

# The Virginia Legislative Process

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# The Virginia Legislative Process

**Process Nuts and Bolts**

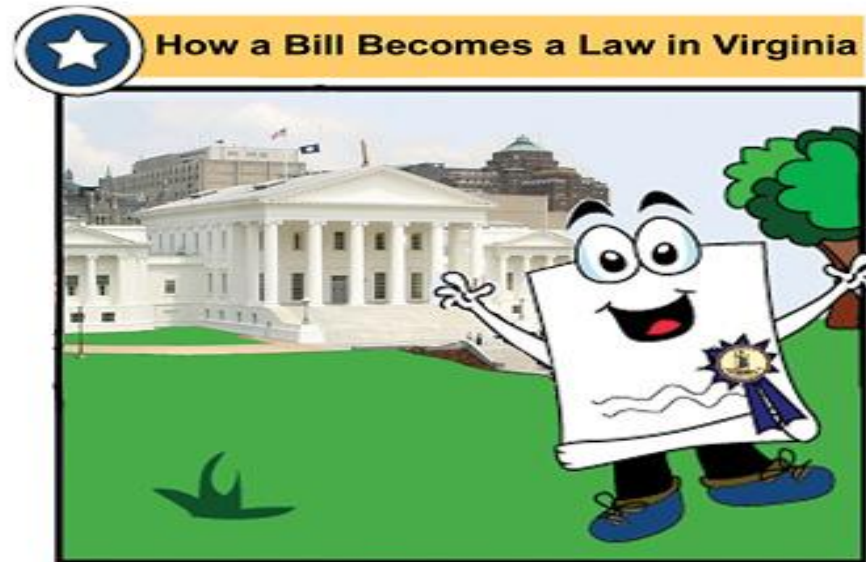
**State Budget and Legislation Impacts**

**Ways to Interact with the Process**

**Other Factors in Play**



# The Virginia Legislative Process



Hundreds of bills enter the legislative process each time the Virginia General Assembly meets. As a Representative Democracy, two groups of elected citizens - 40 Senators and 100 Delegates - study, discuss and vote on bills, and by doing so act for the people of Virginia.

The following steps are the typical process by which a bill becomes a law in Virginia.

# The Virginia Legislative Process

## How a Bill Becomes a Law (sort of)

- ❑ Bill origin and introduction
- ❑ Committee assignment and consideration
- ❑ Committee-approved bills go to floor for vote
- ❑ Committee and floor actions, Part 2
- ❑ Executive branch consideration and possible actions
- ❑ Most approved bills take effect July 1

# The Virginia Legislative Process

## The Schedule

- Budget presentation (12/18/24)
- General Assembly convenes on the second Wednesday in January (1/8/25)
- “Crossover Day” is when each chamber must complete action on its own bills (except the budget bills); they then “cross over” to the other chamber for consideration (4-5 weeks into the session)
- Virginia Constitution (Article IV, Section 6) stipulates length of session; 60 days in even-numbered year (“long” session) and 30 days in odd-numbered year (“short” session), which can be extended another 30 days, but typically is 46 days total)

# The Virginia Legislative Process

## The Budget Timeline

- ❑ Virginia operates on a two-year (biennial) state budget (current is July 1, 2024 – June 30, 2026)
- ❑ The governor proposes a state budget or amendments each December (12/18/24)
- ❑ Delegates and senators propose their own amendments and the House and Senate “money” committees craft their own budgets by mid-session
- ❑ Senior House/Senate budget-writers reach a compromise (hopefully) at the session’s end for the governor to consider (propose amendments/sign)
- ❑ “The governor proposes, the General Assembly disposes”

# The Virginia Legislative Process

## The Impact of the State Budget

- Virginia's state biennial budget >\$180 billion
  - 1/3 general fund; 2/3 non-general fund
- "State aid to localities" is any payment made directly to a local government or school division
- Local governments are a key state service provider, carrying out state programs at the local level
- A significant amount of state dollars flows to localities

# The Virginia Legislative Process

## The Impact of the State Budget

- ❑ K-12 Education
- ❑ Social Services
- ❑ Compensation Board
- ❑ Public Safety
- ❑ Mental, Behavioral and Children's Health/Services
- ❑ Health (not including Medicaid)
- ❑ Natural Resources
- ❑ Transportation



# The Virginia Legislative Process

## The Impact of State Legis- lation

### **BY THE NUMBERS**

- ❑ 2,284 bills (+ 1,311 resolutions) introduced in 2024 session
- ❑ 1,046 bills passed; 201 bills vetoed by the governor (a record!)
- ❑ 845 new laws enacted!

# The Virginia Legislative Process

## The Impact of State Legislation

- Localities are concerned every year with bills that attempt to:
  - Impose new mandates, expand existing mandates without adequate funding, or shift costs to localities
  - Usurp or restrict local authority, particularly local land use authority; this includes bills we don't expect and those we anticipate
- The list is often long—Housing/ADUs, short term rentals, zoning, solar, data centers, etc., etc., etc., etc.....

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## The Impact of State Legis- lation

### **ZONING**

- ❑ HB 755 - localities can charge enhanced civil penalties for certain violations on commercial and industrial zoned property (\$3K to \$6K/12 months)
- ❑ HB 947 - localities can regulate retail sales location of tobacco, vape and hemp, and may prohibit such location within 1,000 feet of a school/daycare
- ❑ HB 1236/SB 721 - prohibits use of Comp Plan as basis for disapproving a site plan, and reduces time for local action on zoning cases (Housing Commission study)

# The Virginia Legislative Process

## The Impact of State Legis- lation

### **HOUSING**

- ❑ SB 297 – Planning Commissions must use same approval process for residential as required for commercial
- ❑ HB 368/SB 195 – Board of HCD to convene advisory group to recommend changes to the USBC to permit R-2 units to be served by one exit

# The Virginia Legislative Process

## The Impact of State Legis- lation

### HOUSING

- HB 1124/SB 233 – “Faith in Housing Act” incentivizes religious organizations to develop affordable housing on their “excess” property (Housing Commission study)
- HB 900/SB 304 – ADUs must be allowed in residential districts; prohibits dedicated parking, setbacks greater than primary dwelling, affinity between ADU occupants and primary dwelling, and redundant utilities (Housing Commission study)

# The Virginia Legislative Process

## The Impact of State Legis- lation

### **SHORT TERM RENTALS (STR)**

- HB 1461 – Cannot prohibit STR solely on basis that the operator is a lessee or sublessee of the property, provided the owner has granted permission; a locality may limit a lessee or sublessee to one short-term rental
- SB 544 – Prohibits barring, or requiring a special exception for, the use of a residential dwelling as a STR if the dwelling unit is the property owner's primary residence

# The Virginia Legislative Process

## The Impact of State Legis- lation

### **SOLAR**

- HB 650 – Provides that SUP conditions may include a period of validity; shall be no less than three years for residential and electrical general projects
- HB 636/SB 597 – Applicants can obtain approval from SCC for a solar or storage facility of 50+ MW or wind facility of 100+ MW if locality does not provide timely approval, denies the application, or if local requirements are more stringent than SCC (CO to 2025)

# The Virginia Legislative Process

## The Impact of State Legis- lation

### **SOLAR**

- SB 697 – Prohibits local limitations on the amount, density or size of ground-mounted solar or energy storage facilities until the total area under panels within the locality exceeds 4%; must allow use of solar panels that comply with generally accepted national environmental protection and product safety standards
- Note: If every locality had 4% of its land under panels, total would be 1,711 square miles (larger than RI, slightly less than DE)



# The Virginia Legislative Process

## The Impact of State Legis- lation

### **DATA CENTERS**

- JLARC studying data centers this year
  - ▣ Review of evolution and expected growth
  - ▣ Evaluate expected infrastructure needs/costs
  - ▣ Assess local impacts on natural, agricultural and historic resources
  - ▣ Review state and local regulation of siting and construction
- Report in December, 2024

# The Virginia Legislative Process

## Ways to Interact with the Process

- ❑ Understand the process!
- ❑ Get to know your legislators/develop relationships/educate them about what you do/meet with them prior to session
- ❑ Develop a legislative program/priorities or position statements (KISS)
- ❑ Understand their communication preferences and keep them informed
- ❑ Be respectful!

# The Virginia Legislative Process

## Other Factors in Play

- Dramatic turnover in membership (42% in Senate; 1/3 in House)
  - Loss of institutional knowledge/memory
  - Lack of knowledge of how state actions impact local governments
  - Mostly new committee chairs and membership
- Dems have very narrow margin of power
  - Senate is 21-19
  - House of Delegates is 51-49
- It's always an election year in VA! In 2025, Gov/Lt. Gov/AG and House of Delegates all are up for election in November

# The Virginia Legislative Process

Want to  
Know  
More?

- [Virginia Legislative Information System](#)
- [Virginia State Budget](#)
- [TJPD Legislative Services](#)
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# Questions

