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[00:00:05] Okay. Good afternoon, everyone. Welcome to the January 31st, 2025 meeting of the Legislative Committee. We have hopefully a shorter agenda tonight than we have at our last two meetings, but we do have a number of bills to discuss. We will start with this small packet that board members have that says new bills, 2025 General Assembly on the top, and we'll start with H.J. 497, unless Ms. Arco, there's any other updates you want to give?

[00:00:37] So the only thing I wanted to mention, Mr. Chairman, is that this coming Sunday is what we call Budget Sunday in Richmond. So the House and Senate money committees will report out their budget amendments. Typically on Sunday, we only see the actual amendments that they want to post up front.

[00:00:55] Usually it's until about Tuesday before we see kind of the full list. But at that point, we'll know what's in the House budget, what's in the Senate budget, you know, compared to what the governor did. And then, obviously, they'll spend the rest of the session kind of negotiating and talking through that process.

[00:01:11] So now we're kind of, you know, as we're getting close to a crossover, which is Tuesday, we also kind of enter that budget season. So that's the only update I wanted to share otherwise. Okay, great. HJ497.

[00:01:27] Good afternoon, Mr. Chairman. Jennifer Vinnie, Deputy Director. So this first one is similar to what we heard last week with the Evans marijuana market. It's a commission to oversee. This one was actually written into the 2021 statute that was passed. It expires this year, so this bill just re-ups the one that was already placed in law in 2021. We recommend monitoring and using the same note that we use on the other three about the retail marijuana market. Okay. HB 1713. So

[00:02:06] Jennifer Vanney again. It's going to be me for a little while. So this one specifically basically extends specialty docket access to the general district court and juvenile justice court, juvenile JDRC. I don't know why I can't say that right now, but it essentially allows access across those courts to specialty dockets as well so expanding access to who can do specialty dockets so we recommend support okay so it would allow general district court and jdrc to utilize

[00:02:42] existing specialty dockets or create new specialty dockets existing so the intentional um what was discussed in committee is that the intention the intent of the original legislation was for it to across all courts but um the way it was written stopped that and so a judge said it didn't and that if that was the intent they should come back and change it so that's what they did okay all right hb 1748 so hb 1748 um is about wrongful death and it's a little bit of a technical

[00:03:17] situation so bear with me um so wrongful death cases right now a representative can bring a case on behalf of the family members in a wrongful death situation. This bill is expanding that of who can bring that across to family members and things like that.

[00:03:37] So we're asking for amendment to specify that it's still just one case being brought. It just can be brought by any member of the family versus a representative. So we recommend amend. Okay. HB 2746.

[00:03:55] So these two bills are in tandem with the constitutional amendment of rights restoration, which we currently, we have historically supported and are supporting again this year. This looks at the law that dictates how someone is, comes under guardianship or conservatorship.

[00:04:16] And essentially, right now, a judge can say someone, they have to affirmatively say someone still has the capacity to vote. It's, this would be an opt-in versus an opt-out. So that under this new law, someone would have to be said they don't have capacity versus right now you have to specifically say they do have capacity to keep that right to vote under a guardianship. So we recommend support. And this was an issue that came up during the public hearing that the delegation held. This is actually carried by a member of our delegation and then a member of Arlington's

[00:04:55] delegation. Okay. All right. SB 1017. Mr. Chairman, Arielle McAloon, Human Services Legislative Liaison. SB 1017 would require school boards to pay for the total unpaid school meal debt balance at the end of each school year, while to address school meal debt and the FCPS has

[00:05:28] roughly 1.9 million in school meal debt and so there are concerns about this being something that would be required of the school board to do and from school year 2022 to 2023 there was a $600,000 increase so we'd expect something similar year to year so our recommendation was to oppose this bill unless it's amended to provide state funding for the forgiveness of deal with that. Okay. Yeah, you know, JLARC funding would be great, too, if we want to do good things

[00:06:07] like this. Supervisor Palachuk? Sure. Thank you. Yeah, I appreciate that, Mr. Chairman. Now, I'll say this one is kind of personal to me in some respects in that I know there are a number of kids who

are in this situation and certainly acknowledging that this debt carries until their graduation year.

[00:06:32] It creates problems and could prevent them from being able to get their cap and gown and other things. So for me personally, I think we've got to make sure that there are some mechanisms in place to try to address this balance.

[00:06:48] And I'm personally okay with this recommendation, but we do need to at least look for ways to ensure that there isn't additional stigma against the individuals who are in this position. As a person who was on free lunch in school, I know what it feels like to be one of those recipients, and then you have this other cloud of this debt that is being carried along from year to year.

[00:07:13] We've got to figure a way to address this. So I appreciate you bringing this forward and appreciate what's been recommended. Thank you, Mr. Chairman. Supervisor Patrick. Thank you. Well, I'm so glad you went first. I think we're the two who have experience with this firsthand.

[00:07:29] And I would just add, again, I don't know if we've had a chance to meet with Delegate Romandes, but in addition to the state, I mean, as you know, this is one of the very few areas where there's federal funding is for the school lunch program.

[00:07:46] And so I think to put that additional burden on the localities that are supplying the majority of the programming and the funding is just something to share with her. but I don't know if that, I assume we've had that conversation and there hasn't been the desire to try to make it more workable.

[00:08:06] Supervisor Palachuk, committee members. So we can have that conversation with Senator Rome. I have not at this point yet, but we can raise some of those issues. I'm happy to call her as well. Thank you. Okay, thank you.

[00:08:24] And this is a topic that comes up, obviously an important one. I would encourage folks, if you haven't, to meet with FCPS and hear how they handle this situation, these situations now, and the sensitivity with which they do handle it, and maybe that would be good for Senator Rome to hear as well.

[00:08:50] Okay, HB2002. Jennifer Ani, Mr. Chairman. So HB 2002 is a bill that is seeking to change or codify the sources that registrars can use to, let me start over. When registrars are looking to verify their lists for voter registration maintenance, there are a variety of sources. This is codifying which sources you can use to pull people off lists.

[00:09:29] We recommend amend because it's only doing it for voter lists and not doing it for same-day access. And so we just were seeking an amendment to make sure that the cancellation standards are the same for all voters, no matter when you register.

[00:09:47] Questions, Marty, who's the expert? Good afternoon. Martin Dejardin, the county attorney's office. Just to clarify Ms. Vandy's points, So under 24-2-427, which is the major cancellation statute, there are a list of documents that can be used by a general registrar obtained through elect records about someone's status that could give rise to cancellation.

[00:10:16] There's some language in there about whether the information is known to the general registrar that has created some confusion about whether other sources of information can be used. This bill simply codifies what is already elects informal guidance on the matter, which is that you should use only materials you get from elect instead of other sources that may come to your attention. The other component of the bill is that it allows right now what the statute prevents is removal of anyone from the

list if they are a same-day registrant, but that language is being revised to remove the reference to the same-day registration statute and then to only

[00:10:55] refer to preserving the registration of military and their families overseas, and that's sort of the confusing part that I think Ms. Manny is referencing toward the end of her comments. Supervisor Alcorn? Yeah, thank you. No, this looks good, and I support the staff recommendation.

[00:11:12] I do have a question. There's another bill that covers similar, well, some of the same things, House Bill 2276 from Delegate Price, and he actually includes a whole bunch of standards or at least requirements associated with list removal uh and a whole process for doing that and i i'm just curious if staff has reviewed that one that's uh 2668 no it's 2276 well yeah so chairman

[00:11:48] supervisor elkhorn staff have reviewed it this is a bill that she's brought for a number of years i think um there are a couple concerns with it um in the sense of it it's based on a percentage of confidentiality of confidence that the person is who the person says it is with all these things there's a little worry that is this going to work the way they want it to work um that that's kind of some of the feedback that's been given but we'll continue we can continue to look into it yeah because it passed it's basically on the house floor now so if we have problems with any

[00:12:24] of that we probably should weigh in and also make sure that there's consistency uh across the different bills. That would be great. Thank you. Okay. Um, and that takes us to SB 940, other election related bill, Mr. Chairman, Jennifer Vaney. Um, so SB 940 is brought to try to remedy the situations we saw across the state last election cycle in the last several years about people bringing challenges to a candidate once elections already started. Um, so this just

[00:12:59] sits out an entire process of when you can bring a challenge, when you can't, and all of it will be done by the 45 days before, so there's not confusion on the ballot. And the only question I have on, so presumably would this apply to residency issues as well, or does the term candidate qualification, is that specific to petitions, paperwork? In other words, if it was

[00:13:33] learned that there was a residency issue 27 days before the election. Would this bill apply? Martin Desjardins, again, with the county attorney's office, there's an exception for the residency element specifically. And I'll just add at this juncture, the 45-day limit is actually the beginning of the absentee voting period. So Ms. Vennie and I have discussed there's at least a need for some window in advance of that in communications with staff because, of course, you can't print ballots the same day you're forced to mail them out and begin absentee voting.

[00:14:11] Yeah. Okay. Supervisor Alcorn. Yeah. Just to build on that point. Yeah. It probably needs to be some language, I don't know, 14 days before 17, just to allow for printing of the ballots. But I know certainly the residents of the Franconia district would appreciate having this in the law to avoid type of chaos that existed last time. So thank you. Okay. HB 1964. Yes, Mr. Chairman. There was a committee. So HB 1964 would establish, originally the bill was the Bright Futures Program.

[00:14:50] They renamed it to be the Future in Focus Program, but it would provide services and support for individuals 21 to 23 years old who were in foster care and participated in the Fostering Futures program. And so through this new program that's established in this bill, youth would receive case management and stipends through local departments of social services. And that stipend would gradually decrease as they get closer to their 24th birthday when it would end.

[00:15:23] So this is, as far as good policy, would be helpful to continue to serve these youth who are exiting foster care and have complex needs and would benefit from additional support. But there are some concerns about the fiscal impact to the county and just the additional staff resources that would be needed to support these additional case management.

[00:15:47] And so our recommendation would be to support with an amendment to ensure that adequate state funding for implementation is provided. All right. HB 1712. Mr. Chairman, HB 1712 and SB 1194, the next two, are very similar. They're not identical. So we didn't put them together, but they're very similar, and I'm going to bring them up together. So this fall during legislative committees, we talked about a concern around the state around mental health episodes and how they

[00:16:23] interact with the police and so the behavioral health commission also looked into it this fall and this came out as a recommendation to clarify in the law so that jurisdictions around the state know that they have discretion and that they can't they don't have to arrest the person who's having a mental health crisis in order to get them services and things like that so this is a really of a clarification of something we already feel we like we have the discretion to have it also provides for some training for police on this matter. So we recommend support. The training

[00:16:56] requirement, is the training that's required the training that our police officers already receive? Or would this be additional training? So I don't know that that's known yet, but I can find out. It's really just been talked to that they will develop a training to go through. So I can definitely ask more questions about that.

[00:17:19] I guess perhaps our preference would be that whatever additional training this might require be an element that could be added to a training that our police officers are already undergoing, as opposed to creating an entire new training class module program added to the very long list of trainings that already exist and are required.

[00:17:49] and and sorry supervisor patrick no thank you yeah i guess i'm a little stuck on this one um just because not only is it an additional training but ideally we'd be able to do what's really most effective which is the um rapid response right or the response units we know has been shown are more effective than just training and training and having our police officers there instead of addressing other needs so i i don't know i'm a little stuck on this

[00:18:27] because, A, it seems to be a little redundant to what you're doing, and, B, it's not as effective or provides no additional support or funding. So, I don't know. I guess we support it, just don't love it. Just wanted to share that.

[00:18:44] Maybe there's a better idea. Okay. And were you also going to speak to SB 1194, or did you cover it? So they were introduced the same. There's been some amendments to the House that are not identical, but it's the same concept, And so we'd recommend supporting both.

[00:19:01] And we would have the same question relative to the burden that the training requirement would create, I suspect, for both, right? Okay, SB 825. SB 825 is related to elder abuse and other vulnerable populations.

[00:19:23] So currently this would allow for law enforcement officers investigating financial exploitation to seek a warrant to seize the monies, cash, negotiable instruments, the different things that may be being stolen or taken.

[00:19:42] So this would allow for that. The SB 825 has a may, so it gives us the discretion as some of these situations can be a little bit tricky. And so it gives us the power. HB 2120, which is right under it, requires us to.

[00:20:00] So that's the only difference between the two bills. So I bring those up together, too. We would recommend supporting HB 825 and SB 825. And for HB 2120, we'd recommend supporting with an amendment to allow for the discretion.

[00:20:23] Okay. HB 2527? These two bills are addressing access to parks by those on the sexual registry, members who have been convicted of crimes of sexual abuse.

[00:20:42] Our staff, we would like to recommend adding an amendment to allow it to be park authority and local parks as well, not just state parks. Okay. All right. HB 1743.

[00:21:02] So, Mr. Chairman, I'm going to have some staff come to talk about this bill. And so while I think Jay Doshi and maybe Dan Robinson are coming up, I'll remind you all that at the first legislative committee this winter, we talked a little bit about this bill.

[00:21:18] It's a bill that Delegate Watts put in at the request of the State Chamber of Commerce. The State Chamber of Commerce describes their interest in this as trying to avoid double taxation with what they pay in B-Pol here and maybe what they pay in other states.

[00:21:38] We had some discussion, and nothing in particular has changed, nothing in state law has changed to drive this. So there's nothing new happening. When we discussed it a couple of weeks ago, because we obviously know Delegate Watson worked well with her, the sort of outcome of our discussion was that we would go back to her, talk to her, Jay would kind of talk it through with her, and sort of, you know, hopefully get through it that way.

[00:22:06] There were some meetings, and sort of early on, it seemed that there was an agreement to add a reenactment clause to the bill, which, for board members who aren't familiar, is basically just a clause that says it has to be passed again by another General Assembly to go into law.

[00:22:24] So it's almost like a sense of the General Assembly, but it doesn't actually have the force of law. And so for a week or so, I think that's what the group thought was going to happen. Delegate Watts has now decided that she would prefer, rather than a reenactment clause, to do a delayed enactment.

[00:22:44] So the bill would go into effect, but she would delay it at date. And if it turns out that there's a problem, we could fix it in a future General Assembly. I've had conversations with her expressing our concern about that approach, because once it's in state law, I 100% believe that...

[00:23:04] And our position is there is a problem. Not that we're trying to determine whether there's a problem with the current language. With the bill language, do you mean? Yeah, so the bill, and I'll let Jay and Dan talk about sort of the ins and outs of the bill.

[00:23:20] Yes, I think we don't agree with it. But I think part of the challenge is that her approach is let's put it into law. And then if there's a problem, we'll come back and fix it. And what I've said to her is, you know, we work very well with her.

[00:23:39] We trust her 100%. I'm sure she would work her hardest to do that. But obviously she doesn't control the entire General Assembly. And we have no idea if that would happen. And so that would not be our preference. And so that's kind of where we are.

[00:23:55] And so now we've brought it as a position. And so Jay and Dan are going to talk to you about why we think it's bad. Mr. Chairman, members of the board, as you had recommended Supervisor Walkinshaw, we did have a chance to speak with Delegate Watts. She was incredibly graceful, very giving of her time.

[00:24:13] We had good conversations. The challenge is there's still a lot of ambiguity in the wording, and it is all but certain to lead to a great number of appeals and litigation and a potential revenue impact as well.

[00:24:31] So having worked on this issue 30 years ago, when I had no gray hair and the beard, I can promise you that we understand the issues. Dan was very helpful throughout in explaining our position. At this point in time, Virginia Municipal League, and at least as of this afternoon, I'm pretty sure the Commissioners of Revenue Association both intend to undertake a position to oppose this bill.

[00:24:56] And we very reluctantly, because she was so kind, she always is to us, recommend that we oppose the bill. Okay. Unfortunately, I think that's where we are. The reenactment clause we could live with.

[00:25:15] Yeah, would have been fine. Continue the conversation. Exactly. But it seems like her position is we pass the bill, have it signed into law, and then continue the conversation. And that just brings with it, I think, more risk than is acceptable for us.

[00:25:34] Okay. All right. Any questions or concerns with that approach? All right. Thank you. Thank you both. We'll now move on to legislation provided for discussion. And we've got a couple pages of bills here, starting with HB 1656.

[00:25:54] Yes, Mr. Chairman, HB 1656 was a bill that we had received a request to discuss. So just wanted to note that the bill would prohibit any school board employee, including a coach or athletic director, from designating a student athlete as homeless solely for the purpose of recruiting the student athlete to the local school division to participate in athletics or from receiving money or other things of value for the purpose of recruiting a student athlete for intercollegiate athletics.

[00:26:28] This bill was initially reported out of the House Education Committee fairly quickly, but on a close vote, 11-10. Since then, it's kind of languished on the floor. It's been under consideration basically since January 20th, so like the past week or so, it's been kind of passed by for the day.

[00:26:48] So I'm not really sure that the prospects are good. It seems like there have been some concerns raised that have led the patron to, you know, continue to kind of work on it or think about it. So just really wanted to bring it to your attention, not recommending a position at this time, but wanted to just bring it for discussion and for awareness.

[00:27:11] Okay. Thank you. I assume that the school board and FCPS are aware of the legislation as well? Yes, they are aware of it. Okay. All right. HB 2668. Mr. Chairman, so I'm going to ask staff to come up for the next two.

[00:27:31] So HB 2668 is a bill that is broadening the authority of the state board of elector and local boards of electors of elections to be able to remove the local boards of elections or the local registrar.

[00:27:51] So the state board would be able to remove either. The local board could remove the registrar. They've also expanded the definition and the guidelines around why someone could be terminated,

released from that position.

[00:28:10] There are some concerns around the vagueness of some of those terms that are used in those guidelines and the broadness of it. There is also no appeal available to a person who is removed from the position.

[00:28:26] So we're just bringing this to your attention for discussion. Supervisor Ackermann? Yeah, thank you. I guess my question is, and this is Delegate Simon's bill, the current law is pretty darn vague.

[00:28:44] I mean, it basically talks about the electoral board, by a recorded majority vote, may basically remove a general registrar who fails to discharge duties of his office according to law. And that's just a majority, right? And so this would actually require a bipartisan action across both Democrats or the two parties to do it, which I think is a good thing by and large.

[00:29:12] I know there are some other things in here that kind of caught my eye. There is not – the decision shall not be subject to appeal. You know, maybe that needs to be taken out, but I would invite sort of any other colleagues who have looked at this or any other thoughts on it.

[00:29:33] But it looks to me that this is consistent with trying to make sure that our elections are, if not bipartisan, at least nonpartisan as much as possible. So it would – your read is that it would raise the bar to remove a member of the – of an electoral board.

[00:29:53] Mr. DeJuan. Supervisor Alcorn, and again, yes, Martin Desjardins with the County Attorney's Office. I would point out that the recorded by majority vote is retained. It just appears sort of in italicized text toward the end of the revision. So it is still a majority vote as opposed to a full vote of the full board.

[00:30:13] Under this bill? Yes. Okay, but it says two-thirds, our summary says two-thirds majority. And then later, right after that, it says Electoral Board may remove a general register by a recorded unanimous vote of all of its members.

[00:30:30] So this, if I may, Supervisor, the summaries are not always up. So these summaries are pulled from our database, and those summaries are pulled from LIS. And as we go through the process, bills change a lot. And so this summary isn't reflecting the current version that's before us, which is what I believe Martin is referring to, the actual bill text versus the language in the summary here.

[00:30:58] Okay, so does the current bill text say a majority vote or a two-thirds majority vote? So it's, and I beg your pardon, it's a recorded majority vote to bring the proceedings. It is a unanimous vote to remove.

[00:31:15] I apologize. it's changed. I apologize. Supervisor Alcon is correct. I apologize. Unanimous. Okay. That's a very high bar. That seems too high to me, but this is for the electoral board. So it's three members. So you're going up by the one member. Ah, got it. So the state, yeah. Okay. So you have to have all three members of the state electoral board voting. They're five. What's that? They're Three local, five state for electoral board members, I believe.

[00:31:54] So is it three members of a local electoral board to remove a member of a local electoral board and two-thirds of the state electoral board to remove a member of a local electoral board?

[00:32:09] It's two-thirds for the state board, and then it's unanimous for the electoral board. And effectively, for the state, it's four-fifths because there are five members of the state. Right, right. Okay. And now the summary does say, it says a registrar may file an appeal. Is there no appeal for an electoral board

member who's removed? So the decisions made by the state board are not appealable to a court. The decisions made by an electoral board are appealable to the state board.

[00:32:48] Got it. So there is no... And I'm sorry to finish that thought. The state board appeal at that point or the decision on the state board's appeal cannot go to a court. Got it. So there's no body that could hear an appeal of a decision made by the state electoral board. Correct. Correct. Supervisor Palachuk. And because I think Supervisor Alcorn has done more research and alluded to the existing law. I'm still trying to just figure out what the changes from the existing to what's being proposed now. So under existing law, it is a majority vote

[00:33:24] to remove additionally the standard has changed the the change that Supervisor Alcorn is referring to the current standard reads an individual who fails to discharge the duties of his office in accordance with law the revised standard is quite a bit longer it's neglect of a clear ministerial duty of the office misuse of office or incompetence in the performance of the duties of the office when that neglect or duty misuse or incompetence I'm paraphrasing slightly has or is likely to have material and material adverse effect upon the conduct of the office and there

[00:33:59] may also be removed if there is a threat of neglect of duty misuse of office and there's sort of a repetition of those qualifications so it's a much longer and arguably much broader because it's sort of looking at what might one might possibly do as opposed to what one actually has done and it's also looking at terms that are not defined like a clear ministerial duty something like that, as opposed to in accordance with law, which, as Supervisor Alcorn has noted,

[00:34:31] is also not exactly precise. My only follow-up to that is not being a lawyer. My only concern, it sounds good, that it unanimous helps that it doesn't open it up, right, to be used for political reasons, for finding any excuse to remove someone, that regardless of party or locality, I don't know enough. I mean, if you feel comfortable that there's enough for us to support it? The change in the threshold would require a bipartisan, under the current structure,

[00:35:05] a bipartisan vote to remove somebody, whereas the status quo is that, in theory, the electoral board members appointed by one party. But there are a lot more reasons for it. That's the only one I don't know if it's too broad or not. I suspect the patron would say, while there is a longer list of reasons, they're more clearly defined than the current code.

[00:35:31] So they would have to be able to specify one of these causes, broad and subjective though they may be. Supervisor Alcott? So, yeah, I mean, I'd encourage us to be supportive perhaps with some amendments and maybe, you know, asking staff to look more closely at the appellate provision and, frankly, anything else specifically that might make it better. But I do like the idea of having this be a bipartisan and a de facto bipartisan requirement. I think that does make sense. That's probably an

[00:36:09] improvement. What's the status of the bill right now, Ms. Fannie? Do we know? It's on the House floor. So it's passed out of committee. It hasn't gotten a vote yet on the floor, but it's been sent out of committee to the full. Okay. Well, I think we can support the bill and note we do have some concerns about the list of potential cause for removal, and perhaps them being broadly open to

[00:36:46] being broadly interpreted, and the appeal question. I don't know that there's any or an easy solution to the appeal question, because there isn't really a body. I guess the legislation could specify and present a specific cause for an electoral board member to appeal to court.

[00:37:10] It certainly could provide a basis or a reason for appeal. Right now, it explicitly says there's no avenue of appeal. Yeah. Okay. All right. So I think those two concerns we can raise if there's an opportunity, I suspect, likely to pass the House and dealing with it in the Senate.

[00:37:32] Okay. All right. SB 1044. SB 1044 is a new reporting requirement for General Registrar's Office. Essentially, there's a lot of reporting of the different type ways people have voted by precinct, and this would add to that provisional ballot reporting by precinct.

[00:37:57] So it gives people more ideas about who voted where and how they voted. I think there are some concerns about privacy given the limited number of provisionals per precinct there is. So right now there's a certain amount of information people can get about voter history from the general registrars through a FOIA request.

[00:38:22] And there is also, and so I think there is a fear that should someone look at this reporting data and then FOIA for voter histories, they could figure out who voted how. So we're just bringing that for you guys for discussion.

[00:38:43] And is a member of the general registrar here also to help explain if you want to come up? Mr. Chairman, just press your mic in.

[00:39:00] Oh, there we go. Sorry. Let us know who you are. Mr. Chairman, Sean Stewart, Communications Chief of the Office of Elections. Ms. Fannie mentioned the major concern right now is that provisional results reporting, while the numbers come out by precinct, the number of provisional ballots, the results are reported en masse.

[00:39:15] So the requirement now would ask us to present those by precinct. There's some disclosure requirements for provisional voters to the parties themselves and through FOIA that can provide a list of the names and the precincts of provisional voters. And the concern would be that that information then paired with the results reporting, given the limited number of provisional votes, would violate the ballot secrecy provision of the Virginia Constitution.

[00:39:38] Okay. Well, this is painful for me because it is a frustration to not see those by precinct. But obviously, that seems to be a very legitimate concern. So I'm going to suggest that we oppose the bill.

[00:39:55] I don't know if there's an amendment. You know, it's kind of fundamental. I think the concern is fundamental to the to the purpose of the bill. So, OK. All right. Thank you. HB 1651.

[00:40:14] So, Mr. Chairman, I think we're hoping to take the next kind of walk through the next grouping of bills are all about integration, status, citizenship, things like that. And so I think the goal was kind of to take them as a group. So I would walk through all the bills and kind of explain and then we could ask questions based on that.

[00:40:32] But if that's okay with you. And Mr. Chairman, the only thing that I would add is, you know, we talked about this, I think, in an earlier legislative committee. There obviously were in broke bills related to immigration and a variety of things. These are sort of the bills that are out there now.

[00:40:51] Some of them take unique approaches to some of these issues. But we put them on for discussion because you all can choose to take a position or not. but we wanted to at least make you aware of them, and by grouping them, it might make it just easier to kind of understand what's out there.

[00:41:10] All right. So if we start with the first grouping, HB 1651 and SB 772, this would require departments of social services to ask about citizenship and make sure someone's a citizen when applying for public benefits.

[00:41:25] This is a requirement at the federal level already. So HB 1885 and SB 1268 is expanding. Currently, jails, detention centers are correctional facilities.

[00:41:43] So correctional facilities. Yep, got it. 1885 and SB 1268. Okay. Okay. Sorry. So correctional facilities obviously have a requirement to ask and report on citizenship status. This would extend that into secure facilities, which can include juvenile or adult, upon the adjudication of delinquency or finding of guilt for a violent juvenile felony.

[00:42:14] So this would apply it to JDRC and some other places as well. HB 2188, so the next bill, would require ICE to take custody of illegal aliens that are in our judicial system.

[00:42:35] H.B. 2560 is a bill actually has had a lot of support across party lines on, it would require courts to give a notice at the beginning of a court hearing that this could affect your status as a resident or a citizen of the country for people who may not be citizens that it can have effects on your immigration status.

[00:43:01] so this would be a notice people would be given before they entered into any kind of plea deal or things like that. The next one is SB 1141, and this would require sheriff's jails to notify ICE when there is someone without status and also hold them in custody and the requirement to transfer custody, which may mean the person is in the jail for longer than the sentence was

[00:43:40] required. So that is the group of bills that are currently out there. Several of these have not been docketed and there are no more committee meetings left. So I don't see a path forward for any of these necessarily except for the one I noticed, HB 2560, Delegate Lopez.

[00:44:01] Okay. Well, then one can assume that other than 2560, the others are dead for this session. I would love to know how Delegate Freitas intends to compel the United States Immigration and Customs, enforcement, that would be an interesting constitutional question.

[00:44:28] State authorities' consent. Yeah. Is there any reason for us not to take positions? Well, they're dead. They are dead, but 2560 is not.

[00:44:43] Correct. So we can support it if we're comfortable with it. Yes. We were getting there. Oh, sorry. I got a little lost in the. okay any any other questions or concerns and so will the rest are dead and we'll support 2560 and mr chairman just to kind of follow on what you just said so tuesday is crossover um so all the house bills have to be out of the house by the end of tuesday or else they die um the same for the senate all the senate bills have to be out of the senate before they die so So if that committee, for example, doesn't meet again, then it's just not going to be heard.

[00:45:23] Or if it gets on to the floor and it just doesn't get taken up, then, you know, after that day after the couple of days after a crossover, you start to see an online system that the bill was left in appropriations or left in, you know, commerce and labor or whatever. And so and then you kind of have only the universe of bills that have made it through.

[00:45:42] OK, that takes us to page seven, I think. H.B. 1865. So HB 1865 and SB 1183 are a set of bills that are very ambitious.

[00:46:03] They are calling it the Virginia Access to Justice Act. There are several things this bill does, and I would actually ask staff to come up because I definitely can't list all of them. But essentially what it's looking at, the way people are represented in court.

[00:46:21] And so one of the things it does do that we've discussed before is require Commonwealth's attorneys to cover misdemeanors, one, two, and three. It also requires a public defender's office in every locality, and it requires a public defender's office specific to juveniles in every county, every locality.

[00:46:46] So there are a variety of things. There is a hefty budget amendment going along with these two bills to fund it. But so we just wanted to bring that forward for your consideration. Repeat the juvenile portion again, because I don't see that in the summary.

[00:47:05] Yes. So if you give me one second. So it would require an appellate defender's office to represent.

[00:47:33] Indigent persons. Yes. Sorry, not juveniles. I misspoke. Ah, okay. Got it. And that appellate defender office, is that a statewide – one statewide office or offices in each jurisdiction, each locality?

[00:47:52] So this says it will establish a office to represent. It does not – it doesn't necessarily go into if then they would have other local – like they would have them throughout the state location-wise, but it just – it does reference a office.

[00:48:09] Got it. currently public defenders do it their own trial appellate work. Okay well obviously you know this would be a good thing if assuming it were funded I guess I'm trying to understand given that we have a public defender's office given that currently commonwealth's attorney's office is engaged in prosecutions for misdemeanors what do we know what the impact if any of this would be in Fairfax?

[00:48:41] So one thing is that it also does increase some of the fees associated. So there would be an increase for us on fees. There's approximately $150,000 a year about additional fees we'd have to pay for court-appointed.

[00:49:01] We would pay for court-appointed or public defenders for cases. And that's not funded in the budget amendment? No, because that is a fee that localities already So if someone violates our county code, and I'm happy to let OCA discuss this, but if they violate our county code, then we have to pay for the representation.

[00:49:27] Okay. But we don't anticipate that this would require additional attorneys or staff in either the public defender's office or in the commonwealth's attorney's office, for which we would then be funding the supplemental salaries.

[00:49:43] So I think one thing Mr. Chairman that I would mention and I think a lot of the board will remember this In a few years ago, there was a lot of discussion amongst commonwealth's attorneys about the prosecution of misdemeanors Some offices do it some don't Some for budgetary reasons stop doing it And so it's an issue that sort of people went around and around with it at the GA But it's really up to the individual commas attorney As a result, because the state doesn't require it, they also haven't really funded commas attorneys for prosecuting those misdemeanors.

[00:50:23] If this now requires them to do it, what does that do on the funding side? I don't know. And in terms of public defenders, we've certainly had bills in the past where there's been an effort to try to sort of equalize things between commas attorneys and public defenders.

[00:50:45] But sometimes it's been done with a little bit of a heavy hand. So we had bills that said, well, you have to fund your public defender as much as you fund your homeless attorney. And one way of meeting that requirement is by cutting funding to your homeless attorney to bring it down.

[00:51:05] And so there's been a lot of sort of round and round. Well, it's a good point that if this were to pass, it would at least create a strong argument to provide funding to those common laws, additional funding to those common laws offices that are engaged in misdemeanors. But you said there's a budget amendment. So does the budget amendment provide that additional funding? It is a very large budget amendment. I don't know that it clearly, it is a budget amendment that basically says it supports this legislation.

[00:51:43] I don't know if you can break down details of what it actually fully fund and what funding levels would it be for each jurisdiction? And how much would the new office of appellate get versus the Commonwealth attorneys? There's no way to kind of tease anything like that out.

[00:52:00] Okay. Well, I think we should support this with amendment, amendment being specification that whether that needs to be in the bill or in the budget amendment, that funding go to jurisdictions where commonwealth attorneys are engaged in prosecuting misdemeanors.

[00:52:19] And obviously what we would want to avoid is the funding going to those jurisdictions who aren't currently doing it but start doing it if the bill is signed into law and not going to those jurisdictions that have been doing it and paying for it.

[00:52:38] So that's a long amendment. I think we need to get that, you know, we need to be advocating for that alongside, you know, the very good elements of the bill here. Okay. HB 2723.

[00:52:58] So this set of bills, and I'm definitely going to ask them to come up on this one. So in 2021, there was a large bill passed about sealing of records for a variety of different offenses. Since then, there was a lot of discussion at that time, and at the time we did, we supported the concept.

[00:53:24] I actually have the position right in front of me. It said the county supports the concept of expungement for certain crimes. However, sufficient state funding for implementation is essential. I do not believe that that amendment was maybe taken into advisement, and there hasn't been a lot of funding provided.

[00:53:43] It was taken under advisement. It was taken under advisement, and it's created a lot of work. And we have language in our package, our program that specifically talks about the number of cases and hours that our staff will have on this. And so the Crime Commission looked at this all year long.

[00:54:03] They said it's the most they've ever worked on a single bill, single issue. So the chair and the vice chair, Senator Soto-Revel and Delegate Herring are carrying this forward. These are technical fixes that they feel like make the bill more workable because the 2021 bill goes into effect July 1. So no matter what July 1, the bill's going into effect. And these are technical amendments that they are hoping will help smooth the process and clarify some of the language in it that maybe wasn't where it should have been at the time. Okay. And we agree that it

[00:54:42] does that it accomplishes that um i think there's a lot of questions about if it does help if it complicates things further and so that's i i would ask the staff to kind of provide some of those perspectives okay who wants to go first everyone's going like this just being everybody katie pavlachuk

general counsel for the sheriff's office um the sheriff just wanted to briefly address the fact that while this it does seem to sort of pare down and it tries to sort of

[00:55:16] lightly uncomplicate things. It still doesn't address the key factor that has already been brought up, which is just the great expansion of expungement and sealing of records without providing the necessary resources. The sheriff's office has already endeavored to clear rooms in the adult detention center to deal with the various stages with which these records have to be moved to different areas. We've begun allocating staff, which as you all are well aware, we don't have a lot of extra of, um, to making this their primary core function because there are consequences

[00:55:51] to failing to obviously comply with all of these expungements. So, um, it, while it does purport to, I guess, pare down or, or somewhat uncomplicate thing, it just does not address the core issue that the bill originally caused. Which is funding. Yes. Right. I am Rex Badger with the Fairfax, well, with the police department. Um, yeah, this bill does aim to modernize the system, But like the sheriff's office said, it can be cumbersome.

[00:56:20] There are staffing challenges in anticipation for this bill. Last year, we did a workforce planning. We estimate we need to hire at least a minimum of six more admin twos to be in addition to our expungement section. Currently, we only have four people doing that job.

[00:56:37] We estimate that would be $330,000 for benefits and salary just to hire six more people for that position. And that's only one aspect. Our records. I'm sorry to interrupt, but does the sheriff's office have a similar number in terms of staffing requirements? I mean, ours would be smaller just based on sort of the number. Really, each case inherently sort of does come to us because they would be booked through the jail, but the sheer number of records that the sheriff's office would be in possession of would likely be a smaller quantity of records than the police department, although similar in the number of people it would address. So I wouldn't say that it would be quite as vast as the police department, but it would be

[00:57:14] similar in sort of quantity of expungements requests coming our way, because inherently because they would be going through the arrest process, they would be coming through us as well. There would be an addition to some growing pains or hurdles to jump through with the technology to meet the standards for this new process.

[00:57:33] Being that, some of our records are in PDF format. Some of our records are in our new RMS system, records management system, which we're converting to a new system anytime in the next six months, maybe. Prior to 2003, I think it is, all of our records are in microfilm.

[00:57:52] Our microfilm machine is at its end of life. We're going to have to replace that. We've already looked into a company to convert that data into a searchable PDF format, electronic format. That's a $500,000 price tag right there.

[00:58:09] We tried to work with the FBI to get it done for free. That didn't work out. So we've made steps to try to get us there. anticipation of this bill, but the cost and the training and the equipment that's going to be involved to get us in a short period of time, July is right around the corner, it's just, I think it's just too much for our police department. It's important, just so we're understanding, this bill, these bills, HB 2723 and SB 1466, if they had never been introduced, everything we're describing would still be taking place.

[00:58:47] So we have two separate but related issues here. One is the underlying 2021 legislation creating the expungement process and the administrative burden that still is unfunded by the Commonwealth of

Virginia despite the fact that these are, I think, exclusively records related to individuals who violated the code of Virginia, Virginia law at the time pursuant to laws that the General

[00:59:17] Assembly passed were dealing with their records. So there's that issue. Then this bill, and we have to address or not address this bill, these bills, do they make a marginal improvement in that burden or not? So I would say, and I'll let the staff address very specifics, there is an extension.

[00:59:44] So instead of going to effect July 1 of this year, it pushes it back to July 1, 2026 to allow for some additional time to set up. I know the circuit clerk, Chris Falcone, has shared that they're getting a new management system that will help them do this better.

[01:00:02] So it does give a little bit of that. There's also some training included in here as well as a cutoff date of 1986 for look back. okay so the the extra year obviously is a positive okay you wanted to say something yes julie hamilton uh chief deputy with the fairfax county clerk's office circuit court clerk's office um we uh very much support this we would we would really like the effect effective date to be july 1st 2026 as opposed to july 1st of 2025 um and to not right now they are planning to go back to

[01:00:42] cases going back to 1960, so instead of 1960 to have it 1986. We have same thing. We have this is an unfunded mandate where, you know, the core issue is the funding. We have we will need staff to go through the paper files.

[01:01:01] We will also we have an older case system that will have to be addressed, and then we have a new case system where we are building something in order to take in the data that we will be receiving. We've been working closely on a weekly basis with OES to make sure that the things are in place for what VSP is required to give to OES, and that OES will be giving to the circuit court, and that we in turn then have to send back to them.

[01:01:26] This is a huge endeavor, and it is going to require, and it's already required. We already have seven people working on it, and so we will need people in IT. we will need clerks we it's it's a huge and every time you think you have like a piece of it another thing pops up so we would definitely just ask that you support this and work on getting this okay so so this bill uh makes a a marginal improvement in that we're dealing with fewer

[01:02:02] records because the start date changes and it provides an additional year obviously that doesn't solve the fundamental issues that we'll continue to work to address, but it sounds like this bill itself is something that we should support while we continue to advocate for funding for the implementation. Because if this bill doesn't pass, you're going all the way back to 1960, and you have to do it by July 1 of this year, 2025, right? Yes. Okay. Mr. Chairman? A question,

[01:02:39] because it references repealing the ceiling fee fund and reverting that money to the general fund. Assuming that's been up and operational, who's been paying into that and do we know how much money is in that?

[01:03:02] We'll have to get back. We will look into that and get back to you. Let's find out what's sitting there too because reverting back to the general fund when there's all these other expenses that we're dealing with doesn't seem like the right thing for us to just allow to happen in this bill if it's a substantial amount and then i i would i still am curious as to who it is that would be paying into that uh prior to now i mean if it's going to be repealed obviously but who who has been paying in that i presume it's been

established since 2022 but i don't know that so why don't we get answers to that too okay and i think uh getting

[01:03:42] way ahead of the game here, but assuming this passes and the deadline is extended, the effective date is extended to July 1, 2026, we should look at an initiative, a budget initiative next year to provide some kind of cost sharing at a minimum for this. And obviously, this is a challenge that every jurisdiction across the Commonwealth is dealing with, so we might be able to try to build a coalition of support for that. But this bill we should support, but we should take the

[01:04:17] opportunity in any discussions about it to point out that this doesn't, this kicks the can down the road a little bit, but it doesn't solve the administrative challenges and real fiscal implications. And I think we should really try to nail down positions, IT investments that will be required and come up, we need to come up with a number. What is the number in Fairfax County that we expect this to cost sheriff's pd clerk's office and what it has cost it's not all just looking forward we've already incurred significant costs associated with this would be nice to know

[01:04:55] that too for for part of the presentation yep um mr chairman i did want to note there are several budget amendments out there to fund small portions of this um one that i have in front of me is for $5.4 million for the circuit court's clerks.

[01:05:12] Specifically, there are additional ones for the Executive Secretary for Supreme Court, the Compensation Board for Commonwealth Attorneys, and the Indigent Defense Commission. But again, take your note. I just did want to, because you brought it up, I wanted to make you aware there are some out there.

[01:05:28] Yeah, but none for local police departments. So, Mr. Chairman, I think the other thing maybe to point out is we talked a little bit at the beginning that on Sunday, the House and Senate are going to release their budget amendments. We probably won't see all of the actual texts of them until Tuesday or so.

[01:05:46] But those will be the ones that, you know, members put in a ton of requests. And, of course, the governor submits his amendments. But the House and Senate money committees will put together whatever their group of amendments are. And oftentimes, if there's a bill that they are interested in or has passed one of the houses where they think, you know, has merit, it'll be included in the budget.

[01:06:08] You know, this money, funds, HB, whatever. And so those things can be connected to each other. They don't necessarily have to come from member budget requests. So once we see all of that, you know, we'll have a better sense of if there's a willingness to try to fund some of this now or not.

[01:06:27] And so we should know more in the coming week, but we're just kind of waiting on that. Okay. All right. Thank you all. that that takes us through legislation provided for discussion and I think we have a couple of position changes in the legislative summary documents at board members have so mr. chairman if board members will turn to this document yours doesn't have a yellow sticker but it says Fairfax County legislative summary and it's the Kirby because we've taken positions on a lot of things but if we

[01:07:01] start on page 11 um i think we have a verbal update on one of some of these are position changes in some cases we're having staff call out updates so on page 11 hb2041 i think jennifer's going to take noelle's place on this one um and so on hb2041 this is um delegate seabald's about speed cameras. So just wanted to provide an update. There is work and willingness that has

[01:07:38] been expressed in the last day to change from going to the state to just requiring localities use it for specific purposes. So bike and public safety programs, which is something that we typically do, but there has been willingness and openness in the last day. So wanted to give you that news. In looking at this again, obviously that's far preferable. I think I say

[01:08:08] if you just think about the school zone and work zone programs, it is already a very, very difficult program for us to implement based on the restrictions, the limitations, the rules that are in the code for that program. My concern with this is, even though I understand this would be applying, allowing for cameras in different locations beyond school work zones and even the

[01:08:42] high-risk corridors, it creates a precedent of additional administrative burden and barriers and review and warnings that would make the implementation of such a program even more time-consuming and difficult than the school program already is.

[01:09:07] You know, I don't want to oppose the expansion of cameras, but if you look at all of the new requirements that are here, A, that there be a warning before a penalty, periodic review and provision of information related to the use of speeds, including publicizing locations.

[01:09:33] An advisory requires a locality in which speed safety cameras are placed and operated to create an advisory group, a new advisory group to identify issues and public concerns regarding such speed safety cameras. I understand these are attempts to address maybe some concerns that exist in other jurisdictions, but these won't solve any problems in Fairfax County except making it harder and making it take longer for us to deploy these cameras.

[01:10:08] So, you know, I guess what I would say is, you know, we could continue to work with a patron, but I wouldn't support us, even if the funding issue was addressed, I wouldn't support us supporting a bill that creates an even more unworkable framework for automated enforcement.

[01:10:33] Mr. Chairman. Yeah, thank you. I don't know if staff can calculate this, but if we have to do a warning first before we can actually issue a fine, it would be interesting looking at current data, how many people actually have multiples.

[01:10:51] Because I think we wouldn't be able to cover the cost given the restrictions on what the fine amounts could be. I mean, just the pure numbers, it seems to me, wouldn't work. But I'd love to see if staff could take a look at that. yeah yeah it's a good point it would be it would it would make it take longer for the program to cover the baseline administrative costs basically correct um at some point presumably it would but supervisor patrick playing devil's advocate a little bit here so apologize um um well number

[01:11:27] one i appreciate the ability to be able to go beyond i mean we had issues that it could only be in certain areas school zones there are many areas we know where those may not be approved um for that piece the um warning i believe false search city may have started their program was just warnings before um doing the summons so maybe we could find out information from them on how that worked maybe it's not as big a barrier and one thing on note for the our our expert miss dominguez is still in richmond because one of our initiatives was being heard in in committee so So she's maybe – everyone's knowledgeable about it, but she's maybe more knowledgeable.

[01:12:07] Yeah, I just want to be – I mean, to me, it's been such a successful – to all of us, such a successful program. And I appreciate that the patron has really listened, right, to the majority of the

concerns, the funding piece. And, you know, just I hope Noel can help us really, you know, balance, understand the balance of the additional restrictions or cumbersome of this new bill.

[01:12:37] You know, is it really worse than what we have? Is it really that cumbersome? I just I want to know, you know, before we continue to take a strong stance against it. Supervisor Beerman. Yeah, I'm with Supervisor Palachuk. I think we need to continue working on this bill because I think that so far the numbers that came back to our safety and security committee meeting where we were looking at 15% speed decreases in certain school zones, there are lots and lots of places where if we were able to deploy this technology and bring the speeds down outside of school zones, that'd be really, really good.

[01:13:15] In fact, I was in Great Falls last night, and everybody was talking about wanting this all over Great Falls. Then they'll call me later and say too many people are getting caught, but that's okay. That's what they say tonight, and I just think that we need to continue working with the patron on this to try and figure out how we can expand this program beyond just school zones.

[01:13:40] Yep. I think that's what I said we should do. I did say that if in that work with the patron were unsuccessful in removing some of these restrictions, I personally wouldn't support supporting the bill, but we absolutely should continue to work with her.

[01:13:58] In my view, if this bill were to pass, when our staff came to us in a transportation committee meeting or public safety committee meeting to talk about implementing the program and laid out how challenging and cumbersome it would be, the amount of staff time and police time it would require would take away from a lot of other public safety including transportation related challenges that we have. So we'll continue to work with it. I mean the funding piece is fundamental. We cannot support sending money. And by the way, it would have

[01:14:34] sent money to the H-SIP program for jurisdictions who don't even have an automated speed enforcement camera to compete to get their projects funded. So that's progress there, but we all have gone through the very challenging process to get the speed cameras installed with VDOT permits, with the very strict requirements to add six or seven additional layers of bureaucracy to it will make it a much less successful program.

[01:15:05] So we need to continue to work on it. Sorry, one quick question on that one, because one of the biggest barriers is where we don't have school zones now and having to set those up. If this doesn't require that, that's actually an improvement on the barrier. Well, yeah, this would go beyond school zones, yeah.

[01:15:22] Right, so the school zone has been a big barrier, too. So it might actually be helpful rather than creating a cumbersome. That's why I want to understand the balance. Yeah, that's the point. I mean, that's the tradeoff. It's a bit of a bargain, right, that what we get is we go into other areas. What we lose is a lot of restrictions.

[01:15:40] I think we're all in vigorous agreement here. Let's make the bill better. you know there there will just go with that okay so mr. chairman I'm I because you mentioned now I it reminded me that our initiatives are at the beginning of this packet and just to give the board a small update on pages six and seven our street takeover initiative has been moving through the process that's where Noelle is now because it was in subcommittee earlier today it did get out subcommittee they made some changes to it and so now it's headed straight to

[01:16:18] full committee also today because it's Tuesday's crossover they're trying to move things through quickly but that's good news for that one and the other one that noise abatement monitor system that delegate Sullivan is caring for us has also made it through the subcommittee process so those bills are moving along And so but that's why I know I was down there advocating on this Then we can go to page. Well, I think and if I miss something staffs gonna tell me hopefully But on page 12, I think we have two bills or shoes

[01:16:56] Yeah, two bills we're going to talk about so the first one is probably Christians. Yes. Thank you Mr. Sharon Kristin can ask you with the office of the county attorney on this bill was one of the PFAS bills We discussed last week and the patron adopted our amendments and offered the substitute The substitute would have it excludes the Fairfax County solid waste facilities Which was what the board's concern was and it was an unintended target of the original bill And because it resolves the concern

[01:17:28] And in Fairfax water is also asked for our expressive the county's express support staff recommends supporting yep Yeah, good work by everyone on this one Okay, next. And then, Mr. Chairman, on the same page, HB 2214, are you doing that, Jennifer?

[01:17:49] Yes, I can do that. So this one has a Senate companion that's had a lot of work done to it. This one specifically, HB 2214, did die in committee this week.

[01:18:06] But we can talk about the changes to the other one when we get there, the Senate side one. Okay. So then, Mr. Chairman, on page 14, we have an update on HB 2438, Kristen, I think?

[01:18:25] Yes, 2438 is one of the solar bills, and it is a pro-solar bill, but it unintentionally would have created more restrictions for us. I spoke with the patron delegate, Mundin King, and a lot of the solar groups that are promoting it, and they hadn't really anticipated a locality being as pro-solar and solar-forward as Fairfax.

[01:18:50] So we're working on amendments to ask, and they've been very amenable to accepting anything that will keep our by-right usage intact and our special exception standards intact. Okay, so we could change our position to monitor as we work on those amendments?

[01:19:10] That would be terrific, either monitor or amend. So I think, Mr. Chairman, typically we wait until we actually get something amended before we change our position. But I think it's a good sign that they're going in that direction. But presumably that's going to happen before our next meeting.

[01:19:26] So we need to decide what we will do if we get those amendments. Yes. So I think, I mean, as long as the board's concerns are satisfied with that, we can certainly operate under monitor. We just usually wait. But, yes, it's helpful to talk about it that way. Okay.

[01:19:42] All right. Next. So next we have page 17, SB 773. I think, Ariel? Mr. Chairman, SB 773 was amended to address the concerns and to provide localities with flexibility to continue the existing arrangements we have for administering the family unification program vouchers that we would recommend changing position to monitor.

[01:20:18] Okay. All right. Next, Mr. Chairman, on page 20, we have SB 932, which is also... Starts on page 19. It does start on page 19, you're right.

[01:20:34] Bottom of page 19. This is the Accessory Dwelling Unit Bill. So I'm surprised with myself that I'm recommending a position change on this. Essentially what has happened is it's turned into a

permissive comprehensive plan bill the same as SB 1256 which the board took a monitor position on the language from SB 1256 was incorporated into SB 932 The only difference is it makes reference to quote tiny houses

[01:21:12] As something else the board may consider as part of the comp plan Okay, but the board may consider if you watch all right HDTV at all. Yeah, I know lots of great Instagram accounts with All right, okay, well, so we'll change that to monitor next so mr. Chairman on that same page SB 974 Yes, and this was the bill that would have shifted The site plan review to what Fairfax County has been doing for decades and remove the Planning Commission

[01:21:47] The one concern we had were timelines that were set up in the bill, three calendar days and five calendar days for submitting the documents to the state. The patron accepted our amendment, which actually our recommendation to change that to five business days, which coincidentally was also being recommended by Arlington, and that passed out or reported out of local government on Monday.

[01:22:16] Today, somewhat surprisingly, I would say, the House version failed to report out of CC&T. But it did have broad support in the Senate, and it actually ended up passing the Senate 35 to 5.

[01:22:32] Okay, so you're recommending a change to monitor? Yes. All right, next. Next is page 25, SB 1319.

[01:22:51] This is another PFAS bill that was under monitor position that was part of the board discussion last week. There was a substitute offered that added some further clarification and made it clear which industry specifically would be required and part of the monitoring requirements under the bill.

[01:23:11] And so staff strongly supports supporting this bill as well because identifying where the PFAS are originating from is the most critical step. Okay, great. We're making progress on the PFAS bill. That's good. Next.

[01:23:28] Next, Mr. Chairman, is page 26. Nope. Nope. 20 foot, 25 into 26. Yeah, bottom of 25. Okay, yep. Just was clarifying, it starts on 25. It does start on 25.

[01:23:43] So this is the companion to the towing bill that I said died in the House. So let me get my notes from Noelle. These are the bills that take our ability to set towing rates and gives it to the SEC. The change is going to provide local flexibility with a cap of $210, so it keeps the local authority still clarifying the language relating around that there's a $20 fuel surcharge adopted in 2023.

[01:24:18] So it raises the cap from $150 to $210. Yes. So that's the max. So it raised it up there, but we can set it within that range. We still have that ability. So she does note that there is still some clarifying language related to the $20 fuel surge charge that was adopted in 2023, which is set to expire July 1 of this year.

[01:24:41] Language seems to be trying to remove that surcharge if localities have an ordinance setting a reasonable fee by July 1, but it's very awkwardly written and there's not necessarily agreement about what reasonable fee means. Okay. So, monitor. We'll go from opposed to monitor and keep working on those questions.

[01:25:03] That would be our recommendation. All right. Next. Mr. Chairman, I think those are all the bills that we had to call out. I would note that at our last meeting, well, at most of our previous meetings, I

guess, but particularly at the last one, we talked a lot about a number of K-12 bills that were part of the JLRX study.

[01:25:22] Some were omnibus bills, some were specific portions of the recommendations. All of those bills were ultimately left in committee, and it seems we're going to be working this through the budget. So once we kind of see what's in the budget, we'll know more about where we're going with all of this.

[01:25:41] Okay. So that takes us through our agenda. Oh, Supervisor Alper. Oh, sorry. I was just going to, for a couple of other bills I'd like staffed. Okay. Sure. Okay. Go for it. Okay, there are a couple of other election-related bills to have staff look at and come back.

[01:25:58] One is HB 2672 from Delegate Phillips. It changes the number of candidates provided to the judges to appoint two electoral boards. So currently, political parties have to provide at least three.

[01:26:18] And the way the bill is proposed, it says up to five. So, in effect, you could have a political party suggesting only a single nominee to a judge. And so, you know, then why would you need, you know, the judges to be involved if you're going to do that?

[01:26:36] So I'd love for staff to look at that. And then the other one is HB 2277 from Delegate Price. And this actually I think would be good for the board to discuss at the next meeting. It basically attempts to make sure that election officials do their job and that electoral boards who neglect or refuse to carry out any clear ministerial duty to the office, it basically provides a requirement that they do so.

[01:27:07] So that, I think, would be something the board would want to discuss. Okay. All right. We will take a look at those. And Ms. Arco, can you remind us of the date, time, and location of our reception?

[01:27:23] So, February 5th, Wednesday, which is the day after crossover, so General Assembly members will have a much better schedule from 530 to 730 in Richmond at the Vaco building, which is also where we have our Fairfax County office and where we had our reception last year.

[01:27:40] We sent information to all of you, but if you need additional information or can't locate it, please let me know. We would love to know who's coming and who's not, just for RSVP purposes as well. Okay. Thank you. Thank you, everyone.