

Date of Meeting: November 9, 2023

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**BOARD OF SUPERVISORS
BUSINESS MEETING
ACTION ITEM**

SUBJECT: Legislative Report, Draft 2024 Legislative Program

2011 ELECTION DISTRICT(S): Countywide

2022 ELECTION DISTRICT(S): Countywide

CRITICAL ACTION DATE: At the pleasure of the Board

STAFF CONTACT(S) John Freeman, County Administration
Erin McLellan, County Administration

PURPOSE: To begin the annual update to the Board of Supervisors' (Board) Legislative Program.

RECOMMENDATION(S): Staff recommends that the Board provide direction on the priority statements, legislative initiatives, and policy statements found in Attachment 1 for inclusion in the draft 2024 Legislative Program and approve the 2024 Legislative Program.

BACKGROUND: This item brings forward priority statements, legislative initiatives, and policy statements for the Board's draft 2024 Legislative Program (2024 Program). Prior to the start of the Virginia General Assembly Session in Richmond, the Board collectively formulates and adopts its legislative priorities and position statements to better communicate Loudoun County's position and influence the actions of the Governor and the General Assembly. This adopted Program serves as guidance for staff and the County's contracted legislative liaisons who work on behalf of the Board. This item will be the first of several items brought before the Board to formulate the 2024 Legislative Program for the upcoming Virginia General Assembly Session. If directed by the Board, the 2024 Legislative Program can be scheduled for public hearing on December 13, 2023.

The 2024 General Assembly will be historic, as all 140 seats are up for election and over 40 lawmakers retired this year, including Sen. Majority Leader Saslaw (Fairfax), Sen. Minority Leader Norment (Williamsburg), former Speaker of the House Filler-Corn (Fairfax), Sen. Finance Chair Howell (Fairfax), and Sen. Finance Co-Chair Barker (Fairfax). General Assembly members must submit bill drafting requests no later than 5:00 pm on Thursday, November 30, 2023, in order to meet the "prefiling" deadline. The 2024 General Assembly will convene its session on January 10, 2024, and the session is expected to last 60 days.

This item contains the following components for Board action and information:

- **Section 1** proposes updates to the Board’s priority statements. (Action Requested)
- **Section 2** proposes legislative initiatives for the Board’s consideration. Legislative initiatives will require coordination with the Loudoun General Assembly Delegation (Loudoun Delegation) who will be relied upon by the Board to introduce these initiatives on behalf of the County prior to or during the 2024 Session. (Action Requested)
- **Section 3** proposes changes to the 2023 Policy Statements and proposes new policy statements. (Action Requested)

SECTION 1: BOARD PRIORITY STATEMENTS – State Legislative Program

Each year, the Board’s legislative program incorporates a set of statements that outlines their priorities in particular areas of interest. Past programs focused on priorities related to transportation, land use, taxing authority, and state funding. A description of each significant proposed change is provided below and is highlighted in Attachment 1. Motion 4 addresses items in this section.

A. Recommended Changes to Human Services Statements

1. *Amend the priority statement “Prioritizing the Availability of Psychiatric Beds” to remove “invest in community capacity for crisis services including Crisis Intervention Team Assessment Centers and Crisis Receiving Centers for voluntary and involuntary individuals in crisis.”* The Department of Mental Health, Substance Abuse, and Development Services (MHSADS) recommends removing this statement since Crisis Receiving Stabilization Centers (CRSCs) will replace the need for a Crisis Intervention Team Assessment Center (CITAC). Loudoun County’s current CITAC does not require additional funding. The current legislative program also addresses CRSC funding elsewhere. (Request by MHSADS)
2. *Amend priority statement “Fully Fund STEP Virginia and Marcus Alert” to remove STEP-VA.* MHSADS recommends removing this statement since Virginia is moving toward the national Substance Abuse and Mental Health Administration (SAMHSA) endorsed Certified Community Behavioral Health Care (CCBHC) model. MHSADS recommends that the County not direct resources to fund STEP-VA, which will be phased out in the near future. Instead, staff recommends that the County’s priority should be to ensure that the Virginia Department of Medical Assistance Services (DMAS) establishes prospective rates for the new CCBHC model. (Request by MHSADS)

B. Recommended Changes to the State Funding Priorities

1. *Move state funding statement on Crisis Receiving and Stabilization Facility services to priority #1; and amend it by removing “to include: Law Enforcement Dropoff, 10 recliners*

for 23-hour assessment for youth, 16 recliners for 23-hour assessment for adults, and 10-bed short-term crisis stabilization beds for adults.” This change will give MHSADS operational flexibility for this project by not dictating exact quantities of furnishings and the agency who must always perform drop-off of adults.

2. *Amend state funding statement on Community Service Boards by removing the following: “The County supports population-based formulas used for funding STEP-VA and CSBs instead of funding provided on an equal or flat distribution to all 40 CSBs.”* MHSADS recommends removing this portion of the statement since population-based formulas should be replaced with models focused on equity and inclusion.
3. *Amend state funding statement on body worn cameras and footage to read as follows: “Support additional state appropriations that address the management of the County’s body worn cameras and footage, including funding support for additional staff and other resources in the Commonwealth’s Attorney’s office.”* This change reflects the need for additional assistant Commonwealth’s Attorneys, support staff, and other resources to review body-worn camera footage and manage caseloads and notes that the Sheriff’s office does not need additional funds to purchase body worn cameras at this time.
4. *Move state funding statement on the EV-rebate program from priority #9 to priority #12.*
5. *Move state funding statement on the Northern Virginia Science Center from priority #10 to priority #9.*
6. *Move state funding statement on fees for hotels, etc. from priority #11 to priority #15.*
7. *Move state funding statement on VDOT operations from priority #12 to priority #10.*
8. *Move state funding statement on transit funding from priority #13 to priority #11 and amend it to read as follows: “Support funding necessary to sustain investments in transit and keep transit systems in a state of good repair, including securing dedicated funding for Metro and sustainable and dedicated funding for transit needs. Oppose any legislation that would shift the Commonwealth’s responsibility for transit funding to localities or regions”* This amendment clarifies the County’s priority to ensure Metro and other transit services have dedicated, permanent capital and operating funding sources.
9. *Move state funding statement on Virginia Cooperative Extension programming from priority #14 to priority #13 and amend it to read as follows: “Support additional appropriations to local offices of the Virginia Cooperative Extension focused on developing and implementing education programs, encouraging community equity, and improving residents’ awareness of food systems.”* This recommended change simplifies the existing funding statement.

10. *Move state funding statement on conservation easements from priority #15 to priority #14 and amend it to read as follows: “Support increased funding for state-supported conservation funds, tax credits, and grant programs.”* This recommended change broadens the existing funding statement to include other land conservation programs, including the Land Preservation Tax Credit (LPTC), that were not listed in the original statement. The Northern Virginia Conservation Trust is pursuing funding increases for various land conservation funds and grant programs in the upcoming General Assembly session. Loudoun had the highest number of land donations of any county in Virginia, according to a 2022 report¹ from the Virginia Department of Conservation and Recreation, and funding increases will further encourage conservation activity in the County.

2023 State Funding Priorities	Proposed 2024 State Funding Priorities
1. Restore Northern Virginia Transportation Authority funding	1. Crisis Receiving and Stabilization Facility services
2. Crisis Receiving and Stabilization Facility services	2. Restore Northern Virginia Transportation Authority funding
3. Community Service Boards	3. Community Service Boards
4. Additional appropriations for Medicaid waiver slots	4. Additional appropriations for Medicaid waiver slots
5. Increase Medicaid reimbursement rates	5. Increase Medicaid reimbursement rates
6. Funding of Northern Virginia cost of teachers and support staff	6. Funding of Northern Virginia cost of teachers and support staff
7. Body worn cameras and footage	7. Body worn cameras and footage
8. Judicial and corrections system	8. Judicial and corrections system
9. EV-Rebate Program	9. Northern Virginia Science Center
10. Northern Virginia Science Center	10. VDOT operations
11. Fees for hotels, etc.	11. Transit funding
12. VDOT operations	12. EV-Rebate Program
13. Transit funding	13. Virginia Cooperative Extension programming
14. Virginia Cooperative Extension programming	14. Conservation easements
15. Conservation easements	15. Fees for hotels, etc.

¹ [Calendar Year 2021 Land Preservation Tax Credit Conservation Value Summary – December 2022 \(virginia.gov\)](https://www.virginia.gov/about-the-state/department-of-conservation-and-recreation/land-preservation-tax-credit-conservation-value-summary-december-2022)

SECTION 2: LEGISLATIVE INITIATIVES

Each year, the Board endorses a set of legislative initiatives for inclusion in its Legislative Program. These initiatives request changes to the Code of Virginia, or Virginia Administrative Code and require the legislative team (i.e., legislative liaison and the County's contracted liaisons) to secure bill patrons. The first section addresses legislative initiatives from the 2023 Legislative Program. The second section proposes new initiatives for the Board's consideration. Motions are provided for initiatives in the motions section of this item.

Legislative Initiatives from the 2023 Legislative Program (Motion 1)

Legislative initiatives that passed the 2023 General Assembly, Parks, local; walking trails, liability for property owners, Restrictive covenants; and, use of Loudoun County recreational property, have been removed from the draft program. Information is provided below regarding the legislative initiative on rent stabilization.

1. Rent Stabilization and Rent Increase Notification

Request by the Department of Housing and Community Development (DHCD)

Request: Seeking an amendment to the Code of Virginia that would stabilize year-over-year rent increases by establishing a maximum rate of growth and a requirement for a notice to be provided to the tenant before issuing an increase in rent above a certain percentage.

Background: Rents continue to increase across the region at a rate unlike those experienced in the recent past. According to data published by the Harvard Joint Center for Housing Studies, of the nearly 34 percent of Virginians who rent their home, over 46 percent are cost burdened (rent is more than 30% of income) and 22 percent are severely cost burdened, meaning they spend over half of their income on housing.² A joint study conducted by the Virginia DHCD and Virginia Housing found that there are over 300,000 cost burdened renters who have very low incomes—resulting in a corresponding gap of over 300,000 deeply affordable rental units in Virginia.³ Furthermore, the age and income of the average renter in Virginia has increased, likely due in part to fewer homeownership opportunities.

Since 2015, the median household income in Loudoun County has risen steadily. Despite this positive trend for households, median gross rent has outpaced median renter income. For Q2 of 2023, the average rent in Loudoun County was \$2,062 per month, which means a household would need to earn at least \$74,232 to afford the median rent in the County.⁴ While households at all income levels are facing housing affordability challenges, it has been especially significant for

² [Renter Cost Burdens, States: Joint Center for Housing Studies \(harvard.edu\)](https://www.jchs.harvard.edu/research-reports/renter-cost-burdens-states)

³ [HB 854: Statewide Housing Study: Current Efforts, Future Needs, New Strategies \(Virginia.gov\)](https://www.virginiagov.org/housing/housing-study)

⁴ [FINAL Housing Snapshot July 2023 \(loudoun.gov\)](https://www.loudoun.gov/2023/07/20/final-housing-snapshot-july-2023)

lower income households. Loudoun Cares, a local nonprofit that connects residents with resources in a variety of areas including rent assistance, has experienced a 170 percent increase in rental assistance requests between June and August of 2022.⁵

Of the 27,270 rental units available in Loudoun County, over half (about 53%) are only affordable to moderate- and high-income households, with incomes above 80 percent of the area median income (AMI).⁶ This leaves only 6,670 units available and affordable to households below 80 percent AMI. Renters in lower income ranges experience intense competition with higher income households for affordable housing. As a result of the lack of sufficient supply, low vacancy rates, and increased competition in the rental market, there is critical need for legislation that can alleviate hurdles and support housing affordability, especially for lower income households.

Several states and cities across the United States have enacted rent stabilization ordinances. Oregon enacted the first statewide rent stabilization legislation in 2019. The state caps annual allowable rent increases for buildings more than 15 years old at 7 percent plus the rate of inflation as defined by the Consumer Price Index (CPI). In Saint Paul, Minnesota, voters approved a Rent Stabilization Ordinance in 2021 by referendum that limits residential rent increases to 3 percent in a 12-month period, even when tenants moved out. The City of Takoma Park, Maryland, publishes an annual increase allowance tied to the annual increase in the CPI and is effective for a 12-month period. However, the city's rent stabilization law only applies to individual condominium units and multi-family rental facilities. California also has a rent stabilization law that limits landlords to a maximum increase of 5 percent plus the applicable CPI rate, or 10 percent – whichever is lower. For exempt dwelling units, legislation requires 90 days' notice for greater than 10 percent increase of a tenant's rent. In Montgomery County, Maryland, landlords are required to give a 90 days' notice of rent increase or a 60 days' notice for a decision not to renew lease. Baltimore City, Maryland, Code requires a landlord to provide a 60 days' notice unless the lease requires a longer notice (but not more than 90 days).

Proposal: Support reintroduction of Sen. Boysko's (Fairfax & part of Loudoun) bill ([SB 1278](#)) from the 2023 Legislative Session. This bill was an initiative from the 2023 Legislative Program and would have amended the Code of Virginia by giving authority to localities to adopt rent stabilization provisions.

New Legislative Initiatives Proposed for the 2024 Program (Motions 2 & 3)

2. Change of Time Requirements to Public Notice Legislation

Request Received from the Board on June 20, 2023⁷

⁵ [Community Foundation Grants \\$25K for Rental Assistance Amidst Growing Needs - Community Foundation \(communityfoundationlf.org\)](#)

⁶ [Unmet-Housing-Needs-Strategic-Plan-Approved-9821-with-Appendices \(loudoun.gov\)](#)

⁷ [June 20, 2023 Board Business meeting, Item 3: Proposed Amendments to the Board of Supervisors Rules of Order to Implement Changes in Public Hearing Notice Requirements](#)

Request: Seeking legislation that amends public notice requirements to allow local governing bodies in the Commonwealth more flexibility as it pertains to actions or intended actions by the local governing body.

Background: In 2022, Sen. Stanley (Southwest and Southside Virginia) introduced [SB417](#) which directed the Virginia Code Commission to convene a work group to review requirements throughout the Code of Virginia for localities to provide public notice for intended actions and events, including (i) the varying frequency for publishing notices in newspapers and other print media, (ii) the number of days required to elapse between the publications of notices, and (iii) the amount of information required to be contained in each notice, and make recommendations for uniformity and efficiency. The task force was comprised of Virginia Association of Counties (VACO), Virginia Municipal League (VML), the Local Government Attorneys of Virginia, Virginia Press Association and more. The Commission was required by SB417 to submit a report to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology summarizing the work and any recommendations of the work group by November 1, 2022. The bills that were created from the work of the task force were [SB1151](#) carried by Sen. Edwards (Roanoke) and [HB2161](#) carried by Del. Williams (Stuart).

SB1151 and HB2161 amended statutes governing the timing of public hearing notice for ordinances and land use applications. The two sections that are most impactful to the Board's processes are [Va. Code § 15.2-1427\(F\)](#), which applies to ordinances generally (i.e., ordinances that do not have unique notice requirements elsewhere in the Code), and [Va. Code § 15.2-2204](#), which applies to land use applications and zoning and subdivision ordinance amendments. Specifically, the amendments require that notices may be published "no more than 14 days" before the "intended adoption" or "passage" of the application or ordinance at issue. These changes were effective July 1, 2023. SB1151 and HB2161 also contained provisions that continued the work of the "task force" created by SB417. Representatives from VACO, VML and Local Government Attorneys of Virginia continue to sit on the task force that is reviewing the affected statutes. The work of the study group encompasses identifying the adverse consequences of these amendments (some of which may have been unintended) and recommend changes for the General Assembly to consider during the 2024 session. The County Attorney's Office continues to work with members of the study group to identify other Code sections affected by the amendments that may impact County processes.

Issue: Prior to July 1, the Board's practice was to forward public hearing items to a future business meeting, if action was not taken at the public hearing. As a result of the notice statute changes, items that do not receive final action at the initial public hearing must be readvertised "no more than 14 days before" the Board intends to take action. Therefore, the Board adopted Rules of Order changed requiring any public hearing item for which final action is not taken at the initial public hearing to be forwarded to a future public hearing for action.

Proposal: Amend statutes governing public hearing notice requirements for ordinances and land use applications contained within but not limited to [Va. Code § 15.2-1427\(F\)](#), which

applies to ordinances generally and [Va. Code § 15.2-2204](#), which applies to land use applications and zoning and subdivision ordinance amendments to allow local governing bodies the needed flexibility within processes.

3. Job Order Contracting (JOC) Limit Amendments

Request Received from Department of Transportation and Capital Infrastructure (DTCI)

Request: DTCI is requesting a change to [§ 2.2-4303.2](#) (Job order contracting; limitations). The request is to increase the contract cost limit to \$12 million (from the current \$6 million), and the per project cost limit to \$1 million (from the current \$500,000) in response to inflationary pressures on construction project costs.

Background: Public bodies, including Loudoun County Government, use the job order contracting procurement process to complete routine construction projects, such as painting, carpet replacement, and heating, ventilation, air conditioning (HVAC) maintenance. Interested companies bid on contracts for a specified timeframe or dollar amount and are “on call” to perform work as it is needed. This is considered an efficient and flexible procurement method to address common maintenance projects and it allows entities to forego the usual process of bidding out projects individually. Under § 2.2-4303.2, the maximum threshold for job order contracts is \$6 million, and the maximum cost per project within a job order contract is \$500,000.

Issue: According to staff from DTCI, these cost ceilings are difficult to adhere to because of inflation and rising construction and labor costs. Projects face significant delays if the County has difficulty finding contractors willing to bid within these cost constraints.

Proposal: Recommend increasing the per-project limit to exceed \$500,000 and increasing the annual contract maximum to exceed \$6 million. This will help the County and other public bodies respond to inflationary pressures and price increases associated with construction projects. The job order contract limits under § 2.2-4303.2 were last increased in 2019, prior to the recent massive rise in inflation and labor costs.

SECTION 3: RECOMMENDED CHANGES TO POLICY STATEMENTS

Policy statements address legislative and policy issues of importance to the County. These policy statements provide the legislative team with Board direction should legislation be introduced during the 2024 General Assembly Session and will guide policy discussion on issues of importance throughout the 2024 calendar year. This section highlights recommended changes to specific policy areas, which includes deletions, new statements, and updates to 2023 statements.

1. **Economic Development Policy Statements**

- A. *Update policy statement on “Workforce Development” to include FastForward Grant Program*⁸. FastForward Programs (funded by the Workforce Credential Grant) are preparatory short-term training programs for industry credentials in high-demand professions. This statement supports efforts to promote opportunities for training through Virginia’s community colleges and other higher education centers to earn industry-endorsed certifications and licenses in high-demand fields which ultimately contributes to economic development. (Request by Economic Development)
- B. *Update policy statement on “Workforce Development” to include Virginia Values Veterans (V3) Employment Grant Program*⁹. The V3 Program works to educate and train employers throughout the Commonwealth on the value veterans bring to Virginia’s workforce. Through the V3 Program, employers develop strategies to recruit, hire, and retain veterans, maximizing the productivity of their workforce. This statement supports efforts to continue funding programs that support the hiring of veterans at small and medium-sized businesses that are certified by Virginia’s V3 program. (Request by Economic Development)

2. **Education Policy Statements**

- A. *Add policy statement on universal free meals in schools*. Universal free school meals in Virginia would address student hunger and cut costs for families statewide. In the 2023 General Assembly Session, Del. Mullin (Part of James City County and York County) and Del. Roem (Part of Prince William County) filed [HB 1967](#) and budget amendments to establish universal free meals for elementary and secondary school students and to render obsolete all existing school lunch debt, but the bill was left in the House Education Committee. During the COVID-19 pandemic, the federal government under the Department of Agriculture implemented universal free school meals nationwide. The proposal to make that program permanent ultimately failed in Congress. This statement would support the reinstatement of universal free meals in schools for families in Virginia within a certain AMI percentage if a bill is reintroduced in the upcoming General Assembly session. (Request by Supervisor Briskman)
- B. *Amend “Increase and Review of SOQ Funding” policy statement to “Enact JLARC Recommendations to Improve the State Public Education Funding Model”*. In prior years, the state program has supported increasing state education funding so that the Commonwealth fully funds its share of the actual costs of complying with the Standards of Quality (SOQ). The program has also supported proposals to evaluate the true cost of education, the state’s responsibility for funding those costs, and the methodology used for distributing state public education funds. In 2021, the General Assembly

⁸ [FastForward-Tuition-Chart.pdf \(augusoft.net\)](#)

⁹ [The Virginia Department of Veterans Services Announces launch of new V3 Employment Grant - Virginia Department of Veterans Services](#)

passed [SJ294](#), which directed the Joint Legislative Audit and Review Commission (JLARC) to study the cost of education in Virginia and make an accurate assessment of the costs to implement the SOQ. On July 10, 2023, JLARC completed that study¹⁰. This statement seeks to support JLARC's recommendations.¹¹(Request by Chair Randall and Vice Chair Saines)

3. **Elections Policy Statements**

- A. *Add policy statement on Freedom of Information Act (FOIA) requests.* Clarity is needed from the Virginia Department of Elections, Attorney General, or General Assembly regarding who can have access to information from the Loudoun County Department of Elections and Voter Registration (DEVVR). DEVVR continues to receive an extraordinary amount of “all-encompassing” FOIA requests, and it is unclear what those should include. The Virginia Department of Elections directs local departments to their local attorneys for guidance, but clarification around FOIA requests and the “reasonable specificity” of them is needed from the state.(Request by Supervisor Briskman)

4. **Employment and Benefits Policy Statements**

- A. *Amend policy statement on “PTSD (Post-Traumatic Stress Disorder) Coverage for 911 Dispatchers.”* This amends the statement to encourage and support a detailed review by the legislature of the current presumptions under the Virginia Workers’ Compensation Act to determine if there is supporting evidence indicating that a PTSD presumption would be appropriate for 911 dispatchers and what the fiscal impact would be on localities. (Request by Human Resources)

5. **General Government Policy Statements**

- A. *Add policy statement on supporting increasing pay for court-appointed counsel.* In Loudoun County, courts require court-appointed counsel to represent indigent clients who are not able to obtain their own legal representation and guardians ad litem to represent children in child protection, custody and visitation, juvenile delinquency, children in need of supervision, children in need of services, status offense, and other appropriate cases. Currently, in Virginia, the rate of pay for court-appointed counsel is \$120 for misdemeanor cases and child dependency cases and \$445 for felony cases, and the rate of pay for guardians ad litem is \$55 per hour for out-of-court services and \$75 per hour for in-court services. These rates are lower than the rates for court-appointed counsel and guardians ad litem in neighboring states. In addition, there is a shortage of attorneys who volunteer for these cases, which can lead to burdensome workloads for those who do. The Joint Legislative Audit and Review Commission

¹⁰[JLARC study on Virginia’s K-12 Funding Formula](#)

¹¹[JLARC Policy Recommendations: K12 Funding Formula](#)

(JLARC) is in the process of studying this issue and will publish their findings in November 2023. This addition will ensure that the County can support legislation that increases these rates. (Request by Chair Randall)

6. Health and Human Services Policy Statements

- A. *Remove the policy statement on “Doctor Protections for Long-Term Antibiotic Therapy.”* The Health Department recommends removing this statement because the department does not support legislation that precludes the Board of Medicine from taking action against physicians they believe are practicing contrary to established medical care. (Request by the Health Department)
- B. *Add policy statement on universal child care.* This statement supports legislation that creates a universal child care program or expands upon existing programs that support child care such as but not limited to the Virginia Head Start State Collaboration Project, the Child Care Subsidy Program, and the Virginia Preschool Initiative (VPI). (Request by Supervisor Briskman)
- C. *Add policy statement on enforcement of the Virginia Residential Landlord and Tenant Act by localities.* This statement seeks to support legislation that gives authority to localities to enforce the Virginia Residential Landlord and Tenant Act. (Request by Housing and Community Development)
- D. *Add policy statement on transparency in renting and evictions.* This seeks to support measures that increase transparency in renting and evictions. (Request by staff)

7. Land Use, Zoning, and Property Maintenance

- A. *Amend policy statement on “Payment in Lieu of Facility Contributions.”* Support any and all legislation to allow for cash contributions to be made by developers in lieu of improvements otherwise required by ordinances or identified in the County’s Capital Needs Assessment and/or Capital Improvements Plan. (Request by Planning and Zoning)

8. Tax and Revenue Policy Statements

- A. *Add policy statement on disabled veterans’ real property tax exemption.* This statement seeks to support legislation that clarifies Virginia Code with respect to the maximum number of disabled veterans’ real property tax exemptions per parcel and allows localities to grant exemptions for multiple residential units or dwellings on one parcel where there is one unrelated qualifying disabled veteran per unit. (Request by the Commissioner of the Revenue)

- B. *Add policy statement on disabled veterans' personal property designated vehicle change.* This statement seeks to support legislation that gives authority to localities to adopt an ordinance to allow 100 percent service-connected disabled veterans who qualify for tax exemption on a designated vehicle to change which currently owned vehicle is designated for the exemption. (Request by the Commissioner of the Revenue)

DRAFT MOTIONS:

Motion 1: Rent Stabilization and Eviction Related Measures Increase notification

1. I move that the Board of Supervisors seek changes to the Code of Virginia to stabilize year-over-year rent increases by establishing a maximum rate of growth and a requirement for a notice before issuing an increase in rent above a certain percentage.

OR

2. I move an alternate motion.

Motion 2: Change of Time Requirements to Public Notice Legislation

1. I move that the Board of Supervisors seek changes to the Code of Virginia to allow local governing bodies in the Commonwealth more flexibility with public notice requirements as it pertains to actions or intended actions by local governing bodies.

OR

2. I move an alternate motion.

Motion 3: Job Order Contracting (JOC) Limit Amendments

1. I move that the Board of Supervisors seek changes to the Code of Virginia to increase the per-project limit and annual contract limit on job order contracts to help local governing bodies and other public bodies respond to inflationary pressures and price increases associated with construction projects.

OR

2. I move an alternate motion.

Motion 4: Draft 2024 Legislative Program

1. I move that the Board of Supervisors adopt the staff recommended revisions and updates to the Draft 2024 Legislative Program as found in Attachment 1 to the November 9, 2023, Board of Supervisors Business Meeting Action Item.

I further move that the Board of Supervisors direct staff to advertise the Draft 2024 Legislative Program as found in Attachment 1 to the November 9, 2023, Board of Supervisors Business Meeting Action Item for December 13, 2023, Board of Supervisors Public Hearing.

OR

2. I move an alternate motion.

ATTACHMENT(S):

1. Draft 2024 Legislative Program as of 11.2.23

DRAFT

2024~~3~~ Legislative Program

Loudoun County Board of Supervisors

Attachment 1

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Loudoun County Fact Sheet

Loudoun County encompasses a 520-square-mile area in the Piedmont section of Northern Virginia and is bordered by the Blue Ridge Mountains [from](#) the northwest and the Potomac River [from](#) the northeast.

Between 2010 and 2020, Loudoun was one of the fastest growing counties in the nation and ranked #1 fastest growing in the Commonwealth of Virginia. The county is home to several of the nation's leading technology-oriented businesses.

Population – 202 42 estimate	447,081 447,081 434,326
2020 Census	420,959
2010 Census	312,311
2000 Census	169,599
Population growth 2000-2020	148%
Population growth 2010-2020	35%
Population – 2025 forecast	453,526 453,526 66,284
Density (persons per square mile) - 2020 estimate	816.20
Median Age – 202 21	38.17 38.17 6 years
Student population - September 202 21	82,223 82,223 1,642
Student population - September 2000	34,589
Student population growth 2000 – 2020	156%
Student population forecast – September 202 42	83,061 83,061 39
Bond ratings	
Fitch	AAA
Moody's	Aaa
Standard & Poor's	AAA
Total households	104,583 (2010) 137,442 (2020)
Household size average – 20 20 10 Census	3.05 3.05 2.98 (Loudoun) 2.66 2.66 (DC MSA)
Real property tax rate – CY 202 32	\$0.87 \$0.87 59 per \$100 assessed value
Machinery and tools tax rate – CY 202 32	\$2.75 per \$100 assessed value
Commercial & industrial (% of total base) – 202 32 estimate	22.91 22.91 2 %
Assessed value of taxable real property – 202 32 estimate	\$129.98 \$129.98 13.1 billion
Personal property tax rate (general) – CY 202 32	\$4.15 \$4.15 20 per \$100 assessed value
State reimbursement for personal property taxes	\$48.1 million
Assessed value of personal property – 202 32 estimate	\$22.91 \$22.91 8.6 billion
FY 202 43 Adopted School System operating budget	\$1.668 \$1.668 546 bmillion
FY 202 43 Adopted General Government operating budget	\$840.57 \$840.57 87.1 million
School System employees – FY 202 43 adopted	13,403.20 13,403.20 265.30 FTE
General Government employees – FY 202 43 adopted	4,812.83 4,812.83 672.76 FTE
Adopted Capital Improvement Program (FY 2023 – FY 2028)	\$3.492 \$3.492 143 billion
% of 6-Yr CIP total expenditures debt financed	60.95 60.95 5.2 %
FY 202 42 Debt service expenditures	\$250.99 \$250.99 24.3 million
FY 202 42 Debt per capita*	\$4,785 \$4,785 465
FY 202 42 Debt to estimated value of taxable property*	1.42 1.42 60 %
FY 202 42 Debt to per capita income*	4.59 4.59 5.37 %
FY 202 42 Debt service to governmental fund expenditures*	6.97 6.97 7.77 %
Schools	18 High Schools, 17 Middle Schools, 6 10 10 Elementary Schools, &and_2 Educational C Centers
Voting precincts – September 1, 2023 1 , 202 1	1079 1079 8 , plus 1 central absentee precinct

Registered voters – September 1, 2023 , 2021	291,756 87,461
Local electoral districts (includes at-large)	9

*Based on FY 202~~41~~ Adopted Budget estimates as FY 202~~41~~ actuals are not available at this time. Subject to change

Priority Statements

The following areas are the Board of Supervisors’ overarching priorities for 202~~43~~ related to transportation, land use, taxing authority, human services, and state funding. The Board supports relaxation of the Dillon Rule, and legislation maintaining and enhancing local authority and autonomy in matters including land use and procurement. The County opposes legislation that erodes local authority.

TRANSPORTATION

The County supports increased state funding for road construction, road maintenance, transit operations and capital costs, including providing adequate funding to pave higher volume ~~unpaved~~~~dirt roads~~~~unpaved roads~~ and ~~adequately~~~~safely~~ maintain rural roads. The continued economic vitality of the region and the quality of life of its citizens require greater state investment in transportation infrastructure, and existing revenue sources are not adequate to keep pace with the County’s transportation needs. Continued lack of appropriate state funding for our transportation system imposes a tax on our citizens in the form of time wasted sitting in congestion and longer commutes, and it serves as a disincentive for businesses to locate or expand in the area.

The County seeks support and commitment from the state to provide adequate resources for completing projects, and to look at streamlining regulatory reviews and processes needed to reduce timelines and costs. Projects prioritized by the Board as part of the Fiscal Year (FY) 202~~43~~ Adopted Budget and FY 202~~43~~-FY 202~~98~~ Adopted Capital Improvement Program, which require state resources, can be found in Appendix I.

Further, current toll prices and practices affiliated with the Dulles Greenway are discouraging use of the toll road, causing congestion on alternate routes within the local road network. The Board supports legislative measures and funding that reduces costs for Greenway users and improves the road network that serves or will serve as alternatives to the Greenway, including roads such as Shellhorn Road, ~~and~~ Prentice Drive, ~~and~~ Westwind Drive that would significantly reduce congestion and provide viable, cost-efficient, east-west routes for Loudoun commuters.

202~~43~~ TRANSPORTATION PRIORITIES

1. Support legislation that will restore funding levels for the Northern Virginia Transportation Authority (NVTA) that existed prior to June 2018. Protect all revenues of NVTA that have been provided through legislation from 2013 to present and the provisions therein.
2. Support legislation and funding necessary to sustain investments in transit and keep transit systems in a state of good repair, including maintaining dedicated funding for Metro and identifying sustainable and dedicated funding for transit

needs. Oppose any legislation that would shift the Commonwealth's responsibility for transit funding to localities or regions.

3. Support increased funding for Smart Scale that adequately addresses the transportation needs of the Commonwealth. Provide greater flexibility to accelerate Smart Scale funding for projects that progress more quickly.

LAND USE

The County supports maintaining its existing statutory authority in the area of land use and development. The ability to adequately plan, zone, and enforce land use regulations is necessary to maintain the quality of life in our communities and an environment that encourages businesses to invest in the County. The County is opposed to legislative measures that erode local land use authority.

2024³ LAND USE PRIORITY ON PROFFERS/IMPACT FEES

The County will advocate the following principles on proffers and impact fees:

1. A one-size-fits-all approach for calculating impacts of development will not work in the Commonwealth. Localities need flexibility to address critical infrastructure needs that result from growth, which varies across the Commonwealth.
2. Consideration of impact fees for residential development must include retaining (non-cash) proffer authority for localities to address development impacts other than those of capital construction.
3. Localities must retain the option to adopt cash proffers and impact fees, with each being applicable to different scenarios (e.g. rezonings v. by-right); In other words, localities should not be stripped of cash proffer authority in exchange for impact fee authority.
4. Mitigating the capital expenses generated by residential growth should be done in an equitable way, with both by-right and rezoned properties bearing a fair share of the cost driven by new construction of homes.
5. Legislation allowing for impact fees could include a method or framework for how localities must calculate fees that accurately reflect the true impact of development in each locality. However, legislation should not impose arbitrary impact fee schedules or statutory caps.

TAXING AUTHORITY

The County supports keeping its existing taxing authority. Loudoun is heavily reliant on the real and business personal property tax for computer equipment to fund necessary public operations, from schools and parks to public safety. Reducing or eliminating the few other local revenue resources/options, such as Business, Professional and Occupational License (BPOL), business personal property or machinery and tools taxes, would only put greater pressure on property owners and the real [property](#) ~~estate~~ tax.

HUMAN SERVICES

Loudoun County is committed to creating a healthy, thriving, safe and inclusive community. Loudoun County is committed to improving health and wellness outcomes for vulnerable or underserved members of the community by closing critical service gaps and improving accessibility for all people in the Loudoun community. Loudoun County and its community partners desire to work in partnership with the Commonwealth to meet current and growing needs in an equitable manner and to maintain the quality, capacity, and delivery of services for an increasingly diverse population with considerations specific to vulnerable people. The Commonwealth, as a partner to the County, has a responsibility to provide the necessary funding for localities to meet state mandates and to ensure available resources for individuals to get the services they need. Providing adequate state funding through population or incidence-based metrics allows the County to focus local funds on building community capacity and providing local partners with resources they need to maintain services. As a partner, it is important for State agencies to have clear communication with local governments when decisions at the state level will impact the local level.

2024³ HUMAN SERVICES PRIORITIES

Prioritizing the Availability of Psychiatric Beds: The lack of public (and private) psychiatric beds has a significant impact on the community. When such beds are unavailable, conditions are created that adversely impact public safety, law enforcement, health and human services, and hospital emergency departments~~rooms~~. People who need psychiatric treatment remain in an emergency department for days, which requires law enforcement to stay with them as health and human services professionals work to identify a placement~~of beds~~. Individuals boarding in the emergency department due to lack of psychiatric beds are at risk of not receiving appropriate treatment, eloping before a psychiatric hospital is located, and remaining in the emergency room after ordered to involuntary hospitalization. The County supports the following legislative and funding initiatives to alleviate state hospital pressures and ensure individuals that need more intensive services get the help they need:

- Expand community-based crisis programs, to align with the Substance Abuse and Mental Health Services Administration's (SAMHSA) National Guidelines for Behavioral Health Crisis Care¹. This practice requires mobile crisis response and development of Crisis Receiving and Stabilization Centers~~Facilities~~ (CRSCF), which provide 23-hour assessment recliners² and short-term crisis stabilization beds.³
- Fully fund the mandates that have already been levied including System Transformation, Excellence and Performance (STEP-VA), Marcus Alert, and access to Uniform Preadmission Screening Certified Clinicians via Emergency Services.

¹ The model aims to address the behavioral health crisis needs of anyone, anywhere, anytime and to reduce the reliance on law enforcement in situations where behavioral health services are required. SAMHSA's guidelines include identifying: (1) someone to talk to, (2) someone to respond, and (3) somewhere to go.

² Recliners are used for individuals to sit down during an assessment.

³ This facility is also listed as a funding priority for human services.

- ~~Invest in community capacity for crisis services including Crisis Intervention Team Assessment Centers and Crisis Receiving Centers for voluntary and involuntary individuals in crisis.~~
- Invest in community capacity for non-crisis services, including evidence-based practices in prevention, outpatient therapy, residential treatment, and permanent supportive housing. This includes targeting grants to localities to develop and support mental health support services, group homes, and other specialized 24/7 supervised residential treatment programs.
 - ~~Prioritize workforce development. Both private and public behavioral health systems across the state's behavioral health continuum have been citing staffing shortages as one of their primary challenges, including the ability to retain already trained staff. In addition to any short-term proposals, funding should be provided to invest in education and workforce development and compensation across the continuum of specialties required to support life span needs for individuals diagnosed with serious mental illness, serious emotional disturbances, substance use disorders, and developmental and intellectual disabilities.~~
- Assess the judiciary's role by supporting a study that looks at the release process for those in the hospital under not guilty by reason of insanity (NGRI) status. The County also supports efforts to increase the number of court-appointed attorneys who assist in civil commitment hearings, including but not limited to, increasing their reimbursement rate. As new mental health and crisis stabilization programs open, there are additional locations hosting civil commitment hearings and additional demand on the judiciary roles to increasingly respond to multiple hearing locations.

Address immediate need for recruiting and retaining health and human services professionals at the state and local levels: Both public (and private) health and human services systems across the Commonwealth cite workforce shortages as a primary challenge for service delivery. The workforce challenges include the ability to retain trained staff and recruit new staff. Funding is required to support the development of a workforce pipeline and progressive development for any workforce member across health and human services. ~~In addition to any short-term proposals, funding should be provided to invest in collegiate education and workforce development and compensation across the continuum of specialties required to support individuals across their lifespan living with serious mental illness, serious emotional disorders, substance use disorders, and developmental and intellectual disabilities.~~

Modernize Health and Human Services Electronic Systems and Processes: Regulatory barriers, inability to share client information across agencies, and duplicative data entry systems are increasing the cost of delivering services.

- Develop statewide health information exchange platforms and legislative changes that eliminate unnecessary and duplicative transactional data entry.
- ~~Reduce unnecessary regulatory barriers, as the current State required professional licensing, certification, and credentialing processes are time intensive and administratively burdensome. Public sector workforce challenges are exacerbated by the additional regulatory requirements (e.g. Virginia Department of Behavioral Health and Disability Services (DBHDS) mandated training, Qualified Mental Health Professionals (QMHP) clinical supervision requirements), and these requirements produce staff inefficiencies in the public sector that are not experienced in the private sector. do not promote recruitment of new staff. The delays result in candidates~~

~~withdrawing from positions they previously accepted, as they are unable to start employment until they are credentialed. Additionally, t~~The Virginia Department of Medical Assistance Services' (DMAS) Managed Care Organizations (MCO), each require credentialing and registrations, which slow the process for bringing new staff onboard. Loudoun County requests a legislative approach to reduce decreasing regulatory/administrative burdens specific to through expediting credentialing and decreasing regulatory requirements credentialing. Decreasing public sector regulatory requirements comes at no financial cost to the state.

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Eliminate Priority 1 Developmental Disabilities (DD) Waiver Waiting List: The DD waiver program provides individual supports and service options for successful and integrated living, learning, physical and behavioral health, employment, recreation, and community inclusion. Of the approximately 13,000~~almost 15,000~~ individuals on the waiting list, 3,094~~3,307~~ are considered priority 1 and have been determined to need services within one year, representing the most urgent service needs. The County supports funding the new biennium budget to eliminate the Priority 1 DD waiver waiting list.

Fully Fund STEP Virginia and MARCUS-Alert System: ~~STEP-VA (System Transformation, Excellence and Performance in Virginia) was developed to address accountability, access, quality, and consistency across all Community Service Boards (CSBs) to work toward behavioral healthcare excellence, and ultimately a healthy Virginia. The County supports sufficient state funding to implement STEP-VA services without decreasing other critical services. CSBs in Northern Virginia estimate that the region is facing a \$42.5 million funding shortfall to fully fund STEP-VA, and that it would cost approximately \$73 million to fully implement STEP-VA throughout the Commonwealth. The MARCUS-Alert system, mandated by the state, will also requires additional resources to implement care teams throughout the region. Region 2 estimates it will cost at least \$9,300,000 to implement mobile response or community care teams in Northern Virginia. The County wants to see the Commonwealth increase appropriations to both STEP-VA and the MARCUS-Alert System so that the Community Services Boards (CSBs) can adequately provide needed community-based services.~~

Increase Opportunities for Attainable Housing: The Loudoun County Unmet Housing Needs Strategic Plan, adopted on September 8, 2021, defines how the County will address unmet housing needs in a strategic and systematic way over the short- and long-term. The 2040 attainable housing goals calls for 16,000 attainable housing units, 8,200 new home construction units and 7,800 to be comprised of existing homes made attainable through preservation and/or access strategies. The County supports legislative, administrative, and budgetary efforts that increase opportunities within Loudoun for attainableaffordable and workforce housing, including but not limited to, state-administered programs and funds such as Low-Income Housing Tax Credits, rental housing, Resources Enabling Affordable Community Housing program (REACH), and the Housing Trust Fund. The County also supports funding for Permanent Supportive Housing and mental health support services needed to maintain stability for individuals within the community. The County opposes efforts that would decrease opportunities for and pose barriers to affordable housing development in the County. Additionally, the County supports strategies for increasing tenant protections (including rent stabilization, rent increase notifications, limiting evictions for just causes, and right to counsel for households facing eviction), giving authority to localities to enforce a landlord's duty to maintain rental dwellings in a fit and habitable condition, and creating a separate affordable housing property tax classification for multi-family and congregate affordable properties.

Replacement and Updates to State Supported Computer Systems: Allocate resources to upgrade or replace state- supported computer systems needed to maintain records and reports in support of federal and state law.

- **Replacement of Virginia's Child Welfare Case Management System:** The Online Automated Services Information System (OASIS), created in the late 1990s, is used by local departments of social services to automate process and information associated with child welfare programs. OASIS impedes local departments' ability to document services provided to children and families as the child welfare system shifts to a new model of trauma-informed and evidence- based services provision under the Family First Preventions Services Act (FFPSA) that was implemented on July 1, 2021. Virginia cannot meet federal requirements using the OASIS system, unless significant investments are made. The County supports replacement of OASIS with a new Comprehensive Child Welfare Information System that meets federal requirements.
- **Replacement of the Virginia Case Management System (VaCMS):** The VaCMS supports the Child Care Subsidy Program, Medicaid eligibility, the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Virginia Initiative for Education and Work (VIEW), and the three Energy Assistance Programs (EAP) components. Approximately 6,000 local department of social services workers use the system to determine eligibility and provide case management. The Virginia Case Management System (VaCMS) has significant limitations and issues; it is outdated, and lacks the necessary technological advancements to handle the demands of modern eligibility processing effectively. This obsolescence has resulted in frequent system outages, disrupted service delivery, and impacts the timely provision of benefits to eligible individuals and families. Replacing VaCMS with a modern and robust system that can seamlessly integrate with the evolving state and federal requirements will address the system's shortcomings and ensure improved service delivery to those reliant on Public Assistance Programs. By replacing the outdated VaCMS with a modernized and more advanced alternative, several benefits can be realized:
 1. Enhanced Reliability: Mitigating frequent outages, ensuring uninterrupted service provision to beneficiaries and minimizing disruptions caused by system failures.
 2. Improved Policy Adaptation: Facilitating seamless integration of policy changes, significantly reducing the time and costs associated with re-programming efforts and enabling the efficient implementation of new eligibility criteria.
 3. Enhanced User Experience: Empowering staff to work more efficiently, leading to faster eligibility determinations and reduced administrative burdens. This, in turn, will improve overall service quality and responsiveness.
 4. Long-Term Cost Savings: Modernizing the system will reduce maintenance costs, decrease re-programming expenses, and improve operational efficiency, leading to long-term cost savings.

Replacing the outdated VaCMS is imperative to ensure efficient and reliable eligibility determination for Public Assistance Programs and to comply with state and federal mandates.

- ~~**Replacement of the Virginia Case Management System (VaCMS):** The VaCMS supports the Child Care Subsidy Program, Medicaid eligibility, the Supplemental Nutrition Assistance Program (SNAP), Temporary Assistance for Needy Families (TANF), Virginia Initiative for Education and Work (VIEW), and the three Energy Assistance Programs (EAP) components. Approximately 6,000 local department of social services workers use the system to determine eligibility and provide case management. The VaCMS code base is close to 15 years old and expensive to change when new federal and state legislative and programmatic mandates are required. Additionally, because of the age of the system, there are severe downtimes that impact case processing timeliness. In order to address the key social determinants of health (food security, housing security, health care access and employment), localities must comply with state and federal requirements, and assure there are no disruptions to citizen services. The legacy system requires migration to a modern, supportable technology platform.~~

STATE FUNDING

The County supports the State ~~honoring living up to~~ its financial commitments in the areas of public education, public safety, transportation and road maintenance, and health and human services, and opposes state-imposed mandates on the County that increase County operational and capital costs and/or are inadequately funded by the state. The State also has a responsibility to provide adequate appropriations to the Compensation Board to properly staff and fund the offices of constitutional officers. The County also supports adequate and competitive compensation for state supported employees, which is needed to retain quality employees in the Northern Virginia region. The County opposes state budget cuts that are passed on to the localities, and formulaic budget changes that could negatively impact the County.

2024~~3~~ STATE FUNDING PRIORITIES (IN ORDER OF IMPORTANCE)

- ~~1. 2.~~ Support operational funding and start-up funding for construction, design, and equipment costs of Crisis Receiving and Stabilization Center (CRSC) services, to include: Law Enforcement Dropoff, 16 recliners for 23-hour assessment for adults, and 10-bed short-term crisis stabilization beds for adults. Support the Northern Virginia CSBs request that the Virginia Department of Behavioral Health and Developmental Services (DBHDS) fund a regional full-time position⁴ serving Region 2 to enhance workforce education, training, and recruitment.
- ~~1.2.~~ Support restoring funding to the Northern Virginia Transportation Authority (NVTa) that existed prior to June 2018. Protect all revenues of NVTa that have been provided through legislation from 2013 to present and the provisions therein.
- ~~2.3.~~ Support funding to adequately meet the current charges of the Community Service Boards (CSBs), including those mandated through the STEP-VA program. ~~The County supports~~

⁴ Regional FTE located at the regional projects office. Region 2 consists of the City of Alexandria, Arlington County, Fairfax County, Loudoun County, and Prince William County

~~population-based formulas used for funding STEP VA and CSBs, instead of funding provided on an equal or flat distribution to all 40 CSBs.~~

~~3.4.~~ Support additional appropriations for Medicaid waiver slots needed to eliminate the statewide waiting list.

~~4.5.~~ Support increasing Medicaid reimbursement rates for early intervention case management services equal to intellectual disability and mental health case management rates.

~~5.6.~~ Support full funding of the Northern Virginia cost of competing for teachers and support staff ~~in the 2022-2024 Biennium Budget.~~

~~6.7.~~ Support additional appropriations by the state that adequately addresses the ~~purchase and management of body worn cameras and footage, including ongoing funding for prosecutorial review~~additional positions in the Commonwealth's Attorney's office.

~~7.8.~~ Support additional appropriations for adequately funding the judicial and corrections system, including public defenders and jail per diems, that are the responsibility of the state.

~~9. 10.~~ Support funding ~~in the 2022-2024 Biennium Budget~~ for the Northern Virginia Science Center.

~~10. 12.~~ Support additional funding for the Virginia Department of Transportation's (VDOT) operations that support local land use review and appropriate road maintenance, including dedicated funding for improved rural road maintenance, repaving, stormwater management, and mowing and cleaning of medians and rights-of-ways on major state roads.

11. ~~13.~~ Support funding necessary to sustain investments in transit and keep transit systems in a state of good repair, including ~~maintaining~~securing dedicated funding for Metro and ~~maintaining~~ sustainable and dedicated funding for transit needs. Oppose any legislation that would shift the Commonwealth's responsibility for transit funding to localities or regions.

~~12. 9.~~ Support funding for the EV Rebate Program.

~~14. 13.~~ ~~Support additional appropriations to local offices of the Virginia Cooperative Extension focused on developing and implementing education programs that improve resident's awareness of food systems, and work to increase community equity relating to food, including but not limited to, access, consumption, distribution, nutrition, production, purchase, and safety. Support additional appropriations to local offices of the Virginia Cooperative Extension focused on developing and implementing education programs, encouraging community equity, and improving residents' awareness of food systems.~~

~~15. 14.~~ Support the restoration of full funding for conservation grant programs: the Virginia Land Conservation Foundation (VLCF), the Office of Farmland Preservation, and the Virginia Battlefield Preservation Fund. Support measures that provide full funding for conservation easement holding agencies. Support increased funding for state-supported land conservation funds, tax credits, and grant programs.

~~11. 15.~~ Support an amendment that allows a locality to assess a local plan and specification fee and annual permit fee for hotels, campgrounds, summer camps, and restaurants equal to the fee charged by the state.

LEGISLATIVE INITIATIVES

The following legislative initiatives have been identified by the Board of Supervisors for pursuit of specific state legislative actions in 2024², as appropriate.

1. **Rent Stabilization and Rent Increase Notification:** Seeking amendment to the Code of Virginia, Virginia Residential Landlord and Tenant Act, that would stabilize year-over-year rent increases by establishing a maximum rate of growth and a requirement for a notice before issuing an increase in rent above a certain percentage.
2. **(New) Job Order Contracting (JOC) LimitCap Amendments:** Seeking an amendment to the Code of Virginia on job order contracting ~~Job Order Contract Caps~~ to increase the per-project ~~limitcap~~ to exceed \$500,000 and increase the annual contract maximum to exceed \$6 million.
3. **(New) Change of Time Requirements on Public Notices:** Seeking legislation that amends public notice requirements to allow local governing bodies in the Commonwealth more flexibility as it pertains to actions or intended actions by the local governing body.
- ~~1. **Appeal Timeframe for Comprehensive Plan Permit:** Seek legislation that amends §15.2-2232 B. of the Code of Virginia to 1) extend the timeframe a local governing body has to hear and determine a comprehensive plan permit appeal from 60 days to 100 days from its filing, or such longer time as agreed to by the applicant, and 2) allows an applicant to agree to an extension of time for review by the Planning Commission.~~
- ~~2. **(New) Enforcement of Virginia Residential Landlord and Tenant Act by Localities:** Seeking amendment and reenactment of the Virginia Residential Landlord and Tenant Act (VRLTA) to give authority to localities to enforce the landlord's duty to maintain rental dwelling in a fit and habitable condition.~~
- ~~3. **(New) Electrical Vehicle Charging Station Requirements: Local Option:** Seeking legislation that gives localities the authority, as a local option, to mandate an electrical vehicle charging station requirements to increase infrastructure across the Commonwealth.~~
- ~~4. **(New) Loudoun Crisis Receiving and Stabilization Facility Development Plan:** The Loudoun Department of Mental Health, Substance Abuse and Developmental Services (MHSADS), its Community Services Board, is seeking one-time funding of \$16.1 million for construction, design and equipment costs and an annual operational cost of \$11.51 million to create a regional Crisis Receiving and Stabilization Facility (CRSF).~~
- ~~5. **(New) Incident Reporting Timelines for Virginia Department of Behavioral Health and Developmental Services (DBHDS) Licensed Providers:** Require reporting of allegations and Level II/III incidents by the close of the next business day following discovery.~~
- ~~6. **(New) Sterling Neighborhood Park Covenant:** Proposing the enactment of a new statute to the Code of Virginia, § 15.2-1800.4, for the purpose of allowing the County to purchase and improve certain real property (the "Property") for recreational use by the public that is currently owned by non-profit recreational associations and subject to a restrictive covenant.~~
- ~~7. **(New) Liabilities of Localities for Site of Trails or Waterways:** Seeking to amend §15.2-1809.1 of the Code of Virginia, to include limited liability protection for private property owners that provide localities and park authorities public access easements for trails used for walking.~~
- ~~8. **(New) Rent Stabilization and Rent Increase Notification:** Seeking amendment to the Code of Virginia, Virginia Residential Landlord and Tenant Act, that would stabilize year-over-year~~

~~rent increases by establishing a maximum rate of growth and a requirement for a 90 days' notice before issuing an increase in rent above a certain percentage.~~

~~9. (New) Right to Counsel for Households Facing Eviction: Seek legislation to allow localities to, by ordinance, provide the right to legal counsel to tenants facing eviction in households earning 0-80% AML.~~

~~10. (New) Statewide Eviction Prevention Program: Seeking an amendment of the Virginia Residential Landlord and Tenant Act that would create a statewide eviction prevention program.~~

~~11. (New) Minimum Qualifications Requirement for Candidates of Sheriff: Seeking legislation to add additional requirements for candidates seeking to hold the office of Sheriff, specific to Loudoun County.~~

ADMINISTRATIVE INITIATIVES

The following address state policy initiatives of importance to the County.

Utility Identification and Relocation: Work with agencies such as the Virginia Department of Transportation (VDOT) and the State Corporation Commission (SCC) to address issues related to identification of companies/utilities placing fiber optics and other utilities in and outside the right-of-way, and establish a timeframe by which fiber and other utilities must be moved for construction projects, or otherwise help to resolve these matters of delay.

Policy Statements

ANIMAL SERVICES

Dog and Cat License Fees: Support legislation amending state law to allow local dog/cat license fees to be set at a “fair and reasonable” level by the locality, instead of current law that limits the fee to no more than \$10. Support amendments to state law to allow local treasurers to use a portion of the dog/cat license fees they collect to go towards the cost of processing and administering those fees.

Pet Reunification: Support legislation amending state law to permit certified animal control officers to administer microchips as part of a locally-sanctioned pet reunification initiative.

Statewide Dog Licensing Model: Support the existing authority of localities to administer their own companion animal licensing programs and oppose any legislation that would limit that authority.

Statewide Mandate on Disposition of Animals: Support existing reporting requirements of releasing agencies in Virginia and oppose any legislation that would limit the authority of localities in determining disposition of animals in their custody.

BROADBAND

Broadband and Cellular Coverage and Availability: Support expanding affordable broadband accessibility and cellular service throughout the Commonwealth, particularly in underserved and rural areas while preserving local land use, permitting fees, and other local authority.

ECONOMIC DEVELOPMENT

Commonwealth Opportunity Fund: Support the ongoing replenishment of the Commonwealth Opportunity Fund. Consider industry-specific criteria for minimum project capital investment, job creation, and wage requirements (i.e. a new company may significantly exceed capital investment but lag on job numbers in a capital-intensive industry or may have lower capital investment due to being small but growing in a less capital-intensive industry).

Discretionary Incentives: Support economic development incentives that fund job creation and business development in Virginia and consider changes to job creation requirements that apply during tight labor market conditions for incentives including:

- Go Virginia Funding: Support continued funding for Region 7 and regional Go Virginia grants which advocate private-sector growth and job creation through increased collaboration between businesses, education and community leaders. Strongly encourage immediate action for ~~clearly-defined~~ clearly defined application and administrative Region 7 web updates to develop maximum business engagement.
- Governor's Agriculture and Forestry Industries Development (AFID) Fund: Support continued AFID grants for new or expanded processing/value-added facilities and continue streamlining the process for application and receipt.
- Major Eligible Employer Grant (MEE) and Virginia Economic Development Incentive Grant (VEDIG) Programs: Continue to provide funding for attraction of major employers in Virginia where there is out-of-state competition.
- Virginia Investment Performance (VIP) Grant: Strongly support ongoing funding for existing Virginia highly specialized manufacturing companies that are expanding, innovating, or modernizing.
- Income/Sales and Use Tax Incentives: Continue to fund income tax credits and subtractions for investments. Oppose elimination of incentives, in particular the Data Center Retail Sales and Use Tax exemption.
- State Funding Programs: Support state organizations such as the Virginia Innovation Partnership Corporation that fund technology startups through gap funds and research funds.
- Technology Zones: Support the County's ability to establish technology zones to encourage growth in targeted industries.

Housing Options: Support efforts to assist communities in the development of desirable and attainable housing stock for all segments of the local workforce.

Washington Dulles International Airport: Support funding for operations at Washington Dulles International Airport and related businesses.

- Foreign Trade Zone (FTZ): Continue to allow businesses to defer paying duties on imported goods while they are held with FTZ.

Workforce Development: Support investment which provides skilled workforce development, training, education, data research and technology as essential components of sustained economic development.

- Virginia Jobs Investment Program: Support state-level customized recruiting and training assistance to companies that are creating new jobs or experiencing technological change.
- Incumbent Worker Training Initiative of Northern Virginia: Promote and support the initiative, which provides employee skill upgrades in industry-recognized IT and cybersecurity training and certifications attainment.
- FastForward Grant Program: Continue to support and promote opportunities for training through Virginia's community colleges and other higher education centers to earn industry-endorsed certifications and licenses in high-demand fields.
- Virginia Values Veterans (V3) Employment Grant Program: Continue funding to support hiring veterans at small and medium-sized businesses that are certified by Virginia's V3 program.

EDUCATION

Hold Harmless Enrollment Funding: Support a funding model that does not penalize school divisions for reductions in enrollment due to COVID-19 pandemic.

~~**Increase and Review of SOQ Funding:** Support a significant increase in state education funding so that the state fully funds its share of the actual costs of meeting the Standards of Quality (SOQ). Support legislation that reviews the true cost of education, the state's responsibility for funding those costs, and the methodology used for distributing state public education funds.~~

Enacting JLARC Recommendations to Improve the State Public Education Funding Model: Support full state funding for public education, including the Standards of Quality (SOQ) as recommended by the Board of Education and the Joint Legislative Audit & Review Commission (JLARC).

Out-of-state Enrollment in State Institutions of Higher Education: Support legislation requiring the state's institutions of higher education to maintain undergraduate enrollment ratios of no greater than 25 percent out-of-state students. Further, support legislation to enforce such standards with financial or other disincentives.

Relax and Fully Fund State Mandates: Support full funding of state mandates. Support relaxing state mandates and increasing local autonomy to give local school divisions the flexibility to efficiently target resources where they are most needed.

School Construction Support: Support additional new state revenues to assist localities to fund new school construction, renovation of public-school facilities, safety improvements, technology infrastructure and debt service.

Teacher Pensions: Support legislation to require the state to place its share of teacher pension liabilities on its financial statements.

Year-End-Funds Appropriated to School Divisions: Support existing state law that all year-end funds appropriated to the school divisions by local governing bodies revert to the locality, retaining discretion with the governing bodies to evaluate and approve the reallocations of year-end fund balances to address the capital or onetime expenditure requirements of local school districts.

Free Meals in Schools: [Support legislation to implement free meals in schools for families, including but not limited to expanding existing programs and eligibility requirements.](#)

Unlawful Hazing: Support increasing penalties for individuals found to be involved in unlawful acts of hazing and safe harbor for those who report such acts in good faith at nonprofit private institutions of higher education and any public institutions of higher education.

ELECTIONS

Automatic Vote-By-Mail: Support legislation that allows every voter in Virginia to receive a mail-in ballot by default and whereby voters may submit completed ballots by mail or deposit them in designated drop-boxes, but does not preclude voting in person and/or early in-person.

Freedom of Information Act (FOIA) Requests: [Support guidance and/or clarification from the state on what can be released under FOIA.](#)

Local Election Districts and Precinct Boundaries: Support legislation that allows subdivision boundaries shown on an official map of the County to constitute a “clearly observable boundary” for the purpose of constituting a district or precinct boundary.

Polling Locations: Oppose legislation that would remove schools as a polling location for elections.

Restoration of Voting Rights: Support a constitutional amendment that automatically reinstates voting rights after a convicted felon is free from any term of incarceration.

Return of Marked Ballots: Support legislation that allows for a voter to return a ballot for other members of the same household.

Sharing Jury Data for List Maintenance Purposes: Support legislation that allows the sharing of information obtained by the Clerk of the Circuit Court from those persons not qualified to serve as jurors on the basis of citizenship with the General Registrar to initiate list maintenance procedures pursuant to current law.

EMPLOYMENT AND BENEFITS

Workers’ Compensation Medical Services Fee Schedule: Support a thorough review of the existing fee schedule to ensure more uniformity and predictability in the rates.

Expanded Benefits: Oppose any legislation mandating new and/or expanded benefits on local governments that are not fully funded in perpetuity by the state, and oppose new or expanded employment benefits for public employees and/or volunteers unless a local option is provided.

Line of Duty Act: Support efforts to revert the cost and administration of this [long-time](#) program back to the state. However, should localities continue to be required to pay these benefits, the County should support efforts to contain the costs associated with the program and to limit the benefit costs being charged to the County by the state.

Non-Discrimination in Public Employment: Support legislation that provides additional state protections for veteran status and marital status for non-discrimination in public employment.

Workers' Compensation: Encourage and support a detailed review by the legislature of the current presumptions under the Virginia Workers' Compensation Act and support non-Hodgkin's lymphoma to be added to the presumption list as found in Virginia Code §65.2-402.

Virginia Retirement System; Enhanced Retirement Benefits for 911 Dispatchers: Support adding 911 dispatchers (LCFR, LCSO and Animal Services) to the list of local employees eligible to receive enhanced retirement benefits for hazardous duty service similar to those provided to state police officers if the local employer elects to offer enhanced retirement benefits. Under current law, localities may provide such benefits to first responders, including firefighters and emergency medical technicians, and certain other hazardous duty positions but not 911 dispatchers.

PTSD Coverage for 911 Dispatchers: [Encourage and support a detailed review by the legislature of the current presumptions under the Virginia Workers' Compensation Act to determine if there is supporting evidence indicating that a Post-Traumatic Stress Disorder \(PTSD\) presumption would be appropriate for 911 dispatchers and what the fiscal impact would be on localities.](#)

~~Support adding 911 dispatchers to the PTSD coverage under Title 65.2. Workers' Compensation » Chapter 1. Definitions and General Provisions » § 65.2-107. Post-traumatic stress disorder incurred by law enforcement officers and firefighters. Dispatchers are at risk for PTSD the same as firefighters, volunteers, and law enforcement officers. Studies have shown that the rate of PTSD across emergency dispatch personnel to be between 18 and 24 percent.~~

GENERAL GOVERNMENT

Agritourism Buildings and Structures: The County recognizes the importance of rural businesses to the economy of the County, and the important role of public safety in ensuring the protection of [their](#) patrons. The County strongly supports legislation that clearly defines agritourism buildings or structures, specifies the agency that determines if structures meet the criteria for classification as agritourism structures, provides expectations for public safety as it relates to assembly within those structures, and allows for enforcement of operational aspects of the Statewide Fire Prevention Code in farm buildings [used for agrotourism](#). The County supports educating owners of such structures on operational components, such as those found in the Loudoun County Fire and Life Safety Code. The County supports legislation that provides for safety features in ~~the Virginia Code~~ [the Code of Virginia](#) that promote minimum life safety standards in portions of agritourism buildings or structures ~~used for assembly~~ [primarily used for gatherings](#) of 50 or more persons. Minimum safety features supported by the County, and that would assist in getting patrons out of buildings or structures quickly include:

- Requirements for two remote outward swinging doors with panic hardware, emergency lights, and exit signs on designated emergency exits;
- Emergency vehicle access to the agritourism event structure;
- Portable fire extinguishers for the purpose of fire suppression;
- A manual unmonitored fire alarm system with pull stations; and
- A fire evacuation plan. ~~Local non-monitored fire alarm systems;~~
- ~~Two remote exits, each equipped with exit lights and panic hardware on hinged exit doors that swing out;~~
- ~~Emergency lighting; and~~
- ~~Portable fire extinguishers~~

Coordination of State, County and Courts Holiday Schedules: Support legislation to provide for a uniform approach to holidays in Virginia where there is consistency between the courts, the Governor, and local governments.

Excess Court Fees: Support legislation that returns the majority of excess court fees formula back to the original one-third for the Commonwealth and two-thirds for the locality. Support and/or seek legislation that would make this change only applicable to the 20th Judicial Circuit (in addition to the 31st Judicial Circuit, the only circuit that was exempted from this state formula change).

Increased Pay for Court-Appointed Counsel: Support legislation and/or budget agreements that increase the statutory payment limits and waiver payment limits within Va. Code § 19.2-163 for court-appointed counsel and the rate of pay for guardians ad litem.

Increase Fees for the Legal Resource Center: Support legislation that amends Virginia Code §42.1-70 to allow a governing body to increase the assessment for civil actions filed in the courts by \$1 to pay for expenses related to a law library.

New State Mandates and Shifting Responsibility to Localities: Oppose any new state mandates that are not fully funded by the Commonwealth and oppose the shifting of fiscal responsibility from the state to localities for existing programs.

Residential PACE Program: Support legislation that amends §15.2-958.3 of the Code of Virginia to allow a locality by ordinance to authorize a residential PACE program.

Waste Reduction: Support any efforts by the Commonwealth to expand the mission, scope, and resources (e.g., funding, staffing, etc.) of the Virginia Department of Environmental Quality's waste reduction and recycling programs especially those that encourage regional planning, recyclable and organics market development and that result in DEQ being more actively engaged in waste reduction matters in the Commonwealth.

Permitting Government Entities to Have a Designated Representative Attend Trial: Support amendments to VA. Code § 8.01-375 to afford counties and their governing bodies the right to have a designated representative at trial consistent with the rights of every other civil litigant in the Commonwealth.

HEALTH AND HUMAN SERVICES

Children's Services Act (CSA): Support state funding and certain programmatic changes, including but not limited to:

- Support for the state to sufficiently fund the state share of cost for services to children and youth who are entitled to sum sufficient services, and support equitable cost-sharing between the state and the County for the costs involved in the placements of children in residential treatment facilities for non-educational purposes.
- Support increased state resources to address increased and complex CSA administration requirements by the State of the local governments.
- Fully fund the cost of advancement and development of evidence-based practices and implementation across the System of Care.
- Support state assistance to localities with contracting for CSA services to improve localities' ability to negotiate with providers of those serviced, such as private day placements. Support rate setting by the state for private day placements, with appropriate recognition of cost variations by region.
- Support enhancing the ability of local school divisions to serve children with disabilities, to include flexibility in use of state pool funds to serve children with high-level needs in local or regional programs tailored to meet those needs, and additional support for special education wraparound services to help support children in their communities.
- The state should assist localities in providing appropriate services and settings for adolescents and children with extraordinary behavioral health needs in need of residential placement not anticipated by the CSA law.
- Oppose changes to CSA law, regulation or policies that bypass the Family Assessment and Planning Team and Community Policy and Management Team role in determining appropriate Residential Treatment Facility placements for which CSA funds will be sought.

Supplemental Nutrition Assistance Program Employment and Training (SNAP E&T): Support state funding and certain programmatic change, including but not limited to:

- Support sufficient state funding for the Commonwealth's Workforce Development System as planning is underway to make SNAP E&T Services mandatory for all local jurisdictions. This is a multi-component employment and training program designed to assist SNAP recipients in their employment and training needs. The goal of SNAP E&T is to assist SNAP recipients with

opportunities that will lead to paid employment and decrease dependency on assistance programs.

- Support increased State resources to address staffing needs as SNAP E&T will now include services to all at-risk Able Body Adults With Dependents (ABAWD).
- Oppose mandating changes to SNAP E&T programming without providing sufficient personnel and resources to manage increases in caseloads as Loudoun County, who is currently exempt from the work requirement, will be required to meet the at-risk ABAWD work requirement by working to develop an appropriate employment and training program and resources.

Decrease Incarceration Rates for Mentally Ill Populations: Support additional funding, resources, or legislative changes that decrease incarceration rates for mentally ill populations.

~~**Doctor Protections for Long Term Antibiotic Therapy:** Support legislation that allows a licensed physician to prescribe, administer, or dispense long term antibiotic therapy to a patient diagnosed with Lyme disease and also specifies that the Board of Medicine shall not initiate a disciplinary action against a licensed physician solely for prescribing, administering, or dispensing long term antibiotic therapy to a patient clinically diagnosed with Lyme disease, provided such clinical diagnosis and treatment has been documented in the patient's medical record by such licensed physician.~~

Lyme Disease: Support state administrative, budget, or legislative action beneficial or necessary for the diagnosis, treatment, and/or prevention of Lyme disease, except in areas where they become unfunded mandates on localities.

Inmate Behavioral Health Services: Oppose legislation and unfunded mandates that requires Community Service Boards ([CSBs](#)) and localities to be responsible for service delivery for every inmate with a behavioral health condition at any severity level, including every clinical intervention. The County is charged with addressing serious mental illness in priority populations, which does not include every behavioral health condition or every clinical intervention.

State Income Tax Credits for Accessible Units: Support increasing the total amount of state income tax credits granted for the Livable Home Tax Credit program in any given fiscal year from \$1 million to \$2 million and increase the total amount of state income tax credits made available through the program allocated for the purchase or construction of new residences from \$500,000 to \$1 million and funds allocated for retrofitting or renovation of existing residences from \$500,000 to \$1 million.

~~**Universal Child Care:** Support legislation that creates a universal child care program or expands upon existing programs that support child care such as but not limited to the Virginia Head Start State Collaboration Project, the Child Care Subsidy Program, and the Virginia Preschool Initiative (VPI).~~

~~**Enforcement of the Virginia Residential Landlord and Tenant Act:** Support legislation that gives authority to localities to enforce the Virginia Residential Landlord and Tenant Act (VRLTA).~~

~~**Rent Stabilization:** Support legislation that gives authority to localities to adopt rent stabilization provisions.~~

Transparency in Renting and Evictions: Support measures that increase transparency in renting and evictions.

Expand public access and transparency by allowing electronic (all-virtual) meetings for advisory boards and commissions, with no restrictions on the number of meetings per year.

Increase from five to 14 days the mandatory waiting period, after a landlord serves the tenant in writing of nonpayment of rent, before the landlord may begin the judicial eviction process.

Require guardians and conservators to complete initial and ongoing training as a condition of their service; and direct the Department for Aging and Rehabilitative Services (DARS, with input from the Virginia Judicial System, to develop such training.

LAND USE, ZONING & PROPERTY MAINTENANCE

Alternative Onsite Sewage Systems: Oppose legislation that further restricts local authority in this area.

Conditional Zoning (Cash and In-Kind Proffers): Support local authority to accept cash and in-kind proffers from developers to assist localities in financing the capital facilities and infrastructure needed to serve new development and oppose legislation to eliminate or restrict that authority.

Connection Fees: Support the existing authority of localities or locally created authorities to impose connection fees and rates adequate to support the full cost of water, wastewater, and stormwater utility systems, and oppose any legislation that would limit that authority.

Erosion and Sediment Control/Stormwater Management: Oppose legislation that reduces or eliminates local authority in the areas of erosion and sediment control and stormwater management.

Impact Fees: Support proposals that establish impact fees and reasonable implementation processes applicable in areas of the County where rezonings are not anticipated or where the provision of improvements and facilities through proffers associated with rezonings for new residential development is restricted by the Code.

Local Authority Enhancement: Support, generally, the granting of additional land use, zoning and property maintenance authority to localities, especially for aging areas or underutilized areas likely to redevelop due to experiencing high rates of sustained growth as a means to address the fiscal burdens experienced by localities in providing needed public services to local residents.

Onsite Sewage Disposal Systems: Oppose legislation that limits the ability of localities to create or enforce local ordinances or fees established to best meet the needs of their jurisdictions in the area of onsite sewage disposal systems.

Payments in Lieu of Facility Contributions: Support any and all legislation to allocate state cash allow for cash contributions to be made by developers in lieu of improvements otherwise required by ordinances or identified in the County's Capital Needs Assessment and/or Capital Improvements Plan-

Chesapeake Bay TMDL Funding for Agricultural Best Management Practices and other Cost-Sharing Programs: Support efforts to increase state appropriations for cost-sharing programs, including but not

limited to the Virginia Natural Resources Commitment Fund (VNRCF) and the Stormwater Local Assistance Fund (SLAF). The VNRCF and SLAF support Virginia agricultural cost-share programs and water quality improvement projects including installation of cost-effective best management practices that are necessary to meet Municipal Storm Sewer System (MS4) permit requirements and local pollution reduction goals.

Prescriptive Easements: Support legislation that permits collocation of telecommunications facilities on electric utility poles maintained by prescriptive easement.

Reduce State Share of Permit Fee: Support a reduction in the Commonwealth of Virginia's current 28 percent portion of the Stormwater Management Programs permit fee, since the County, not the state, is predominantly administering the program locally.

Short-Term Rentals: Support efforts that preserve local land use and taxation authority while requiring transparency and efficient Transient Occupancy Tax (TOT) collections as it relates to the growing short-term rental industry.

State Annual Plan for Utilities: Oppose any proposal to include infrastructure development such as electric substations and similar facilities under the State Annual Plan for Utilities.

Undergrounding Electric Distribution, or "Feeder" Lines: Support legislation which increases and/or promotes the number of underground electric distribution, or "feeder" lines in addition to the pilot programs for long-range transmission lines.

PUBLIC SAFETY

Emergency Medical Transport: Support policies to protect consumers who require air ambulance services. Oppose proposals that would add additional legal and administrative burdens on local first responders regarding decisions about methods of transportation in emergency situations.

Fire Sprinklers in New Residential Construction: Support action by the Board of Housing and Community Development and/or enabling legislation by the Virginia General Assembly to enable local governing bodies the ability to self-determine the appropriate regulations or codified ordinances for residential sprinkler requirements for their localities.

In-Building Emergency Communications Coverage: Support legislation that provides for emergency responder radio coverage to be provided in all new buildings in accordance with Section 510 of the International Fire Code.

Mobile Fueling: Oppose any legislation that seeks to expand "on-time" delivery of gasoline (mobile fueling) until additional, and omitted safety measures may be adopted and implemented. These safety measures must pertain to spill prevention and mitigation at mobile sites, vapor reduction, and control of ignition sources of gasoline vapors before mobile fueling is considered.

New State Traffic Infraction: Support legislation that creates a new state traffic offense to allow law enforcement officers to charge drivers with traffic infractions where the level of culpability does not warrant a charge of reckless driving.

Statewide Fire Prevention Code (SFPC): Oppose any action by the Board of Housing and Community Development or the General Assembly to approve or enact any edits or re-writes to the SFPC or any other law or regulation which could reduce or eliminate local fire prevention requirements or remove life safety authority from fire marshals and their assistants. This includes, but is not limited to:

- Consumer Fireworks: Oppose any action that would expand the sale, possession, and use of consumer fireworks, without the provisions to assure compliance with related National Fire Protection Association (NFPA) Standards, which contain minimal fire and life safety provisions for all consumer fireworks. Injuries and deaths from fireworks occur annually.
- Binary Exploding Targets: Support action that would expand the enforcement of binary exploding targets to include local law enforcement.

Transfer Authority of Promulgation of Statewide Fire Prevention Code (SFPC): Support legislation which effectively transfers authority for the promulgation of the ~~SFPC~~ Statewide Fire Prevention Code (SFPC) from the Virginia Board of Housing and Community Development (VaBHCD) to the Virginia Fire Services Board (VFSB).

School Safety: Oppose any legislation that weakens the Virginia Statewide Fire Prevention Code and/or the Virginia Uniform Statewide Building Code that promotes fire and life safety of our schools to protect the safety of our children. The County discourages any deactivation, tampering, or modification of fire alarm systems and associated life-safety and egress components or systems and recommends strict compliance with the National Fire Protection Association (NFPA) Standards 72 and 25 standards. In addition, emergency planning and preparation activities such as fire safety, lockdown drills and plans, and emergency evacuation drills should be conducted as recommended by the International Fire Code. The County recommends methods such as scheduling fire drills and sharing them in advance with staff/authorized persons.

Use of tolls by Emergency Management Personnel: Support legislation that adds emergency management personnel to the list of officer and employees under Virginia Code §33.2-613 allowed to use toll facilities without payment in the performance of their official duties.

TAX AND REVENUE

Personal Property Tax on Computer Equipment for Data Centers and Real Property Tax Assessment Methodology for Data Centers: The state should not reduce local tax authority for business personal property tax on computer equipment for data centers. The state should not prescribe changes through legislation, or other means to methodologies used by local governments for the assessment of real property for data centers about furnishings and fixtures, any improvements (buildings or systems), or land.* In Loudoun County alone, the assessed value of personal property for computer equipment in data centers is estimated to be \$12.0 billion for Tax Year 2022, and the assessed value of real property for data centers is \$11.8 billion for Tax Year 2022. Local taxing and assessment authority for business revenue should be maintained for localities especially when the state has reduced its funding commitments to public education, human services, and other state-responsible, but locally administered

programs. Efforts to reduce these local sources of revenue simply puts even more pressure on property owners through the local real estate tax and other revenue enhancements.

* The Board of Supervisors supported legislation in 2022 that provided uniformity and consistency for the data center industry across the Commonwealth but also requested delayed implementation.

Communications Sales and Use Tax (CSUT): Support efforts to increase the amount of revenue received from the Communications Sales and Use Tax (CSUT), including efforts to update the tax to reflect the modern telecommunications landscape. Oppose diversion of Communications Sales and Use Tax Trust Fund dollars beyond the uses already specified in statute, and support efforts to address budget language that would divert CSUT funds to the state General Fund.

Disabled Veterans' Real Property Tax Exemption: Support legislation that clarifies Virginia Code with respect to the maximum number of disabled veterans' real property tax exemptions per parcel and allows localities to grant exemptions for multiple residential units or dwellings on one parcel where there is one unrelated qualifying disabled veteran per unit.

Disabled Veterans' Personal Property Designated Vehicle Change: Support legislation that gives authority to localities to adopt an ordinance to allow 100% service-connected disabled veterans who qualify for tax exemption on a designated vehicle to change which currently owned vehicle is designated for the exemption.

Machinery and Tools (M&T)/Business, Professional Occupational License (BPOL) Taxes: The state should not eliminate these local revenue sources, unless the General Assembly provides reliable replacement sources of revenue for localities. In Loudoun County alone, BPOL receipts were \$53.946.4 million and M&T receipts were \$1.98 million in FY 20232. This revenue should not be unilaterally eliminated especially when the state has reduced its funding commitments to public education, human services, and other state-responsible, but locally administered programs. Eliminating these local sources of revenue simply puts even more pressure on property owners through the local real estate tax.

Presumption of Valuation Established by Locality: Oppose legislation which eliminates requirements that the taxpayer appellant prove manifest error by the locality's Commissioner of the Revenue or real estate assessor as a pre-requisite for the appeal to prevail, in fact voiding the current presumption that the valuation established by the locality is correct.

Release of New Customer Information from Utility Providers: Support legislation to require utility providers to release to local tax authorities' information such as name, address, and date of service for new customers for the purpose of ensuring local personal property tax compliance.

Revenue Sharing with State: Support any state revenue sharing formula to assist local governments with public infrastructure needs if the formula includes recognition of the needs in high residential growth localities.

Taxation Study: Support either a General Assembly-sponsored, or a Virginia Department of Taxation study to review all local government allocations provided by the Personal Property Tax Relief Act of 2006 with the goal of determining allocations that reflect the significantly different distribution of population among jurisdictions since that time.

TRANSPORTATION

Automated High Occupancy Vehicle (HOV) Enforcement: Support studies and research by the Virginia Department of Transportation (VDOT) and Department of Motor Vehicles (DMV) focused on automated [High-Occupancy Vehicle \(HOV\)](#) enforcement.

“Devolution” of Secondary Road Maintenance: Oppose any legislative or regulatory moratorium on the transfer of newly constructed secondary roads to ~~VDOT~~ for the purposes of ongoing maintenance, and oppose any legislation that would require the transfer of secondary road construction and maintenance responsibilities to counties.

Traffic Incident Management: Support legislation that would allow traffic incident management vehicles owned or operated by the ~~VDOT~~[Virginia Department of Transportation \(VDOT\)](#) to use flashing lights and sirens.

Tolls on Dulles Greenway: Support measures and legislation that address increased toll rates on the Dulles Greenway. ~~These~~[Such](#) would include, but not be limited to, opposing any legislation regarding automatic toll increases, and oppose any extension of the Greenway’s operating license, seeking requirements to deploy distance-based and time-based tolling that materially benefits users both peak and off peak prior to any subsequent toll increases, and seeking requirements to deploy additional congestion management improvements beyond those currently required, prior to any subsequent toll increases.

Tolls on I-66: Support any legislative initiative proposed in the 202~~4~~[3](#) General Assembly Session that would reduce the exorbitant fees levied on the citizens of the Commonwealth, including public safety personnel, with I-66 tolls.

New River Crossing: Support actions for the creation of a new river crossing over the Potomac River, east of Goose Creek.

Virtual Weigh Station Study: Support a study by VDOT and DMV that researches the use of virtual weigh stations for enforcement of over-sized or over-weight vehicles.

TRANSPORTATION FUNDING

Bi-County Parkway between Prince William County and Loudoun County: Support the Bi-County Parkway between Prince William and Loudoun Counties as called for in the Loudoun Countywide Transportation Plan. The parkway is needed to foster the region’s economic development, reduce existing traffic congestion and accommodate planned residential growth. In addition, by greatly improving both passenger and commercial cargo access to the [Washington](#) Dulles International Airport, the Bi-County Parkway will produce tangible quality of life and economic benefits for the entire Commonwealth.

General Statement on Funding: Support additional state and regional transportation funding for highway, transit including Metro, bicycle and pedestrian, and safety improvements.

Revenue Sharing Program: Support additional funding and continued use of this program as an effective way to leverage local/state funds and oppose any budget amendments that reduces funding allocations for this program below \$100 million per year.

Virginia Department of Transportation Staffing Levels: Support state funding for providing additional staffing of [Virginia Department of Transportation \(VDOT\)](#) personnel designated for and preferably located in Loudoun County for the purposes of greater efficiency. ~~This may require reconsideration of the statutory restriction on the number of personnel employed by VDOT statewide.~~