

- Read first time

January 30, 2023

- Committee substitute printed 23105800D-H1
- Reported from Appropriations with substitute (22-Y 0-N)
- Subcommittee recommends reporting with substitute (8-Y 0-N)

January 24, 2023

- Assigned App. sub: General Government and Capital Outlay

January 23, 2023

- Referred to Committee on Appropriations
- Reported from Communications, Technology and Innovation (22-Y 0-N)

January 6, 2023

- Referred to Committee on Communications, Technology and Innovation
- Prefiled and ordered printed; offered 01/11/23 23100957D

VA - HB1649 Towing trespassing vehicles; limitations on fees.

County Position: Issue should be studied as part of proposed workgroup on towing.

Primary Patron: Delegate Scott A. Wyatt (R)

Summary:

Towing trespassing vehicles; limitations on fees. Authorizes towing and recovery operators to charge a fuel surcharge fee of no more than \$30 for each vehicle towed or removed from private property without the consent of its owner and prohibits local governing bodies from limiting or prohibiting such fee. The bill has an expiration date of July 1, 2024.

Actions:

February 23, 2023

- VOTE: Adoption (50-Y 45-N)
- Senate amendments agreed to by House (50-Y 45-N)

February 22, 2023

- Passed Senate with amendment (21-Y 19-N)
- Engrossed by Senate as amended
- Amendment by Senator DeSteph agreed to
- Reading of amendment waived
- Read third time

February 21, 2023

- Passed by for the day
- Reconsideration of defeated action agreed to by Senate (39-Y 0-N)
- Defeated by Senate (19-Y 19-N)
- Read third time

February 20, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 16, 2023

- Reported from Transportation (9-Y 6-N)

February 8, 2023

- Referred to Committee on Transportation
- Constitutional reading dispensed

February 7, 2023

- VOTE: Passage (53-Y 46-N)
- Read third time and passed House (53-Y 46-N)

February 6, 2023

- Engrossed by House - committee substitute HB1649H1
- Committee substitute agreed to 23106018D-H1
- Read second time

February 5, 2023

- Read first time

February 2, 2023

- Committee substitute printed 23106018D-H1
- Reported from Transportation with substitute (17-Y 5-N)

January 31, 2023

- Subcommittee recommends reporting with substitute (6-Y 0-N)

January 13, 2023

- Assigned Transportation sub: Subcommittee #2 Transportation Infrastructure and Funding

January 8, 2023

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23102265D

VA - HB1665 Local land use approvals; extension of approvals to address the COVID-19 pandemic, sunset provision.

County Position: ~~Oppose, County has the tools to address this issue locally,~~ Monitor, bill has been amended to narrow the extension to the COVID-19 pandemic, see also SB 1205 (Lewis).

Primary Patron: Delegate Daniel W. Marshall, III (R)

Summary:

Extension of local land use approvals. Extends from July 1, 2023, to July 1, 2025, the sunset date for various local land use approvals that were valid and outstanding as of July 1, 2020. The bill also provides that its provisions shall not be construed to extend previous extensions related to the housing crisis and that any extension of approvals outstanding as of July 1, 2020, shall apply to any such approvals granted subsequent to July 1, 2020, that expire prior to July 1, 2025. This provision is declarative of existing law. This bill is identical to SB 1205.

Actions:

February 24, 2023

- Signed by President

February 22, 2023

- Signed by Speaker
- Bill text as passed House and Senate (HB1665ER)
- Enrolled

February 17, 2023

- VOTE: Adoption (78-Y 19-N)
- Senate amendments agreed to by House (78-Y 19-N)

February 15, 2023

- Passed Senate with amendments (40-Y 0-N)
- Engrossed by Senate as amended
- Committee amendments agreed to
- Reading of amendments waived
- Read third time

February 14, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 13, 2023

- Reported from Local Government with amendments (14-Y 0-N)

February 3, 2023

- Referred to Committee on Local Government
- Constitutional reading dispensed

February 2, 2023

- VOTE: Passage (76-Y 24-N)
- Read third time and passed House (76-Y 24-N)

February 1, 2023

- Printed as engrossed 23104197D-E
- Engrossed by House as amended HB1665E
- Committee amendments agreed to
- Read second time

January 31, 2023

- Read first time

January 27, 2023

- Reported from Counties, Cities and Towns with amendment(s) (19-Y 3-N)

January 19, 2023

- Subcommittee recommends reporting with amendments (8-Y 1-N)

January 17, 2023

- Assigned CC & T sub: Subcommittee #2

January 9, 2023

- Referred to Committee on Counties, Cities and Towns
- Prefiled and ordered printed; offered 01/11/23 23104197D

VA - HB1671 Residential land development and construction; fee transparency, annual report.

County Position: Monitor

Primary Patron: Delegate Scott A. Wyatt (R)

Summary:

Residential land development and construction fee transparency; annual report. Requires localities with a population greater than 3,500 to submit an annual report no later than March 1 to the Department of Housing and Community Development containing the total fee revenue collected by the locality over the preceding calendar year in connection with the processing, reviewing, and permitting of applications for residential land development and construction activities. The bill requires the report to be submitted by the locality in accordance with any guidelines and forms developed by the Department and the Commission on Local Government. The Department shall make the reports available on its website.

Actions:

February 22, 2023

- Passed Senate (40-Y 0-N)
- Read third time

February 21, 2023

- Constitutional reading dispensed (39-Y 0-N)

February 20, 2023

- Reported from Local Government (14-Y 0-N)

January 27, 2023

- Referred to Committee on Local Government
- Constitutional reading dispensed

January 26, 2023

- VOTE: Block Vote Passage (98-Y 0-N)
- Read third time and passed House BLOCK VOTE (98-Y 0-N)

January 25, 2023

- Read second time and engrossed

January 24, 2023

- Read first time

January 20, 2023

- Reported from Counties, Cities and Towns (22-Y 0-N)

January 19, 2023

- Subcommittee recommends reporting (9-Y 0-N)

January 17, 2023

- Assigned CC & T sub: Subcommittee #2

January 9, 2023

- Referred to Committee on Counties, Cities and Towns
- Prefiled and ordered printed; offered 01/11/23 23103925D

VA - HB1685 Business local; taxes, penalties.

County Position: ~~Oppose~~, Monitor, bill has been amended to remove provisions reducing the penalty on unpaid taxes.

Primary Patron: Delegate Karen S. Greenhalgh (R)

Summary:

Local business taxes; penalties. Requires license application forms to include the due date for the application and the amount of the penalty charged for late application filing, the underpayment of estimated tax, and the late payment of tax. The bill requires the assessing official, upon assessing any such penalty or any interest, to notify the affected taxpayer of the amount of such penalty, any interest assessed, and the total amount of tax owed. This bill is a recommendation of the Small Business Commission.

Actions:

February 27, 2023

- Governor's Action Deadline 11:59 p.m., March 27, 2023
- Enrolled Bill communicated to Governor on February 27, 2023

February 14, 2023

- Signed by President
- Signed by Speaker
- Bill text as passed House and Senate (HB1685ER)
- Enrolled

February 10, 2023

- Passed Senate (39-Y 0-N)
- Read third time

February 9, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 8, 2023

- Reported from Finance and Appropriations (15-Y 0-N 1-A)

February 1, 2023

- Referred to Committee on Finance and Appropriations
- Constitutional reading dispensed

January 31, 2023

- VOTE: (99-Y 0-N)
- Read third time and passed House BLOCK VOTE (99-Y 0-N)

January 30, 2023

- Engrossed by House - committee substitute HB1685H1
- Committee substitute agreed to 23105427D-H1
- Read second time

January 27, 2023

- Read first time

January 25, 2023

- Committee substitute printed 23105427D-H1
- Reported from Finance with substitute (22-Y 0-N)

January 13, 2023

- Assigned Finance sub: Subcommittee #2

January 9, 2023

- Referred to Committee on Finance
- Prefiled and ordered printed; offered 01/11/23 23100943D

VA - HB1723 Passing stopped school buses; purpose of stop, prima facie evidence.

County Position: Support

Primary Patron: Delegate Shelly A. Simonds (D)

Summary:

Passing stopped school buses; purpose of stop; prima facie evidence. Makes evidence that a bus was stopped with at least one warning device activated prima facie evidence that the bus was stopped for the purpose of taking on or discharging children, the elderly, or mentally or physically handicapped persons.

Actions:

February 24, 2023

- Bill text as passed House and Senate (HB1723ER)
- Enrolled

February 21, 2023

- Passed Senate (39-Y 0-N)
- Read third time

February 20, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 16, 2023

- Reported from Transportation (14-Y 0-N 1-A)

February 2, 2023

- Referred to Committee on Transportation
- Constitutional reading dispensed

February 1, 2023

- VOTE: Passage (99-Y 1-N)
- Read third time and passed House (99-Y 1-N)

- Passed by temporarily
January 31, 2023
- Read second time and engrossed
January 30, 2023
- Read first time
January 26, 2023
- Reported from Transportation (18-Y 4-N)
January 24, 2023
- Subcommittee recommends reporting (7-Y 1-N)
January 16, 2023
- Assigned Transportation sub: Subcommittee #2 Transportation Infrastructure and Funding
January 9, 2023
- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23102405D

VA - HB1805 Virginia Resources Authority; community development and housing projects.

County Position: Support, see also SB 1401 (Lewis).

Primary Patron: Delegate Robert S. Bloxom, Jr. (R)

Summary:

Virginia Resources Authority; purpose; community development and housing projects. Adds community development projects related to the production and preservation of housing, including housing for persons and families of low and moderate income, to those projects that the Virginia Resources Authority may finance. The bill directs the Department of Housing and Community Development to assist the Authority with determining which local governments are to receive grants from the Authority for such projects. This bill is identical to SB 1401.

Actions:

- **February 24, 2023**
- Bill text as passed House and Senate (HB1805ER)
- Enrolled
- **February 21, 2023**
- Passed Senate (40-Y 0-N)
- Read third time
- **February 20, 2023**
- Constitutional reading dispensed (40-Y 0-N)
- **February 16, 2023**
- Reported from Finance and Appropriations (16-Y 0-N)
- **February 14, 2023**
- Rereferred to Finance and Appropriations
- Reported from Agriculture, Conservation and Natural Resources (15-Y 0-N)
- **February 8, 2023**
- Referred to Committee on Agriculture, Conservation and Natural Resources
- Constitutional reading dispensed
- **February 7, 2023**
- VOTE: Block Vote Passage (99-Y 0-N)
- Read third time and passed House BLOCK VOTE (99-Y 0-N)
- **February 6, 2023**
- Engrossed by House - committee substitute HB1805H1

- Committee substitute agreed to 23105056D-H1
- Read second time
- **February 5, 2023**
- Read first time
- **February 2, 2023**
- Committee substitute printed 23105056D-H1
- Reported from General Laws with substitute (22-Y 0-N)
- Subcommittee recommends reporting with substitute (8-Y 0-N)

January 30, 2023

- Assigned GL sub: Subcommittee #2
- **January 25, 2023**
- Referred to Committee on General Laws
- Referred from Agriculture, Chesapeake and Natural Resources by voice vote

January 10, 2023

- Referred to Committee on Agriculture, Chesapeake and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23104158D

VA - HB1859 Applicant Fingerprint Database; participation in FBI Next Generation Identification Rap Back Serv.

County Position: Support, support the ongoing state funding, ensuring the safety of vulnerable populations throughout the Commonwealth, see also SB 1183 (Reeves).

Primary patron: Delegate Michael J. Weibert (R)

Summary:

Applicant Fingerprint Database; participation in FBI Next Generation Identification Rap Back Service, through Virginia Rap Back Service, for fingerprint-based criminal history record monitoring; penalty. Requires the Department of State Police (the Department) to participate in the Federal Bureau of Investigation's (FBI) Next Generation Identification (NGI) Record of Arrest and Prosecution (Rap) Back Service, through the Virginia Rap Back Service (the Service), for the purpose of allowing those agencies and governmental entities that require a fingerprint-based criminal background check as a condition of (i) providing care to (a) children, (b) the disabled, or (c) the elderly or (ii) (a) licensure, (b) certification, (c) employment, or (d) volunteer service to be advised when an individual subject to such screening is arrested for, or convicted of, a criminal offense. The bill provides that fingerprints submitted to the FBI through the Virginia Rap Back Service may be used for future searches, including latent searches.

The bill requires the Department to ensure that notification is made to the participating entity, defined in the bill, when an FBI Rap Back report is received. Any unauthorized use of the information submitted to the Service is prohibited; any willful violation with the intent to harass or intimidate another is a Class 1 misdemeanor. The bill requires the Department to promulgate regulations governing the Service and the removal and destruction of records on persons who are deceased or are no longer enrolled in the Service. The bill provides that such regulations shall provide that a participating entity shall disenroll any individual who is deceased or is no longer an individual, as defined in the bill, within 30 days of death or such event that no longer requires such individual to be enrolled in the Virginia Rap Back Service in order to ensure the prompt removal and destruction of records from the Virginia Rap Back Service. The bill authorizes the Department to charge a \$12 fee per individual enrolled in the Service, paid by any participating entity enrolling the individual in the Service, and provides that when more than one participating agency enrolls the same individual in the Service, both entities shall be responsible for paying the full cost for maintenance and notification. The bill requires that any fees collected shall be deposited in a special account to offset costs of subscription fees, maintenance fees, and enhancements related to the Criminal and Rap Back Information Service.

Under current law, the Department maintains an Applicant Fingerprint Database (the Database) that functions similarly to the Service. The bill transitions the Department from using the Database and requires the Service to be operational no later than July 1, 2025, contingent upon appropriation of funds. This bill is identical to SB 1183.

Actions:

March 2, 2023

- Governor's Action Deadline 11:59 p.m., March 27, 2023
- Enrolled Bill communicated to Governor on March 2, 2023

February 24, 2023

- Signed by President

February 22, 2023

- Signed by Speaker
- Bill text as passed House and Senate (HB1859ER)
- Enrolled

February 17, 2023

- VOTE: Adoption (98-Y 0-N)
- Senate amendments agreed to by House (98-Y 0-N)

February 15, 2023

- Passed Senate with amendments (40-Y 0-N)
- Engrossed by Senate as amended
- Committee amendments agreed to
- Reading of amendments waived
- Read third time

February 14, 2023

- Constitutional reading dispensed (40-Y 0-N)
- Reported from Finance and Appropriations (16-Y 0-N)

February 8, 2023

- Rereferred to Finance and Appropriations
- Reported from Judiciary with amendments (14-Y 0-N)

January 27, 2023

- Referred to Committee on the Judiciary
- Constitutional reading dispensed

January 26, 2023

- VOTE: (97-Y 1-N)
- Read third time and passed House (97-Y 1-N)

January 25, 2023

- Read second time and engrossed

January 24, 2023

- Read first time

January 20, 2023

- Reported from Public Safety (21-Y 0-N)

January 19, 2023

- Subcommittee recommends reporting (8-Y 0-N)

January 17, 2023

- Assigned PS sub: Subcommittee #2

January 10, 2023

- Referred to Committee on Public Safety
- Prefiled and ordered printed; offered 01/11/23 23104019D

VA - HB1896 Bank franchise tax; electronic access to banks for real estate assessment records, etc.

County Position: Monitor, see also SB 1182 (Ruff).

Primary Patron: Delegate Kathy J. Byron (R)

Summary:

Bank franchise tax; report. Provides for the electronic filing of bank franchise tax returns through a secure online portal maintained by the Department of Taxation and extends the time to file such tax return by 60 days. The bill also requires localities to provide banks access to real estate assessment records upon request. The bill has a delayed effective date of January 1, 2025, and directs the Department to convene a work group to assess potential alternative methods for the filing and allocation of bank franchise tax revenues. This bill is identical to SB 1182.

Actions:

February 20, 2023

- Bill text as passed House and Senate (HB1896ER)
- Enrolled

February 15, 2023

- Passed Senate (40-Y 0-N)
- Read third time

February 14, 2023

- Constitutional reading dispensed (40-Y 0-N)
- Reported from Finance and Appropriations (15-Y 0-N)

February 8, 2023

- Referred to Committee on Finance and Appropriations
- Constitutional reading dispensed

February 7, 2023

- VOTE: Passage (99-Y 0-N)
- Read third time and passed House (99-Y 0-N)

February 6, 2023

- Engrossed by House - committee substitute HB1896H1
- Committee substitute agreed to 23105697D-H1
- Read second time

February 3, 2023

- Read first time

February 1, 2023

- Committee substitute printed 23105697D-H1
- Reported from Finance with substitute (21-Y 1-N)

January 30, 2023

- Subcommittee recommends reporting with substitute (6-Y 0-N)
- Assigned Finance sub: Subcommittee #3

January 10, 2023

- Referred to Committee on Finance
- Prefiled and ordered printed; offered 01/11/23 23104007D

VA - HB1940 Waterworks and wastewater works operators; license reciprocity.

County Position: Support, see also SB 999 (Mason).

Primary Patron: Delegate Chris S. Runion (R)

Summary:

Waterworks and wastewater works operators; license reciprocity. Requires the Department of Professional and Occupational Regulation (the Department) to issue a reciprocal license for waterworks and wastewater works operators licensed in another state as fulfillment of qualifications for licensure in the Commonwealth. The bill specifies required conditions to be met by individual applicants seeking a reciprocal license. This bill requires the Board to adopt regulations establishing procedure by which the Department shall grant licenses within 30 days of the date of application. The bill directs the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals to adopt regulations to implement the provisions of the bill. This bill is identical to SB 999.

Actions:

February 24, 2023

- Bill text as passed House and Senate (HB1940ER)
- Enrolled

February 21, 2023

- VOTE: Adoption (99-Y 0-N)
- Senate amendments agreed to by House (99-Y 0-N)

February 17, 2023

- Passed Senate with amendments (39-Y 0-N)
- Engrossed by Senate as amended
- Committee amendments agreed to
- Reading of amendments waived
- Read third time

February 16, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 14, 2023

- Reported from Agriculture, Conservation and Natural Resources with amendment (15-Y 0-N)

February 7, 2023

- Referred to Committee on Agriculture, Conservation and Natural Resources
- Constitutional reading dispensed

February 6, 2023

- VOTE: Passage (100-Y 0-N)
- Read third time and passed House (100-Y 0-N)

February 3, 2023

- Engrossed by House - committee substitute HB1940H1
- Emergency clause deleted
- Committee substitute agreed to 23105619D-H1
- Read second time

February 2, 2023

- Read first time

January 31, 2023

- Committee substitute printed 23105619D-H1
- Reported from General Laws with substitute (21-Y 1-N)

January 26, 2023

- Subcommittee recommends reporting with substitute (7-Y 0-N)

January 23, 2023

- Assigned GL sub: Subcommittee #1

January 10, 2023

- Referred to Committee on General Laws
- Prefiled and ordered printed with emergency clause; offered 01/11/23 23102798D

VA - HB1948 Absentee voting; removes witness requirement, required information on return ballot envelope.

County Position: Support elimination of the witness requirement, but oppose requiring the voter's social security number and date of birth.

Primary Patron: Delegate Robert S. Bloxom, Jr. (R)

Summary:

Elections; absentee voting; witness requirement; required information on return ballot envelope; unique identifier. Removes the witness requirement for absentee ballots and replaces it with the requirement that the voter provide the last four digits of his social security number and his date of birth. The bill provides that the unique identifier assigned to the voter in the voter registration system will also be accepted in place of the last four digits of the voter's social security number for such purposes.

Actions:

February 24, 2023

- Signed by President

February 22, 2023

- Signed by Speaker
- Bill text as passed House and Senate (HB1948ER)
- Enrolled

February 17, 2023

- Passed Senate (35-Y 4-N)
- Read third time

February 16, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 14, 2023

- Reported from Privileges and Elections (13-Y 2-N)

February 3, 2023

- Referred to Committee on Privileges and Elections
- Constitutional reading dispensed

February 2, 2023

- VOTE: Block Vote Passage (100-Y 0-N)
- Read third time and passed House BLOCK VOTE (100-Y 0-N)

February 1, 2023

- Engrossed by House - committee substitute HB1948H1
- Committee substitute agreed to 23105545D-H1
- Read second time

January 31, 2023

- Read first time

January 27, 2023

- Committee substitute printed 23105545D-H1
- Reported from Privileges and Elections with substitute (22-Y 0-N)

January 25, 2023

- Subcommittee recommends reporting (8-Y 0-N)

January 23, 2023

- Assigned P & E sub: Subcommittee #2

January 10, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23100850D

VA - HB1963 Individuals with developmental disabilities; financial flexibility, report.

County Position: Support, see also SB 945 (Suetterlein).

Primary Patron: Delegate Chris S. Runion (R)

Summary:

Department of Medical Assistance Services; services for individuals with developmental disabilities; financial flexibility; report. Directs the Department of Medical Assistance Services to take steps to amend the Family and Individual Supports, Community Living, and Building Independence waivers to provide greater financial flexibility to individuals with developmental disabilities who are receiving waiver services. The bill requires the Department to report on its progress to the Governor and the General Assembly by December 1, 2023. This bill is identical to SB 945.

Actions:

February 24, 2023

- Bill text as passed House and Senate (HB1963ER)
- Enrolled

February 21, 2023

- Passed Senate (40-Y 0-N)
- Read third time

February 20, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 16, 2023

- Reported from Finance and Appropriations (16-Y 0-N)
- Rereferred to Finance and Appropriations
- Reported from Education and Health (15-Y 0-N)

February 8, 2023

- Referred to Committee on Education and Health
- Constitutional reading dispensed

February 7, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Read third time and passed House BLOCK VOTE (99-Y 0-N)

February 6, 2023

- Read second time and engrossed

February 3, 2023

- Read first time

February 1, 2023

- Reported from Appropriations (22-Y 0-N)

January 31, 2023

- Subcommittee recommends reporting (8-Y 0-N)

January 24, 2023

- Assigned App. sub: Health & Human Resources
- Referred to Committee on Appropriations
- Reported from Health, Welfare and Institutions (22-Y 0-N)

January 17, 2023

- Subcommittee recommends referring to Committee on Appropriations
- Subcommittee recommends reporting (9-Y 0-N)

January 13, 2023

- Assigned HWI sub: Subcommittee #1

January 10, 2023

- Referred to Committee on Health, Welfare and Institutions
- Prefiled and ordered printed; offered 01/11/23 23104079D

VA - HB1976 Involuntary admission; release of individual.

County Position: Support, amend to provide clarity on CSB's role.

Primary Patron: Delegate Robert B. Bell (R)

Summary:

Involuntary admission; temporary detention; release of detained individual. Allows the director of a facility where a person is awaiting transport to the facility of temporary detention pursuant to a temporary detention order to request a psychiatrist or clinical psychologist, in consultation with the treating physician and the community services board, to perform a new assessment to determine if such person no longer meets commitment criteria, or request the community services board, in consultation with the treating physician, to conduct an evaluation to determine if such person no longer meets commitment criteria. The community services board, after its evaluation, may release the person prior to a commitment hearing if the person no longer meets the commitment criteria.

Actions:

February 24, 2023

- VOTE: Adoption (94-Y 0-N)
- Conference report agreed to by House (94-Y 0-N)
- Conference report agreed to by Senate (40-Y 0-N)
- Amended by conference committee

February 23, 2023

- Senators: Deeds, McClellan, Stuart
- Conferees appointed by Senate
- Delegates: Bell, Ransone, Watts
- Conferees appointed by House
- House acceded to request
- Senate requested conference committee
- Senate insisted on substitute (40-Y 0-N)

February 22, 2023

- VOTE: REJECTED (0-Y 97-N)
- Senate substitute rejected by House 23107148D-S1 (0-Y 97-N)

February 21, 2023

- Passed Senate with substitute (40-Y 0-N)

- Engrossed by Senate - committee substitute HB1976S1
- Committee substitute agreed to 23107148D-S1
- Reading of substitute waived
- Read third time

February 20, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 17, 2023

- Committee substitute printed 23107148D-S1
- Reported from Rehabilitation and Social Services with substitute (14-Y 0-N)

February 15, 2023

- Rereferred to Rehabilitation and Social Services
- Rereferred from Judiciary (13-Y 0-N)

February 8, 2023

- Referred to Committee on the Judiciary
- Constitutional reading dispensed

February 7, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Read third time and passed House BLOCK VOTE (99-Y 0-N)

February 6, 2023

- Engrossed by House - committee substitute HB1976H1
- Committee substitute agreed to 23105810D-H1
- Read second time

February 5, 2023

- Read first time

February 3, 2023

- Committee substitute printed 23105810D-H1
- Reported from Courts of Justice with substitute (20-Y 0-N)

February 1, 2023

- Subcommittee recommends reporting with substitute (8-Y 0-N)

January 26, 2023

- Assigned Courts sub: Subcommittee #1

January 10, 2023

- Referred to Committee for Courts of Justice
- Prefiled and ordered printed; offered 01/11/23 23104304D

VA - HB2041 Parks, local; walking trails, liability for property owners.

County Position: Support, see also SB 807 (Favola).

Primary Patron: Delegate Irene Shin (D)

Summary:

Local parks; walking trails; liability; property owners. Authorizes a locality or park authority to establish, conduct, and regulate a system of walking trails and releases from certain civil liability the owner of any property leased, licensed, or provided by easement for such use in the absence of gross negligence or willful misconduct. This bill is identical to SB 807.

Actions:

February 20, 2023

- Bill text as passed House and Senate (HB2041ER)
- Enrolled

February 15, 2023

- Passed Senate (36-Y 4-N)
- Reconsideration of Senate passage agreed to by Senate (40-Y 0-N)
- Passed Senate (38-Y 2-N)
- Read third time

February 14, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 13, 2023

- Reported from Local Government (13-Y 1-N)

February 3, 2023

- Referred to Committee on Local Government
- Constitutional reading dispensed

February 2, 2023

- VOTE: Block Vote Passage (100-Y 0-N)
- Read third time and passed House BLOCK VOTE (100-Y 0-N)

February 1, 2023

- Read second time and engrossed

January 31, 2023

- Read first time

January 27, 2023

- Reported from Counties, Cities and Towns (22-Y 0-N)

January 26, 2023

- Subcommittee recommends reporting (9-Y 0-N)

January 17, 2023

- Assigned CC & T sub: Subcommittee #2

January 10, 2023

- Referred to Committee on Counties, Cities and Towns
- Prefiled and ordered printed; offered 01/11/23 23102799D

VA - HB2095 Plans and programs; drought evaluation and response plans, Potomac River.

County Position: Support, see also SB 1149 (Marsden).

Primary Patron: Delegate David L. Bulova (D)

Summary:

Plans and programs; drought evaluation and response plans; Potomac River. Requires the State Water Control Board to recognize service areas for water utilities in the Commonwealth that use the Potomac River as a water supply source as a distinct drought evaluation region. The bill requires the Board to incorporate certain provisions from the Metropolitan Washington Water Supply and Drought Awareness Response Plan: Potomac River System (the Metropolitan Washington Plan) into the existing drought evaluation and response plans that are applicable to the Potomac River drought evaluation region. The bill directs the Board to adopt regulations that further recognize the localities that include any portion of the service area of a water supply utility in the Commonwealth that uses the Potomac River as a water supply source as a distinct regional planning area. The bill requires such regulations to incorporate certain provisions from the Metropolitan

Washington Plan. The bill provides that the incorporation of such provisions shall not be construed to limit the authority of the Governor during a declared drought emergency. This bill is identical to SB 1149.

Actions:

February 24, 2023

- Signed by President

February 22, 2023

- Signed by Speaker
- Bill text as passed House and Senate (HB2095ER)
- Enrolled

February 17, 2023

- Passed Senate (39-Y 0-N)
- Read third time

February 16, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 14, 2023

- Reported from Agriculture, Conservation and Natural Resources (12-Y 0-N)

January 25, 2023

- Referred to Committee on Agriculture, Conservation and Natural Resources
- Constitutional reading dispensed

January 24, 2023

- VOTE: Block Vote Passage (100-Y 0-N)
- Read third time and passed House BLOCK VOTE (100-Y 0-N)

January 23, 2023

- Engrossed by House - committee substitute HB2095H1
- Committee substitute agreed to 23104567D-H1
- Read second time

January 20, 2023

- Read first time

January 18, 2023

- Committee substitute printed 23104567D-H1
- Reported from Agriculture, Chesapeake and Natural Resources with substitute (22-Y 0-N)

January 16, 2023

- Subcommittee recommends reporting with substitute (10-Y 0-N)

January 13, 2023

- Assigned ACNR sub: Chesapeake

January 10, 2023

- Referred to Committee on Agriculture, Chesapeake and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23104033D

VA - HB2195 Workforce development; consolidation of policies and programs, etc.

County Position: Monitor, see also SB 1470 (Ruff).

Primary Patron: Delegate Kathy J. Byron (R)

Summary:

Department of Workforce Development and Advancement created; consolidation of the Commonwealth's workforce development policies and programs; report. Creates the Department of Workforce Development and Advancement (the

Department) to administer workforce development programs. The bill consolidates statewide workforce program evaluation and data sharing under the Department and provides protections against improper disclosure of data. The bill provides for the Virginia Board of Workforce Development to conduct an independent evaluation of the operations and program objectives of the Department on a biennial basis with the first report due on December 1, 2025. The bill also (i) transfers administration of apprenticeship programs from the Department of Labor and Industry to the Department, (ii) moves the Innovative Internship Fund and Program from the State Council of Higher Education for Virginia to the Department, and (iii) directs the Secretary of Labor (the Secretary) to conduct a comprehensive review of the Commonwealth's workforce development programs and make recommendations to address a wide range of subjects relating to improving the effectiveness and efficiency of such programs. The Secretary is also required to convene a stakeholder work group to advise the Secretary during the transition period. This bill is a recommendation of the Small Business Commission.

Actions:

February 22, 2023

- VOTE: Adoption (96-Y 1-N)
- Senate substitute agreed to by House 23107114D-S2 (96-Y 1-N)

February 21, 2023

- Passed Senate with substitute (39-Y 0-N)
- Engrossed by Senate - committee substitute HB2195S2
- Finance and Appropriations Committee substitute agreed to 23107114D-S2
- Reading of substitute waived
- General Laws and Technology Committee substitute rejected 23106804D-S1
- Read third time

February 20, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 16, 2023

- Committee substitute printed 23107114D-S2
- Reported from Finance and Appropriations with substitute (15-Y 0-N 1-A)

February 15, 2023

- Rereferred to Finance and Appropriations
- Committee substitute printed 23106804D-S1
- Reported from General Laws and Technology with substitute (12-Y 2-N 1-A)

February 8, 2023

- Referred to Committee on General Laws and Technology
- Constitutional reading dispensed

February 7, 2023

- VOTE: Passage (54-Y 45-N)
- Read third time and passed House (54-Y 45-N)

February 6, 2023

- Engrossed by House - committee substitute HB2195H2
- Committee on Appropriations substitute agreed to 23105937D-H2
- Committee on Commerce and Energy substitute rejected 23105424D-H1
- Read second time

February 3, 2023

- Read first time

February 1, 2023

- Committee substitute printed 23105937D-H2
- Reported from Appropriations with substitute (14-Y 8-N)
- Subcommittee recommends reporting with substitute (6-Y 2-N)

January 27, 2023

- Assigned App. sub: Commerce Agriculture & Natural Resources

January 26, 2023

- Referred to Committee on Appropriations
- Committee substitute printed 23105424D-H1
- Reported from Commerce and Energy with substitute (12-Y 10-N)

January 11, 2023

- Referred to Committee on Commerce and Energy
- Prefiled and ordered printed; offered 01/11/23 23101396D

VA - HB2231 Social Work, Board of; expands powers and duties.

County Position: Support

Primary Patron: Delegate Mark D. Sickles (D)

Summary:

Board of Social Work; powers and duties. Expands the powers and duties of the Board of Social Work to require the Board to maintain a list of the names and contact information of persons approved by the Board to supervise candidates for licensure as a clinical social worker and allows supervisees pursuing licensure as a clinical social worker to change or add a supervisor from the Board's list of currently approved supervisors without prior approval from the Board.

Actions:

February 20, 2023

- Bill text as passed House and Senate (HB2231ER)
- Enrolled

February 14, 2023

- Passed Senate (40-Y 0-N)
- Read third time

February 13, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 10, 2023

- Reported from Rehabilitation and Social Services (15-Y 0-N)

January 24, 2023

- Referred to Committee on Rehabilitation and Social Services
- Constitutional reading dispensed

January 23, 2023

- VOTE: (99-Y 0-N)
- Read third time and passed House BLOCK VOTE (99-Y 0-N)

January 20, 2023

- Printed as engrossed 23102964D-E
- Engrossed by House as amended HB2231E
- Committee amendment agreed to
- Read second time

January 19, 2023

- Read first time

January 17, 2023

- Reported from Health, Welfare and Institutions with amendment(s) (21-Y 0-N)

January 11, 2023

- Referred to Committee on Health, Welfare and Institutions
- Prefiled and ordered printed; offered 01/11/23 23102964D

VA - HB2266 Absentee ballot; SB to adopt policy regarding counting, etc., in a central absentee voter precinct.

County Position: ~~Amend, amend to extend the deadline for counting absentee ballots by precinct to the Friday after the election,~~ Monitor, bill has been amended to reflect concerns with deadline.

Primary Patron: Delegate Margaret B. Ransone (R)

Summary:

State Board of Elections; adopt policy regarding counting and reporting of absentee ballots in a central absentee voter precinct. Directs the State Board of Elections to adopt a policy regarding the counting and reporting of absentee ballots in a central absentee voter precinct in order to ensure that (i) the results of absentee ballots cast early in person are reported separately from mailed absentee ballots and are posted promptly on the State Board's website and (ii) the results of all absentee ballots cast by voters are reported by precinct in accordance with law and are posted on the State Board of Elections website no later than noon on the seventh calendar day following the election. The bill requires such policy to be adopted no later than September 1, 2023, and the Chairmen of the House and Senate Committees on Privileges and Elections to be notified of such policy within seven days of its adoption.

Actions:

February 24, 2023

- Bill text as passed House and Senate (HB2266ER)
- Enrolled

February 21, 2023

- Passed Senate (40-Y 0-N)
- Read third time

February 20, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 17, 2023

- Reported from Rules (15-Y 0-N)

February 8, 2023

- Referred to Committee on Rules
- Constitutional reading dispensed

February 7, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Read third time and passed House BLOCK VOTE (99-Y 0-N)

February 6, 2023

- Engrossed by House - committee substitute HB2266H1
- Committee substitute agreed to 23106313D-H1
- Read second time

February 5, 2023

- Read first time

February 3, 2023

- Committee substitute printed 23106313D-H1
- Reported from Privileges and Elections with substitute (22-Y 0-N)

January 30, 2023

- Assigned P & E sub: Subcommittee #1

January 11, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23103315D

VA - HB2338 Transit Ridership Incentive Program; use of funds, improving accessibility.

County Position: Support, see also SB 1326 (McClellan).

Primary Patron: Delegate Delores L. McQuinn (D)

Summary:

Transit Ridership Incentive Program; funds; improving accessibility; transition to zero-emissions. Directs the Commonwealth Transportation Board to use up to 30 percent of available funds in the Transit Ridership Incentive Program to support local, regional, and state entities in improving the accessibility of transit bus passenger facilities and transitioning public transit bus fleets and infrastructure to zero-emission bus fleets and infrastructure. The bill directs the Board to develop guidelines for applications for grants to any local, regional, or state public entity that supports a transit system. This bill is identical to SB 1326.

Actions:

February 20, 2023

- Bill text as passed House and Senate (HB2338ER)
- Enrolled

February 15, 2023

- Passed Senate (24-Y 15-N)
- Read third time

February 14, 2023

- Constitutional reading dispensed (40-Y 0-N)
- Reported from Finance and Appropriations (15-Y 0-N)

February 9, 2023

- Rereferred to Finance and Appropriations
- Reported from Transportation (8-Y 7-N)

February 6, 2023

- Referred to Committee on Transportation
- Constitutional reading dispensed

February 3, 2023

- VOTE: Passage (64-Y 35-N)
- Read third time and passed House (64-Y 35-N)

February 2, 2023

- Printed as engrossed 23103486D-E
- Engrossed by House as amended HB2338E
- Committee amendments agreed to
- Read second time

February 1, 2023

- Read first time

January 30, 2023

- Reported from Appropriations (20-Y 2-N)
- Subcommittee recommends reporting (7-Y 1-N)

January 27, 2023

- Assigned App. sub: Transportation & Public Safety

January 26, 2023

- Referred to Committee on Appropriations
- Reported from Transportation with amendment(s) (21-Y 1-N)

January 24, 2023

- Subcommittee recommends reporting with amendments (8-Y 0-N)

January 18, 2023

- Assigned Transportation sub: Subcommittee #2 Transportation Infrastructure and Funding

January 12, 2023

- Referred to Committee on Transportation
- Presented and ordered printed 23103486D

VA - HB2390 Virginia Erosion and Stormwater Management Act; regulations; effective date.

County Position: Monitor, see also SB 1168 (Desteph).

Primary Patron: Delegate Chris S. Runion (R)

Summary:

Virginia Erosion and Stormwater Management Act; regulations; effective date. Directs the State Water Control Board to adopt regulations to implement before July 1, 2024, the requirements of amendments to the Virginia Erosion and Stormwater Management Act enacted by the 2016 Session and amended by the 2017 Session and delays from July 1, 2018, to July 1, 2024, the effective date of the amendments made by the 2016 Session and regulations required to be adopted pursuant thereto. The bill also directs such adopted regulations to include the reduction of regulations through consolidation of duplicative requirements. This bill is identical to SB 1168.

Actions:

February 24, 2023

- Signed by President

February 22, 2023

- Signed by Speaker
- Bill text as passed House and Senate (HB2390ER)
- Enrolled

February 17, 2023

- Passed Senate (39-Y 0-N)
- Read third time

February 16, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 14, 2023

- Reported from Agriculture, Conservation and Natural Resources (12-Y 0-N)

February 8, 2023

- Referred to Committee on Agriculture, Conservation and Natural Resources
- Constitutional reading dispensed

February 7, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Read third time and passed House BLOCK VOTE (99-Y 0-N)

February 6, 2023

- Read second time and engrossed

February 3, 2023

- Read first time

February 1, 2023

- Reported from Agriculture, Chesapeake and Natural Resources (22-Y 0-N)

January 30, 2023

- Subcommittee recommends reporting (9-Y 0-N)

January 20, 2023

- Assigned ACNR sub: Chesapeake

January 17, 2023

- Referred to Committee on Agriculture, Chesapeake and Natural Resources
- Presented and ordered printed 23103204D

VA - HB2410 Involuntary temporary detention; termination of a period of detention.

County Position: Support

Primary Patron: Delegate Vivian E. Watts (D)

Summary:

Duration of involuntary temporary detention. Includes the termination of a period of involuntary temporary detention, if the minor or individual has been admitted to a facility of temporary detention, on any day or part of a day on which the clerk's office is lawfully closed as a reason to extend the duration of the period of involuntary temporary detention for adults and juveniles. Current law allows the period to extend past 72 hours for an adult only if the detention would terminate on a Saturday, Sunday, legal holiday, or day on which the court is closed and allows the period to extend past 96 hours for a juvenile only if the detention terminates on a Saturday, Sunday, or legal holiday.

Actions:

February 20, 2023

- Bill text as passed House and Senate (HB2410ER)
- Enrolled

February 15, 2023

- Passed Senate (40-Y 0-N)
- Read third time

February 14, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 13, 2023

- Reported from Judiciary (15-Y 0-N)

February 3, 2023

- Referred to Committee on the Judiciary
- Constitutional reading dispensed

February 2, 2023

- VOTE: Block Vote Passage (100-Y 0-N)
- Read third time and passed House BLOCK VOTE (100-Y 0-N)

February 1, 2023

- Printed as engrossed 23103505D-E
- Engrossed by House as amended HB2410E
- Committee amendments agreed to
- Read second time

January 31, 2023

- Read first time

January 27, 2023

- Reported from Courts of Justice with amendment(s) (20-Y 0-N)

January 25, 2023

- Subcommittee recommends reporting with amendments (7-Y 0-N)

January 21, 2023

- Assigned Courts sub: Subcommittee #1

January 17, 2023

- Referred to Committee for Courts of Justice
- Presented and ordered printed 23103505D

VA - HB2424 Interpreters for persons who are deaf or hard of hearing; court may appoint certified interpreter.

County Position: Support, see also SB 814 (Surovell).

Primary Patron: Delegate Holly M. Seibold (D)

Summary:

Interpreters for persons who are deaf or hard of hearing. Provides that if the Department for the Deaf and Hard-of-Hearing cannot procure a qualified interpreter to assist a party or witness in a civil proceeding who is speech-impaired or who is deaf or hard of hearing, then the court may appoint a readily available interpreter with full certification from the Registry of Interpreters for the Deaf, Inc., or an equivalent national certification. This bill is identical to SB 814.

Actions:

February 20, 2023

- Bill text as passed House and Senate (HB2424ER)
- Enrolled

February 15, 2023

- Passed Senate (40-Y 0-N)
- Read third time

February 14, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 13, 2023

- Reported from Judiciary (13-Y 0-N)

February 3, 2023

- Referred to Committee on the Judiciary
- Constitutional reading dispensed

February 2, 2023

- VOTE: Passage (100-Y 0-N)
- Read third time and passed House (100-Y 0-N)

February 1, 2023

- Read second time and engrossed

January 31, 2023

- Read first time

January 27, 2023

- Reported from Courts of Justice (19-Y 1-N)

January 23, 2023

- Subcommittee recommends reporting (7-Y 1-N)

January 20, 2023

- Assigned Courts sub: Subcommittee #2

January 18, 2023

- Referred to Committee for Courts of Justice
- Presented and ordered printed 23104740D
- Unanimous consent to introduce

VA - HB2449 Concealed handgun permits; Virginia Criminal Information Network, disclosure of information.

County Position: ~~Oppose~~, Monitor, further research and analysis indicate that the impact on the Fairfax County Police Department will be minimal.

Primary Patron: Delegate Jason S. Ballard (R)

Summary:

Concealed handgun permits; Virginia Criminal Information Network; disclosure of information. Limits the exception to the requirement that the State Police withhold from public disclosure concealed handgun permittee information submitted to the State Police for purposes of entry into the Virginia Criminal Information Network provided under current law for any law-enforcement agency, officer, or authorized agent thereof acting in the performance of official law-enforcement duties or an entity that has a valid contract with any local, state, or federal law-enforcement agency for the purpose of performing official duties of the law-enforcement agency to apply only when such permittee information is related to an ongoing criminal investigation or prosecution.

Actions:

February 24, 2023

- Signed by President

February 22, 2023

- Signed by Speaker
- Bill text as passed House and Senate (HB2449ER)
- Enrolled

February 17, 2023

- VOTE: Adoption (53-Y 46-N)
- Senate amendments agreed to by House (53-Y 46-N)

February 15, 2023

- Passed Senate with amendments (40-Y 0-N)
- Engrossed by Senate as amended
- Committee amendments agreed to
- Reading of amendments waived
- Read third time

February 14, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 13, 2023

- Reported from Judiciary with amendments (14-Y 1-N)

February 3, 2023

- Referred to Committee on the Judiciary
- Constitutional reading dispensed

February 2, 2023

- VOTE: Passage (52-Y 48-N)
- Read third time and passed House (52-Y 48-N)

February 1, 2023

- Read second time and engrossed

January 31, 2023

- Read first time

January 27, 2023

- Reported from Public Safety (12-Y 10-N)

January 26, 2023

- Subcommittee recommends reporting (6-Y 4-N)

January 25, 2023

- Assigned PS sub: Subcommittee #1

January 20, 2023

- Referred to Committee on Public Safety
- Presented and ordered printed 23104483D

VA - HB2494 Local housing policy; reports to the Department of Housing and Community Development.

County Position: Monitor

Primary Patron: Delegate R. Lee Ware (R)

Summary:

Local housing policy; report to the Department of Housing and Community Development. Requires any locality with a population greater than 3,500 to submit a report to the Department of Housing and Community Development. Such report shall summarize the adoption or amendment of any local policies, ordinances, or processes affecting the development and construction of housing taken during the preceding fiscal year. The bill requires such localities to submit the report annually by September 1 in accordance with any forms developed by the Department of Housing and Community Development.

Actions:

February 24, 2023

- Bill text as passed House and Senate (HB2494ER)
- Enrolled

February 21, 2023

- VOTE: Adoption (97-Y 1-N)
- Senate substitute agreed to by House 23106867D-S1 (97-Y 1-N)

February 20, 2023

- Passed Senate with substitute (40-Y 0-N)
- Engrossed by Senate - committee substitute HB2494S1
- Committee substitute agreed to 23106867D-S1
- Reading of substitute waived
- Read third time

February 17, 2023

- Constitutional reading dispensed (37-Y 0-N)

February 15, 2023

- Committee substitute printed 23106867D-S1
- Reported from General Laws and Technology with substitute (15-Y 0-N)

February 8, 2023

- Referred to Committee on General Laws and Technology
- Constitutional reading dispensed

February 7, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Read third time and passed House BLOCK VOTE (99-Y 0-N)

February 6, 2023

- Engrossed by House - committee substitute HB2494H1
- Committee substitute agreed to 23105978D-H1
- Read second time

February 5, 2023

- Read first time

February 3, 2023

- Committee substitute printed 23105978D-H1
- Reported from Counties, Cities and Towns with substitute (22-Y 0-N)

February 2, 2023

- Subcommittee recommends reporting with substitute (8-Y 1-N)

January 31, 2023

- Assigned CC & T sub: Subcommittee #2

January 20, 2023

- Referred to Committee on Counties, Cities and Towns
- Presented and ordered printed 23103473D

VA - SB807 Parks, local; walking trails, liability for property owners.

County Position: Support, see also HB 2041 (Shin).

Primary Patron: Senator Barbara A. Favola (D)

Summary:

Local parks; walking trails; liability; property owners. Authorizes a locality or park authority to establish, conduct, and regulate a system of walking trails and releases from certain civil liability the owner of any property leased, licensed, or provided by easement for such use in the absence of gross negligence or willful misconduct. This bill is identical to HB 2041.

Actions:

February 20, 2023

- Bill text as passed Senate and House (SB807ER)
- Enrolled

February 15, 2023

- VOTE: Block Vote Passage (98-Y 0-N)
- Passed House BLOCK VOTE (98-Y 0-N)
- Read third time

February 14, 2023

- Read second time

February 10, 2023

- Reported from Counties, Cities and Towns (22-Y 0-N)

February 8, 2023

- Referred to Committee on Counties, Cities and Towns

- Read first time
- Placed on Calendar
- **January 19, 2023**
- Read third time and passed Senate (37-Y 3-N)
- **January 18, 2023**
- Read second time and engrossed
- **January 17, 2023**
- Constitutional reading dispensed (38-Y 0-N)
- **January 16, 2023**
- Reported from Local Government (12-Y 1-N)
- **December 11, 2022**
- Referred to Committee on Local Government
- Prefiled and ordered printed; offered 01/11/23 23101893D

VA - SB814 Interpreters for persons who are deaf or hard of hearing; court may appoint certified interpreter.

County Position: Support, see also HB 2424 (Seibold).

Primary Patron: Senator Scott A. Surovell (D)

Summary:

Interpreters for persons who are deaf or hard of hearing. Provides that if the Department for the Deaf and Hard-of-Hearing cannot procure a qualified interpreter to assist a party or witness in a civil proceeding who is speech-impaired or who is deaf or hard of hearing, then the court may appoint a readily available interpreter with full certification from the Registry of Interpreters for the Deaf, Inc., or an equivalent national certification. This bill is identical to HB 2424.

Actions:

- **February 24, 2023**
- Signed by President
- **February 21, 2023**
- Signed by Speaker
- Bill text as passed Senate and House (SB814ER)
- Enrolled
- **February 16, 2023**
- VOTE: Block Vote Passage (99-Y 0-N)
- Passed House BLOCK VOTE (99-Y 0-N)
- Read third time
- **February 15, 2023**
- Read second time
- **February 13, 2023**
- Reported from Courts of Justice (19-Y 0-N)
- **February 7, 2023**
- Referred to Committee for Courts of Justice
- Read first time
- Placed on Calendar
- **January 19, 2023**
- Read third time and passed Senate (40-Y 0-N)

January 18, 2023

- Engrossed by Senate - committee substitute SB814S1
- Committee substitute agreed to 23104569D-S1
- Reading of substitute waived
- Read second time

January 17, 2023

- Constitutional reading dispensed (38-Y 0-N)

January 16, 2023

- Committee substitute printed 23104569D-S1
- Reported from Judiciary with substitute (15-Y 0-N)

December 15, 2022

- Referred to Committee on the Judiciary
- Prefiled and ordered printed; offered 01/11/23 23103493D

VA - SB914 Data Governance and Analytics, Office of; repeals sunset provision.

County Position: Support, see also HB 1591 (Davis).

Primary patron: Senator Emmett W. Hanger, Jr. (R)

Summary:

Office of Data Governance and Analytics; Chief Data Officer. Repeals the sunset provision enacted in 2021 that created the Office of Data Governance and Analytics (the Office) and the position of Chief Data Officer within the Office of the Secretary of Administration, making both permanent. The provision is currently scheduled to expire on July 1, 2023. The bill also requires the Office to oversee and support any workforce development data systems, to facilitate data sharing, to identify innovative technology solutions, and to support processes that create data-informed decisions. This bill is identical to HB 1591.

Actions:

March 2, 2023

- Governor's Action Deadline 11:59 p.m., March 27, 2023
- Enrolled Bill Communicated to Governor on March 2, 2023

February 25, 2023

- Signed by President

February 23, 2023

- Signed by Speaker
- Bill text as passed Senate and House (SB914ER)
- Enrolled

February 20, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Passed House BLOCK VOTE (99-Y 0-N)
- Read third time

February 17, 2023

- Read second time

February 15, 2023

- Reported from Communications, Technology and Innovation (22-Y 0-N)

February 8, 2023

- Referred to Committee on Communications, Technology and Innovation
- Read first time

- Placed on Calendar

February 6, 2023

- Passed Senate (39-Y 0-N)
- Constitutional reading dispensed (39-Y 0-N)
- Engrossed by Senate - committee substitute SB914S1
- Committee substitute agreed to 23106334D-S1
- Reading of substitute waived
- Read second time

February 3, 2023

- Constitutional reading dispensed (38-Y 0-N)

February 2, 2023

- Committee substitute printed 23106334D-S1
- Reported from Finance and Appropriations with substitute (15-Y 0-N)

January 11, 2023

- Rereferred to Finance and Appropriations
- Reported from General Laws and Technology (14-Y 0-N)

January 6, 2023

- Referred to Committee on General Laws and Technology
- Prefiled and ordered printed; offered 01/11/23 23100958D

VA - SB945 Individuals with developmental disabilities; financial flexibility, report.

County Position: Support, see also HB 1963 (Runion).

Primary Patron: Senator David R. Suetterlein (R)

Summary:

Department of Medical Assistance Services; services for individuals with developmental disabilities; financial flexibility; report. Directs the Department of Medical Assistance Services to take steps to amend the Family and Individual Supports, Community Living, and Building Independence waivers to provide greater financial flexibility to individuals with developmental disabilities who are receiving waiver services. The bill requires the Department to report on its progress to the Governor and the General Assembly by December 1, 2023. This bill is identical to HB 1963.

Actions:

February 23, 2023

- Signed by President

February 22, 2023

- Signed by Speaker
- Bill text as passed Senate and House (SB945ER)
- Enrolled

February 17, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Passed House BLOCK VOTE (99-Y 0-N)
- Read third time

February 16, 2023

- Read second time

February 14, 2023

- Reported from Health, Welfare and Institutions (21-Y 0-N)

February 10, 2023

- Referred to Committee on Health, Welfare and Institutions
- Read first time
- Placed on Calendar

February 2, 2023

- Passed Senate (40-Y 0-N)
- Constitutional reading dispensed (40-Y 0-N)
- Read second time and engrossed

February 1, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 31, 2023

- Reported from Finance and Appropriations (15-Y 0-N)

January 19, 2023

- Rereferred to Finance and Appropriations
- Reported from Education and Health (15-Y 0-N)

January 13, 2023

- Assigned Education sub: Health

January 6, 2023

- Referred to Committee on Education and Health
- Prefiled and ordered printed; offered 01/11/23 23103672D

VA - SB999 Waterworks and wastewater works operators; license reciprocity.

County Position: Support, see also HB 1940 (Runion).

Primary Patron: Senator T. Montgomery "Monty" Mason (D)

Summary:

Waterworks and wastewater works operators; license reciprocity. Requires the Board for Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals, upon application by an individual, and without examination, to recognize licenses or certificates issued by another state as fulfillment of qualifications for licensure in the Commonwealth if certain conditions are met. This bill is identical to HB 1940.

Actions:

February 24, 2023

- Signed by President

February 21, 2023

- Signed by Speaker
- Bill text as passed Senate and House (SB999ER)
- Enrolled

February 16, 2023

- House amendments agreed to by Senate (40-Y 0-N)

February 14, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Passed House with amendments BLOCK VOTE (99-Y 0-N)
- Engrossed by House as amended
- Committee amendments agreed to
- Read third time

February 13, 2023

- Read second time

February 9, 2023

- Reported from General Laws with amendment(s) (22-Y 0-N)

February 8, 2023

- Referred to Committee on General Laws
- Read first time
- Placed on Calendar

January 30, 2023

- Read third time and passed Senate (39-Y 0-N)

January 27, 2023

- Engrossed by Senate - committee substitute SB999S1
- Committee substitute agreed to 23105284D-S1
- Reading of substitute waived
- Read second time

January 26, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 24, 2023

- Committee substitute printed 23105284D-S1
- Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N)

January 6, 2023

- Referred to Committee on Agriculture, Conservation and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23102292D

VA - SB1025 Witnesses; exclusion, governmental agencies and other entities.

County Position: Support

Primary Patron: Senator Richard H. Stuart (R)

Summary:

Exclusion of witnesses; governmental agencies and other entities. Adds an officer or agent of a partnership, governmental agency, or other entity to the list of persons who are exempt from the rule allowing the exclusion of witnesses during a proceeding in a civil case.

Actions:

February 23, 2023

- VOTE: Block Vote Passage (96-Y 0-N)
- Passed House BLOCK VOTE (96-Y 0-N)
- Read third time

February 22, 2023

- Read second time

February 20, 2023

- Reported from Courts of Justice (20-Y 0-N)

February 13, 2023

- Subcommittee recommends reporting (8-Y 0-N)

February 10, 2023

- Assigned Courts sub: Subcommittee #2
- Referred to Committee for Courts of Justice

- Read first time
- Placed on Calendar
- **February 7, 2023**
- Read third time and passed Senate (39-Y 1-N)
- **February 6, 2023**
- Read second time and engrossed
- **February 3, 2023**
- Constitutional reading dispensed (38-Y 0-N)
- **February 1, 2023**
- Reported from Judiciary (13-Y 1-N)
- **January 7, 2023**
- Referred to Committee on the Judiciary
- Prefiled and ordered printed; offered 01/11/23 23100836D

VA - SB1069 Pedestrians; drivers stopping at certain signs.

County Position: Initiate

Primary Patron: Senator Richard L. Saslaw (D)

Summary:

Drivers stopping for pedestrians; certain signs; stops. Requires the driver of a vehicle on a highway approaching a pedestrian who is crossing such highway to stop when such pedestrian is within the driver's lane or within an adjacent lane and approaching the driver's lane. Currently, a driver is required to yield the right-of-way to such pedestrian by stopping and remaining stopped. The bill also provides that localities that are already authorized to install signs directing motor vehicles to yield the right-of-way to pedestrians crossing or attempting to cross a highway may also install signs directing motor vehicles to stop for such pedestrians.

Actions:

- **February 24, 2023**
- Bill text as passed Senate and House (SB1069ER)
- Enrolled
- **February 21, 2023**
- VOTE: Passage (83-Y 16-N)
- Passed House (83-Y 16-N)
- Read third time
- **February 20, 2023**
- Read second time
- **February 16, 2023**
- Reported from Transportation (18-Y 4-N)
- **February 14, 2023**
- Subcommittee recommends reporting (8-Y 0-N)
- **February 10, 2023**
- Assigned Transportation sub: Subcommittee #2 Transportation Infrastructure and Funding
- Referred to Committee on Transportation
- Read first time
- Placed on Calendar
- **February 7, 2023**
- Read third time and passed Senate (32-Y 8-N)

February 6, 2023

- Printed as engrossed 23103053D-E
- Engrossed by Senate as amended SB1069E
- Committee amendments agreed to
- Reading of amendments waived
- Read second time

February 3, 2023

- Constitutional reading dispensed (38-Y 0-N)

February 2, 2023

- Reported from Finance and Appropriations with amendments (16-Y 0-N)

January 24, 2023

- Rereferred to Finance and Appropriations
- Motion to rerefer to committee agreed to

January 23, 2023

- Constitutional reading dispensed (38-Y 0-N)

January 19, 2023

- Reported from Transportation (12-Y 2-N)

January 9, 2023

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23103053D

VA - SB1079 Commonwealth Mass Transit Fund; 3.5 percent of Fund may be allocated to NVTC.

County Position: Support provisions related to VRE and remove cap on state aid for WMATA, see also HB 1496 (Austin).

Primary Patron: Senator John A. Cosgrove, Jr. (R)

Summary:

Commonwealth Mass Transit Fund. Allocates 3.5 percent of the Commonwealth Mass Transit Fund (the Fund) to commuter rail systems jointly operated by the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission and excludes such commuter rail systems from receiving allocations pursuant to other distributions of the Fund. The bill requires such commuter rail systems to submit reports to the Commonwealth Transportation Board. The bill limits allocations by the Northern Virginia Transportation Commission (NVTC) for distribution to the Washington Metropolitan Area Transit Authority (WMATA) to 50 percent of the total operating and capital assistance required to be provided by NVTC or other Virginia entities in the approved WMATA budget and establishes reporting requirements for WMATA. The bill codifies requirements for WMATA to adopt and submit certain planning documents first required pursuant to the eighth enactment of Chapter 854 and the eighth enactment of Chapter 856 of the Acts of Assembly of 2018 and repeals the original requirements. This bill is identical to HB 1496.

Actions:

February 25, 2023

- Signed by President

February 23, 2023

- Signed by Speaker
- Bill text as passed Senate and House (SB1079ER)
- Enrolled

February 20, 2023

- Title replaced 23106748D-H1
- House substitute agreed to by Senate (40-Y 0-N)

February 17, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Passed House with substitute BLOCK VOTE (99-Y 0-N)
- Engrossed by House - committee substitute SB1079H1
- Committee substitute agreed to 23106748D-H1
- Read third time

February 16, 2023

- Read second time

February 14, 2023

- Committee substitute printed 23106748D-H1
- Reported from Transportation with substitute (22-Y 0-N)

February 10, 2023

- Referred to Committee on Transportation
- Read first time
- Placed on Calendar

January 30, 2023

- Read third time and passed Senate (39-Y 0-N)

January 27, 2023

- Read second time and engrossed

January 26, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 25, 2023

- Reported from Finance and Appropriations (14-Y 1-N)

January 9, 2023

- Referred to Committee on Finance and Appropriations
- Prefiled and ordered printed; offered 01/11/23 23101351D

VA - SB1085 Vehicle noise; Department of Transportation shall convene work group to examine issue.

County Position: Support

Primary Patron: Senator Adam P. Ebbin (D)

Summary:

Study; motor vehicle noise; report. Directs the Department of Transportation to convene a work group of specified stakeholders to examine the issue of vehicle noise in the Commonwealth and to report its findings and recommendations to the Chairmen of the Senate and House Committees on Transportation by November 1, 2023.

Actions:

February 22, 2023

- Title replaced 23106902D-H1
- House substitute agreed to by Senate (37-Y 3-N)

February 21, 2023

- VOTE: Passage (77-Y 21-N)
- Passed House with substitute (77-Y 21-N)
- Engrossed by House - committee substitute SB1085H1
- Committee substitute agreed to 23106902D-H1
- Read third time

February 20, 2023

- Read second time

February 16, 2023

- Committee substitute printed 23106902D-H1
- Reported from Transportation with substitute (22-Y 0-N)

February 14, 2023

- Subcommittee recommends reporting with substitute (8-Y 0-N)

February 10, 2023

- Assigned Transportation sub: Subcommittee #2 Transportation Infrastructure and Funding
- Referred to Committee on Transportation
- Read first time
- Placed on Calendar

February 6, 2023

- Read third time and passed Senate (31-Y 8-N)

February 3, 2023

- Engrossed by Senate - committee substitute SB1085S1
- Committee substitute agreed to 23105694D-S1
- Reading of substitute waived
- Read second time

February 2, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 1, 2023

- Reported from Finance and Appropriations (16-Y 0-N)

January 26, 2023

- Rereferred to Finance and Appropriations
- Committee substitute printed 23105694D-S1
- Reported from Transportation with substitute (9-Y 6-N)

January 9, 2023

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23103884D

VA - SB1091 Local Stormwater Management Fund; condominiums.

County Position: Support

Primary Patron: Senator Adam P. Ebbin (D)

Summary:

Local Stormwater Management Fund; condominiums. Expands the allowable uses of grants from a local Stormwater Management Fund, established under current law to grant funds to private property owners and common interest communities for certain stormwater management and erosion control projects, to include joint flooding mitigation projects of condominium owners.

Actions:

February 20, 2023

- Bill text as passed Senate and House (SB1091ER)
- Enrolled

February 15, 2023

- VOTE: Passage (96-Y 2-N)

- Passed House (96-Y 2-N)
- Read third time
February 14, 2023
- Read second time
February 10, 2023
- Reported from Counties, Cities and Towns (21-Y 1-N)
February 9, 2023
- Subcommittee recommends reporting (9-Y 0-N)
February 8, 2023
- Assigned CC & T sub: Subcommittee #2
- Referred to Committee on Counties, Cities and Towns
- Read first time
- Placed on Calendar
February 1, 2023
- Passed Senate (40-Y 0-N)
- Constitutional reading dispensed (40-Y 0-N)
- Read second time and engrossed
January 31, 2023
- Constitutional reading dispensed (39-Y 0-N)
January 30, 2023
- Reported from Local Government (15-Y 0-N)
January 9, 2023
- Referred to Committee on Local Government
- Prefiled and ordered printed; offered 01/11/23 23100427D

VA - SB1129 Chesapeake Bay Watershed Implementation Plan; changes contingency for effective date.

County Position: ~~Oppose~~, Monitor, bill has been amended to reflect an agreement reached by the stakeholders, see also HB 1485 (Webert).

Primary Patron: Senator Emmett W. Hanger, Jr. (R)

Summary:

Chesapeake Bay Watershed Implementation Plan; effective date. Changes the contingency for the effective date of the Chesapeake Bay Watershed Implementation Plan to allow consideration of a combination of point or nonpoint source pollution reduction commitments other than agricultural best management conservation practices when determining whether the Commonwealth's commitments in the Chesapeake Bay Total Maximum Daily Load (TMDL) Phase III Watershed Implementation Plan have been satisfied. The bill advances from July 1, 2026, to July 1, 2028, the contingency effective date of the Chesapeake Bay Watershed Implementation Plan and requires the Secretary of Natural and Historic Resources and the Secretary of Agriculture and Forestry to convene a stakeholder advisory group to review annual progress and make recommendations toward the implementation of the Commonwealth's agricultural commitments in the Chesapeake Bay TMDL Phase III Watershed Implementation Plan. The group is required to submit its first annual report by July 1, 2024, and the Secretaries of Agriculture and Forestry and Natural and Historic Resources are required to jointly review such report by July 1, 2025. The bill also requires soil and water conservation districts to report to the Department of Conservation and Recreation recommendations for improving the disbursement of funding and for program efficiencies that would expedite disbursement of funds provided through the Virginia Natural Resources Commitment Fund and prohibits certain regulatory actions from being imposed on agricultural practices prior to July 1, 2028, provided that reasonable progress is being achieved and a detailed plan has been developed for reaching the needed number of voluntary incentivized practices. This bill is identical to HB 1485.

Actions:

February 25, 2023

- Signed by President

February 23, 2023

- Signed by Speaker
- Bill text as passed Senate and House (SB1129ER)
- Enrolled

February 20, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Passed House BLOCK VOTE (99-Y 0-N)
- Read third time

February 17, 2023

- Read second time

February 15, 2023

- Reported from Agriculture, Chesapeake and Natural Resources (20-Y 0-N)

February 10, 2023

- Referred to Committee on Agriculture, Chesapeake and Natural Resources
- Read first time
- Placed on Calendar

February 7, 2023

- Read third time and passed Senate (39-Y 0-N)

February 6, 2023

- Printed as engrossed 23106002D-ES1
- Engrossed by Senate - committee substitute with amendments SB1129ES1
- Amendments by Senator Petersen agreed to
- Reading of amendments waived
- Committee substitute agreed to 23106002D-S1
- Reading of substitute waived
- Read second time

February 3, 2023

- Passed by for the day

February 2, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 31, 2023

- Committee substitute printed 23106002D-S1
- Reported from Agriculture, Conservation and Natural Resources with substitute (12-Y 0-N 2-A)

January 10, 2023

- Referred to Committee on Agriculture, Conservation and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23104207D

VA - SB1149 Plans and programs; drought evaluation and response plans, Potomac River.

County Position: Support, see also HB 2095 (Bulova).

Primary Patron: Senator David W. Marsden (D)

Summary:

Plans and programs; drought evaluation and response plans; Potomac River. Requires the State Water Control Board to recognize service areas for water utilities in the Commonwealth that use the Potomac River as a water supply source as a distinct drought evaluation region. The bill requires the Board to incorporate certain provisions from the Metropolitan Washington Water Supply and Drought Awareness Response Plan: Potomac River System (the Metropolitan Washington Plan) into the existing drought evaluation and response plans that are applicable to the Potomac River drought evaluation region. The bill directs the Board to adopt regulations that further recognize the localities that include any portion of the service area of a water supply utility in the Commonwealth that uses the Potomac River as a water supply source as a distinct regional planning area. The bill requires such regulations to incorporate certain provisions from the Metropolitan Washington Plan. The bill provides that the incorporation of such provisions shall not be construed to limit the authority of the Governor during a declared drought emergency. This bill is identical to HB 2095.

Actions:

February 25, 2023

- Signed by President

February 23, 2023

- Signed by Speaker
- Bill text as passed Senate and House (SB1149ER)
- Enrolled

February 20, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Passed House BLOCK VOTE (99-Y 0-N)
- Read third time

February 17, 2023

- Read second time

February 15, 2023

- Reported from Agriculture, Chesapeake and Natural Resources (20-Y 0-N)

February 8, 2023

- Referred to Committee on Agriculture, Chesapeake and Natural Resources
- Read first time
- Placed on Calendar

January 30, 2023

- Read third time and passed Senate (39-Y 0-N)

January 27, 2023

- Engrossed by Senate - committee substitute SB1149S1
- Committee substitute agreed to 23105229D-S1
- Reading of substitute waived
- Read second time

January 26, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 24, 2023

- Committee substitute printed 23105229D-S1
- Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N)

January 10, 2023

- Referred to Committee on Agriculture, Conservation and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23104277D

VA - SB1168 Virginia Erosion and Stormwater Management Act; regulations; effective date.

County Position: Monitor, see also HB 2390 (Runion).

Primary Patron: Senator Bill DeSteph (R)

Summary:

Virginia Erosion and Stormwater Management Act; regulations; effective date. Directs the State Water Control Board to adopt regulations to implement before July 1, 2024, the requirements of amendments to the Virginia Erosion and Stormwater Management Act enacted by the 2016 Session and amended by the 2017 Session and delays from July 1, 2018, to July 1, 2024, the effective date of the amendments made by the 2016 Session and regulations required to be adopted pursuant thereto. The bill also directs such adopted regulations to include the reduction of regulations through consolidation of duplicative requirements. This bill is identical to HB 2390.

Actions:

February 27, 2023

- Governor's Action Deadline 11:59 p.m., March 27, 2023
- Enrolled Bill Communicated to Governor on February 27, 2023

February 16, 2023

- Signed by President

February 15, 2023

- Signed by Speaker
- Bill text as passed Senate and House (SB1168ER)
- Enrolled

February 13, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Passed House BLOCK VOTE (99-Y 0-N)
- Read third time

February 10, 2023

- Read second time

February 8, 2023

- Reported from Agriculture, Chesapeake and Natural Resources (22-Y 0-N)

February 7, 2023

- Referred to Committee on Agriculture, Chesapeake and Natural Resources
- Read first time
- Placed on Calendar

February 3, 2023

- Passed Senate (38-Y 0-N)
- Constitutional reading dispensed (39-Y 0-N)
- Read second time and engrossed

February 2, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 31, 2023

- Reported from Agriculture, Conservation and Natural Resources (12-Y 0-N)

January 10, 2023

- Referred to Committee on Agriculture, Conservation and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23103206D

VA - SB1182 Bank franchise tax; electronic access to banks for real estate assessment records, etc.

County Position: Monitor, see also HB 1896 (Byron).

Primary Patron: Senator Frank M. Ruff, Jr. (R)

Summary:

Bank franchise tax; report. Provides for the electronic filing of bank franchise tax returns through a secure online portal maintained by the Department of Taxation and extends the time to file such tax return by 60 days. The bill also requires localities to provide banks access to real estate assessment records upon request. The bill has a delayed effective date of January 1, 2025, and directs the Department to convene a work group to assess potential alternative methods for the filing and allocation of bank franchise tax revenues. This bill is identical to HB 1896.

Actions:

February 27, 2023

- Governor's Action Deadline 11:59 p.m., March 27, 2023
- Enrolled Bill Communicated to Governor on February 27, 2023

February 16, 2023

- Signed by President

February 15, 2023

- Signed by Speaker
- Bill text as passed Senate and House (SB1182ER)
- Enrolled

February 13, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Passed House BLOCK VOTE (99-Y 0-N)
- Read third time

February 10, 2023

- Read second time

February 8, 2023

- Reported from Finance (21-Y 0-N)
- Referred to Committee on Finance
- Read first time
- Placed on Calendar

February 2, 2023

- Passed Senate (40-Y 0-N)
- Constitutional reading dispensed (40-Y 0-N)
- Engrossed by Senate - committee substitute SB1182S1
- Committee substitute agreed to 23105692D-S1
- Reading of substitute waived
- Read second time

February 1, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 31, 2023

- Committee substitute printed 23105692D-S1

- Reported from Finance and Appropriations with substitute (15-Y 0-N)

January 16, 2023

- Rereferred to Finance and Appropriations
- Rereferred from Commerce and Labor (15-Y 0-N)

January 10, 2023

- Referred to Committee on Commerce and Labor
- Prefiled and ordered printed; offered 01/11/23 23104204D

VA - SB1183 Applicant Fingerprint Database; participation in FBI Next Generation Identification Rap Back Serv.

County Position: Support, support the ongoing state funding, ensuring the safety of vulnerable populations throughout the Commonwealth, see also HB 1859 (Webert).

Primary Patron: Senator Bryce E. Reeves (R)

Summary:

Applicant Fingerprint Database; participation in FBI Next Generation Identification Rap Back Service, through Virginia Rap Back Service, for fingerprint-based criminal history record monitoring; penalty. Requires the Department of State Police (the Department) to participate in the Federal Bureau of Investigation's (FBI) Next Generation Identification (NGI) Record of Arrest and Prosecution (Rap) Back Service, through the Virginia Rap Back Service (the Service), for the purpose of allowing those agencies and governmental entities that require a fingerprint-based criminal background check as a condition of (i) providing care to (a) children, (b) the disabled, or (c) the elderly or (ii) (a) licensure, (b) certification, (c) employment, or (d) volunteer service to be advised when an individual subject to such screening is arrested for, or convicted of, a criminal offense. The bill provides that fingerprints submitted to the FBI through the Virginia Rap Back Service may be used for future searches, including latent searches.

The bill requires the Department to ensure that notification is made to the participating entity, defined in the bill, when an FBI Rap Back report is received. Any unauthorized use of the information submitted to the Service is prohibited; any willful violation with the intent to harass or intimidate another is a Class 1 misdemeanor. The bill requires the Department to promulgate regulations governing the Service and the removal and destruction of records on persons who are deceased or are no longer enrolled in the Service. The bill provides that such regulations shall provide that a participating entity shall disenroll any individual who is deceased or is no longer an individual, as defined in the bill, within 30 days of death or such event that no longer requires such individual to be enrolled in the Virginia Rap Back Service in order to ensure the prompt removal and destruction of records from the Virginia Rap Back Service. The bill authorizes the Department to charge a \$12 fee per individual enrolled in the Service, paid by any participating entity enrolling the individual in the Service, and provides that when more than one participating agency enrolls the same individual in the Service, both entities shall be responsible for paying the full cost for maintenance and notification. The bill requires that any fees collected shall be deposited in a special account to offset costs of subscription fees, maintenance fees, and enhancements related to the Criminal and Rap Back Information Service.

Under current law, the Department maintains an Applicant Fingerprint Database (the Database) that functions similarly to the Service. The bill transitions the Department from using the Database and requires the Service to be operational no later than July 1, 2025, contingent upon appropriation of funds. This bill is identical to HB 1859.

Actions:

February 20, 2023

- Bill text as passed Senate and House (SB1183ER)
- Enrolled

February 15, 2023

- VOTE: Passage (96-Y 2-N)
- Passed House (96-Y 2-N)
- Read third time

February 14, 2023

- Read second time

February 10, 2023

- Reported from Public Safety (21-Y 1-N)

February 9, 2023

- Referred to Committee on Public Safety
- Read first time
- Placed on Calendar

February 7, 2023

- Read third time and passed Senate (40-Y 0-N)

February 6, 2023

- Engrossed by Senate as amended SB1183E
- Finance and Appropriations Committee amendments agreed to
- Reading of amendments waived
- Judiciary Committee amendment agreed to
- Reading of amendment waived
- Read second time
- Printed as engrossed 23104211D-E

February 3, 2023

- Constitutional reading dispensed (38-Y 0-N)

February 2, 2023

- Reported from Finance and Appropriations with amendments (16-Y 0-N)

January 25, 2023

- Rereferred to Finance and Appropriations
- Reported from Judiciary with amendment (14-Y 0-N 1-A)

January 10, 2023

- Referred to Committee on the Judiciary
- Prefiled and ordered printed; offered 01/11/23 23104211D

VA - SB1205 Local land use approvals; extension of approvals to address the COVID-19 pandemic, sunset provision.

County Position: ~~Oppose, County has the tools to address this issue locally,~~ Monitor, bill has been amended to narrow the extension to the COVID-19 pandemic, see also HB 1665 (Marshall).

Primary Patron: Senator Lynwood W. Lewis, Jr. (D)

Summary:

Local land use approvals; extension of approvals to address the COVID-19 pandemic. Extends from July 1, 2023, to July 1, 2025, the sunset date for various local land use approvals that were valid and outstanding as of July 1, 2020. The bill also provides that its provisions shall not be construed to extend previous extensions related to the housing crisis and that any extension of approvals outstanding as of July 1, 2020, shall apply to any such approvals granted subsequent to July 1, 2020, that expire prior to July 1, 2025. This provision is declarative of existing law. This bill is identical to HB 1665.

Actions:

February 22, 2023

- VOTE: Passage (84-Y 11-N)
- Passed House (84-Y 11-N)
- Read third time

February 21, 2023

- Read second time

February 17, 2023

- Reported from Counties, Cities and Towns (18-Y 3-N)

February 8, 2023

- Referred to Committee on Counties, Cities and Towns
- Read first time
- Placed on Calendar

February 1, 2023

- Passed Senate (40-Y 0-N)
- Constitutional reading dispensed (40-Y 0-N)
- Read second time and engrossed

January 31, 2023

- Constitutional reading dispensed (39-Y 0-N)

January 30, 2023

- Reported from Local Government (15-Y 0-N)

January 10, 2023

- Referred to Committee on Local Government
- Prefiled and ordered printed; offered 01/11/23 23104290D

VA - SB1299 Involuntary admission; release of individual.

County Position: Support

Primary Patron: Senator R. Creigh Deeds (D)

Summary:

Temporary detention; release of detained individual. Permits the director of a facility where a person is awaiting transport to the facility of temporary detention pursuant to a temporary detention order to release the person if an employee or a designee of the local community services board, in consultation with the person's treating physician, (i) conducts an evaluation of the person, (ii) determines that the person no longer meets the commitment criteria, (iii) authorizes the release of the person, and (iv) provides a discharge plan.

Actions:

February 24, 2023

- VOTE: Adoption (94-Y 0-N)
- Conference report agreed to by House (94-Y 0-N)
- Conference report agreed to by Senate (40-Y 0-N)
- Amended by conference committee

February 23, 2023

- Delegates: Bell, Ransone, Watts
- Conferees appointed by House

February 22, 2023

- Senators: Deeds, Mason, McDougle

- Conferees appointed by Senate
- Senate acceded to request (39-Y 0-N)

February 21, 2023

- House requested conference committee
- House insisted on substitute

February 20, 2023

- House substitute rejected by Senate (0-Y 40-N)

February 16, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Passed House with substitute BLOCK VOTE (99-Y 0-N)
- Engrossed by House - committee substitute SB1299H1
- Committee substitute agreed to 23106686D-H1
- Read third time

February 15, 2023

- Read second time

February 13, 2023

- Committee substitute printed 23106686D-H1
- Reported from Courts of Justice with substitute (19-Y 0-N)

February 7, 2023

- Referred to Committee for Courts of Justice
- Read first time
- Placed on Calendar

February 6, 2023

- Passed Senate (39-Y 0-N)
- Constitutional reading dispensed (39-Y 0-N)
- Engrossed by Senate - committee substitute SB1299S1
- Committee substitute agreed to 23106325D-S1
- Reading of substitute waived
- Read second time

February 3, 2023

- Constitutional reading dispensed (38-Y 0-N)
- Committee substitute printed 23106325D-S1
- Reported from Rehabilitation and Social Services with substitute (14-Y 0-N)

January 10, 2023

- Referred to Committee on Rehabilitation and Social Services
- Prefiled and ordered printed; offered 01/11/23 23104043D

VA - SB1326 Transit Ridership Incentive Program; use of funds, improving accessibility.

County Position: Support, see also HB 2338 (McQuinn).

Primary Patron: Senator Jennifer L. McClellan (D)

Summary:

Transit Ridership Incentive Program; funds; improving accessibility; transition to zero-emissions. Directs the Commonwealth Transportation Board to use up to 30 percent of available funds in the Transit Ridership Incentive Program to support local, regional, and state entities in improving the accessibility of transit bus passenger facilities and transitioning public transit bus fleets and infrastructure to zero-emission bus fleets and infrastructure. The bill directs the

Board to develop guidelines for applications for grants to any local, regional, or state public entity that supports a transit system. This bill is identical to HB 2338.

Actions:

February 23, 2023

- Signed by President

February 22, 2023

- Signed by Speaker
- Bill text as passed Senate and House (SB1326ER)
- Enrolled

February 17, 2023

- VOTE: Passage (65-Y 34-N)
- Passed House (65-Y 34-N)
- Read third time

February 16, 2023

- Read second time

February 14, 2023

- Reported from Transportation (19-Y 3-N)

February 10, 2023

- Referred to Committee on Transportation
- Read first time
- Placed on Calendar

February 7, 2023

- Read third time and passed Senate (22-Y 18-N)

February 6, 2023

- Engrossed by Senate as amended SB1326E
- Committee amendments agreed to
- Reading of amendments waived
- Read second time
- Printed as engrossed 23102475D-E

February 3, 2023

- Constitutional reading dispensed (38-Y 0-N)

February 2, 2023

- Reported from Finance and Appropriations (10-Y 6-N)

January 26, 2023

- Rereferred to Finance and Appropriations
- Reported from Transportation with amendments (10-Y 5-N)

January 10, 2023

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23102475D

VA - SB1401 Virginia Resources Authority; community development and housing projects.

County Position: Support, see also HB 1805 (Bloxom).

Primary Patron: Senator Lynwood W. Lewis, Jr. (D)

Summary:

Virginia Resources Authority; purpose; community development and housing projects. Adds community development projects related to the production and preservation of housing, including housing for persons and families of low and moderate income, to those projects that the Virginia Resources Authority may finance. The bill directs the Department of Housing and Community Development to assist the Authority with determining which local governments are to receive grants from the Authority for such projects. This bill is identical to HB 1805.

Actions:

February 23, 2023

- Signed by President

February 22, 2023

- Signed by Speaker
- Bill text as passed Senate and House (SB1401ER)
- Enrolled

February 17, 2023

- VOTE: Block Vote Passage (99-Y 0-N)
- Passed House BLOCK VOTE (99-Y 0-N)
- Read third time

February 16, 2023

- Read second time

February 14, 2023

- Reported from General Laws (22-Y 0-N)

February 13, 2023

- Referred to Committee on General Laws
- Read first time
- Placed on Calendar

February 6, 2023

- Passed Senate (39-Y 0-N)
- Constitutional reading dispensed (39-Y 0-N)
- Engrossed by Senate - committee substitute SB1401S1
- Committee substitute agreed to 23105058D-S1
- Reading of substitute waived
- Read second time

February 3, 2023

- Constitutional reading dispensed (38-Y 0-N)

February 2, 2023

- Reported from Finance and Appropriations (16-Y 0-N)

February 1, 2023

- Substitute bill reprinted 23105058D-S1
- Rereferred to Finance and Appropriations
- Committee substitute printed 23105058D-S1
- Reported from General Laws and Technology with substitute (15-Y 0-N)

January 24, 2023

- Rereferred to General Laws and Technology
- Rereferred from Agriculture, Conservation and Natural Resources (13-Y 0-N)

January 11, 2023

- Referred to Committee on Agriculture, Conservation and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23103834D

VA - SB1470 Workforce development; consolidation of policies and programs, etc.

County Position: Monitor, see also HB 2195 (Byron).

Primary Patron: Senator Frank M. Ruff, Jr. (R)

Summary:

Department of Workforce Development and Advancement created; consolidation of the Commonwealth's workforce development programs; report. Creates the Department of Workforce Development and Advancement (the Department) to administer workforce development services and training programs. The bill consolidates statewide workforce program evaluation and data sharing under the Department and provides protections against improper disclosure of data. The bill provides for the Virginia Board of Workforce Development to conduct an independent evaluation of the operations and program objectives of the Department on a biennial basis with the first report due on December 1, 2025. The bill also (i) transfers administration of apprenticeship programs from the Department of Labor and Industry to the Department, (ii) creates the Office of Business Engagement and Outreach within the Department, and (iii) directs the Secretary of Labor (the Secretary) to conduct a comprehensive review of the Commonwealth's workforce development programs and make recommendations to address a wide range of subjects relating to improving the effectiveness and efficiency of such programs. The Secretary is also required to convene a stakeholder work group to advise the Secretary during the transition period. This bill is a recommendation of the Small Business Commission.

Actions:

February 23, 2023

- Title replaced 23107182D-H1
- House substitute agreed to by Senate (40-Y 0-N)

February 22, 2023

- VOTE: Passage (98-Y 0-N)
- Passed House with substitute (98-Y 0-N)
- Engrossed by House - floor substitute SB1470H2
- Substitute by Delegate Byron agreed to 23107182D-H2
- Committee on Commerce and Energy substitute rejected 23107037D-H1
- Read third time
- Floor substitute printed 23107182D-H2 (Byron)

February 21, 2023

- Passed by for the day

February 20, 2023

- Read second time

February 16, 2023

- Committee substitute printed 23107037D-H1
- Reported from Commerce and Energy with substitute (22-Y 0-N)

February 10, 2023

- Referred to Committee on Commerce and Energy
- Read first time
- Placed on Calendar

February 7, 2023

- Read third time and passed Senate (40-Y 0-N)

February 6, 2023

- Engrossed by Senate - committee substitute SB1470S2
- Finance and Appropriations Committee substitute agreed to 23106219D-S2
- Reading of substitute waived
- General Laws and Technology Committee substitute rejected 23106155D-S1
- Read second time

February 3, 2023

- Constitutional reading dispensed (38-Y 0-N)

February 2, 2023

- Substitute bill reprinted 23106219D-S2
- Committee substitute printed 23106219D-S2
- Reported from Finance and Appropriations with substitute (16-Y 0-N)

February 1, 2023

- Substitute bill reprinted 23106155D-S1
- Committee substitute printed 23106155D-S1
- Rereferred to Finance and Appropriations
- Reported from General Laws and Technology with substitute (11-Y 0-N 4-A)

January 16, 2023

- Referred to Committee on General Laws and Technology
- Presented and ordered printed 23103908D

VA - SB1495 Local enforcement action; willful disregard for applicable law, damages.

County Position: Oppose

Primary Patron: Senator Scott A. Surovell (D)

Summary:

Local enforcement action; willful disregard for applicable law; damages. Provides that any person against whom an enforcement action is carried out by a locality, or any ordinance or regulation, where the enforcement action was based upon a willful disregard for applicable law, regulation, or ordinance, shall be entitled to an award of compensatory damages and to an order remanding the matter to the locality and may further be entitled to reasonable attorney fees and court costs.

Actions:

February 23, 2023

- Title replaced 23106684D-H1
- House substitute agreed to by Senate (39-Y 1-N)
- VOTE: Block Vote Passage (96-Y 0-N)
- Passed House with substitute BLOCK VOTE (96-Y 0-N)
- Engrossed by House - committee substitute SB1495H1
- Committee substitute agreed to 23106684D-H1
- Read third time

February 22, 2023

- Read second time

February 20, 2023

- Committee substitute printed 23106684D-H1

- Reported from Courts of Justice with substitute (20-Y 0-N)
February 13, 2023
- Subcommittee recommends reporting with substitute (8-Y 0-N)
February 10, 2023
- Assigned Courts sub: Subcommittee #2
- Referred to Committee for Courts of Justice
- Read first time
- Placed on Calendar
February 7, 2023
- Passed Senate (34-Y 6-N)
- Constitutional reading dispensed (40-Y 0-N)
- Printed as engrossed 23103576D-E
- Engrossed by Senate as amended SB1495E
- Committee amendments agreed to
- Reading of amendments waived
- Read second time
February 6, 2023
- Constitutional reading dispensed (39-Y 0-N)
- Reported from Judiciary with amendments (10-Y 5-N)
January 30, 2023
- Rereferred to Judiciary
- Rereferred from Local Government (10-Y 0-N)
January 20, 2023
- Referred to Committee on Local Government
- Presented and ordered printed 23103576D

VA - SJ231 Const. amendment; prop. tax exemption for surviving spouses of soldiers who died in line of duty.

County Position: Amend, amend to provide localities with local option, flexible authority for enacting and implementing property tax exemption, see also HJ 533 (Tran).

Primary Patron: Senator Jeremy S. McPike (D)

Summary:

Constitutional amendment (first reference); real property tax exemption; surviving spouses of soldiers who died in the line of duty. Expands the current tax exemption for real property available to the surviving spouses of soldiers killed in action to the surviving spouses of soldiers who died in the line of duty with a Line of Duty determination from the U.S. Department of Defense.

Actions:

- **February 23, 2023**
- VOTE: Adoption (95-Y 0-N)
- Agreed to by House (95-Y 0-N)
- Taken up
February 20, 2023
- Reported from Rules (18-Y 0-N)
February 17, 2023
- Subcommittee recommends reporting (4-Y 1-N)

February 15, 2023

- Assigned Rules sub: Amendments and Other Matters Subcommittee

February 13, 2023

- Referred to Committee on Rules
- Placed on Calendar

February 3, 2023

- Read third time and agreed to by Senate (38-Y 0-N)

February 2, 2023

- Read second time and engrossed

February 1, 2023

- Read first time

January 31, 2023

- Reported from Finance and Appropriations (15-Y 0-N)

January 17, 2023

- Rereferred to Finance and Appropriations
- Reported from Privileges and Elections (15-Y 0-N)

December 27, 2022

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23101950D

Legislation No Longer Under Consideration

[VA - HB1371](#) Education Savings Account Program established; Education Improvement Scholarships Tax Credits.

County Position: Oppose

Primary Patron: Delegate Phillip A. Scott (R)

Summary:

Education Savings Account Program established; Education Improvement Scholarships Tax Credits. Establishes the Education Savings Account Program, to be administered by the Department of Education, whereby the parent of any individual who is a resident of the Commonwealth and who is eligible to enroll in a public elementary or secondary school may apply for an Education Savings Account for his child into which the Department of Education deposits certain state and local funds and from which the parent makes certain enumerated qualifying expenses to educate his child in a setting and a manner other than full-time education in a public school. The bill requires the Program to be fully implemented prior to the beginning of the 2023-2024 school year.

The bill also increases the value of the Education Improvement Scholarships income tax credit for a donation to a scholarship foundation from 65 percent to 100 percent of the donation. The bill removes the aggregate limit on tax credits per year, which under current law is \$25 million, and removes individual minimum and maximum required donation amounts.

The bill raises the threshold for students to qualify for scholarships from 300 percent of the current poverty guidelines to 1,000 percent of free or reduced-price lunch standards or, for eligible students with a disability, from 400 percent of the current poverty guidelines to 1,200 percent of such standards. The bill grants scholarship foundations the discretion to determine what expenses may be funded by tax-credit-subsidized scholarships. Under current law, such expenses are limited by statute. The bill expands eligibility for scholarships to any student who is a resident of the Commonwealth and eligible to enroll in a public elementary or secondary school in the Commonwealth. Current law restricts eligibility to certain categories of students.

The bill removes the requirement that scholarship-funded schools report test results of scholarship-funded students. The provisions of the bill pertaining to the Education Improvement Scholarships income tax credits apply starting with taxable year 2023.

Actions:

February 7, 2023

- Left in Education

January 24, 2023

- Assigned Education sub: Early Childhood/Innovation

September 9, 2022

- Referred to Committee on Education
- Prefiled and ordered printed; offered 01/11/23 23100177D

VA - HB1378 State Air Pollution Control Board; motor vehicle emissions standards.

County Position: Oppose

Primary Patron: Delegate Tony O. Wilt (R)

Summary:

State Air Pollution Control Board; motor vehicle emissions standards. Repeals the requirement that the State Air Pollution Control Board implement a low-emissions and zero-emissions vehicle program for motor vehicles with a model year of 2025 and later. The bill prohibits the Board from adopting or enforcing any model year standards related to control of emissions from new motor vehicles or new motor vehicle engines, including low-emission vehicle and zero-emission vehicle standards pursuant to the federal Clean Air Act and prohibits the Commonwealth from requiring any new motor vehicle or new motor vehicle engine to be certified as compliant with model year standards related to the control of emissions adopted by California for which a waiver has been granted pursuant to the federal Clean Air Act.

Actions:

February 14, 2023

- Passed by indefinitely in Agriculture, Conservation and Natural Resources (8-Y 7-N)

January 26, 2023

- Referred to Committee on Agriculture, Conservation and Natural Resources
- Constitutional reading dispensed

January 25, 2023

- VOTE: Passage (52-Y 48-N)
- Read third time and passed House (52-Y 48-N)

January 24, 2023

- Read second time and engrossed

January 23, 2023

- Passed by for the day

January 20, 2023

- Read first time

January 18, 2023

- Reported from Agriculture, Chesapeake and Natural Resources (12-Y 10-N)

November 2, 2022

- Referred to Committee on Agriculture, Chesapeake and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23100526D

VA - HB1427 Firearms, etc.; control of possession by locality.

County Position: Oppose, Board has historically opposed, see also SB 1236 (Obenshain).

Primary Patron: Delegate Dave A. LaRock (R)

Summary:

Control of firearms by localities. Removes a locality's authority to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any public park owned or operated by the locality; (ii) any recreation or community center facility operated by the locality; or (iii) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.

Actions:

February 13, 2023

- Passed by indefinitely in Judiciary (9-Y 6-N)

February 3, 2023

- Referred to Committee on the Judiciary

- Constitutional reading dispensed
February 2, 2023
- VOTE: Passage (52-Y 47-N)
- Read third time and passed House (52-Y 47-N)
February 1, 2023
- Read second time and engrossed
January 31, 2023
- Read first time
January 27, 2023
- Reported from Public Safety (12-Y 10-N)
January 26, 2023
- Subcommittee recommends reporting (6-Y 4-N)
January 24, 2023
- Assigned PS sub: Subcommittee #1
December 15, 2022
- Referred to Committee on Public Safety
- Prefiled and ordered printed; offered 01/11/23 23100752D

VA - HB1428 Firearms; carrying in public areas prohibited in certain localities.

County Position: Oppose

Primary Patron: Delegate Dave A. LaRock (R)

Summary:

Carrying loaded firearms in public areas prohibited; certain localities; repeal. Repeals the prohibition on carrying certain loaded shotguns and semi-automatic center-fire rifles and pistols in certain localities in the Commonwealth.

Actions:

February 7, 2023

- Left in Public Safety

December 15, 2022

- Referred to Committee on Public Safety
- Prefiled and ordered printed; offered 01/11/23 23100753D

VA - HB1429 Public defender; supplementing compensation.

County Position: Oppose, Board has historically opposed, funding court personnel is a critical state responsibility.

Primary Patron: Delegate Timothy V. Anderson (R)

Summary:

Supplementing compensation of public defender. Requires the governing body of any county or city that elects to supplement the compensation of the attorney for the Commonwealth, or any of his deputies or employees, above the salary set by the Compensation Board to proportionally supplement the compensation of the public defender, or any of his deputies or employees, commensurate with the compensation of the attorney for the Commonwealth, or any of his deputies or employees, and to pay for such additional compensation from the funds of the county or city.

Actions:

February 7, 2023

- Left in Courts of Justice

January 25, 2023

- Subcommittee recommends laying on the table (5-Y 2-N)

January 24, 2023

- Assigned Courts sub: Subcommittee #1

December 16, 2022

- Referred to Committee for Courts of Justice
- Prefiled and ordered printed; offered 01/11/23 23101071D

VA - HB1444 Elections; voter identification containing a photograph required, availability of absentee voting.

County Position: Oppose

Primary Patron: Delegate R. Lee Ware (R)

Summary:

Elections; voter identification containing a photograph required. Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot.

Actions:

February 14, 2023

- Passed by indefinitely in Privileges and Elections (9-Y 6-N)

February 3, 2023

- Referred to Committee on Privileges and Elections
- Constitutional reading dispensed

February 2, 2023

- VOTE: Passage (52-Y 48-N)
- Read third time and passed House (52-Y 48-N)

February 1, 2023

- Engrossed by House - committee substitute HB1444H1
- Committee substitute agreed to 23104635D-H1
- Read second time

January 31, 2023

- Read first time

January 27, 2023

- Committee substitute printed 23104635D-H1
- Reported from Privileges and Elections with substitute (12-Y 10-N)

January 24, 2023

- Subcommittee recommends reporting with substitute (6-Y 4-N)

January 12, 2023

- Assigned P & E sub: Subcommittee #1

December 20, 2022

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23100770D

[VA - HB1462](#) Firearms, certain; criminal history record info. check required for transfer, photo identification.

County Position: Oppose

Primary Patron: Delegate Bill D. Wiley (R)

Summary:

Criminal history record information check required for the transfer of certain firearms; photo identification. Removes the provision that prevents a firearms dealer from selling or otherwise transferring a firearm to a prospective purchaser until 30 days after the date of issue of the prospective purchaser's original or duplicate photo identification.

Actions:

February 20, 2023

- Failed to report (defeated) in Judiciary (6-Y 9-N)

February 3, 2023

- Referred to Committee on the Judiciary
- Constitutional reading dispensed

February 2, 2023

- VOTE: Passage (52-Y 48-N)
- Read third time and passed House (52-Y 48-N)

February 1, 2023

- Read second time and engrossed

January 31, 2023

- Read first time

January 27, 2023

- Reported from Public Safety (12-Y 10-N)

January 26, 2023

- Subcommittee recommends reporting (6-Y 4-N)

January 24, 2023

- Assigned PS sub: Subcommittee #1

December 25, 2022

- Referred to Committee on Public Safety
- Prefiled and ordered printed; offered 01/11/23 23101809D

[VA - HB1467](#) Elections; voter identification containing photograph required, availability of absentee voting.

County Position: Oppose

Primary Patron: Delegate Scott A. Wyatt (R)

Summary:

Elections; voter identification containing photograph required; who may register up to and including the day of the election; availability of absentee voting in person; return of absentee ballots. Requires presentation of a form of identification containing a photograph in order to vote and provides that a voter who does not have one of the required forms of identification is entitled to cast a provisional ballot. The bill repeals a provision that would permit any person who is qualified to register to vote to do so in person up to and including the day of the election and limits the persons who are entitled to register to vote after the close of registration records to members of a uniformed service on active duty, persons who are residing temporarily outside of the United States, and their spouses and dependents. The bill limits the period during which absentee voting in person is available from 45 days preceding the date of the election to the Wednesday, Thursday, Friday, and Saturday immediately preceding the date of the election. The bill requires that absentee ballots

returned by mail be returned to the office of the general registrar by the close of polls on election day and be postmarked on or before the Saturday preceding the date of the election. The bill eliminates the use of drop-off locations for the return of absentee ballots. The bill requires absentee ballot applications to contain the last four digits of the applicant's social security number and provides that the failure of an absentee ballot to include a witness signature is a material omission, rendering the ballot void.

Actions:

February 7, 2023

- Left in Privileges and Elections

January 24, 2023

- Subcommittee recommends laying on the table (10-Y 0-N)

January 12, 2023

- Assigned P & E sub: Subcommittee #1

December 28, 2022

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23101089D

VA - HB1470 Real property; tax exemption for certain disabled veterans and surviving spouses.

County Position: Amend, amend to address implementation issues, Board has historically recommended amendment.

Primary Patron: Delegate Vivian E. Watts (D)

Summary:

Real property tax; exemption for disabled veterans and surviving spouses. Provides that a person who is eligible for the real property tax exemption for certain disabled veterans and surviving spouses is entitled to a refund, retroactive to his date of eligibility, of taxes paid during the period of exemption, excluding interest or penalties. Under the bill, the refund is exempt from the statute of limitations for applications for correction of an assessment.

Actions:

March 2, 2023

- Left in Finance and Appropriations

February 1, 2023

- Referred to Committee on Finance and Appropriations
- Constitutional reading dispensed

January 31, 2023

- VOTE: (99-Y 0-N)
- Read third time and passed House BLOCK VOTE (99-Y 0-N)

January 30, 2023

- Read second time and engrossed

January 27, 2023

- Read first time

January 25, 2023

- Reported from Finance (22-Y 0-N)

January 20, 2023

- Subcommittee recommends reporting (8-Y 0-N)

January 13, 2023

- Assigned Finance sub: Subcommittee #3

December 29, 2022

- Referred to Committee on Finance

- Prefiled and ordered printed; offered 01/11/23 23101709D

VA - HB1484 Sales Tax; exemption for food purchased for human consumption, essential personal hygiene products.

County Position: Oppose, Board has historically opposed.

Primary Patron: Delegate Joseph P. McNamara (R)

Summary:

Sales tax; exemption for food purchased for human consumption and essential personal hygiene products. Provides an exemption from local sales and use tax beginning July 1, 2023, for food purchased for human consumption and essential personal hygiene products. The bill also provides an allocation of state revenues to fund the distribution to localities for funding that would have been distributed to them absent the exemption created by the bill. Under current law, such products are exempt from state sales and use tax but are subject to the standard local rate of one percent.

Actions:

February 7, 2023

- Left in Appropriations

January 25, 2023

- Referred to Committee on Appropriations
- Reported from Finance (12-Y 10-N)

January 23, 2023

- Subcommittee recommends referring to Committee on Appropriations
- Subcommittee recommends reporting (6-Y 3-N)

January 19, 2023

- Assigned Finance sub: Subcommittee #2

December 31, 2022

- Referred to Committee on Finance
- Prefiled and ordered printed; offered 01/11/23 23101010D

VA - HB1501 Law-enforcement civilian oversight bodies; requirements of members.

County Position: Monitor

Primary Patron: Delegate Chris S. Runion (R)

Summary:

Law-enforcement civilian oversight bodies; requirements. Requires every member appointed to a locality's law-enforcement civilian oversight body to observe within 90 days of the member's appointment a law-enforcement officer employed with such locality's law-enforcement agency while such law-enforcement officer is engaged in his official duties and that such observation total no fewer than 24 hours, a portion of which includes a ride-along with a law-enforcement officer. The bill also provides that any disciplinary determination recommended by a law-enforcement civilian oversight body shall be advisory and that if any law-enforcement agency declines to implement such recommendation, such agency shall create and make available to the public within 30 days from the date such recommendation is reported to such agency a written public record of its rationale for declining to implement such recommendation. Finally, the bill requires each law-enforcement civilian oversight body to include at least one retired law-enforcement officer as a voting member; under current law, a retired law-enforcement officer may serve on such body as an advisory, nonvoting ex officio member.

Actions:

February 20, 2023

- Passed by indefinitely in Judiciary (9-Y 6-N)

January 27, 2023

- Referred to Committee on the Judiciary

- Constitutional reading dispensed
January 26, 2023
- VOTE: Passage (51-Y 47-N)
- Read third time and passed House (51-Y 47-N)
January 25, 2023
- Printed as engrossed 23100457D-E
- Engrossed by House as amended HB1501E
- Committee amendment agreed to
- Read second time
January 24, 2023
- Read first time
January 20, 2023
- Reported from Public Safety with amendment(s) (12-Y 10-N)
January 19, 2023
- Subcommittee recommends reporting with amendments (5-Y 3-N)
January 17, 2023
- Assigned PS sub: Subcommittee #2
January 3, 2023
- Referred to Committee on Public Safety
- Prefiled and ordered printed; offered 01/11/23 23100457D

VA - HB1508 Virginia Education Success Account Program; established, report.

County Position: Oppose

Primary Patron: Delegate Glenn R. Davis (R)

Summary:

Virginia Education Success Account Program; establishment. Permits the parents of qualified students, defined in the bill, to apply for a one-year, renewable Virginia Education Success Account that consists of an amount that is equivalent to a certain percentage of all applicable annual Standards of Quality per pupil state funds appropriated for public school purposes and apportioned to the school division in which the qualified student resides, including the per pupil share of state sales tax funding in basic aid and any state per pupil share of special education funding for which the qualified student is eligible. The bill permits the parent of the qualified student to use the moneys in such account for certain qualified expenses of the qualified student, including tuition, deposits, fees, and required textbooks at a private elementary school or secondary school that is located in the Commonwealth. The bill also contains provisions relating to program and account administration by the Department of the Treasury and a third-party financial institution that serves as program administrator pursuant to a contract with the Department of the Treasury.

Actions:

- **February 7, 2023**
Left in Education
- **February 3, 2023**
Referred to Committee on Education
- Referred from Appropriations by voice vote
February 1, 2023
- Subcommittee recommends reporting with amendments (4-Y 3-N)
January 25, 2023
- Assigned App. sub: Elementary & Secondary Education
- Referred to Committee on Appropriations

- Reported from Education with amendment(s) (11-Y 10-N)
January 17, 2023
- Subcommittee recommends referring to Committee on Appropriations
- Subcommittee recommends reporting with amendments (5-Y 3-N)
January 16, 2023
- Assigned Education sub: K-12
January 4, 2023
- Referred to Committee on Education
- Prefiled and ordered printed; offered 01/11/23 23102042D

VA - HB1534 Loan repayment programs; creates program for mental health professionals.

County Position: Support

Primary Patron: Delegate Nadarius E. Clark (D)

Summary:

Loan repayment programs; mental health professionals. Creates a loan repayment program for persons who have worked as mental health professionals in the Commonwealth for at least five years.

Actions:

February 7, 2023

- Left in Appropriations

January 31, 2023

- Subcommittee recommends laying on the table (5-Y 3-N)

January 24, 2023

- Assigned App. sub: Health & Human Resources
- Referred to Committee on Appropriations
- Reported from Health, Welfare and Institutions (17-Y 5-N)

January 19, 2023

- Subcommittee recommends referring to Committee on Appropriations
- Subcommittee recommends reporting (6-Y 0-N)

January 16, 2023

- Assigned HWI sub: Subcommittee #3

January 5, 2023

- Referred to Committee on Health, Welfare and Institutions
- Prefiled and ordered printed; offered 01/11/23 23101851D

VA - HB1559 Ordinances, local; vehicle exhaust, operation on property near residential district.

County Position: Support

Primary Patron: Delegate Vivian E. Watts (D)

Summary:

Local ordinances; vehicle exhaust; operation on property near residential district. Allows local governing bodies to regulate, by ordinance, noise from vehicles not conforming to exhaust system requirements that are operated on highways or on public or private property in or within 500 feet of any residential district. Current law only allows such regulation by ordinance from such vehicles that are operated on a highway.

Actions:

February 7, 2023

- Left in Transportation

January 25, 2023

- Subcommittee recommends laying on the table (4-Y 3-N)

January 16, 2023

- Assigned Transportation sub: Subcommittee #3 Highway Safety and Policy

January 6, 2023

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23102375D

VA - HB1561 Arrest/prosecution of individual experiencing mental health emerg.; assault against law enforcement.

County Position: Monitor, see also HB 2106 (Bourne).

Primary Patron: Delegate Vivian E. Watts (D)

Summary:

Assault or assault and battery against a law-enforcement officer; arrest and prosecution of individual experiencing a mental health emergency. Provides that no individual shall be subject to arrest or prosecution for an assault or assault and battery against a law-enforcement officer if at the time of the assault or assault and battery (i) the individual (a) is experiencing a mental health emergency or (b) meets the criteria for issuance of an emergency custody order pursuant to § 37.2-808 and (ii) the law-enforcement officer subject to the assault or assault and battery was responding to a call for service requesting assistance for such individual. The bill provides that no law-enforcement officer acting in good faith shall be found liable for false arrest if it is later determined that the person arrested was immune from prosecution.

Actions:

February 7, 2023

- Left in Courts of Justice

January 6, 2023

- Referred to Committee for Courts of Justice
- Prefiled and ordered printed; offered 01/11/23 23102003D

VA - HB1589 Pedestrian control signals; applicability to persons riding bicycles and other devices.

County Position: Support with amendment, amend to address implementation issues.

Primary Patron: Delegate Richard C. "Rip" Sullivan, Jr. (D)

Summary:

Pedestrian control signals; applicability to persons riding bicycles and other devices. Allows persons riding bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, or motorized skateboards or scooters to follow the pedestrian Walk signal at an intersection when traveling in the direction of the signal, provided they yield to pedestrians in the crosswalk traveling in the same direction. The bill provides that a person riding a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, or motorized skateboard or scooter may not start to cross a highway in the direction of a Don't Walk signal, but such person who has partially completed his crossing on the Walk signal shall proceed to a sidewalk or safety island and remain there while the Don't Walk signal is showing.

Actions:

February 7, 2023

- Left in Transportation

January 25, 2023

- Subcommittee recommends laying on the table (4-Y 3-N)

January 13, 2023

- Assigned Transportation sub: Subcommittee #3 Highway Safety and Policy

January 6, 2023

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23102848D

VA - HB1609 Transit Ridership Incentive Program; on-demand microtransit operations.

County Position: Support

Primary Patron: Delegate Anne Ferrell Tata (R)

Summary:

Transit Ridership Incentive Program; on-demand microtransit operations. Includes the development and implementation of on-demand microtransit operations, defined in the bill, to incentivize and promote transit ridership, as part of the goal of the Transit Ridership Incentive Program. The bill provides that an approved initiative or service is eligible to continue receiving funding for the duration of the Program on an annual basis, for up to 80 percent of costs, from funds that are available to the urbanized area in which the initiative or service is located.

Actions:

February 7, 2023

- Left in Transportation

January 24, 2023

- Subcommittee recommends striking from docket (7-Y 0-N)

January 13, 2023

- Assigned Transportation sub: Subcommittee #2 Transportation Infrastructure and Funding

January 6, 2023

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23103058D

VA - HB1632 Virginia Erosion and Stormwater Management Act; regulations, effective date.

County Position: Monitor

Primary Patron: Delegate David L. Bulova (D)

Summary:

Virginia Erosion and Stormwater Management Act; regulations; effective date. Directs the State Water Control Board to adopt regulations to implement before July 1, 2024, the requirements of amendments to the Virginia Erosion and Stormwater Management Act enacted by the 2016 Session and amended by the 2017 Session and delays from July 1, 2018, to July 1, 2024, the effective date of the amendments made by the 2016 Session and regulations required to be adopted pursuant thereto.

Actions:

February 7, 2023

- Left in Agriculture, Chesapeake and Natural Resources

January 30, 2023

- Subcommittee recommends laying on the table (9-Y 0-N)

January 20, 2023

- Assigned ACNR sub: Chesapeake

January 7, 2023

- Referred to Committee on Agriculture, Chesapeake and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23102679D

VA - HB1693 Absentee voting; return of absentee ballots, drop-off locations.

County Position: Oppose, Board has historically opposed.

Primary Patron: Delegate John J. McGuire, III (R)

Summary:

Absentee voting; return of absentee ballots; drop-off locations. Repeals the provisions of the Code providing for the establishment of drop-off locations for the return of absentee ballots.

Actions:

February 14, 2023

- Passed by indefinitely in Privileges and Elections (9-Y 6-N)

January 27, 2023

- Referred to Committee on Privileges and Elections
- Constitutional reading dispensed

January 26, 2023

- VOTE: Passage (51-Y 47-N)
- Read third time and passed House (51-Y 47-N)

January 25, 2023

- Read second time and engrossed

January 24, 2023

- Read first time

January 20, 2023

- Reported from Privileges and Elections (12-Y 10-N)

January 17, 2023

- Subcommittee recommends reporting (6-Y 4-N)

January 12, 2023

- Assigned P & E sub: Subcommittee #1

January 9, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23100133z

VA - HB1749 Real property taxes; rate of increase procedure.

County Position: Oppose

Primary Patron: Delegate Wendell S. Walker (R)

Summary:

Real property taxes; rate of increase procedure. Provides that a governing body of a locality may increase the real property tax rate (i) by an amount lower than three percent through a public hearing and a majority vote of the governing body; (ii) by an amount of three percent or more, but lower than five percent through a public hearing and a two-thirds majority vote of the governing body; and (iii) by an amount of five percent or more through holding a referendum. The bill provides that the governing body of a locality may not hold a public hearing for a proposed rate increase on the same day as the annual budget hearing. Under current law, the governing body of a locality is required to limit the real property tax rate to a rate that would collect no more than 101 percent of the amount of real property taxes collected for the previous year; increases above this rate may only be imposed if the locality holds a public hearing.

Actions:

February 7, 2023

- Left in Finance

January 19, 2023

- Assigned Finance sub: Subcommittee #2

January 9, 2023

- Referred to Committee on Finance
- Prefiled and ordered printed; offered 01/11/23 23104015D

VA - HB1812 Foreign interference in elections; registration, absentee voting, and conduct of elections.

County Position: Oppose

Primary Patron: Delegate Marie E. March (R)

Summary:

Elections; foreign interference in elections; registration, absentee voting, and conduct of election; penalty. Requires the Attorney General to provide assessments and reports on foreign interference, defined in the bill, in elections in the Commonwealth to the Governor and the General Assembly and to levy or recommend appropriate sanctions against any such foreign governments found to be interfering in elections in the Commonwealth. The bill also repeals the provision that allows persons 16 years of age or older to preregister to vote, removes the ability to register to vote using the websites of the Department of Elections or the Department of Motor Vehicles, and moves the deadline for registering to vote from 21 days prior to an election to 30 days prior to an election. In addition, the bill directs the Department of Elections to conduct list maintenance activities during the 30 days prior to any election in which a candidate for federal office is not on the ballot, including the removal of duplicate registrations, requires voters to provide an excuse in order to vote absentee, removes the option to vote absentee in person, reinstates provisions requiring the presentation of a valid form of photo identification in order to vote, and directs general registrars to provide a paper copy of the pollbook at each polling place during all elections. Finally, the bill eliminates curbside voting and same-day voter registration, prohibits the use of any voting system that can be connected to the Internet and directs the State Board of Elections to decertify any such voting system, and increases from a Class 6 felony to a Class 4 felony the penalty for voter registration fraud.

Actions:

February 7, 2023

- Left in Privileges and Elections

January 10, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23101719D

VA - HB1847 Elections; registration, absentee, and conduct of election.

County Position: Oppose

Primary Patron: Delegate Dave A. LaRock (R)

Summary:

Elections; registration, absentee, and conduct of election. Restores the local option to hold May elections; repeals laws permitting registration on election day and requiring preregistration of certain persons under 18 years of age; eliminates the permanent absentee voter list; removes provisions allowing general registrars to contract with a third party for the printing, assembly, and mailing of absentee ballot packets; requires an excuse to vote absentee; reduces absentee voting in person to the 10 days prior to the date of an election; requires that mailed absentee ballots be returned by the United States Postal Service; repeals provisions allowing for absentee ballot drop boxes; requires absentee ballots to be received by the general registrar by the close of polls on election day in order to be counted; requires presentation of a form of identification containing a photograph in order to vote; repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement that he is the named registered voter he claims to be; and requires that provisional ballot envelopes have written on them certain required information in order to be considered, including the signature of the officer of election administering the provisional ballot and his indication of whether photo identification was shown, and if so, the type. The bill also amends provisions regarding risk-limiting audits

to allow for (i) risk-limiting audits of the part of a district that covers multiple localities that lies in a single locality and (ii) the use of the batch comparison method when conducting a risk-limiting audit.

Actions:

February 7, 2023

- Left in Privileges and Elections

January 12, 2023

- Assigned P & E sub: Subcommittee #1

January 10, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23102822D

VA - HB1874 Supplemental Nutrition Assistance Program; applying to participate or renewal.

County Position: Support

Primary Patron: Delegate Dan I. Helmer (D)

Summary:

Supplemental Nutrition Assistance Program; Special Supplemental Nutrition Program for Women, Infants, and Children; applications. Prohibits the Board of Social Services from requiring persons applying to participate or renewing their participation in the Supplemental Nutrition Assistance Program to appear in person. The bill also codifies the Department of Health's authority to implement a Special Supplemental Nutrition Program for Women, Infants, and Children (WIC program), which is currently authorized by regulation, and prohibits the Department of Health from requiring persons applying to participate or renewing their participation in the WIC program to appear in person.

Actions:

February 7, 2023

- VOTE: DEFEATED (45-Y 54-N)
- Read third time and defeated by House (45-Y 54-N)

February 6, 2023

- Engrossed by House - committee substitute HB1874H1
- Committee substitute agreed to 23105526D-H1
- Read second time

February 3, 2023

- Passed by for the day

February 2, 2023

- Read first time

January 31, 2023

- Committee substitute printed 23105526D-H1
- Reported from Health, Welfare and Institutions with substitute (20-Y 1-N)

January 26, 2023

- Subcommittee recommends reporting with substitute (4-Y 0-N)

January 19, 2023

- Assigned HWI sub: Subcommittee #3

January 10, 2023

- Referred to Committee on Health, Welfare and Institutions
- Prefiled and ordered printed; offered 01/11/23 23102771D

VA - HB1877 Absentee voting; limits availability of absentee voting in person.

County Position: Oppose, Board has historically opposed.

Primary Patron: Delegate Phillip A. Scott (R)

Summary:

Absentee voting; availability of absentee voting in person. Limits absentee voting in person to the two weeks immediately preceding an election. Under current law, absentee voting in person is available beginning on the forty-fifth day prior to an election.

Actions:

February 14, 2023

- Passed by indefinitely in Privileges and Elections (9-Y 6-N)

January 27, 2023

- Referred to Committee on Privileges and Elections
- Constitutional reading dispensed

January 26, 2023

- VOTE: Passage (51-Y 47-N)
- Read third time and passed House (51-Y 47-N)

January 25, 2023

- Engrossed by House - committee substitute HB1877H1
- Committee substitute agreed to 23104633D-H1
- Read second time

January 24, 2023

- Read first time

January 20, 2023

- Committee substitute printed 23104633D-H1
- Reported from Privileges and Elections with substitute (12-Y 10-N)

January 17, 2023

- Subcommittee recommends reporting with substitute (6-Y 4-N)

January 16, 2023

- Assigned P & E sub: Subcommittee #1

January 10, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23101085D

VA - HB1910 Absentee voting; unsolicited absentee ballot applications, required information, penalty.

County Position: Monitor

Primary Patron: Delegate Amanda E. Batten (R)

Summary:

Absentee voting; unsolicited absentee ballot applications; required information; penalty. Requires any organization sending an application for an absentee ballot to a registered voter that was not solicited or requested by the registered voter to include with the application instructions on completing the application and submitting it to the appropriate general registrar. The bill requires a statement that the application is not being sent by any state or local government official or agency to be printed on the envelope containing the application or on the first page of any enclosed materials. The bill specifies that organizations are required to use the information provided in the list of registered voters acquired by such organization from the Department of Elections pursuant to relevant law and that a violation of this requirement is a Class 4 misdemeanor. The bill also requires the Department of Elections to ensure, when providing such list to such organization for purposes of sending unsolicited applications, that no voter is included on such list if such voter has applied for an

absentee ballot on or before the date such list is requested. Finally, the bill provides that no application for an absentee ballot sent to a registered voter that was not solicited or requested by the registered voter may be pre-populated with information that the applicant is required to provide.

Actions:

February 14, 2023

- Passed by indefinitely in Privileges and Elections (9-Y 5-N)

February 1, 2023

- Referred to Committee on Privileges and Elections
- Constitutional reading dispensed

January 31, 2023

- VOTE: Passage (88-Y 11-N)
- Read third time and passed House (88-Y 11-N)

January 30, 2023

- Printed as engrossed 23101739D-E
- Engrossed by House as amended HB1910E
- Amendments by Delegate Batten agreed to
- Read second time

January 27, 2023

- Passed by for the day

January 26, 2023

- Passed by for the day
- Engrossment reconsidered by House

January 25, 2023

- Read second time and engrossed

January 24, 2023

- Read first time

January 20, 2023

- Reported from Privileges and Elections (21-Y 1-N)

January 10, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23101739D

VA - HB1939 Primary and secondary state highway systems; reducing speed limits on highways part of system.

County Position: Initiate

Primary Patron: Delegate Kenneth R. Plum (D)

Summary:

Powers of local authorities; reducing speed limits; highways in the primary and secondary state highway systems. Authorizes the governing body of any locality to reduce to less than 25 miles per hour, but not less than 15 miles per hour, the speed limit of highways that are part of the primary and secondary state highway systems located in a business district or residence district within the locality's boundaries, provided that the reduced speed limit is indicated by lawfully placed signs. Current law only authorizes the governing body of a locality that maintains its own roads to make such a reduction on highways in a business district or residence district within the locality's boundaries.

Actions:

February 7, 2023

- Left in Transportation

January 24, 2023

- Subcommittee recommends laying on the table (5-Y 3-N)

January 18, 2023

- Assigned Transportation sub: Subcommittee #2 Transportation Infrastructure and Funding

January 10, 2023

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23103064D

VA - HB1947 Absentee voting; annual absentee voter list.

County Position: Oppose, Board has historically opposed.

Primary Patron: Delegate Robert S. Bloxom, Jr. (R)

Summary:

Absentee voting; annual absentee voter list. Eliminates the permanent absentee voter list and provides for an annual absentee voter list by which any eligible voter who annually files an application and is enrolled on the list receives an absentee ballot for any election in which he is eligible to vote in the ensuing calendar year. The application for the annual absentee voter list requires, at a minimum, the voter to provide his printed name, his date of birth, and the last four digits of his social security number.

Actions:

February 14, 2023

- Passed by indefinitely in Privileges and Elections (9-Y 6-N)

February 3, 2023

- Referred to Committee on Privileges and Elections
- Constitutional reading dispensed

February 2, 2023

- VOTE: Passage (52-Y 48-N)
- Read third time and passed House (52-Y 48-N)

February 1, 2023

- Read second time and engrossed

January 31, 2023

- Read first time

January 27, 2023

- Reported from Privileges and Elections (12-Y 10-N)

January 25, 2023

- Subcommittee recommends reporting (5-Y 3-N)

January 23, 2023

- Assigned P & E sub: Subcommittee #2

January 10, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23100849D

VA - HB2018 Children's Services Act; information sharing, confidentiality exception.

County Position: Support

Primary Patron: Delegate Les R. Adams (R)

Summary:

Children's Services Act; information sharing; confidentiality exception. Allows family assessment and planning teams (FAPT) and community policy and management teams (CPMT) to share information with local law enforcement or threat assessment teams established by local school boards if a FAPT or CPMT obtains information from which the team determines that a child poses a threat of violence or physical harm to himself or others. Under current law, all information about specific children and families obtained by FAPT and CPMT members must be kept confidential.

Actions:

February 22, 2023

- Left in Rehabilitation and Social Services

February 21, 2023

- Recommitted to Rehabilitation and Social Services
- Motion to recommit to committee agreed to

February 20, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 17, 2023

- Reported from Rehabilitation and Social Services with amendments (13-Y 0-N 2-A)

February 8, 2023

- Referred to Committee on Rehabilitation and Social Services
- Constitutional reading dispensed

February 7, 2023

- VOTE: Passage (60-Y 39-N)
- Read third time and passed House (60-Y 39-N)

February 6, 2023

- Read second time and engrossed

February 5, 2023

- Read first time

February 2, 2023

- Reported from Health, Welfare and Institutions (11-Y 10-N)

January 31, 2023

- Subcommittee recommends reporting (5-Y 4-N)

January 25, 2023

- Assigned HWI sub: Subcommittee #1

January 10, 2023

- Referred to Committee on Health, Welfare and Institutions
- Prefiled and ordered printed; offered 01/11/23 23101405D

VA - HB2049 Polling place; assistance for certain voters, definition of disability.

County Position: Support

Primary Patron: Delegate Elizabeth B. Bennett-Parker (D)

Summary:

Assistance for certain voters outside of the polling place; defines the entitlement of voters with disabilities to vote outside the polls as those whose disability prevents them from entering the polling place. Expands the definition of disability for

purposes of providing assistance outside of a polling place to voters with disabilities to include any permanent or temporary disability. Under current law, the disability is limited to a permanent or temporary physical disability.

Actions:

February 7, 2023

- Left in Privileges and Elections

January 31, 2023

- Subcommittee failed to recommend reporting (4-Y 6-N)

January 30, 2023

- Assigned P & E sub: Subcommittee #1

January 10, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23100155D

VA - HB2050 Virginia Freedom of Information Act; electronic meetings, local and regional public bodies.

County Position: Support

Primary Patron: Delegate Elizabeth B. Bennett-Parker (D)

Summary:

Virginia Freedom of Information Act; electronic meetings; local and regional public bodies. Allows, with certain exceptions, local and regional public bodies to convene as many all-virtual public meetings as each such public body deems acceptable in its individual remote participation meeting policy, to be adopted at least once annually by recorded vote at a public meeting. Current law limits all-virtual public meetings to no more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, and prohibits any such meeting from being held consecutively with another all-virtual public meeting.

Actions:

February 7, 2023

- Left in General Laws

January 24, 2023

- Subcommittee recommends laying on the table (4-Y 3-N)

January 18, 2023

- Assigned GL sub: Subcommittee #4

January 10, 2023

- Referred to Committee on General Laws
- Prefiled and ordered printed; offered 01/11/23 23100348D

VA - HB2100 Accessory dwelling units; establishes authority & requirements for localities in development & use.

County Position: Oppose

Primary Patron: Delegate Sally L. Hudson (D)

Summary:

Accessory dwelling units. Establishes authority and requirements for localities in the development and use of accessory dwelling units (ADUs). An ADU is defined in the bill as an independent dwelling unit on a single-family dwelling (SFD) lot with its own living, bathroom, and kitchen space. An ADU may be within or attached to an SFD or in a detached structure on a lot containing an SFD. An ADU may include, but is not limited to, basements, attics, flats, guest houses, cottages, and converted structures such as garages and sheds. The bill specifies that an ADU is not permitted in cases where it would violate historic preservation rules, deed restrictions, or property owners' association rules.

Actions:

February 7, 2023

- Left in Counties, Cities and Towns

February 2, 2023

- Subcommittee recommends laying on the table (5-Y 4-N)

January 23, 2023

- Assigned CC & T sub: Subcommittee #2

January 10, 2023

- Referred to Committee on Counties, Cities and Towns
- Prefiled and ordered printed; offered 01/11/23 23104025D

VA - HB2106 Arrest/prosecution of individual experiencing mental health emerg.; assault against law enforcement.

County Position: Monitor, see also HB 1561 (Watts).

Primary Patron: Delegate Jeffrey M. Bourne (D)

Summary:

Assault or assault and battery against a law-enforcement officer; arrest and prosecution of individual experiencing a mental health emergency. Provides that no individual shall be subject to arrest or prosecution for an assault or assault and battery against a law-enforcement officer if at the time of the assault or assault and battery (i) the individual (a) is experiencing a mental health emergency or (b) meets the criteria for issuance of an emergency custody order pursuant to § 37.2-808 and (ii) the law-enforcement officer subject to the assault or assault and battery was responding to a call for service requesting assistance for such individual. The bill provides that no law-enforcement officer acting in good faith shall be found liable for false arrest if it is later determined that the person arrested was immune from prosecution.

Actions:

February 7, 2023

- Left in Courts of Justice

January 10, 2023

- Referred to Committee for Courts of Justice
- Prefiled and ordered printed; offered 01/11/23 23102120D

VA - HB2176 Income tax, state; distribution of revenues to localities, funds for local school construction.

County Position: Support

Primary Patron: Delegate Mark D. Sickles (D)

Summary:

Individual income tax; distribution of revenues; local school construction. Requires distribution of five percent of the individual income tax revenues collected from residents of a locality to be distributed to that locality. The bill requires such funds to be used for school construction or renovation purposes and to be repaid to the state if used for any other purpose. The bill provides that a locality shall be required to maintain its level of expenditure for public school purposes as a condition of receiving the income tax revenues; however, a locality may reduce its level of expenditure to account for a loss of revenues resulting from a reduction in machinery and tools taxes.

Actions:

February 7, 2023

- Left in Finance

January 27, 2023

- Subcommittee recommends laying on the table (5-Y 3-N)

January 19, 2023

- Assigned Finance sub: Subcommittee #3

January 11, 2023

- Referred to Committee on Finance
- Prefiled and ordered printed; offered 01/11/23 23104072D

VA - HB2207 Information Technology Access Act; numerous organizational changes to Act.

County Position: Support with state funding for implementation.

Primary Patron: Delegate Kathy K.L. Tran (D)

Summary:

Information Technology Access Act. Makes numerous organizational changes to the Information Technology Access Act. The bill defines "information and communications technology" that is used to promote digital accessibility, also defined in the bill, for all persons with disabilities. The bill requires the head of each covered entity, defined in the bill, to designate an employee to serve as such covered entity's digital accessibility coordinator and to be responsible for developing and implementing such covered entity's digital accessibility policy and report. The bill has a delayed effective date of January 1, 2024.

Actions:

February 7, 2023

- VOTE: DEFEATED (48-Y 51-N)
- Read third time and defeated by House (48-Y 51-N)

February 6, 2023

- Engrossed by House - committee substitute HB2207H2
- Passed by temporarily
- Committee on Appropriations substitute agreed to 23106111D-H2
- Committee on Communications, Technology and Innovation substitute rejected 23105832D-H1
- Read second time

February 3, 2023

- Read first time

February 1, 2023

- Committee substitute printed 23106111D-H2
- Reported from Appropriations with substitute (22-Y 0-N)
- Subcommittee recommends reporting with substitute (8-Y 0-N)

January 31, 2023

- Assigned App. sub: General Government and Capital Outlay

January 30, 2023

- Referred to Committee on Appropriations
- Committee substitute printed 23105832D-H1
- Reported from Communications, Technology and Innovation with substitute (16-Y 6-N)

January 11, 2023

- Referred to Committee on Communications, Technology and Innovation
- Prefiled and ordered printed; offered 01/11/23 23103805D

VA - HB2208 Jewish faith or ethnicity; addressing discrimination against persons.

County Position: Support

Primary Patron: Delegate Terry G. Kilgore (R)

Summary:

Hate crimes and discrimination; anti-Semitism; penalties. Provides that as used in the Code of Virginia, "race," "religion," or "national origin" shall include persons of the Jewish faith or ethnicity; "racial, religious, or ethnic animosity" shall include animosity toward the Jewish faith or ethnicity; "race," "religious conviction," or "national origin" shall include persons of the Jewish faith or ethnicity; and "race," "religion," or "ethnic and national origin" shall include persons of the Jewish faith or ethnicity.

Actions:

February 25, 2023

- Failed to pass in House
- No further action taken

February 23, 2023

- Senators: Edwards, Surovell, Reeves
- Conferees appointed by Senate
- Delegates: Kilgore, Bell, Filler-Corn
- Conferees appointed by House
- House acceded to request
- Senate requested conference committee
- Senate insisted on substitute (40-Y 0-N)

February 22, 2023

- VOTE: REJECTED (16-Y 78-N)
- Senate substitute rejected by House 23107018D-S1 (16-Y 78-N)

February 21, 2023

- Passed Senate with substitute (40-Y 0-N)
- Engrossed by Senate - committee substitute HB2208S1
- Committee substitute agreed to 23107018D-S1
- Reading of substitute waived
- Read third time

February 20, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 16, 2023

- Reported from Finance and Appropriations (16-Y 0-N)

February 15, 2023

- Rereferred to Finance and Appropriations
- Committee substitute printed 23107018D-S1
- Reported from Judiciary with substitute (13-Y 0-N)

February 8, 2023

- Referred to Committee on the Judiciary
- Constitutional reading dispensed

February 7, 2023

- VOTE: Passage (98-Y 1-N)
- Read third time and passed House (98-Y 1-N)

February 6, 2023

- Engrossed by House - committee substitute HB2208H1
- Substitute by Delegate Simon ruled out of order 23106370D-H2
- VOTE: Agreed to (52-Y 48-N)
- Committee substitute agreed to 23106191D-H1 (52-Y 48-N)
- Read second time
- Floor substitute printed 23106370D-H2 (Simon)

February 5, 2023

- Read first time

February 3, 2023

- Committee substitute printed 23106191D-H1
- Reported from Courts of Justice with substitute (19-Y 0-N)

February 1, 2023

- Subcommittee recommends reporting with substitute (8-Y 0-N)

January 31, 2023

- Assigned Courts sub: Subcommittee #1

January 11, 2023

- Referred to Committee for Courts of Justice
- Prefiled and ordered printed; offered 01/11/23 23103994D

VA - HB2209 High polycyclic aromatic hydrocarbon; prohibits pavement sealants that contain, civil penalty.

County Position: Support

Primary Patron: Delegate Kathy K.L. Tran (D)

Summary:

Pavement sealants containing a high polycyclic aromatic hydrocarbon; prohibition; civil penalty. Permits a locality to prohibit the sale and distribution of any pavement sealant that contains polycyclic aromatic hydrocarbon concentrations greater than one percent by weight on or after July 1, 2023, except that a retailer may continue to sell any existing inventory that remains in stock on that date. The bill allows a local governing body to prohibit the use of such sealants beginning July 1, 2024, and subject any person who violates either prohibition to a civil penalty of \$250, to be paid into the Virginia Environmental Emergency Response Fund.

Actions:

February 7, 2023

- VOTE: DEFEATED (47-Y 50-N)
- Read third time and defeated by House (47-Y 50-N)

February 6, 2023

- Printed as engrossed 23101700D-E
- Engrossed by House as amended HB2209E
- Committee amendments agreed to
- Passed by temporarily
- Read second time

February 3, 2023

- Read first time

February 1, 2023

- Reported from Agriculture, Chesapeake and Natural Resources with amendment(s) (12-Y 10-N)

January 30, 2023

- Subcommittee recommends reporting with amendments (5-Y 4-N)

January 24, 2023

- Assigned ACNR sub: Chesapeake

January 11, 2023

- Referred to Committee on Agriculture, Chesapeake and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23101700D

VA - HB2234 Voter registration; registering in person up to and including the day of the election.

County Position: Oppose, Board has historically opposed.

Primary Patron: Delegate H. Otto Wachsmann, Jr. (R)

Summary:

Voter registration; registering in person up to and including the day of the election; limited to certain persons. Provides that only members of a uniformed service, as defined in relevant law, persons who are residing temporarily outside of the United States, and spouses or dependents of such members or persons are entitled to register to vote after the close of registration records in person up to and including the day of the election. Under current law, any person who is qualified to register to vote is entitled to register to vote after the close of registration records up to and including the day of the election.

Actions:

February 14, 2023

- Passed by indefinitely in Privileges and Elections (9-Y 6-N)

February 3, 2023

- Referred to Committee on Privileges and Elections
- Constitutional reading dispensed

February 2, 2023

- VOTE: Passage (52-Y 48-N)
- Read third time and passed House (52-Y 48-N)

February 1, 2023

- Read second time and engrossed

January 31, 2023

- Read first time

January 27, 2023

- Reported from Privileges and Elections (12-Y 10-N)

January 24, 2023

- Subcommittee recommends reporting (6-Y 4-N)

January 23, 2023

- Assigned P & E sub: Subcommittee #1

January 11, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23101695D

VA - HB2248 Substance use disorder; providers of treatment, use of methadone or opioid replacements.

County Position: Oppose

Primary Patron: Delegate A.C. Cordoza (R)

Summary:

Providers of treatment for substance use disorder; use of methadone or opioid replacements; biometric certification. Requires providers of treatment for substance use disorder who administer methadone or opioid replacements as treatments to utilize biometric certification to verify the identity of the clinician and patient. Biometric certification includes iris scans of patients and either iris scans or two-finger fingerprint scans of clinicians. The bill requires the Board of Pharmacy to establish a statewide data repository for the storage of records of every transaction involving the administration of methadone or opioid replacements to a patient, with such records being held for no fewer than 10 years.

Actions:

February 7, 2023

- Left in Health, Welfare and Institutions

January 26, 2023

- Subcommittee recommends laying on the table (4-Y 0-N)

January 13, 2023

- Assigned HWI sub: Subcommittee #3

January 11, 2023

- Referred to Committee on Health, Welfare and Institutions
- Prefiled and ordered printed; offered 01/11/23 23102388D

VA - HB2271 Short-term rental property; locality's ability to restrict property managed by a Virginia realtor.

County Position: Oppose, see also SB 1391 (Lewis).

Primary Patron: Delegate Daniel W. Marshall, III (R)

Summary:

Short-term rental property; locality's ability to restrict property managed by a Virginia realtor. Provides that a locality may not restrict by ordinance any short-term rental property managed by a Virginia realtor, defined in the bill. The bill provides that a locality may not enforce an ordinance against such property where the ordinance (i) prohibits short-term rentals; (ii) limits occupancy in a short-term rental property to less than what is allowed under the building code or local zoning regulations; (iii) limits the number of days in a calendar year for which a short-term rental property can be rented; (iv) requires an owner to occupy the short-term rental property as his primary residence for any number of days in a calendar year; (v) requires any type of remote monitoring device to be installed on the short-term rental property, including decibel, audio, or video; (vi) requires exterior or interior inspections of the short-term rental property pertaining to any items defined under the building code more frequently than every five years, unless a complaint has been filed with the locality or building authority; (vii) requires repairs, renovations, or updates to the structure of the short-term rental property that are greater than those required under the applicable building code; or (viii) requires an owner to add additional or otherwise alter existing parking spaces for the short-term rental property. The provisions of the bill shall apply to any short-term rental property managed by a realtor and operating as such on or after January 1, 2023.

Actions:

February 7, 2023

- Left in Counties, Cities and Towns

February 2, 2023

- Subcommittee recommends laying on the table (9-Y 0-N)

January 23, 2023

- Assigned CC & T sub: Subcommittee #2

January 11, 2023

- Referred to Committee on Counties, Cities and Towns
- Prefiled and ordered printed; offered 01/11/23 23104168D

VA - HB2282 Forest crops; exemptions from Virginia Stormwater Management Program, etc., for harvesting.

County Position: Oppose

Primary Patron: Delegate James E. Edmunds, II (R)

Summary:

Virginia Stormwater Management Program; Virginia Erosion and Sediment Control Program; exemptions for the harvesting of forest crops. Clarifies that the provisions of the Virginia Stormwater Management Program and the Erosion and Sediment Control Program do not apply to the clearing of lands for the harvesting of forest crops when the areas on which harvesting occurs are not intended to be reforested artificially or naturally or converted to bona fide agricultural or improved pasture use, provided that the land-disturbing activity is the minimum land disturbance necessary, including clearing, grading, excavating, or removal of stumps, for the harvesting of timber and the construction of roads and trails for forest management purposes.

Actions:

February 22, 2023

- Defeated by Senate (16-Y 24-N)
- Read third time

February 21, 2023

- Passed by for the day

February 20, 2023

- Passed by for the day
- Reconsideration of defeated action agreed to by Senate (40-Y 0-N)
- Defeated by Senate (19-Y 21-N)
- Read third time

February 17, 2023

- Passed by for the day

February 16, 2023

- Constitutional reading dispensed (40-Y 0-N)

February 14, 2023

- Reported from Agriculture, Conservation and Natural Resources (8-Y 7-N)

February 8, 2023

- Referred to Committee on Agriculture, Conservation and Natural Resources
- Constitutional reading dispensed

February 7, 2023

- VOTE: Passage (53-Y 45-N)
- Read third time and passed House (53-Y 45-N)

February 6, 2023

- Engrossed by House - committee substitute HB2282H1
- Committee substitute agreed to 23105340D-H1
- Read second time

February 3, 2023

- Read first time

February 1, 2023

- Reported from Agriculture, Chesapeake and Natural Resources with substitute (13-Y 8-N)
- Committee substitute printed 23105340D-H1

January 25, 2023

- Subcommittee recommends reporting with substitute (4-Y 2-N)

January 13, 2023

- Assigned ACNR sub: Natural Resources

January 11, 2023

- Referred to Committee on Agriculture, Chesapeake and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23103919D

VA - HB2316 Sales and use tax, local; additional tax authorized in all counties & cities to support schools.

County Position: Support

Primary Patron: Delegate Jeffrey M. Bourne (D)

Summary:

Additional local sales and use tax to support schools; referendum. Authorizes all counties and cities to impose an additional local sales and use tax at a rate not to exceed one percent with the revenue used only for capital projects for the construction or renovation of schools if such levy is approved in a voter referendum. Under current law, only Charlotte, Gloucester, Halifax, Henry, Mecklenburg, Northampton, Patrick, and Pittsylvania Counties and the City of Danville are authorized to impose such a tax. This bill is a recommendation of the Commission on School Construction and Modernization.

Actions:

February 7, 2023

- Left in Finance

January 27, 2023

- Subcommittee recommends laying on the table (5-Y 3-N)

January 19, 2023

- Assigned Finance sub: Subcommittee #3

January 11, 2023

- Referred to Committee on Finance
- Presented and ordered printed 23103527D

VA - HB2340 Motor vehicle license plates and registration; increases taxes and penalties.

County Position: Support

Primary Patron: Delegate David L. Bulova (D)

Summary:

Motor vehicle license plates and registration; taxes and penalties. Increases from \$100 to \$150 the maximum license tax that a locality is authorized to impose annually on motor vehicles not displaying current license plates. The bill increases from up to \$250 to up to \$350 the penalty on motor vehicles that have not been registered within the first 30 days of an individual's residency in the Commonwealth.

Actions:

February 9, 2023

- Failed to report (defeated) in Transportation (6-Y 9-N)

February 2, 2023

- Referred to Committee on Transportation
- Constitutional reading dispensed

February 1, 2023

- VOTE: Passage (86-Y 14-N)
- Read third time and passed House (86-Y 14-N)
- Passed by temporarily

January 31, 2023

- Read second time and engrossed

January 30, 2023

- Read first time

January 26, 2023

- Reported from Transportation (22-Y 0-N)

January 24, 2023

- Subcommittee recommends reporting (8-Y 0-N)

January 20, 2023

- Assigned Transportation sub: Subcommittee #1 Department of Motor Vehicles

January 12, 2023

- Referred to Committee on Transportation
- Presented and ordered printed 23104119D

VA - HB2361 Real property; tax exemption for certain disabled veterans and surviving spouses.

County Position: Amend, amend to address implementation issues, Board has historically recommended amendment.

Primary Patron: Delegate Bill Wiley (R)

Summary:

Real property tax; exemption for disabled veterans and surviving spouses. Provides that a person who is eligible for the real property tax exemption for certain disabled veterans and surviving spouses is entitled to a refund, retroactive to his date of eligibility, of taxes paid during the period of exemption, excluding interest or penalties. Under the bill, the refund is exempt from the statute of limitations for applications for correction of an assessment.

Actions:

February 7, 2023

- Left in Finance

January 26, 2023

- Assigned Finance sub: Subcommittee #3

January 13, 2023

- Referred to Committee on Finance
- Presented and ordered printed 23103477D

VA - HB2437 Court-appointed guardians; training, powers & duties, annual report to local dept. of social serv.

County Position: Support

Primary Patron: Delegate Danica A. Roem (D)

Summary:

Department for Aging and Rehabilitative Services; training; powers and duties of guardian; annual reports by guardians; information required. Directs the Department for Aging and Rehabilitative Services to develop and provide training for court-appointed guardians by July 1, 2024. The bill requires an appointed guardian and any staff employed by such guardian to perform guardianship duties to complete the initial training developed by the Department within four months of the date of the initial court order of appointment and guardians and such staff appointed prior to July 1, 2024, to complete

such training by January 1, 2026. The bill further requires a guardian to include in his annual report to the local department of social services a statement as to whether such training has been completed.

Actions:

February 3, 2023

- Tabled in Appropriations (11-Y 10-N)

February 2, 2023

- Referred to Committee on Appropriations
- Committee substitute printed 23105934D-H1
- Reported from Health, Welfare and Institutions with substitute (20-Y 1-N)

January 31, 2023

- Subcommittee recommends referring to Committee on Appropriations
- Subcommittee recommends reporting with substitute (8-Y 1-N)

January 24, 2023

- Assigned HWI sub: Subcommittee #1

January 19, 2023

- Referred to Committee on Health, Welfare and Institutions
- Presented and ordered printed 23104921D

VA - HB2493 Plastic bag tax; fee usage.

County Position: Support

Primary Patron: Delegate Kaye Kory (D)

Summary:

Plastic bag tax; fee usage. Allows the revenue from the disposable plastic bag tax to be used for illegal roadside sign cleanup and litter pickup.

Actions:

February 7, 2023

- Left in Finance

January 30, 2023

- Subcommittee recommends laying on the table (5-Y 1-N)

January 27, 2023

- Assigned Finance sub: Subcommittee #3

January 20, 2023

- Referred to Committee on Finance
- Presented and ordered printed 23100728D

VA - HJ497 Constitutional amdmt.; prop. tax exemption for surviving spouses of certain members of armed forces.

County Position: Amend, amend to support as state tax credit, Board has historically recommended amendment.

Primary Patron: Delegate David A. Reid (D)

Summary:

Constitutional amendment (first reference); real property tax exemption; surviving spouses of certain members of the armed forces. Provides that the General Assembly may by general law exempt from taxation the real property of a surviving spouse of a member of the armed forces of the United States who died in the attack on the Pentagon on September 11, 2001. Under a current constitutional provision, only the surviving spouse of a member of the armed forces who was killed in action is eligible for the real property tax exemption.

Actions:

February 7, 2023

- Left in Privileges and Elections

January 10, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23100519D

VA - HJ498 Constitutional amendment; exemption of property owned and occupied by persons of low income, etc.

County Position: Monitor, see also SJ 247 (Hashmi).

Primary Patron: Delegate Betsy B. Carr (D)

Summary:

Constitutional amendment (first reference); tax and finance; exempt property; affordable housing tax exemption. Amends the Constitution of Virginia by providing that the General Assembly may by general law authorize the governing body of any county, city, town, or regional government to provide for the exemption from local real property taxation, or a portion thereof, within such restrictions and upon such conditions as may be prescribed, of real estate owned and occupied by persons of low income or low financial worth.

Actions:

February 7, 2023

- Left in Privileges and Elections

January 10, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23103092D

VA - HJ516 Recurrent Flooding, Joint Subcommittee on; continued membership increase.

County Position: Support

Primary Patron: Delegate Elizabeth B. Bennett-Parker (D)

Summary:

Study; Joint Subcommittee on Recurrent Flooding; membership increase. Increases the total membership of the Joint Subcommittee on Recurrent Flooding from 11 to 17 by increasing the number of nonlegislative members from three to seven. The additional nonlegislative members include representatives from the environmental, development, and business communities, a certified floodplain manager, and three local elected officials representing three of Virginia's flood-prone communities.

Actions:

January 31, 2023

- Tabled in Rules (10-Y 5-N)

January 10, 2023

- Referred to Committee on Rules
- Prefiled and ordered printed; offered 01/11/23 23102936D

VA - HJ520 Constitutional amendment; qualifications of voters and the right to vote (first reference).

County Position: Support, see also SJ 223 (Locke).

Primary Patron: Delegate Charniele L. Herring (D)

Summary:

Constitutional amendment (first reference); qualifications of voters; right to vote; persons not entitled to vote. Provides that every person who meets the qualifications of voters set forth in the Constitution of Virginia shall have the fundamental

right to vote in the Commonwealth and that such right shall not be abridged by law, except for persons who have been convicted of a felony and persons who have been adjudicated to lack the capacity to understand the act of voting. A person who has been convicted of a felony shall not be entitled to vote during any period of incarceration for such felony conviction, but upon release from incarceration for that felony conviction and without further action required of him, such person shall be invested with all political rights, including the right to vote. Currently, in order to be qualified to vote a person convicted of a felony must have his civil rights restored by the Governor or other appropriate authority. The amendment also provides that a person adjudicated by a court of competent jurisdiction as lacking the capacity to understand the act of voting shall not be entitled to vote during this period of incapacity until his capacity has been reestablished as prescribed by law. Currently, the Constitution of Virginia provides that a person who has been adjudicated to be mentally incompetent is not qualified to vote until his competency is reestablished.

Actions:

February 7, 2023

- Left in Privileges and Elections

January 10, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23102047D

VA - HJ533 Const. amendment; prop. tax exemption for surviving spouses of soldiers who died in line of duty.

County Position: Amend, amend to provide localities with local option, flexible authority for enacting and implementing property tax, see also SJ 231 (McPike).

Primary Patron: Delegate Kathy K.L. Tran (D)

Summary:

Constitutional amendment (first reference); real property tax exemption; surviving spouses of soldiers who died in the line of duty. Expands the current tax exemption for real property available to the surviving spouses of soldiers killed in action to the surviving spouses of soldiers who died in the line of duty with a Line of Duty determination from the U.S. Department of Defense.

Actions:

February 7, 2023

- Left in Privileges and Elections

January 11, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23100802D

VA - SB790 Towing enforcement; violations of current law subject to Va. Consumer Protection Act.

County Position: Support

Primary Patron: Senator Barbara A. Favola (D)

Summary:

Towing enforcement. Provides that violations of current law regarding tow truck drivers and towing and recovery operators are subject to the Virginia Consumer Protection Act. The bill repeals the \$150 civil penalty for certain towing violations in Planning District 8.

Actions:

February 2, 2023

- Passed by indefinitely in Transportation (15-Y 0-N)

November 22, 2022

- Referred to Committee on Transportation

- Prefiled and ordered printed; offered 01/11/23 23101200D

VA - SB792 COVID-19 immunization; prohibition on requirement, discrimination prohibited, civil penalty.

County Position: Oppose

Primary Patron: Senator Amanda F. Chase (R)

Summary:

COVID-19 immunization; prohibition on requirement; discrimination prohibited; civil penalty. Prohibits the State Health Commissioner and the Board of Health, the Board of Behavioral Health and Developmental Services, the Department of Health Professions and any regulatory board therein, and the Department of Social Services from requiring any person, including any child, to undergo vaccination for COVID-19 and prohibits discrimination based on a person's COVID-19 vaccination status (i) with regard to education, employment, or issuance of a driver's license or other state identification or (ii) in numerous other contexts. The bill establishes a civil penalty for violation of this prohibition by an employer.

Actions:

February 2, 2023

- Passed by indefinitely in Education and Health (8-Y 5-N)

January 27, 2023

- Assigned Education sub: Health

November 29, 2022

- Referred to Committee on Education and Health
- Prefiled and ordered printed; offered 01/11/23 23100914D

VA - SB805 Firearms; control by localities of possession or carrying.

County Position: Oppose, Board has historically opposed.

Primary Patron: Senator Amanda F. Chase (R)

Summary:

Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit. The bill provides that any firearm received by the locality pursuant to a buy-back program shall be offered for sale by public auction or sealed bids to a person licensed as a dealer. Current law provides that any such firearm shall be destroyed by the locality unless the person surrendering the firearm requests in writing that the firearm be offered for sale. The bill also limits the authority of localities to bring lawsuits against certain firearms manufacturers and others and further provides that the right to bring any such action is reserved exclusively to the Commonwealth and shall be brought by the Attorney General.

Actions:

January 30, 2023

- Passed by indefinitely in Judiciary (10-Y 5-N)

December 9, 2022

- Referred to Committee on the Judiciary
- Prefiled and ordered printed; offered 01/11/23 23100913D

VA - SB831 Individuals with developmental disabilities; DMAS to amend certain waivers providing services, etc.

County Position: Support

Primary Patron: Senator Barbara A. Favola (D)

Summary:

Department of Medical Assistance Services; certain waivers for individuals with developmental disabilities; medically needy spend down provision. Directs the Department of Medical Assistance Services (the Department) to take steps to amend the Family and Individual Supports, Community Living, and Building Independence waivers to implement a medically needy spend down provision that allows otherwise eligible individuals to spend income in excess of the income limit for waiver services on medical expenses in order to meet the waiver income limit. The bill requires the Department to report on its activities and progress to the Governor and the General Assembly by December 1, 2023.

Actions:

February 13, 2023

- Tabled in Appropriations (11-Y 10-N)

February 10, 2023

- Assigned App. sub: Health & Human Resources

February 9, 2023

- Referred to Committee on Appropriations
- Read first time
- Placed on Calendar

February 7, 2023

- Read third time and passed Senate (40-Y 0-N)

February 6, 2023

- Read second time and engrossed

February 3, 2023

- Constitutional reading dispensed (38-Y 0-N)
- Reported from Rules (16-Y 0-N 1-A)

December 22, 2022

- Referred to Committee on Rules
- Prefiled and ordered printed; offered 01/11/23 23102038D

VA - SB833 COVID-19 immunization; prohibition on requirement, discrimination prohibited, civil penalty.

County Position: Oppose

Primary Patron: Senator Amanda F. Chase (R)

Summary:

COVID-19 immunization; prohibition on requirement; discrimination prohibited; civil penalty. Prohibits the State Health Commissioner and the Board of Health, the Board of Behavioral Health and Developmental Services, the Department of Health Professions and any regulatory board therein, and the Department of Social Services from requiring any person, including any child, to undergo vaccination for COVID-19 and prohibits discrimination based on a person's COVID-19 vaccination status (i) with regard to education, employment, or issuance of a driver's license or other state identification or (ii) in numerous other contexts. The bill establishes a civil penalty for violation of this prohibition by an employer.

Actions:

February 2, 2023

- Passed by indefinitely in Education and Health (8-Y 5-N)

January 27, 2023

- Assigned Education sub: Health

December 23, 2022

- Referred to Committee on Education and Health
- Prefiled and ordered printed; offered 01/11/23 23102361D

VA - SB847 Pedestrian control signals; applicability to persons riding bicycles and other devices.

County Position: ~~Support with amendment, amend to address implementation issues~~, Support, bill has been amended to address implementation issues.

Primary Patron: Senator Barbara A. Favola (D)

Summary:

Pedestrian control signals; applicability to persons riding bicycles and other devices. Allows persons riding a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, or motorized skateboard or scooter to follow the pedestrian control signal at an intersection when traveling in the direction of the signal, provided they yield to pedestrians in the crosswalk traveling in the same direction. The bill specifies that such persons shall not start to cross the highway in the direction of such signal while the signal is solid, that pedestrians shall not start to cross the highway when such signal is solid or flashing, and that any person who has partially crossed the highway shall proceed to a sidewalk or safety island when the solid Don't Walk signal begins.

Actions:

February 7, 2023

- Failed to pass in Senate
- No further action taken
- Passed by for the day

February 6, 2023

- Passed by for the day
- Read second time

February 3, 2023

- Constitutional reading dispensed (38-Y 0-N)

February 2, 2023

- Reported from Finance and Appropriations (16-Y 0-N)

January 26, 2023

- Rereferred to Finance and Appropriations
- Committee substitute printed 23104693D-S1
- Incorporates SB1009 (DeSteph)
- Reported from Transportation with substitute (10-Y 5-N)

December 28, 2022

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23102496D

VA - SB862 Highway use fee and mileage-based user fee program; eliminates the program.

County Position: Oppose

Primary Patron: Senator Stephen D. Newman (R)

Summary:

Highway use fee and mileage-based user fee program; repeal. Eliminates the highway use fee and mileage-based user fee program. The bill directs the Commissioner of the Department of Motor Vehicles to continue to reimburse the cost of the highway use fee to any applicant that paid a highway use fee and is eligible for reimbursement of the original vehicle

registration fee pursuant to relevant law. The bill directs the Commissioner to refund the cost of the highway use fee to any owner of a vehicle who prepaid the fee before the effective date of the bill, prorated for the period after which the highway use fee is no longer in effect.

Actions:

January 26, 2023

- Stricken at request of Patron in Transportation (15-Y 0-N)

December 30, 2022

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23103025D

VA - SB884 Elections; registration, absentee voting, and conduct of election.

County Position: Oppose

Primary Patron: Senator Amanda F. Chase (R)

Summary:

Elections; registration, absentee voting, and conduct of election. Repeals provisions of law permitting registration on election day; requires an excuse to vote absentee; removes the option to vote absentee in person; requires absentee ballots to either be accompanied by a copy of an approved form of identification or be notarized; requires absentee ballots returned to drop boxes to be returned by the voter; requires absentee ballots to be received by the general registrar by the close of polls on election day in order to be counted; requires presentation of a form of identification containing a photograph in order to vote; repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement that he is the named registered voter he claims to be; eliminates the use of electronic poll books and voting machines while polls are open; and requires that ballots be manually tabulated in order to determine the results of an election.

Actions:

January 31, 2023

- Passed by indefinitely in Privileges and Elections (9-Y 5-N)

January 4, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23102294D

VA - SB900 Voter identification; identification containing a photograph required.

County Position: Oppose, Board has historically opposed.

Primary Patron: Senator Ryan T. McDougle (R)

Summary:

Voter identification; identification containing a photograph required. Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot.

Actions:

February 8, 2023

- Left in Privileges and Elections

January 5, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23101118D

VA - SB901 Firearm in unattended motor vehicle; civil penalty.

County Position: Support, Board has historically supported.

Primary Patron: Senator David W. Marsden (D)

Summary:

Firearm in unattended motor vehicle; civil penalty. Provides that no person shall leave, place, or store a handgun in an unattended motor vehicle, as defined in the bill, unless the vehicle is locked. The bill provides that any person violating such prohibition is subject to a civil penalty of no more than \$500 and that such unattended motor vehicle may be subject to removal for safekeeping.

Actions:

February 22, 2023

- Left in Public Safety

February 9, 2023

- Subcommittee recommends laying on the table (6-Y 4-N)

February 8, 2023

- Assigned PS sub: Subcommittee #1
- Referred to Committee on Public Safety
- Read first time
- Placed on Calendar

February 1, 2023

- Read third time and passed Senate (24-Y 16-N)

January 31, 2023

- Printed as engrossed 23103458D-E
- Engrossed by Senate as amended SB901E
- Committee amendments agreed to
- Reading of amendments waived
- Read second time

January 30, 2023

- Constitutional reading dispensed (39-Y 0-N)

January 26, 2023

- Reported from Transportation with amendments (8-Y 7-N)

January 16, 2023

- Rereferred to Transportation
- Rereferred from Judiciary (11-Y 4-N)

January 5, 2023

- Referred to Committee on the Judiciary
- Prefiled and ordered printed; offered 01/11/23 23103458D

VA - SB918 Assault firearms and certain ammunition feeding devices; carrying, sale, transfer, etc.

County Position: Support, Board has historically supported.

Primary Patron: Senator Joseph D. Morrissey (D)

Summary:

Carrying, sale, transfer, etc., of assault firearms and certain ammunition feeding devices prohibited; penalties. Prohibits the sale of an assault firearm and a large capacity ammunition feeding device, as those terms are defined in the bill. The bill provides that an assault firearm does not include any firearm that is an antique firearm, has been rendered permanently inoperable, is manually operated by bolt, pump, lever, or slide action, or was manufactured before July 1,

2023. The bill provides that any person who willfully and intentionally (i) sells an assault firearm to another person or (ii) purchases an assault firearm from another person is guilty of a Class 1 misdemeanor and that any person who imports, sells, barter, or transfers a large capacity ammunition feeding device is guilty of a Class 1 misdemeanor. The bill also prohibits the carrying of certain shotguns and semi-automatic center-fire rifles and pistols on any public street, road, alley, sidewalk, or public right-of-way or in any public park or any other place of whatever nature that is open to the public. Under current law, the current prohibition on carrying certain shotguns and semi-automatic center-fire rifles and pistols applies to a narrower range of firearms, only in certain localities, and only when such firearms are loaded. The bill prohibits a firearms dealer from selling, renting, trading, or transferring from his inventory any assault firearm to any person.

Actions:

January 23, 2023

- Incorporated by Judiciary (SB1382-Deeds) (14-Y 0-N)

January 6, 2023

- Referred to Committee on the Judiciary
- Prefiled and ordered printed; offered 01/11/23 23102000D

VA - SB922 Income tax, state; manufactured home park sale.

County Position: Support

Primary Patron: Senator Ghazala F. Hashmi (D)

Summary:

Income tax subtraction; manufactured home park sale. Exempts income earned from the sale of a manufactured home park, as defined in relevant law, to either (i) an entity that is owned by at least 25 percent of the residents of such manufactured home park or (ii) an organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code, provided that such sale terms require the guaranteed maintenance of the property as a manufactured home park for a period of at least 30 years following the sale.

Actions:

February 8, 2023

- Left in Finance and Appropriations

January 6, 2023

- Referred to Committee on Finance and Appropriations
- Prefiled and ordered printed; offered 01/11/23 23101649D

VA - SB966 Jails, local; compensation for cost of incarceration.

County Position: Support

Primary Patron: Senator Mark J. Peake (R)

Summary:

Compensation of local jails for cost of incarceration. Requires the Department of Corrections to compensate local jails for the actual cost, based on the rate calculated in the Compensation Board's annual jail cost report, of incarcerating felons who should otherwise be confined in a state correctional facility. Current law provides for local jails to be compensated at the rate set forth in the general appropriation act.

Actions:

February 1, 2023

- Passed by indefinitely in Finance and Appropriations (16-Y 0-N)

January 27, 2023

- Rereferred to Finance and Appropriations
- Reported from Rehabilitation and Social Services (15-Y 0-N)

January 6, 2023

- Referred to Committee on Rehabilitation and Social Services
- Prefiled and ordered printed; offered 01/11/23 23101388D

VA - SB968 Voter identification; identification containing a photograph required.

County Position: Oppose, Board has historically opposed.

Primary Patron: Senator Mark J. Peake (R)

Summary:

Voter identification; identification containing a photograph required. Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot.

Actions:

January 17, 2023

- Incorporated by Privileges and Elections (SB794-McDougle) (15-Y 0-N)

January 6, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23101391D

VA - SB977 Transit Ridership Incentive Program; on-demand microtransit operations.

County Position: Support

Primary Patron: Senator T. Montgomery "Monty" Mason (D)

Summary:

Transit Ridership Incentive Program; on-demand microtransit operations. Includes the development and implementation of on-demand microtransit operations, defined in the bill, to incentivize and promote transit ridership, as part of the goal of the Transit Ridership Incentive Program. The bill provides that an approved initiative or service is eligible to continue receiving funding for the duration of the Program on an annual basis, for up to 80 percent of costs, from funds that are available to the urbanized area in which the initiative or service is located.

Actions:

January 26, 2023

- Stricken at request of Patron in Transportation (13-Y 0-N)

January 6, 2023

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23102068D

VA - SB1067 Substantial risk orders; substantial risk factors and considerations.

County Position: Support

Primary Patron: Senator Scott A. Surovell (D)

Summary:

Substantial risk orders; substantial risk factors and considerations. Provides various factors that a judge or magistrate shall consider for the purpose of determining probable cause prior to issuing an emergency substantial risk order or a substantial risk order. The bill provides that such factors shall include whether the person who is subject to the order (i) committed any acts of violence or criminal offenses resulting in injury to himself or another person within the six months prior to the filing of the petition; (ii) made any threats or used any physical force against another person that resulted in injury within the six months prior to the filing of the petition; (iii) violated any provision of a protective order issued or was

arrested for stalking within the six months prior to the filing of the petition; (iv) was convicted of any offense that would prohibit such person from possessing a firearm; (v) engaged in any conduct within the year prior to the filing of the petition that demonstrated a pattern of violent acts or threats to another person, including any acts or threats made against family members, neighbors, co-workers, or toward schools or students or government buildings or employees; (vi) committed any acts of violence or criminal offenses against an animal within the six months prior to the filing of the petition; (vii) made any attempt or threat of suicide or any act, attempted act, or threat of self-harm that caused or may have caused serious bodily injury; or (viii) evidence of recent acquisition of a firearm or ammunition by the respondent. The bill also outlines various other factors that a judge or magistrate may, but is not required to, consider for the purpose of issuing an emergency substantial risk order or a substantial risk order.

Actions:

February 22, 2023

- Left in Courts of Justice

February 17, 2023

- Subcommittee recommends passing by indefinitely (5-Y 3-N)

February 16, 2023

- Assigned Courts sub: Subcommittee #1

February 10, 2023

- Referred to Committee for Courts of Justice
- Read first time
- Placed on Calendar

January 30, 2023

- Read third time and passed Senate (23-Y 16-N)

January 27, 2023

- Passed by for the day

January 26, 2023

- Read second time and engrossed
- Substitute by Senator Stuart withdrawn 23105335D-S1

January 25, 2023

- Passed by for the day
- Floor substitute printed 23105335D-S1 (Stuart)

January 24, 2023

- Constitutional reading dispensed (38-Y 0-N)

January 23, 2023

- Reported from Judiciary (10-Y 5-N)

January 8, 2023

- Referred to Committee on the Judiciary
- Prefiled and ordered printed; offered 01/11/23 23103667D

VA - SB1139 Firearms; storage in residence where minor present, penalty.

County Position: Support

Primary Patron: Senator Jennifer B. Boysko (D)

Summary:

Storage of firearms in a residence where a minor is present; penalty. Requires any person who possesses a firearm in a residence where such person knows that a minor under 18 years of age or a person who is prohibited by law from possessing a firearm resides shall store such firearm and the ammunition for such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person. The bill provides that a violation is a

Class 4 misdemeanor. The bill exempts any person in lawful possession of a firearm who carries such firearm on or about his person, the storage of antique firearms, and the lawful authorization of a minor to access a firearm. The bill also requires firearm dealers to post a notice stating such firearm storage requirements and the penalty for not properly storing such firearms.

Actions:

February 22, 2023

- Left in Public Safety

February 9, 2023

- Subcommittee recommends laying on the table (6-Y 4-N)

February 8, 2023

- Assigned PS sub: Subcommittee #1
- Referred to Committee on Public Safety
- Read first time
- Placed on Calendar

January 31, 2023

- Read third time and passed Senate (22-Y 16-N)

January 30, 2023

- Engrossed by Senate - committee substitute SB1139S1
- Committee substitute agreed to 23104965D-S1
- Reading of substitute waived
- Read second time

January 27, 2023

- Passed by for the day

January 26, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 25, 2023

- Reported from Finance and Appropriations (10-Y 4-N)

January 23, 2023

- Rereferred to Finance and Appropriations
- Committee substitute printed 23104965D-S1
- Reported from Judiciary with substitute (9-Y 6-N)

January 10, 2023

- Referred to Committee on the Judiciary
- Prefiled and ordered printed; offered 01/11/23 23104008D

VA - SB1140 DARS; training, powers, and duties of guardian.

County Position: Support

Primary Patron: Senator Jeremy S. McPike (D)

Summary:

Department for Aging and Rehabilitative Services; training; powers and duties of guardian; annual reports by guardians; information required. Directs the Department for Aging and Rehabilitative Services to develop and provide training for court-appointed guardians by July 1, 2024. The bill requires an appointed guardian, except a guardian who is licensed to practice law in the Commonwealth, and any staff employed by such guardian to perform guardianship duties to complete the initial training developed by the Department within four months of the date of the initial court order of appointment and guardians and such staff appointed prior to July 1, 2024, to complete such training by January 1, 2026. The bill further

requires a guardian to include in his annual report to the local department of social services a statement as to whether such training has been completed.

Actions:

February 20, 2023

- Tabled in Appropriations (11-Y 9-N)

February 16, 2023

- Referred to Committee on Appropriations
- Committee substitute printed 23106978D-H1
- Reported from Health, Welfare and Institutions with substitute (21-Y 1-N)

February 13, 2023

- Referred to Committee on Health, Welfare and Institutions
- Referred from Courts of Justice by voice vote

February 10, 2023

- Referred to Committee for Courts of Justice
- Read first time
- Placed on Calendar

February 2, 2023

- Passed Senate (40-Y 0-N)
- Constitutional reading dispensed (40-Y 0-N)
- Printed as engrossed 23102600D-E
- Engrossed by Senate as amended SB1140E
- Committee amendments agreed to
- Reading of amendments waived
- Read second time

February 1, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 31, 2023

- Reported from Finance and Appropriations (15-Y 0-N)

January 27, 2023

- Rereferred to Finance and Appropriations
- Reported from Rehabilitation and Social Services with amendments (15-Y 0-N)

January 18, 2023

- Rereferred to Rehabilitation and Social Services
- Rereferred from Judiciary (8-Y 0-N)

January 10, 2023

- Referred to Committee on the Judiciary
- Prefiled and ordered printed; offered 01/11/23 23102600D

VA - SB1158 Garbage and refuse pickup and disposal services; regulation, exclusive service areas.

County Position: Support concept of additional local authority to manage solid waste collection.

Primary Patron: Senator David W. Marsden (D)

Summary:

Regulation of garbage and refuse pickup and disposal services; exclusive service areas; Planning District 8. Grants localities in Planning District 8 (Northern Virginia) authority to establish exclusive service areas and award such service areas to businesses that as of July 1, 2024, are legally engaged in the pickup and disposal of garbage, trash, or refuse,

wherein service will be provided to the residents of the locality. For each such business, the locality may establish a separate service area with a customer base that approximates the number of residential customers served by the business in the locality on July 1, 2023. The ordinance shall establish procedures for removing or adding businesses and adjusting the boundaries of such service areas as needed. Property owners' associations may continue to contract with properly licensed businesses of their choice notwithstanding the establishment of exclusive service areas. The bill contains a reenactment clause.

Actions:

January 23, 2023

- Passed by indefinitely in Local Government (10-Y 3-N)

January 10, 2023

- Referred to Committee on Local Government
- Prefiled and ordered printed; offered 01/11/23 23103885D

VA - SB1167 Firearm industry members; standards of responsible conduct, civil liability.

County Position: Support

Primary Patron: Senator J. Chapman Petersen (D)

Summary:

Firearm industry members; standards of responsible conduct; civil liability. Creates standards of responsible conduct for firearm industry members, as that term is defined in the bill. The bill requires any firearm industry member that sells, manufactures, distributes, markets, or intends to sell, manufacture, distribute, or market firearm industry products, as that term is defined in the bill, within the Commonwealth, or that sells, manufactures, distributes, markets, or intends to sell, manufacture, distribute, or market firearm industry products to be used or possessed within the Commonwealth to comply with such standards of responsible conduct. Such standards include establishing and implementing reasonable controls regarding the manufacture, distribution, importation, marketing, and wholesale or retail sale of firearm industry products and taking reasonable precautions to ensure that such firearm industry products are not sold or distributed to a distributor or retailer that fails to establish and implement such reasonable controls. The bill also creates a civil cause of action for any person who suffers harm as a result of a firearm industry member's violation of the provisions of the bill.

Actions:

February 22, 2023

- Left in Public Safety

February 9, 2023

- Subcommittee recommends laying on the table (6-Y 4-N)

February 8, 2023

- Assigned PS sub: Subcommittee #1
- Referred to Committee on Public Safety
- Read first time
- Placed on Calendar

January 26, 2023

- Read third time and passed Senate (21-Y 19-N)

January 25, 2023

- Read second time and engrossed

January 24, 2023

- Constitutional reading dispensed (38-Y 0-N)

January 23, 2023

- Reported from Judiciary (9-Y 6-N)

January 10, 2023

- Referred to Committee on the Judiciary
- Prefiled and ordered printed; offered 01/11/23 23102513D

VA - SB1184 Hate crimes and discrimination; antisemitism, penalties.

County Position: Support

Primary Patron: Senator Bryce E. Reeves (R)

Summary:

Hate crimes and discrimination; anti-Semitism; penalties. Provides that it is the policy of the Commonwealth to safeguard all individuals within the Commonwealth from unlawful discrimination in employment and in places of public accommodation because of such individual's ethnic origin. The bill also adds victims who are intentionally selected because of their ethnic origin to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of ethnic origin.

Actions:

February 25, 2023

- Failed to pass in Senate
- No further action taken

February 23, 2023

- Delegates: Kilgore, Bell, Filler-Corn
- Conferees appointed by House
- Senators: Reeves, Deeds, Surovell
- Conferees appointed by Senate
- Senate acceded to request (38-Y 0-N)
- House requested conference committee
- House insisted on substitute
- House substitute rejected by Senate (0-Y 40-N)
- VOTE: Block Vote Passage (96-Y 0-N)
- Passed House with substitute BLOCK VOTE (96-Y 0-N)
- Engrossed by House - committee substitute SB1184H1
- Committee substitute agreed to 23107194D-H1
- Read third time

February 22, 2023

- Read second time

February 20, 2023

- Committee substitute printed 23107194D-H1
- Reported from Courts of Justice with substitute (20-Y 0-N)

February 17, 2023

- Subcommittee recommends reporting with substitute (8-Y 0-N)

February 16, 2023

- Assigned Courts sub: Subcommittee #1

February 9, 2023

- Referred to Committee for Courts of Justice

- Read first time
- Placed on Calendar

February 6, 2023

- Passed Senate (39-Y 0-N)
- Constitutional reading dispensed (39-Y 0-N)
- Engrossed by Senate - committee substitute SB1184S1
- Committee substitute agreed to 23105369D-S1
- Reading of substitute waived
- Read second time

February 3, 2023

- Constitutional reading dispensed (38-Y 0-N)

February 2, 2023

- Reported from Finance and Appropriations (16-Y 0-N)

January 30, 2023

- Rereferred to Finance and Appropriations
- Committee substitute printed 23105369D-S1
- Reported from Judiciary with substitute (15-Y 0-N)

January 10, 2023

- Referred to Committee on the Judiciary
- Prefiled and ordered printed; offered 01/11/23 23104133D

VA - SB1236 Firearms, etc.; control of possession by locality.

County Position: Oppose, Board has historically opposed, see also HB 1427 (LaRock).

Primary Patron: Senator Mark D. Obenshain (R)

Summary:

Control of firearms by localities. Removes a locality's authority to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any public park owned or operated by the locality; (ii) any recreation or community center facility operated by the locality; or (iii) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.

Actions:

January 23, 2023

- Passed by indefinitely in Judiciary (9-Y 6-N)

January 16, 2023

- Rereferred to Judiciary
- Rereferred from Local Government (8-Y 6-N)

January 10, 2023

- Referred to Committee on Local Government
- Prefiled and ordered printed; offered 01/11/23 23102674D

VA - SB1293 Bicycles; exemptions to certain traffic control devices, local ordinances.

County Position: Monitor

Primary Patron: Senator R. Creigh Deeds (D)

Summary:

Bicycles; exemptions to certain traffic control devices; local ordinances. Authorizes the local governing body of any county, city, or town to by ordinance authorize a bicyclist to treat a stop light as a stop sign and a stop sign as a yield right-of-way sign, provided that certain safety measures are observed.

Actions:

February 22, 2023

- Left in Transportation

February 14, 2023

- Subcommittee failed to recommend reporting (4-Y 5-N)

February 10, 2023

- Assigned Transportation sub: Subcommittee #1 Department of Motor Vehicles
- Referred to Committee on Transportation
- Read first time
- Placed on Calendar

February 1, 2023

- Read third time and passed Senate (24-Y 16-N)

January 31, 2023

- Printed as engrossed 23100569D-E
- Engrossed by Senate as amended SB1293E
- Committee amendments agreed to
- Reading of amendments waived
- Read second time

January 30, 2023

- Constitutional reading dispensed (39-Y 0-N)

January 26, 2023

- Reported from Transportation with amendments (9-Y 6-N)

January 10, 2023

- Referred to Committee on Transportation
- Prefiled and ordered printed; offered 01/11/23 23100569D

VA - SB1312 Electric vehicle charging stations; requirement for certain developments.

County Position: Support

Primary Patron: Senator Jennifer B. Boysko (D)

Summary:

Electric vehicle charging stations; requirement for certain developments. Provides that any locality may by ordinance require electric vehicle charging stations as part of subdivision or site plan approval for a development containing commercial, industrial, or multifamily residential uses with a density of seven residential dwelling units per acre or greater. This bill has a delayed effective date of July 1, 2024.

Actions:

February 22, 2023

- Left in Counties, Cities and Towns

February 16, 2023

- Subcommittee recommends laying on the table (5-Y 4-N)

February 8, 2023

- Assigned CC & T sub: Subcommittee #2
- Referred to Committee on Counties, Cities and Towns
- Read first time
- Placed on Calendar

February 2, 2023

- Passed Senate (22-Y 18-N)
- Reconsideration of passage agreed to by Senate (40-Y 0-N)
- Read third time and passed Senate (23-Y 17-N)

February 1, 2023

- Printed as engrossed 23104300D-E
- Engrossed by Senate as amended SB1312E
- Committee amendment agreed to
- Reading of amendment waived
- Amendment by Senator Boysko withdrawn
- Read second time

January 31, 2023

- Constitutional reading dispensed (39-Y 0-N)

January 30, 2023

- Reported from Local Government with amendment (9-Y 6-N)

January 10, 2023

- Referred to Committee on Local Government
- Prefiled and ordered printed; offered 01/11/23 23104300D

VA - SB1315 Localities, public & private schools, higher educational institution, & employers; face coverings.

County Position: Oppose, Board has historically opposed.

Primary Patron: Senator Amanda F. Chase (R)

Summary:

Localities, public and private schools, institutions of higher education, and employers; face coverings. Prohibits any locality, school board, division superintendent, school principal, private school, institution of higher education, or employer from adopting, implementing, or enforcing any policy, rule, or order related to COVID-19 that requires individuals to wear a face covering.

Actions:

February 2, 2023

- Passed by indefinitely in Education and Health (15-Y 0-N)

January 27, 2023

- Assigned Education sub: Health

January 10, 2023

- Referred to Committee on Education and Health

- Prefiled and ordered printed; offered 01/11/23 23102309D

VA - SB1351 Virginia Freedom of Information Act; electronic meetings, local and regional public bodies.

County Position: Support

Primary Patron: Senator David W. Marsden (D)

Summary:

Virginia Freedom of Information Act; electronic meetings; local and regional public bodies. Allows, with certain exceptions, local and regional public bodies to convene no more than 50 percent of the meetings held per calendar year rounded up to the next whole number as an all-virtual public meeting. Current law limits all-virtual public meetings to no more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, and prohibits any such meeting from being held consecutively with another all-virtual public meeting.

Actions:

February 22, 2023

- Left in General Laws

February 14, 2023

- Subcommittee recommends laying on the table (5-Y 3-N)

February 13, 2023

- Assigned GL sub: Subcommittee #4

February 9, 2023

- Referred to Committee on General Laws
- Read first time
- Placed on Calendar

January 31, 2023

- Read third time and passed Senate (25-Y 14-N)

January 30, 2023

- Engrossed by Senate - committee substitute SB1351S1
- Committee substitute agreed to 23105274D-S1
- Reading of substitute waived
- Read second time

January 27, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 25, 2023

- Committee substitute printed 23105274D-S1
- Reported from General Laws and Technology with substitute (10-Y 5-N)

January 11, 2023

- Referred to Committee on General Laws and Technology
- Prefiled and ordered printed; offered 01/11/23 23102031D

VA - SB1365 Materials recovery facilities; local regulation.

County Position: Oppose

Primary Patron: Senator Lynwood W. Lewis, Jr. (D)

Summary:

Local regulation of materials recovery facilities. Provides that an ordinance adopted by a locality that would prevent or prohibit the disposal of garbage, trash, or refuse does not include any facility-generated waste residue from a materials recovery facility, as defined in the bill, that has been issued a permit by the Department of Environmental Quality.

Actions:

February 22, 2023

- Left in Counties, Cities and Towns

February 16, 2023

- Subcommittee recommends reporting with substitute (5-Y 4-N)

February 15, 2023

- Referred to Committee on Counties, Cities and Towns
- Referred from Agriculture, Chesapeake and Natural Resources by voice vote
- Subcommittee recommends reporting (4-Y 2-N)

February 10, 2023

- Assigned ACNR sub: Natural Resources
- Referred to Committee on Agriculture, Chesapeake and Natural Resources
- Read first time
- Placed on Calendar

February 6, 2023

- Read third time and passed Senate (30-Y 7-N 1-A)

February 3, 2023

- Engrossed by Senate - committee substitute SB1365S1
- Committee substitute agreed to 23105817D-S1
- Reading of substitute waived
- Read second time

February 2, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 31, 2023

- Committee substitute printed 23105817D-S1
- Reported from Agriculture, Conservation and Natural Resources with substitute (11-Y 1-N 1-A)

January 11, 2023

- Referred to Committee on Agriculture, Conservation and Natural Resources
- Prefiled and ordered printed; offered 01/11/23 23102425D

[VA - SB1382](#) Assault firearms and certain ammunition feeding devices; purchase, possession, etc., prohibited.

County Position: Support, Board has historically supported.

Primary Patron: Senator R. Creigh Deeds (D)

Summary:

Purchase, possession, sale, transfer, etc., of assault firearms and certain ammunition feeding devices prohibited; penalty. Creates a Class 1 misdemeanor for any person who imports, sells, manufactures, purchases, possesses, transports, or transfers an assault firearm, as that term is defined in the bill, and prohibits a person who has been convicted of such violation from purchasing, possessing, or transporting a firearm for a period of three years from the date of conviction. The bill provides that an assault firearm does not include any firearm that is an antique firearm, has been rendered permanently inoperable, is manually operated by bolt, pump, lever, or slide action, or was manufactured before July 1, 2023. The bill also prohibits the sale of a large capacity ammunition feeding device, as that term is defined in the bill. The bill provides that any person who willfully and intentionally (i) sells an assault firearm to another person or (ii) purchases an assault firearm from another person is guilty of a Class 1 misdemeanor and that any person who imports, sells, barter, or transfers a large capacity ammunition feeding device is guilty of a Class 1 misdemeanor. The bill also makes it

a Class 1 misdemeanor for any person younger than 21 years of age to import, sell, manufacture, purchase, possess, transport, or transfer an assault firearm regardless of the date of manufacture of such assault firearm.

Actions:

February 22, 2023

- Left in Public Safety

February 9, 2023

- Subcommittee recommends laying on the table (6-Y 4-N)

February 8, 2023

- Assigned PS sub: Subcommittee #1
- Referred to Committee on Public Safety
- Read first time
- Placed on Calendar

January 31, 2023

- Read third time and passed Senate (23-Y 16-N)

January 30, 2023

- Passed by for the day

January 27, 2023

- Engrossed by Senate - committee substitute SB1382S2
- Committee substitute agreed to 23105315D-S2
- Reading of substitute waived
- Committee substitute rejected 23104992D-S1
- Read second time

January 26, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 25, 2023

- Reported from Finance and Appropriations with substitute (10-Y 4-N)
- Committee substitute printed 23105315D-S2
- Incorporates SB1283 (Edwards)
- Incorporates SB918 (Morrissey)

January 23, 2023

- Rereferred to Finance and Appropriations
- Committee substitute printed 23104992D-S1
- Incorporates SB1283 (Edwards)
- Incorporates SB918 (Morrissey)
- Reported from Judiciary with substitute (9-Y 6-N)

January 11, 2023

- Referred to Committee on the Judiciary
- Prefiled and ordered printed; offered 01/11/23 23104134D

[VA - SB1391](#) Short-term rental property; locality's ability to restrict property managed by a Virginia realtor.

County Position: Oppose, see also HB 2271 (Marshall).

Primary Patron: Senator Lynwood W. Lewis, Jr. (D)

Summary:

Short-term rental property; locality's ability to restrict property managed by a Virginia realtor. Provides that a locality may not restrict by ordinance any short-term rental property managed by a Virginia realtor, defined in the bill. The bill provides that a locality may not enforce an ordinance against such property where the ordinance (i) prohibits short-term rentals; (ii) limits occupancy in a short-term rental property to less than what is allowed under the building code or local zoning regulations; (iii) limits the number of days in a calendar year for which a short-term rental property can be rented; (iv) requires an owner to occupy the short-term rental property as his primary residence for any number of days in a calendar year; (v) requires any type of remote monitoring device to be installed on the short-term rental property, including decibel, audio, or video; (vi) requires exterior or interior inspections of the short-term rental property pertaining to any items defined under the building code more frequently than every five years, unless a complaint has been filed with the locality or building authority; (vii) requires repairs, renovations, or updates to the structure of the short-term rental property that are greater than those required under the applicable building code; or (viii) requires an owner to add additional or otherwise alter existing parking spaces for the short-term rental property. The provisions of the bill shall apply to any short-term rental property managed by a realtor and operating as such on or after January 1, 2023.

Actions:

January 30, 2023

- Passed by indefinitely in Local Government with letter (13-Y 0-N)

January 11, 2023

- Referred to Committee on Local Government
- Prefiled and ordered printed; offered 01/11/23 23104169D

[VA - SB1408](#) Sales and use tax, local; additional tax authorized in all counties & cities to support schools.

County Position: Support

Primary Patron: Senator Jennifer L. McClellan (D)

Summary:

Additional local sales and use tax to support schools; referendum. Authorizes all counties and cities to impose an additional local sales and use tax at a rate not to exceed one percent with the revenue used only for capital projects for the construction or renovation of schools if such levy is approved in a voter referendum. Under current law, only Charlotte, Gloucester, Halifax, Henry, Mecklenburg, Northampton, Patrick, and Pittsylvania Counties and the City of Danville are authorized to impose such a tax. This bill is a recommendation of the Commission on School Construction and Modernization.

Actions:

February 22, 2023

- Left in Finance

February 17, 2023

- Subcommittee recommends laying on the table (5-Y 2-N)

February 13, 2023

- Assigned Finance sub: Subcommittee #3
- Referred to Committee on Finance
- Read first time
- Placed on Calendar

January 23, 2023

- Read third time and passed Senate (26-Y 10-N)

January 20, 2023

- Read second time and engrossed

January 19, 2023

- Constitutional reading dispensed (40-Y 0-N)

January 18, 2023

- Reported from Finance and Appropriations (13-Y 3-N)

January 11, 2023

- Referred to Committee on Finance and Appropriations
- Prefiled and ordered printed; offered 01/11/23 23102623D

VA - SB1463 Public libraries, certain; parental advisory label to be affixed to sexually explicit materials.

County Position: Oppose

Primary Patron: Senator Amanda F. Chase (R)

Summary:

Certain public libraries; books; sexually explicit materials; parental advisory label. Requires each local school board, any local governing body or library board that governs a free public library system or regional library board that governs a regional library system, and the Library Board to require a parental advisory label to be affixed to the front of any book that contains sexually explicit content, as that term is defined elsewhere in law, and that is made available to minors in any public elementary or secondary school library, any public library in the free public library system or regional public library system, or the Library of Virginia, respectively.

Actions:

February 2, 2023

- Passed by indefinitely in Education and Health (9-Y 6-N)

January 25, 2023

- Assigned Education sub: Public Education

January 16, 2023

- Referred to Committee on Education and Health
- Presented and ordered printed 23103847D

VA - SB1474 Mobile food units; Department of Health to amend its regulations.

County Position: Oppose

Primary Patron: Senator Mark D. Obenshain (R)

Summary:

Department of Health; mobile food units. Directs the Department of Health to amend its regulations and each local health department and health district to amend its regulations and guidance documents relating to mobile food units to allow up to 20 percent of the sanitation and food preparation activities of a mobile food unit to take place within a 50-foot radius of the mobile food unit.

Actions:

February 14, 2023

- Failed to report (defeated) in Health, Welfare and Institutions (10-Y 10-N)

February 9, 2023

- Referred to Committee on Health, Welfare and Institutions
- Read first time
- Placed on Calendar

February 6, 2023

- Passed Senate (39-Y 0-N)
- Constitutional reading dispensed (39-Y 0-N)
- Read second time and engrossed

February 3, 2023

- Constitutional reading dispensed (38-Y 0-N)

February 2, 2023

- Reported from Education and Health (15-Y 0-N)

January 27, 2023

- Assigned Education sub: Health

January 17, 2023

- Referred to Committee on Education and Health
- Presented and ordered printed 23103888D

VA - SB1485 Natural gas utilities; retail supply choice.

County Position: Oppose, Board has historically opposed.

Primary Patron: Senator Joseph D. Morrissey (D)

Summary:

Natural gas utilities; retail supply choice. Allows every person access to distribution service or retail natural gas from a natural gas company authorized to provide natural gas service to the area where the service will be received. The bill prohibits a public entity from adopting an ordinance, resolution, or any other requirement that limits or prohibits customers from acquiring natural gas service and supply from both utility and non-utility gas companies. The bill prohibits public entities from denying building permits solely based on a proposed utility provider and directs public entities to ensure that all applicable permits and fees are reasonable, as compared to other utility providers, and do not restrict an applicant's ability to use the services of an authorized utility provider.

Actions:

January 30, 2023

- Stricken at request of Patron in Commerce and Labor (14-Y 0-N)

January 24, 2023

- Assigned C&L sub: Energy

January 19, 2023

- Referred to Committee on Commerce and Labor
- Presented and ordered printed 23104013D

VA - SB1488 Firearms; removal from persons posing substantial risk, penalties.

County Position: Oppose, Board has historically opposed.

Primary Patron: Senator Amanda F. Chase (R)

Summary:

Firearms; removal from persons posing substantial risk; penalties. Repeals the procedure by which any attorney for the Commonwealth or law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. The bill also removes the substantial risk order registry for the entry of orders issued.

Actions:

January 30, 2023

- Passed by indefinitely in Judiciary (10-Y 5-N)

January 19, 2023

- Referred to Committee on the Judiciary
- Presented and ordered printed 23104312D

VA - SB1512 Temporary detention; certified evaluators, report.

County Position: Oppose

Primary Patron: Senator T. Montgomery "Monty" Mason (D)

Summary:

Temporary detention; certified evaluators; report. Authorizes hospitals with a psychiatric emergency department to employ certain trained individuals to perform evaluations to determine whether a person meets the criteria for temporary detention for behavioral health treatment. The bill requires participating hospitals with psychiatric emergency departments to annually report the number of temporary detention order evaluations completed, the number of temporary detention orders petitioned, the number of individuals evaluated for temporary detention who were determined to not meet the criteria for temporary detention, and the number of individuals under a temporary detention order admitted to a state facility to the Chairmen of the Senate Committee on Education and Health, the House Committee on Health, Welfare and Institutions, and the Behavioral Health Commission. The bill has an expiration date of July 1, 2025.

Actions:

February 22, 2023

- Left in Courts of Justice

February 15, 2023

- Subcommittee recommends laying on the table (5-Y 3-N)

February 14, 2023

- Assigned Courts sub: Subcommittee #1

February 10, 2023

- Referred to Committee for Courts of Justice
- Read first time
- Placed on Calendar

February 7, 2023

- Read third time and passed Senate (40-Y 0-N)

February 6, 2023

- Engrossed by Senate - committee substitute SB1512S1
- Committee substitute agreed to 23105314D-S1
- Reading of substitute waived
- Read second time

February 3, 2023

- Constitutional reading dispensed (38-Y 0-N)

February 2, 2023

- Committee substitute printed 23105314D-S1
- Reported from Education and Health with substitute (14-Y 0-N 1-A)

January 23, 2023

- Assigned Education sub: Health

January 20, 2023

- Referred to Committee on Education and Health
- Presented and ordered printed 23104479D

VA - SJ223 Constitutional amendment; qualifications of voters and the right to vote (first reference).

County Position: Support, see also HJ 520 (Herring).

Primary Patron: Senator Mamie E. Locke (D)

Summary:

Constitutional amendment (first reference); qualifications of voters; right to vote; persons not entitled to vote. Provides that every person who meets the qualifications of voters set forth in the Constitution of Virginia shall have the fundamental right to vote in the Commonwealth and that such right shall not be abridged by law, except for persons who have been convicted of a felony and persons who have been adjudicated to lack the capacity to understand the act of voting. A person who has been convicted of a felony shall not be entitled to vote during any period of incarceration for such felony conviction, but upon release from incarceration for that felony conviction and without further action required of him, such person shall be invested with all political rights, including the right to vote. Currently, in order to be qualified to vote a person convicted of a felony must have his civil rights restored by the Governor or other appropriate authority. The amendment also provides that a person adjudicated by a court of competent jurisdiction as lacking the capacity to understand the act of voting shall not be entitled to vote during this period of incapacity until his capacity has been reestablished as prescribed by law. Currently, the Constitution of Virginia provides that a person who has been adjudicated to be mentally incompetent is not qualified to vote until his competency is reestablished.

Actions:

February 22, 2023

- Left in Rules

February 17, 2023

- Subcommittee recommends laying on the table (4-Y 1-N)

February 15, 2023

- Assigned Rules sub: Amendments and Other Matters Subcommittee

February 13, 2023

- Referred to Committee on Rules
- Placed on Calendar

February 7, 2023

- Read third time and agreed to by Senate (22-Y 18-N)

February 6, 2023

- Passed by for the day

February 3, 2023

- Read second time and engrossed

February 2, 2023

- Reading waived (40-Y 0-N)

January 31, 2023

- Reported from Privileges and Elections (9-Y 5-N)

January 20, 2023

- Assigned to P&E sub: Subcommittee #1

October 28, 2022

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23100705D

[VA - SJ230](#) Asian Americans and Pacific Islanders; VSCC to study hate crimes and bias-motivated acts.

County Position: Support

Primary Patron: Senator John J. Bell (D)

Summary:

Study; Virginia State Crime Commission; hate crimes and bias-motivated acts directed toward Asian Americans and Pacific Islanders; report. Directs the Virginia State Crime Commission to study the increase in hate crimes and bias-motivated acts directed toward Asian Americans and Pacific Islanders in the Commonwealth.

Actions:

February 22, 2023

- Left in Rules

February 13, 2023

- Subcommittee recommends laying on the table (4-Y 2-N)
- Referred to Committee on Rules
- Placed on Calendar

February 10, 2023

- Assigned Rules sub: Studies

January 25, 2023

- Read third time and agreed to by Senate by voice vote

January 24, 2023

- Read second time and engrossed

January 23, 2023

- Reading waived (38-Y 0-N)

January 20, 2023

- Reported from Rules by voice vote

December 23, 2022

- Referred to Committee on Rules
- Prefiled and ordered printed; offered 01/11/23 23103327D

[VA - SJ247](#) Constitutional amendment; exemption of property owned and occupied by persons of low income, etc.

County Position: Monitor, see also HJ 498 (Carr).

Primary Patron: Senator Ghazala F. Hashmi (D)

Summary:

Constitutional amendment (first reference); tax and finance; exempt property; affordable housing tax exemption. Amends the Constitution of Virginia by providing that the General Assembly may by general law authorize the governing body of any county, city, town, or regional government to provide for the exemption from local real property taxation, or a portion thereof, within such restrictions and upon such conditions as may be prescribed, of real estate owned and occupied by persons of low income or low financial worth.

Actions:

February 22, 2023

- Left in Rules

February 17, 2023

- Subcommittee recommends laying on the table (4-Y 1-N)

February 15, 2023

- Assigned Rules sub: Amendments and Other Matters Subcommittee

February 13, 2023

- Referred to Committee on Rules
- Placed on Calendar

February 6, 2023

- Read third time and agreed to by Senate (24-Y 15-N)

February 3, 2023

- Engrossed by Senate - floor substitute SJ247S1
- Substitute by Senator Hashmi agreed to 23106071D-S1
- Reading of substitute waived
- Read second time
- Floor substitute printed 23106071D-S1 (Hashmi)

February 2, 2023

- Reading waived (40-Y 0-N)

January 31, 2023

- Reported from Privileges and Elections (9-Y 5-N)

January 20, 2023

- Assigned to P&E sub: Subcommittee #1

January 10, 2023

- Referred to Committee on Privileges and Elections
- Prefiled and ordered printed; offered 01/11/23 23103108D