



Abigail Spanberger
Governor

Carrie Chenery
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

Tamarah Holmes, PhD
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

September 18, 2026

MEMORANDUM

TO: Members of the Commission on Local Government

FROM: DHCD Staff

SUBJECT: Commission on Local Government Meeting – September 25, 2026

Dear Commissioners,

Enclosed is the draft agenda and information package for the Commission on Local Government regular meeting to be held on **Friday, September 25, at 1:00 p.m.** The Commission meeting will be held at the Henrico Public Library, Varina Location, Richmond, Virginia. Lunch will be provided prior to the meeting.

Please find enclosed the following:

1. Draft Agenda for the September Regular Meeting
2. Draft Minutes of the July 10, 2026 Regular Meeting
3. JLARC Reports on Fiscal Stress
4. 2026 Mandates Catalog Changes
5. Governor's Letter Providing Additional Support for the Town of Tangier

Please contact DHCD staff if you have any questions or require additional information. We can be reached at alan.jones@dhcd.virginia.gov or at 804-944-0645. We look forward to seeing you in person on September 25th.

Enclosure



Virginia Department of Housing and Community Development | Partners for Better Communities
Main Street Centre | 600 East Main Street, Suite 300 Richmond, VA 23219
www.dhcd.virginia.gov | Phone (804) 371-7000 | Fax (804) 371-7090 | Virginia Relay 7-1-1



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AGENDA

Commission on Local Government

Regular Meeting

September 25, 2026

1:00 PM

Henrico Public Library

Varina Location

1875 New Market Rd

Richmond, VA 23231

Electronic Meeting Access Information

Microsoft Teams Joining Information: [Click here to join the meeting](#)

Meeting ID: 222 695 386 652 959 | Passcode: hW2HX2Tk

Call in (audio only) +1 434-230-0065 | Phone Conference ID: 707 467 186#

1. Please contact Alan Jones (alan.jones@dhcd.virginia.gov) for additional information on how to connect to the meeting electronically.
2. The Public Comment portion of the meeting will be limited to thirty (30) minutes. Each person wishing to provide comments before the Commission should limit their comments to three (3) minutes. These rules are subject to change without notice by the Commission Chair. It is encouraged to pre-register for public comment by contacting Alan Jones (alan.jones@dhcd.virginia.gov) in advance of the meeting.
3. Members of the public viewing the meeting through the Microsoft Teams option are required to mute themselves during the meeting unless called upon by the Commission Chair to speak. The Commission reserves the right to remove from its virtual meetings anyone who does not abide by these rules.
4. Access to meeting materials for members of the public is available on the corresponding meeting page of the [Virginia Regulatory Town Hall website](#) and on [Commonwealth Calendar](#).



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Commission on Local Government
Regular Meeting – September 25, 2026

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|--|------------|
| I. <u>Call to Order</u> | Chair |
| II. <u>Administration</u> | |
| a. Approval of the Draft Agenda | Chair |
| b. Approval of the Minutes: July 10, 2026 | Chair |
| c. Public Comment Period | Chair |
| d. Director's Update | Dr. Holmes |
| e. Staff's Report | Staff |
| III. <u>Auditor of Public Accounts Presentation on Distress Methodology</u> | Ms. Reamy |
| a. Distress Presentation | Chair |
| b. Commissioner Deliberation and Possible Action | |
| IV. <u>Fiscal Stress Methodology</u> | Chair |
| a. Commission Deliberation and Possible Action | |
| V. <u>2026 Mandates Catalog Changes</u> | Staff |
| a. Presentation on Changes to Catalog | Chair |
| b. Commission Deliberation and Action | |
| VI. <u>Local Fiscal Distress – Town of Tangier</u> | Staff |
| a. Update on Town of Tangier Progress | |
| VII. <u>Other Business</u> | Chair |
| VIII. <u>Adjournment</u> | Chair |

The next regular meeting of the Commission on Local Government is currently scheduled for November 7, 2026.



**Minutes of the
COMMISSION ON LOCAL GOVERNMENT
July 10, 2026
1:00 pm
Virginia Housing Center
4224 Cox Road
Glen Allen, VA 23440**

Members Present

Heather Cordasco, Vice Chair
Robert Lauterberg
Edwin Rosado
Beck Stanley

Members Absent

Terry Payne, Chair

Department of Housing and Community Development (DHCD) staff present for all or part of the meeting:

Kenrick Cameron, Jr., Policy Analyst
Joseph Dennie, Policy Analyst
Tamarah Holmes, PH.D., Director DHCD
Alan Jones, Sr. Public Finance Analyst
Andrew Malloy, Sr. Policy Analyst
Trisha Lindsey, Policy and Legislative Services Director
Chase Sawyer, Policy and Legislative Services Manager

Call to Order

Commissioner Cordasco, Vice Chair of the Commission on Local Government, called the regular meeting to order at 1:02 p.m.

Roll Call

The roll was called by Mr. Jones. Mr. Jones reported that a quorum was present.

Approval of Draft Agenda

A motion was made by Commissioner Rosado and seconded by Commissioner Lauterberg to approve the draft agenda. The motion passed on a unanimous voice vote (YEAS: Cordasco, Lauterberg, Rosado, Stanley; NAYS: None).

Approval of Minutes

Commissioner Lauterberg requested clarification regarding a sentence in the May 8, 2026, draft meeting minutes, and staff provided clarification. A motion was made by Commissioner Lauterberg and seconded by Commissioner Rosado to approve the minutes of the May 8, 2026, regular meeting of the Commission. The motion passed on a unanimous voice vote (YEAS: Cordasco, Lauterberg, Rosado, Stanley; NAYS: None).

Public Comment

Commissioner Cordasco opened the floor for public comment.

After seeing no speakers, Commissioner Cordasco closed public comment.

Staff's Report

Mr. Jones informed the Commission of the coordination efforts to have a representative from the Auditor of Public Accounts' Office present on the fiscal distress early warning system and methodology at the Commission's September meeting.

Commissioner Cordasco informed the Commission that she may not be able to attend the September 4, 2026, regular meeting and welcomes coordination on a different meeting date. Following deliberation, the date of September 11, 2026, is tentatively selected. Mr. Sawyer stated that staff would continue to coordinate with Commissioners on the best possible meeting date in September.

Mr. Jones reminded Commissioners of the Conflict of Interest Act (COIA) Transactional Disclosure Statement forms provided prior to the meeting to document whether Commissioners have a personal interest in any items on the meeting agenda. Mr. Jones added that the statement forms will be provided to Commissioners at each meeting.

Fiscal Stress Index Methodology Review

Mr. Jones presented on the history and methodology of the Fiscal Stress Index, highlighting the origins of the revenue capacity and revenue effort metrics. Mr. Jones noted that the intended purpose of the Fiscal Stress Index was as a tool to assist with the distribution of state aid.

Mr. Cameron presented the results of a survey conducted by staff that solicited input from state agencies regarding their utilization of the Fiscal Stress Index. Commissioners and staff discussed the results of the survey.

Dr. Eugenia Gorina, Associate Professor of Public Management and Policy at the University of Texas at Dallas, provided a presentation entitled "Municipal Fiscal Distress: Measurement and Prediction." Dr. Gorina stated that the main motivation for her study was to determine whether an evidence-based measure of fiscal distress can be used to examine factors that signal fiscal distress before it reaches a crisis stage. Dr. Gorina noted that her findings highlight the importance of an appropriate level of fund balance and debt at the local level. Dr. Gorina stated that the three measures in

the current Fiscal Stress Index methodology are strong and serve their purpose of providing a comparative ranking of localities, but it could be complemented with measures that are more comparable in financial reporting. Commissioners discussed Dr. Gorina's presentation and asked clarifying questions.

Commissioner Cordasco permitted Rachel Reamy, Local Government Manager in the Office of the Auditor of Public Accounts, to provide comments. Ms. Reamy cautioned that revisions to the Fiscal Stress Index methodology could duplicate the work of the Auditor's Office, which already has a separate fiscal distress monitoring process and early warning system. Ms. Reamy noted that the indicators the Auditor's Office analyzes focuses on overall debt burden and available fund balance reserves.

Commissioners and staff discussed the similarities and differences between the fiscal distress monitoring process and early warning system administered by the Auditor's Office and the Fiscal Stress Index administered by the Commission.

Local Fiscal Distress – Town of Tangier

Mr. Jones provided an update on the Town of Tangier's status related to the performance plan previously approved by the Commission. Mr. Jones noted that the Town had not yet hired a town manager nor completed any items within the performance plan. Mr. Jones added that the Commission's Executive Director, Dr. Holmes, had received a letter from the Town requesting additional support.

Commissioner Cordasco permitted members of Tangier's Town Council who were attending the meeting virtually to provide any additional updates. Town of Tangier Town Councilmember Anna Pruitt-Parks reiterated that the Town had sent a letter to Dr. Holmes requesting additional resources to implement the items in the performance plan.

Commissioner Rosado asked about the Commission's role in aiding the Town as it relates to addressing fiscal distress and completing items within the performance plan. Mr. Sawyer stated that the Commission's role is strictly in an oversight capacity. Mr. Sawyer further noted that the Commission may continue its oversight capacity until it deems it appropriate to have a closing public hearing and transmit an advisory report to the Governor and General Assembly.

Commissioners inquired about additional status updates related to the Town's fiscal distress. Dr. Holmes stated that transmission of the letter received and the other updates provided constitute all the updates at this time.

Other Business

There was no other business to be discussed.

Adjournment

A motion was made by Commissioner Rosado and seconded by Commissioner Stanley to adjourn the meeting of the Commission. The motion passed on a unanimous voice vote (YEAS: Cordasco, Lauterberg, Rosado, Stanley; NAYS: None). The meeting adjourned at 2:28 p.m.



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DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Memorandum

To: Commission on Local Government

From: DHCD Staff

Subject: Fiscal Stress Methodology Discussion

Date: September 18, 2026

The Commission on Local Government annually publishes the Report on Comparative Revenue Capacity, Revenue Effort, and Fiscal Stress of Virginia's Cities and Counties (Fiscal Stress Report). The report contains a relative index (fiscal stress index) that illustrates a locality's ability to generate additional local revenues from its current tax base relative to the rest of the Commonwealth. The index is used to distribute state aid to the cities and counties of the Commonwealth.

The current fiscal index was created from House Joint Resolution 105(1982) and House Joint Resolution 12(1983) that directed the Joint Legislative Audit and Review Commission to analyze:

- To what extent do state mandates impose a burden on local governments?
- Is the amount and type of state assistance to localities adequate?
- Do local governments have sufficient financial resources to fund the public services they must provide?

The Commission on Local Government is currently reviewing the fiscal stress methodology.

Enclosed are the corresponding links to JLARC reports to provide context for the origin of the current fiscal stress index

Dec 1983 [State Mandates on Local Governments and Local Financial Resources](#)

Aug 1985 [Local Fiscal Stress and State Aid: A Follow-Up](#)



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Jan 1991	Interim Report: State and Federal Mandates on Local Governments and Their Fiscal Impact
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Mar 1992	Intergovernmental Mandates and Financial Aid to Local Governments
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MEMORANDUM

To: Commission on Local Government

From: DHCD Staff

Subject: 2026 Catalog of State and Federal Mandates on Local Governments

Date: September 18, 2026

Section 15.2-2903(7) of the Code of Virginia requires the Commission on Local Government to prepare and annually update a catalog of state and federal mandates imposed on localities. Executive Order 58 (2007) from Governor Kaine provides specificity and definitions for the process of cataloging mandates. For the purposes of this catalog, a mandate is defined as a constitutional, statutory, or administrative measure or action that places a requirement on local Governments. Mandates are classified as falling in one of the following four categories:

- I. **Compulsory Orders** are measures or actions that impose requirements with which localities must comply in the performance of their prescribed responsibilities.
- II. **Non-Discretionary Conditions of Aid** are requirements which are imposed as a condition of receiving state and/or federal financial aid for which localities are obligated or encouraged to apply.
- III. **Regulation of Optional Activities** are measures imposing state and/or federal government requirements relative to the performance of activities that are not mandated but are subject to such regulation if performed.
- IV. **State Fiscal Preemption** is a measure or action that results in a net reduction of revenues collected by a locality or restricts a locality's authority to collect such revenues.

Enclosed for the Commission's review and approval is a summary of changes to the catalog of mandates for the 2026 version, including new mandates, expanded mandates, eliminated mandates, mandates removed from the catalog, and minor edits/other changes to existing entries.

Enclosures



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Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

New Mandates

Compulsory Orders

State Corporation Commission

Solar Facilities; Local Regulation, Permits, Special Exceptions

IND.SCC004

Local governments processing applications for ground-mounted solar facilities of one megawatt or more must follow the requirements established. The law limits local ordinance criteria to setbacks, fencing, panel height, visual impacts, grading, and decommissioning plans, and requires localities to submit a record of each special exception decision to the SCC within 60 days.

No State Oversight

High Energy Use Facility Site Assessments

NSO.208

Prior to approving a rezoning application, special exception, or special use permit for the siting of a new High Energy Use Facility (HEUF) a locality must require that an applicant perform and submit a site assessment of the sound profile of the HEUF on residential units and schools within 500 feet of the property boundary. The site assessment may also require the assessment to examine the impact of the HEUF on ground and surface water resources, agricultural resources, parks, registered historic sites, and forestland on the HEUF site or immediately contiguous land. The locality must also require the electric utility providing service to the HEUF to provide a form describing any new or existing substations that will be used to serve the HEUF and the anticipated transmission voltage required to serve the HEUF. These documents shall be used by the locality to assess consistency with the comprehensive plan and compliance with local laws and regulations.

Small Lot Residential Zoning Districts, Zoning Ordinances

NSO.210

Any locality with a population of 50,000 or more must adopt, maintain, and apply to land at least one zoning district that permits a single-family dwelling on a lot with a minimum lot area of no more than 3,000 square feet and with a minimum lot width of no more than 30 feet.

Small Portable Solar Generation Devices

NSO.212

Localities must allow the use of small portable solar generation devices, provided the device complies with height and setback requirements, is in compliance with local historic, architectural preservation, or corridor protection district regulations, and meets state code requirements.

Parking Requirement Reductions, Zoning Ordinances

NSO.214

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

Any locality with a population over 20,000 must establish an administrative review process where developers may request reductions of minimum off-street parking requirements.

Energy, Department of *Solar Permitting Platform* SCT.DE003

Local governments shall allow, by July 1, 2028, for the submission of an application to construct a residential solar energy system either through the statewide Platform or through an alternative automated solar permitting platform that meets program requirements.

General Services, Department of *Rabies Testing of Animals* SOA.DG010

When any animal may have exposed a person to rabies and subsequently expires due to illness or euthanasia, either within an observation period, where applicable, or as part of a public health investigation, its head or brain shall be sent to the Division of Consolidated Laboratory Services of the Department of General Services or be tested as directed by the local health department.

Elections, Department of *Processing Absentee and Provisional Ballots* SOA.ELECT026

General registrars must promptly notify any voter whose returned absentee ballot or voted provisional ballot contains a material omission by telephone or by email, if available, and provide information to the voter on how to correct such omission. Teams of election officials representing both major political parties must make a true, machine-readable duplicate of any damaged, machine-readable ballot for tallying by the voting system. If, in the processing and counting of provisional and absentee ballots, any machine-readable ballot is damaged or defective, a team of election officials representing both parties shall make a true duplicate copy of such damaged ballot as a substitute for such damaged ballot.

Statements of Economic Interest SOA.ELECT027

Local government officers and employees must file annual disclosure statements electronically with the Virginia Conflict of Interest and Ethics Advisory Council. The general registrars must coordinate the electronic filing by candidates for constitutional offices, local governing bodies, and elected school boards.

Ministerial Duties of the Electoral Board SOA.ELECT028

Electoral board members must certify election results. Electoral board members are required to wear their ELECT-issued badge while conducting their official duties on the day of an election,

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

subject to a civil penalty in an amount not to exceed \$250. The secretary of the electoral board must mail out certifications to the individuals receiving the most votes in their elections, along with a notice that the person meets the qualifications to obtain protected voter status.

Education, Department of

Student Financial Aid Application Completion; Goals and Reporting

SOE.DOE201

Each school board is required to annually provide to each high school student and the parents of each high school student guidance and other informational materials on student financial aid applications (the Free Application for Federal Student Aid, or FAFSA), for the purpose of promoting awareness of federal and state financial aid programs, resources, eligibility criteria, application deadlines, and other processes and requirements. Each school board must utilize federally available data to establish a five-year goal for encouraging and increasing the completion of student financial aid applications by high school students during their final school year before graduation, both for the school division as a whole and for each high school in the division. Each school board must annually post federally available data relating to student financial aid applications in a publicly accessible location on its website and submit to the Department of Education a report on progress toward achieving that goal. No school board or employee thereof shall disclose any personally identifiable information related to these requirements to any individual or entity outside the local school division.

Right to a Free Public Education; Discrimination Based on Immigration or Citizenship Status Prohibited

SOE.DOE202

No child in the Commonwealth shall be denied a free public education through secondary school on the basis of the actual or perceived immigration or citizenship status of the child or the child's parents. No school board, public elementary or secondary school, school resource officer, or employee, contractor, or agent of a school board shall exclude or deny enrollment, participation, or the benefits of any program or activity to a child, or implement any policy or practice that has that effect, on that basis, including requesting or collecting immigration or citizenship status information except as required by state or federal law or designating such status as directory information. No school board, school, or employee shall threaten to disclose or disclose any matter relating to the actual or perceived immigration or citizenship status of a child, parent, or associated person to any other person or agency, including any law-enforcement or immigration agent, except as permitted by law. Each school board must develop and implement policies and procedures in accordance with this section by December 31, 2026, and require each public elementary and secondary school principal and administrator to complete training on compliance with this section no later than the start of the 2027-2028 school year.

School Board Policies; Communication and Language Accessibility for Limited English Proficient Parents

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

SOE.DOE203

Each school board must develop, implement, and post in a publicly accessible location on its website a language access plan of policies and procedures designed to ensure meaningful communication with and informational accessibility for limited English proficient (LEP) parents in a language understandable to them. The plan must provide for notifying LEP parents as adequately as non-LEP parents of essential information about any program, service, or activity; identifying each LEP parent at the enrollment of the parent's child, or as soon as possible thereafter, and maintaining records of each identified LEP parent's language needs and preferred language; providing free, accurate, timely, and effective language assistance services, including oral interpretation and written translation, without requiring reliance on the student or untrained employees; translating all vital documents into the languages most commonly spoken by LEP parents in the division; training all employees whose duties involve communication with LEP parents on the requirements of this section and on obtaining interpretation or translation services; and posting on the board's website information on LEP parents' rights, the board's obligations, and how to access available language assistance services. A school board may fulfill these requirements through contracts, cooperative procurement agreements, or statewide or regional service arrangements.

Parental Notification of Course Registration Deadlines and Processes

SOE.DOE204

Each school board must develop and implement policies requiring each public middle and high school in the school division to provide, at least 30 days prior to the course registration deadline, parental notification by email or SMS text message to the parent of each student of course enrollment deadlines and the process for requesting changes to the student's course selection.

School Board Policies; Unpaid Educational Leave for Certain Employee Association Officers

SOE.DOE205

Each school board must adopt a policy that requires the school board to approve unpaid educational leave for school board employees who are state employee association executive officers and for up to two school board employees who are local employee association officers, for a maximum of four years per officer. Employees approved for such leave may purchase Virginia Retirement System service credit for the period of leave.

Participation in SAT School Day Program Required; Student Participation

SOE.DOE206

Each school board must participate in the SAT School Day program, or any similar program offered by the College Board, whereby high school students are permitted to take the SAT during regular school hours at the high school at which they are enrolled, and must offer each high school student in the school division the opportunity to take the SAT under the program at least once during the student's junior or senior year, in either the fall or spring testing window, at the public high school at which the student is enrolled. No student shall be required to participate. If

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

the board offers the opportunity during the fall testing window, it must, to the extent feasible, align that day with the PSAT testing window and offer students the opportunity to take either the SAT or the PSAT, as applicable, during regular school hours on the same school day.

School Boards; Use of Social Media Platforms by Schools for Extracurricular Communications Prohibited

SOE.DOE207

Each school board must prohibit public elementary and secondary schools, school board employees, and school volunteers from using a social media platform as the sole means of communication with students for the facilitation of school-related extracurricular activities. This does not prohibit the use of school division-approved communication or messaging applications. A division superintendent or designee may provide a written exception when such use is required to meet an objective that cannot be reasonably achieved without it, provided the superintendent or designee gives clear written instructions on the use and may revoke the exception at any time.

School Meal Debt; Annual Report Required

SOE.DOE208

Each school board must annually report to the Department of Education the amount of school meal debt in the local school division. No such report shall contain any personally identifiable student information.

School Nurses; Sickle Cell Disease Training

SOE.DOE209

Each local school division must require all school nurses employed by the division to complete, within six months of employment and at least every three years thereafter, an online or in-person course of instruction approved by the Board of Education in collaboration with the Department of Health regarding the recognition and management of sickle cell disease. Approved training must address information on sickle cell disease, recognition of symptoms, the applicability and implementation of school-based interventions, academic support for students with sickle cell disease, and collaboration with families of students with sickle cell disease for education and treatment.

Professional and Occupational Regulation, Department of Architects, Engineers, Surveyors and Landscape Architects

SOL.DPOR005

The chief administrative officer of any agency of the Commonwealth or political subdivision thereof employing persons engaged in the practice of engineering, architecture, or land surveying as regular, full-time, salaried employees shall have the authority and responsibility to determine the engineering, architecture, and land surveying positions which have responsible charge of engineering, architectural, or land surveying decisions.

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

Non-Discretionary Conditions of Aid

Aging and Rehabilitative Services, Department of

Serve as Local Lead for No Wrong Door Agency

SHHR.DARS012

Local governments may be designated as area agencies on aging. If so, they are designated as the lead agency in their respective areas for the No Wrong Door system of aging and disability resource centers.

Criminal Justice Services, Department of

Byrne State Crisis Intervention Program

SPSHS.DCJS049

Local governments receiving grants must comply with Department of Criminal Justice Services program guidelines and federal regulations governing the program and use of federal funds.

Localities are required to report quarterly on expenditures and on progress toward achieving the objectives outlined in their grants using an online reporting and grants management information system. No match is required.

Fire Programs, Department of

Firefighter Cancer Screening

SPSHS.DFP007

The Firefighter Cancer Screening Grant Program is established to screen career firefighters for cancer. Localities must apply for funds through the Department of Fire Programs in accordance with the policy adopted by the Virginia Fire Services Board. Each locality may be awarded up to \$350 per firefighter for the expressed purpose of screening a career firefighter for cancer.

Regulations of Optional Activity

No State Oversight

Expedited Approval for Certain Affordable Housing Developments

NSO.202

Local governments may adopt ordinances which allow zoning administrators to use an administrative process to approve rezoning applications for affordable housing developments, provided that the applications meet certain conditions. Localities must include certain provisions within the ordinance, and the local governing body must provide public notice of the proposed action.

Right of First Refusal for Affordable Housing

NSO.203

Local governments may adopt ordinances which require the owner of publicly supported housing to provide notice two years before the termination of affordability restrictions affecting publicly supported housing. Localities adopting such an ordinance may record a right of first refusal to purchase the property if the property owner receives a bona fide offer of purchase from a third-party buyer.

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

Affordable Housing Performance Grant Programs

NSO.204

Any locality that has established an industrial development authority or economic development authority may by ordinance establish an affordable housing performance grant program. These programs must comply with requirements as set forth in State Code.

Affordable Housing Dwelling Unit Programs, Zoning Ordinances

NSO.205

Any locality may amend its zoning ordinance to provide for an affordable housing dwelling unit program. Localities which do so must create an advisory committee to seek input and assess affordable housing incentives prior to adopting a program.

Automated External Defibrillators Required at Local Government Sporting Events and Sporting Facilities

NSO.206

Each locality must ensure that operational automated external defibrillators (AEDs) are readily available at local government sporting facilities during hours and operation and at local government sporting events, whether or not they are held at a local government facility or elsewhere. Local governments must also develop a plan for placement, care, and use of AEDs and comply with minimum number requirements based on facility size and operational requirements as described in State Code.

Local Enforcement of the Virginia Residential Landlord and Tenant Act

NSO.207

A locality may bring an action on behalf of a tenant within the locality if a condition in the dwelling unit constitutes a fire hazard or serious threat to life, health, or safety of the tenant. The locality must notify the landlord who owns the premises of the violation and give a reasonable time frame to remedy the violation.

Right of First Refusal for Manufactured Home Parks

NSO.209

A locality may exercise the right to purchase a manufactured home park put up for sale within the locality by matching the offer the owner of the park received if a resident entity did not exercise their rights of right refusal.

Accessory Dwelling Units, Zoning Ordinances

NSO.211

Local single-family residential zoning districts shall be deemed to include accessory dwelling units as a permitted accessory use. Local zoning regulations related to accessory dwelling units must comply with State Code requirements regarding what is and is not permissible for such regulations.

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

Affordable Housing by Religious Organizations or Other Tax-Exempt Nonprofits, Zoning Ordinances

NSO.213

Any locality that has adopted a zoning ordinance pursuant to this article must allow by right, and not require a rezoning or other legislative approval as a precondition to the review or approval of a site plan or subdivision plat, the development or construction of a mixed-use or residential project by a property tax-exempt religious organization or a 501(c)(3) property tax-exempt nonprofit organization. Provided they meet certain conditions, these developments shall be subject to height, density, setback, and parking requirements articulated in State Code and not to local zoning regulations.

Health, Department of

Establishment of Local Suicide and Fatality Review Teams

SHHR.VDH043

Any county or city, or combination of counties, cities, or counties and cities, may establish a local or regional overdose fatality review team. All information and records obtained or created regarding a review of a fatality shall be confidential and shall be excluded from the Virginia Freedom of Information Act (§ 2.2-3700 et seq.) pursuant to subdivision 7 of § 2.2-3705.5. All such information and records shall be used by the team only in the exercise of its proper purpose and function and shall not be disclosed.

Local and Regional Jails, Board of

Correctional Facility Compliance Audit

SPSHS.BLRJ006

Local governments that operate jails or lockups are required by the Code of Virginia to compile a quarterly summary of all written reports received pursuant to §§ 53.1-133.07 Treatment of prisoners known to be pregnant, 53.1-133.08 Treatment of prisoners during postpartum recovery. Sheriffs or superintendents are required to quarterly submit the summary to the Board of Local and Regional Jails.

Criminal Justice Services, Department of

Passing Stopped School Buses; Photo Speed Devices

SPSHS.DCJS048

If a video-monitoring system is used to provide proof of a violation of passing a stopped school bus, only a law-enforcement officer, retired sworn law-enforcement officer, as that term is defined in §46.2-882.1, registered special conservator of the peace, or technician, who (i) has completed a training course developed and approved pursuant to subdivision 73 of §9.1-102 and (ii) is an employee of a locality may swear to or affirm the certificate required by this section. Expands who may swear or affirm certification of monitoring system reviews to others employed by a locality to include retired sworn law-enforcement officer, as that term is defined in §46.2-882.1, registered special conservator of the peace, or technician, who (i) has completed a training

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

course developed and approved pursuant to subdivision 73 of §9.1-102. DCJS shall develop and approve the training course and shall promulgate any regulations necessary.

Newly Identified Mandates

Compulsory Orders

Housing and Community Development, Department of

Local Housing Policies

SCT.DHCD028

Local governments with populations greater than 3,500 are required to annually report to the Department of Housing and Community Development changes to local policies, ordinances, regulations, or processes over the preceding fiscal year which impact the development and construction of housing.

Expanded Mandates

Compulsory Orders

Housing and Community Development, Department of

Residential Land Development and Construction Fees Report

SCT.DHCD027

Local governments with populations greater than 3,500 are required to annually report to the Department of Housing and Community Development the total fee revenue collected by the locality over the preceding calendar year in connection with the processing, reviewing, and permitting of applications for residential land development and construction activities as well as development activity (including income-restricted housing) and approval timelines in the locality.

Social Services, Department of

Criminal History and Central Registry Check for Placements of Children

SHHR.DSS072

Local social service agencies shall obtain, in accordance with state regulations, criminal history record information and the results of a search of the child abuse and neglect central registry for any individual with whom the agency is considering placing a child on an emergency, temporary, or permanent basis. Agencies may also obtain such background checks on all adult household members residing in the home of the individual. The agency must pay for fingerprinting the individual, if a fee is charged, or may require the individual to pay the cost. Local boards may apply for waivers of barrier crimes on behalf of prospective kinship caregivers for children in foster care. The Virginia Department of Social Services pays the fees to conduct the actual national fingerprint criminal history record check investigations or may require the individual to pay the cost. There is no fee for agencies for central registry searches. Agencies shall not approve individuals with a founded complaint of child abuse as foster or adoptive parents. Agencies shall not approve a foster or adoptive home if any individual has a record of a barrier crime as defined in the Code of Virginia § 19.2-392.02.

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Elections, Department of *SOA.ELECT001*

Each city and county must provide, for all elections, electronic voting or counting systems approved by the State Board of Elections. These systems must meet federal and state accessibility standards for voters with disabilities and, upon determination by the Director of the United States Census, must accommodate alternative languages. State law stipulates the minimum number of voting devices and staffing/officers required at each precinct, based on the number of registered voters, equipment type (where applicable), and type of election (e.g. presidential). Localities must provide security for voting equipment under plans adopted by the Electoral Board and approved by the State Board of Elections. Local electoral boards of localities that use voting systems supporting technologies must annually develop written plans and report them to ELECT by March 1 of each year. Localities must use voting systems to count machine-readable ballots, with few exceptions. Localities must follow certain procedures for the storage and use of voting or counting machines with removable data storage devices. Localities must employ or designate a voting equipment custodian for the purpose of programming and preparing voting and counting equipment, including the programming of any electronic activation devices or data storage media used to program or operate the equipment, and maintaining, testing, calibrating, and delivering it. Localities must perform logic and accuracy testing of electronic voting systems and electronic pollbooks.

Polling Place and Registration Facilities *SOA.ELECT003*

Localities must provide adequate funds for voter registration, and polling place facilities meeting federal and state accessibility standards for persons with disabilities. Facilities must include adequate signage for accessible entrances. Localities must adopt ordinances designating precincts. The governing body must establish a central absentee precinct by ordinance and must adopt ordinances establishing new precincts when required by law and decennially based on the census. New precincts are required when a presidential election produces a turnout exceeding 4,000 voters at a precinct; precincts cannot exceed 5,000 registered voters. If a locality is unable to establish a precinct with the minimum number of registered voters without splitting the precinct between two or more congressional districts, Senate districts, House of Delegates districts or local election districts, they must submit a waiver for a split precinct to the State Board of Elections. A new split precinct waiver is required each year the split remains. Localities are responsible for advertising and notifying voters when creating or changing precincts. Any change that reduces, consolidates, or relocates polling places in a locality is considered a covered practice and must undergo preclearance. To the extent practicable, a notice of a change in the location of a polling place must be posted at the old polling place location for the following first primary and general election held at the new polling place. The notice must include information on how voters can locate the new polling place.

Notice of any adopted change in any election district, town, precinct, or polling place shall be mailed to all affected voters at least 30 days prior to the next general, special, or primary election. Localities must place a notice within 40 feet of the entrance to each polling place

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describing prohibited activities and election offenses. Localities must place a notice within 100 feet of the entrance to each polling place explaining restrictions on carrying firearms at polling places.

Localities must post the locations of all absentee ballot drop-off locations and voter satellite office locations on the local website not later than 55 days prior to the election. The general registrar must provide the drop-off locations for posting on the local website. General registrars must provide absentee ballot drop-off locations at the office of the general registrar during the absentee voting period and at each polling place on Election Day.

Localities must make in-person absentee voting locations available for a minimum of five hours between 11:00 a.m. and 5:00 p.m. on the second and third Sunday immediately preceding all elections and a minimum of eight hours between the hours of 8:00 a.m. and 5:00 p.m. on the first and second Saturday.

Cancellation of Voter Registration SOA.ELECT005

General registrars must cancel the registration of all persons known to be deceased or disqualified by adjudication of incapacity to understand the act of voting, all persons known not to be U.S. citizens by reasons of reports from the DMV, and all persons for whom he receives official notification that the voter has moved outside of the Commonwealth. The general registrar must provide the cancellation by mail to the address listed in the voter's registration record and by email to the email address listed on the voter's registration application, if provided. The general registrar should provide applicants with specific reasons whenever their voter registration or absentee applications are denied. The general registrar must post at the courthouse or have published in a newspaper of general circulation in his county or city a list of names of persons whose registration has been canceled. The general registrar must deliver or mail a certified copy of the list to the chairman of each political party in his county or city.

Regarding felony convictions, the registrar must mail notice promptly to the registered voter prior to canceling such person's registration. The notice must inform the person of the report from the Central Criminal Records Exchange and allow the person to submit his sworn statement that he has not been convicted of a felony or that his right to vote has been restored. The registrar must cancel the registration of any person who does not respond within 14 days of the date the notice was mailed. Cancellation records will be retained for 4 years from the date of cancellation by the registrar.

Regarding persons shown not to be U.S. citizens by the DMV's report, the registrar must mail notice promptly informing the person of the DMV report and permit the person to submit a sworn statement affirming that he is a U.S. citizen. The general registrar must issue a notice to any registrant found to be a non-citizen by the DMV's report. The general registrar must cancel the registration of any such person who does not respond to the notice within 14 days.

Public Notification Requirements for General Registrars

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SOA.ELECT007

Any change to the boundaries of any election district (including redistricting), or any change that reduces, consolidates, or relocates polling places in a locality is considered a covered practice. Prior to enacting a covered practice, notice must be made at least 45 days in advance of the last date prescribed in the notice for public comment. Notice must be published on the official website for the locality, through press releases, and such other media as will best serve the purpose and subject involved.

To the extent practicable, a notice of a change in the location of a polling place must be posted at the old polling place location for the following first primary and general election held at the new polling place. The notice must include information on how voters can locate the new polling place.

Notice of any adopted change in any election district, town, precinct, or polling place must be mailed to all affected voters at least 30 days prior to the next general, special, or primary election.

Notice of a change in the location of the office of the general registrar must be given by posting on the official website of the county or city, by posting at not less than 10 public places, or by publication once in a newspaper of general circulation within not more than 21 days in advance of the change or within seven days following the change.

The general registrar must give notice of the date, hours, and locations for registration on the final day of registration at least 10 days before the final day. The notice for the final day must be posted on the official website of the county or city, if applicable, and published at least once in a newspaper of general circulation, if one is available. At least three days advance notice must be given for other times and locations for voter registration. This notice must be posted on the official website of the county or city or announced at least twice on a television station serving the county or city, if one is available.

Localities must also post the locations of absentee ballot drop-off locations and all voter satellite office locations on the local website not later than 55 days prior to the election.

The electoral board must post their proposed agenda on their website, if available, before a meeting.

Education, Department of *Local School Division Policies*

SOE.DOE026

School divisions are required to maintain and follow up-to-date policies; ensure that policies take into account the views of teachers, parents, and other concerned citizens; and advise the public annually of the placement and availability of policies. A current copy of the school division's policies, including the Student Conduct Policy, must be posted on the school divisions' websites. School divisions must develop policies regarding the distribution of political materials by

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students and the administration of surveys or questionnaires to students. In any administration of a questionnaire or survey requesting students' sexual information, mental health information, medical information, information on health risk behaviors pursuant to 32.1-73.8, other information on controlled substance abuse, or any other information the school board deems sensitive in nature, the school board must provide notification, including certain information, to parents in writing not less than 30 days prior to its administration. Unless required by federal or state law or regulation, school personnel administering any such questionnaire or survey must not disclose personally identifiable information. Each school board must also require notification of parents, sent by email and, if applicable, SMS text message within 30 calendar days after the first day of each school year, regarding the importance of securely storing any prescription drug present in the household and the parent's responsibility to safely store any firearm present in the household, including information on relevant safe-storage laws and on firearm-related accidents, injuries, and deaths; such notification must be made available in multiple languages on the division's website. School boards also must develop policies and procedures addressing complaints of sexual abuse of a student by a teacher or other school board employee; the identification and handling of suspected concussions in students, and sudden cardiac arrest prevention in student-athletes, to be updated biennially; the prohibited use and distribution of any tobacco product or nicotine vapor product on a school bus, on school property, or at on-site or off-site school-sponsored activity; and a non-restroom location designated in each school in the division for employees or students who are mothers to express milk for their babies through age one. In addition, each school board shall annually provide to parents educational information on eating disorders for public school students in grades five through twelve and health dangers of tobacco and nicotine vapor products in grades kindergarten through twelve, consistent with Department of Education guidelines. Each school board must adopt policies that prohibit the school board or any school board employee from denying a student the opportunity to participate in any extracurricular school activity because the student cannot pay for a meal at school or owes a school meal debt.

Drugs, Substance Abuse, Gambling, and Drunk Driving SOE.DOE047

School divisions are required to provide instruction concerning drugs and drug abuse in the elementary and secondary health education programs, gambling and the addictive potential thereof, the addictive potential of time spent using electronic devices such as computers, cell phones, and other smart devices, and the public safety hazards and dangers of substance abuse, underage drinking, and drunk driving. They must also provide instruction concerning the health and safety risks of using retail tobacco products and hemp products intended for smoking. They must also maintain ongoing in-service substance abuse prevention programs for all school personnel.

Administration of Assessment Instruments SOE.DOE059

School divisions are required to administer appropriate assessments which may include criterion-referenced tests, teacher-made tests, and other assessment instruments, select appropriate industry certification and state licensure examinations, and shall include the Standards of

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Learning Assessments and the National Assessment of Educational Progress State-by-State Assessment.

The Standards of Learning assessments administered to students in grades three through eight shall not exceed (i) reading and mathematics in grades three and four; (ii) reading, mathematics, and science in grade five; (iii) reading and mathematics in grades six and seven; (iv) reading, writing, and mathematics in grade eight; (v) science after the student receives instruction in the grade six science, life science, and physical science Standards of Learning and before the student completes grade eight; and (vi) Virginia Studies and Civics and Economics once each at the grade levels deemed appropriate by each local school board. The reading and mathematics assessments administered to students in grades three through eight shall be through-year growth assessments.

Each school board shall annually certify that it has provided instruction and administered an alternative assessment, consistent with Board guidelines, to students in grades three through eight in each Standards of Learning subject area in which a Standards of Learning assessment was not administered during the school year. Such guidelines shall (a) incorporate options for age-appropriate, authentic performance assessments and portfolios with rubrics and other methodologies designed to ensure that students are making adequate academic progress in the subject area and that the Standards of Learning content is being taught; (b) permit and encourage integrated assessments that include multiple subject areas; (c) establish criteria for mandatory local alternative assessments, including the core content, concepts, and skills to be prioritized and specific parameters for any performance assessment; (d) include a comprehensive grading rubric for each mandatory local alternative assessment; and (e) emphasize collaboration between teachers to administer and substantiate the assessments and the professional development of teachers to enable them to make the best use of mandatory local alternative assessments. Each school board shall ensure that each mandatory and permissive local alternative assessment permits formative learning experiences and meets applicable authenticity and integrity requirements, including that each summative performance assessment used for scoring, accountability, or verified credits is completed in a supervised, secure setting. Any teacher who participates in grading mandatory or permissive local alternative assessments administered to earn verified credits shall not grade any assessment completed by a student that teacher taught during that school year.

Local school divisions shall provide targeted mathematics remediation and intervention to students in grades six through eight who show computational deficiencies as demonstrated by their individual performance on any diagnostic test or grade-level Standards of Learning mathematics test that measures non-calculator computational skills.

To assess the educational progress of students as individuals and as groups, each local school board shall require the use of Standards of Learning assessments, alternative assessments, and other relevant data, such as industry certification and state licensure examinations, to evaluate student progress and to determine educational performance. Each local school shall require the administration of appropriate assessments to students, which may include criterion-referenced

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tests and teacher-made tests and shall include the Standards of Learning assessments, the local school board's alternative assessments, and the National Assessment of Educational Progress state-by-state assessment. Each school board shall provide teachers, parents, principals, and other school leaders with their students' results on any Standards of Learning assessment or Virginia Alternate Assessment Program assessment as soon as practicable after the assessment is administered. Each school board shall analyze and report annually, in compliance with any criteria that may be established by the Board, the results from industry certification examinations and the Standards of Learning assessments to the public.

All students in grades K-8 are expected to take the SOL assessments, including students with disabilities as prescribed by their IEP or 504 plan and limited English proficient learners as determined by a school-based committee. Each school division shall analyze and report annually to the public, in compliance with any criteria that may be established by the Board of Education, the results from the Stanford 9 Assessment, if administered, industry certification examinations, and the Standards of Learning Assessments.

Prevention of Violence and Crime on School Property

SOE.DOE086

School divisions are required to develop programs to prevent violence and crime on school property and at school-sponsored events. Each local school board is required to adopt policies for the establishment of threat assessment teams, consisting of the statutorily-enumerated membership, and to meet mandated reporting requirements. New threat assessment team members shall complete an initial threat assessment training and all threat assessment team members shall be required to complete refresher threat assessment training every three years. Local school board policies shall further require, within existing annual training, specific education and training for threat assessment team members on the use of emergency substantial risk orders and substantial risk orders under Chapter 9.2 (§ 19.2-152.13 et seq.) of Title 19.2 to address the risk of harm to self or others posed by a student's access to a firearm. Threat assessment teams shall immediately report its determination that a student poses a threat of violence or physical harm to self or others to the division superintendent or his designee. The division superintendent or his designee shall immediately attempt to notify the student's parent or legal guardian. The division superintendent or his designee shall provide, materials on recognition of and strategies for responding to behavior indicating that a student poses a threat of violence or physical harm to self or others that shall include information on the legal requirements set forth in § 19.2-152.13 relating to emergency substantial risk orders and § 18.2-56.2 relating to the safe storage of firearms in the presence of minors.

Student Code of Conduct

SOE.DOE103

School divisions shall adopt and revise regulations governing student conduct consistent with the guidelines of the Board of Education. The code of conduct regulations shall include proceedings for suspension, expulsion, exclusion decisions and a prohibition against bullying. Each school board shall include in its code of student conduct policies and procedures that include a prohibition against bullying. Such policies and procedures shall (i) be consistent with the

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standards for school board policies on bullying and the use of electronic means for purposes of bullying developed by the Board pursuant to subsection A and (ii) direct the principal or his designee to notify the parent of any student involved in an alleged incident of bullying within 24 hours of learning of the allegation of bullying. The code of conduct shall be reviewed biennially to incorporate discipline options and alternatives to preserve a safe, non-disruptive environment. School administrators must have a written procedure, in accordance with guidelines established by the local board, for responding to violent, disruptive or illegal activities by students on school property or during a school-sponsored activity. Any school board may include a dress or grooming code in its code of student conduct but any such dress or grooming code included in a school board's code of student conduct or otherwise adopted by a school board shall meet certain conditions. Beginning July 1, 2027, before suspending, expelling, or excluding a student, schools shall first consider at least one evidence-based restorative disciplinary practice, except for certain enumerated offenses or aggravating circumstances, and shall document the rationale when exclusionary discipline is imposed instead.

Internet Use Policy

SOE.DOE105

An Internet use policy is required to be adopted by local school boards and posted on the school division's website. The policy shall contain provisions regarding illegal material, material that could be harmful to juveniles, the blocking of inappropriate websites, disciplinary measures for violations of the policy, and a curriculum component on Internet safety that includes instruction on key modern digital safety topics, including online scams, misinformation, and content generated by artificial intelligence. The policy must be reviewed, amended if necessary, and approved by the local school board every two years. Compliance shall be certified to the Department of Education annually.

School Health, Training, and Reporting

SOE.DOE141

Each local school board shall ensure that a specific number of staff in school buildings with an instructional and administrative staff have current certification or training in emergency first aid, cardiopulmonary resuscitation, the use of an automated external defibrillator, and training in the administration of insulin and glucagon if one or more students is diagnosed with diabetes. Each local school board shall develop a plan for the placement, care, and use of an automated external defibrillator in every public elementary and secondary school in the local school division and shall place an automated external defibrillator in every public elementary and secondary school in the local school division. Each local school board must also permit each enrolled student diagnosed with diabetes and having parental consent and prescriber approval: to carry and use supplies and equipment for immediate treatment of high and low blood glucose levels and to self-check blood glucose levels on a school bus, on school property, and at a school-sponsored activity; and to carry and use a cell phone or smart device to communicate about diabetes care and management. Each school board shall also develop and implement a division wide plan for the care of each student diagnosed with diabetes and shall make informational materials on type 1 and type 2 diabetes available to parents at the beginning of each school year. No school board shall be required to suspend or expel any student who holds a valid written certification for the

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possession or use of cannabidiol oil or THC-A in accordance with the student's individualized health plan and in compliance with a policy adopted by the school board. School divisions must provide training to school personnel having direct contact with students on the effects of blood-borne pathogens or certain other infections. School division superintendents shall report to their local health director any incident in which any employee is involved in a possible exposure-prone incident. With such funds appropriated each school board shall develop and implement a cardiac emergency response plan or athletic emergency action plan, and a bleeding control program including stocking bleeding control kits in each school building. School boards may develop policies and provide school-based mental health teletherapy services through nationally recognized school-based telehealth providers.

Mental Health Awareness Training

SOE.DOE165

Each school board shall adopt and implement policies that require each teacher and other relevant personnel, as determined by the school board, employed on a full-time basis, to complete a mental health awareness training or similar program at least once. Such training shall address the needs of youth populations at high risk of experiencing mental health challenges, in accordance with evidence-based best practices developed by the American Psychological Association. Each school board shall provide required personnel the training required and may contract with the Department of Behavioral Health and Developmental Services, a community services board, a behavioral health authority, a nonprofit organization, or other certified trainer as defined in § 37.2-312.2 to provide such training. Such training may be provided via an online module.

Teacher, Other Instructional Personnel, and Support Staff Shortages

SOE.DOE167

Each school board shall report to the Department of Education annually the number and type of teacher, other instructional personnel, and support staff position exits, disaggregated by the race of the individual who exited, and vacancies in the school division. For each exit occurring during the reporting year, the reason for the exit, including whether it was voluntary or involuntary, shall be collected and reported.

Bell-to-Bell Student Cell Phone & Smart Device Possession

SOE.DOE197

School boards shall develop and schools shall implement age-appropriate and developmentally appropriate policies relating to the possession and use of cell phones and smart devices by students on school property from bell to bell. The policies must (i) except as provided in the health/accommodation exception, restrict student cell phone and smart device possession and prohibit their use on school property from bell to bell; (ii) to the extent possession and use is otherwise permitted before or after bell to bell, regulate it with the objective of reducing any distraction in or disruption to the learning environment, including bullying or harassment; (iii) ensure that implementation and enforcement of the policy is the responsibility of the administration, minimizes, to the extent possible, any conflict with the instructional responsibilities of teachers or any disruption to instructional time, and does not involve any

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school resource officer; (iv) include exceptions to such policies permitting any student, pursuant to an Individualized Education Plan or Section 504 Plan or if otherwise deemed appropriate by the school board, to possess and use a cell phone or smart device on school property, including in the classroom, from bell to bell to monitor or address a health concern; and (v) expressly prohibit any student from being suspended, expelled, or removed from class as a consequence of any violation of such policies. School boards are prohibited from suspending or expelling students solely for violations of the cell phone policy.

Forensic Science, Department of

Handling and Submission of Physical Evidence Recovery Kits (PERKs)

SPSHS.DFS006

A law enforcement agency that receives notice from a health care provider that a physical evidence recovery kit (PERK) has been collected from a victim of sexual assault or trace evidence collection kit from a victim of strangulation who has elected to report the offense shall take possession of the PERK or trace evidence collection kit forthwith. The law enforcement agency must submit the PERK for analysis to the Department of Forensic Science within 60 days of receipt unless the PERK falls into one of five exceptions enumerated in subsection A of Va. Code § 19.2-11.8. When another state or local law enforcement agency located within the Commonwealth has taken over responsibility for the investigation related to the PERK, the PERK shall be transferred to such law enforcement agency and such law enforcement agency shall submit the PERK for analysis within 60 days of receipt unless the PERK meets an exception in clause (i) through (iv) of subsection A. Upon completion of the analysis, the Department of Forensic Science will return the PERK to the submitting law enforcement agency, which must store the PERK for a period of 10 years or until 10 years after the victim reaches the age of majority if the victim was a minor at the time of collection, whichever is longer. For PERKs that meet the exception in clause (ii) or (iv) or that meet the exception in clause (iii) and (v) that are not transferred to the law enforcement agency outside of the Commonwealth in which the offense occurred or to the law enforcement agency that has taken over responsibility for the investigation related to the PERK, the law enforcement agency that received the PERK shall store such kit for a period of 10 years or until 10 years after the victim reaches the age of majority if the victim was a minor at the time of collection, whichever is longer. Whether submitted for analysis or exempt from submission, the law enforcement agency shall store the PERK for a period of 10 years following the receipt of a written objection to the destruction of the kit from the victim. After the mandatory storage period has lapsed, the law enforcement agency must, unless the victim has made a written request not to be contacted for this purpose, make a reasonable effort to notify the victim of the intended destruction of the PERK no less than 60 days prior to the intended date of such destruction. In the absence of a response from the victim, or with the consent of the victim, the law enforcement agency may destroy the PERK or elect to retain it for a longer period. Upon request, the law enforcement agency shall provide to the victim, a parent or guardian of the victim if the victim was a minor at the time of the offense, or the next of kin of a deceased victim, information regarding the submission of the PERK for analysis, the status of any testing, the results of any analysis of the PERK, and the time frame for how long the kit will be held in storage and the victim's rights regarding such storage, unless disclosing such information would interfere with the investigation of prosecution of the offense,

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in which case the estimated date on which the information may be disclosed should be provided, if known. The law enforcement agency shall inform the victim, parent, guardian, or next of kin of the unique identification number assigned to the PERK utilized by the health care provider and the personal identification number required to view the status of the PERK and shall provide information regarding the PERK Tracking System, unless disclosing this information would interfere with the investigation or prosecution of the offense, in which case the victim, parent, guardian, or next of kin shall be informed of the estimated date on which the information may be disclosed, if known.

In the case of a PERK that was received by a law enforcement agency prior to July 1, 2016, and that has subsequently been submitted for analysis, the victim, a parent or guardian of a minor victim, or the next of kin of a deceased victim must be notified by the law enforcement agency of the completion of the analysis and shall, upon request, receive information from the law enforcement agency regarding the results of any analysis, unless disclosing this information would interfere with the investigation or prosecution of the offense, in which case the estimated date on which the information may be disclosed should be provided, if known. A good faith attempt to locate the victim, a parent or guardian of a minor victim, or the next of kin of a deceased victim shall be made if a current address for the victim, a parent or guardian of a minor victim, or the next of kin of a deceased victim is unavailable. A law enforcement agency is not required to disclose any information regarding the results of any analysis to a parent or guardian of a minor victim or to the next of kin of a deceased victim if such parent, guardian, or next of kin is the alleged perpetrator of the offense.

Victims of sexual assault must be advised of their rights regarding PERKs.

Law enforcement agencies are required to enter the identification number and other information pertaining to the kits received by their agency in the Physical Evidence Recovery Kit Tracking System and to update the status and location of each kit whenever such status or location changes.

Regulations of Optional Activity

Virginia Alcohol Safety Action Program, Commission on the
Virginia Alcohol Safety Action Program
IND.VASAP001

Local governments that establish a Virginia Alcohol Safety Action Program must provide screening, education, treatment referral, and supervision of persons arrested and convicted of driving under the influence of alcohol or other self administered intoxicants. Participating local governments must comply with the minimum standards and criteria for the implementation and operation of this program. Those standards include operation of local policy boards to include meetings, duties and procedures, fiscal accountability and personnel management.

No State Oversight
Manufactured Homes, Zoning Ordinances
NSO.103

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Localities with zoning ordinances must permit manufactured housing in agricultural districts or districts having similar classifications. In all other zoning districts, manufactured homes must not be treated differently or more restrictively than site-built housing, provided that the homes are 1.) converted to real property, 2.) constructed so that the certificate of occupancy is issued within five years from the date of manufacture, and 3.) placed on individual lots.

Land or homeowners may place a manufactured home that meets current HUD manufactured housing code on any open lot in a valid nonconforming mobile or manufactured home park regardless of whether a valid nonconforming manufactured home is current on such lot.

Wireless Telecommunication Antenna Sites NSO.111

Local governments must act upon zoning applications for a wireless telecommunication antenna site within 150 days for a new tower site, within 90 days for a co-located antenna, and within 60 days for modifications to existing facilities. Additionally, a locality cannot deny an application solely because wireless service is already available from another provider. Localities are not allowed to deny an application for modifying existing wireless facilities provided the modifications meet certain conditions. Localities must include provisions for the use of temporary support structures for wireless infrastructure in their zoning ordinances.

Renewable Energy Generation Facility Ordinances NSO.126

Local ordinances that address the siting of renewable energy facilities that utilize solar or wind resources shall be consistent with the Commonwealth Energy Policy, provide reasonable criteria for the protection of the locality and include reasonable provisions establishing setbacks, noise limitations, buffer requirements, and standards for the decommissioning of the facility.

Battery energy storage projects are a permitted accessory use in all zoning districts on any parcel of land subject to an approved special exception for a solar facility, provided the storage capacity does not exceed 100% of the generating capacity of the associated solar facility.

Vacant Building Registry NSO.196

Any locality may require, by ordinance, the owner or registered agent of any building that has been vacant for at least 12 months and (i) that meets the definition of "derelict building" in relevant law, (ii) that meets the definition of "criminal blight" in relevant law, or (iii) in which the locality has determined a person is living without the authority of the owner, or which has been vacant for a continuous period of three years or more to register such building annually. Localities may impose an annual registration fee of up to \$100 to defray costs of processing registrations.

Reimbursement of Water and Sewer Fees NSO.201

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Any locality may, by ordinance or policy, provide for the full or partial reimbursement of water and sewer connection fees, capital recovery charges, and availability fees remitted by an applicant in connection with any new residential development. Any locality may by ordinance also provide full or partial reimbursement of water and sewer connection fees, capital recovery charges, and availability fees to first-time homebuyers. The first-time homebuyer reimbursements may be subject to eligibility criteria as defined by the locality. Any locality that has adopted an affordable dwelling unit ordinance may provide for a waiver of water and sewer connection fees, capital recovery charges, and availability fees for development subject to the requirements of the ordinance.

Conservation and Recreation, Department of *Virginia Impounding Structure Regulations* SNHR.DCR005

Local governments that own dams must make any improvements necessary to correct deficiencies found during required inspections through alterations, construction, or maintenance and must comply with the requirements of the Dam Safety Act and the Impounding Structure Regulations. The regulations include provisions governing operation and maintenance requirements, hazard classifications, and permitting requirements, including general permits for eligible low hazard impounding structures.

Environmental Quality, Department of *Water Withdrawal Reporting* SNHR.DEQ001

Local governments are required to report on their water withdrawals if the average daily withdrawal exceeds 10,000 gallons per day in any one month for uses other than agricultural irrigation. For agricultural irrigation uses, reporting is required if their water withdrawals exceed one million gallons in any month. Location data shall be provided by each user in a coordinate system specified by the Board. Beginning January 1, 2027, local governments that are subject to water withdrawal reporting requirements that provide water to another person offsite must include in their report the total volume of potable water and, reported separately, the total volume of reclaimed water provided during each month for each of the following categories: (i) a data center, as that term is defined in subdivision A 43 of § 58.1-3506 of the Code of Virginia, with an air permit issued by the Department of Environmental Quality and (ii) to the extent available without utility billing system modifications, (a) domestic purposes, (b) commercial and industrial purposes, separately or combined as available, and (c) all other non-categorized purposes. Where monthly data is not available, data may be submitted based on the total volumes provided during each quarter.

Virginia Pollutant Discharge Elimination System Permit SNHR.DEQ020

Local governments that operate wastewater treatment facilities, operate a regulated municipal separate storm sewer system (MS4), have construction activities that disturb greater than one acre of land or less than one acre but part of a common plan of development or sale that will disturb one acre or more, or have any other point source discharges to surface waters are required

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to have a permit authorizing the discharge from the facility or activity into surface waters. The permit imposes controls on the quality of the discharge to ensure compliance with water quality standards, requirements for monitoring the discharge, and reporting of the results. MS4 permit holders may acquire and use sediment credits for purposes of compliance with any waste load allocations established by total maximum daily loads for the Chesapeake Bay or its tidal tributaries applied in an MS4 permit. A local government operating a publicly owned treatment works (POTW) with a pretreatment program shall require any industrial user of a POTW that receives and cleans, repairs, refurbishes, or processes any equipment, parts, or media used to treat any water or wastewater from any off-site manufacturing process that the industrial user knows or reasonably should know uses per- and polyfluoroalkyl (PFAS) chemicals to test its wastestream for PFAS chemicals prior to and after cleaning, repairing, refurbishing, or processing such items. Effective July 1, 2026, local governments operating a POTW must require certain industrial users discharging to the POTW to monitor for PFAS and submit the monitoring results to the DEQ. Effective January 1, 2027, local governments operating a POTW that generates biosolids for land application, marketing or distribution in the Commonwealth must monitor for PFAS and provide the monitoring results to DEQ and the person land applying biosolids. Biosolids with PFAS concentrations above specified thresholds may not be land applied or must be land applied at a reduced rate.

Virginia Pollution Abatement Permit SNHR.DEQ022

Local governments that operate facilities that have the potential to discharge into State waters but are not actually a point source discharge may be required to obtain a Virginia Pollution Abatement Permit. These permits contain requirements specific to the operation and include monitoring and reporting requirements. The types of operations that may be required to obtain a Virginia Pollution Abatement permit include land application of biosolids, septage, and industrial residuals (such as potable water treatment residuals), or land treatment of wastewater. Effective January 1, 2027, local governments operating a publicly owned treatment works that generates biosolids for land application, marketing or distribution in the Commonwealth must monitor for PFAS and provide the monitoring results to DEQ and the person land applying biosolids. Biosolids with PFAS concentrations above specified thresholds may not be land applied or must be land applied at a reduced rate.

Marine Resources Commission *Wetlands Zoning Ordinance in Tidewater* SNHR.MRC001

Any locality may adopt a wetlands zoning ordinance regulating the use and development of wetlands. Such ordinance must comply with public notice requirements. Tidewater localities that have adopted an ordinance regulating tidal wetlands must supply meeting space for the wetlands board and reasonable secretarial, clerical, legal, and consulting services as needed. Furthermore, local wetlands boards must give permit applicants credit toward local in-lieu fees in the amount of the fee the applicant has paid to the Virginia Aquatic Resources Trust Fund or another dedicated wetlands restoration fund. Local wetlands boards may approve only living shoreline approaches to shoreline stabilization unless the best available science shows that such

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

approaches are not suitable. Any permits issued by the board shall contain requirements for compensating impacts on wetlands sufficient to achieve no net loss of existing wetland acreage and functions.

Elections, Department of *Ranked Choice Voting*

Elections of members of a county board of supervisors, a city council, or town council may be conducted by ranked choice voting pursuant to this section. The decision to conduct an election by ranked choice voting must be made, in consultation with the local electoral board and general registrar, by a majority vote of the board of supervisors or city council that the office being elected serves. If a majority of the members of a town council vote to conduct an election for town council by ranked choice voting, the board of supervisors of the county in which the town is located may require the town to reimburse the county for costs associated with conducting the election by ranked choice voting that would not have been incurred by the county absent the town council's decision to conduct the election by ranked choice voting. Any decision to conduct an election by ranked choice voting made by a local governing body shall be transmitted to the State Board, which shall provide an assessment of technical feasibility within 10 days of receipt of the decision. A local governing body that makes the decision to conduct elections by ranked choice voting shall provide for the use of vote tabulating software approved by the State Board in any such elections. Any local governing body including towns that decides to conduct an election by ranked choice voting must develop and distribute educational information about ranked choice voting no later than 60 days before the specified election. Educational information must be disseminated to the public through circulation in the local newspaper, posted on the locality's website, or mailed to active and inactive voters eligible to vote in the specified election. Educational information must be posted in the office of the general registrar no later than 60 days before the specific election and made available for distribution if requested by the public. Educational information about ranked choice voting must be posted in each satellite office and polling place operating for the election.

Education, Department of *Licensure Accommodations for Career and Technical Education Teachers* SOE.DOE150

A division may hire individuals to teach in a trade or industrial program who have obtained or are working toward an industry credential relating to the program area and who have at least 4,000 hours of recent and relevant employment experience, provided that the division superintendent applies to the Department of Education for an annual waiver of the teacher licensure requirements. A division may employ qualified individuals with three-year licenses to teach high school career and technical education courses for no more than 50 percent of the instructional day or year, on average, provided that the employing school board assigns a mentor to supervise such an individual in his first year of teaching. A school board that employs an individual issued a three-year license to teach career and technical education or dual enrollment courses on the basis of the individual's employment as an instructor at an accredited institution of higher education shall provide that individual training on instruction and assessment during his first year of employment. A local school board or division superintendent may waive certain

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licensure requirements for any individual whom it seeks to employ as a career and technical education teacher and who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education.

Forensic Science, Department of *Testimony Regarding Identification of Drugs* SPSHS.DFS003

Local law enforcement officers may testify at preliminary hearing, or at a trial for sale or distribution to an underage individual (§ 4.1-1104) or underage possession of marijuana (§ 4.1-1105), to the results of field test kits which detect the presence of controlled substances and marijuana plant material when the field test kits utilized have been approved by the Department of Forensic Science.

Juvenile Justice, Department of *Intake Officer Information Actions on Complaints* SPSHS.DJJ011

Intake officers in counties and cities operating local service units for juvenile and domestic relations courts are responsible for filing complaints, requests, and the processing of petitions to initiate a case in the juvenile and domestic relations court. If the intake officer takes informal action on a complaint alleging a child is in need of services, in need of supervision, or delinquent, the intake officer must: (1) develop a plan for the juvenile; (2) create an official record of the action taken by the intake officer and file such record in the juvenile's case file; and (3) advise the juvenile and the juvenile's parent, guardian, or other person standing in loco parentis and the complainant that any subsequent complaint alleging the child is in need of supervision or delinquent based upon facts which may be sufficient to invoke the jurisdiction of the court may result in the filing of a petition with the court. Additionally, where a court, upon request of a child and with consent of the attorney for the Commonwealth, refers a delinquency charge back to the court service unit in writing for informal handling, intake officers are required to take informal action for the relevant charge in accordance with the requirements in 16.1-260, particularly those listed in subdivisions (1) through (3) above.

Eliminated Mandates

Compulsory Orders

Medical Assistance Services, Department of *State/Local Hospitalization Program* SHHR.DMAS001

Each city and county is required to participate in the State/Local Hospitalization Program. Localities are required to provide funds for a share of the total costs to provide hospital and medical care to qualified applicants.

Mandates Removed From the Catalog

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

Non-Discretionary Conditions of Aid

Transportation, Department of

Safe Routes to School Program (SRTS)

STO.VDOT035

Local governments receiving grants must comply with VDOT design requirements, procurement rules, and various federal laws and regulations. VDOT provides Transportation Alternative funds for SRTS through a competitive grant program for eligible infrastructure projects that include sidewalk, traffic calming, crossing, traffic diversion and bicycle facility improvements within approximately two miles of schools, as well as non-infrastructure programs that encourage and instruct children to safely walk and bicycle to and from school. Grants are also available for SRTS non-infrastructure programs that may include public awareness campaigns, traffic enforcement, education, and training on bicycle and pedestrian safety.

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

Summary Table of 2026 Changes

Catalog Number	Type of Mandate	Mandate Title	Change
IND.SCC004	Compulsory Order	Solar Facilities; Local Regulation, Permits, Special Exceptions	New Mandate
NSO.208	Compulsory Order	High Energy Use Facility Site Assessments	New Mandate
SCT.DE003	Compulsory Order	Solar Permitting Platform	New Mandate
SOA.DGS010	Compulsory Order	Rabies Testing of Animals	New Mandate
SOA.ELECT026	Compulsory Order	Processing Absentee and Provisional Ballots	New Mandate
SOA.ELECT027	Compulsory Order	Statements of Economic Interest	New Mandate
SOA.ELECT028	Compulsory Order	Ministerial Duties of the Electoral Board	New Mandate
SOE.DOE201	Compulsory Order	Student Financial Aid Application Completion; Goals and Reporting	New Mandate
SOE.DOE202	Compulsory Order	Right to a Free Public Education; Discrimination Based on Immigration or Citizenship Status Prohibited	New Mandate
SOE.DOE203	Compulsory Order	School Board Policies; Communication and Language Accessibility for Limited English Proficient Parents	New Mandate
SOE.DOE204	Compulsory Order	Parental Notification of Course Registration Deadlines and Processes	New Mandate
SOE.DOE205	Compulsory Order	School Board Policies; Unpaid	New Mandate

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

		Educational Leave for Certain Employee Association Officers	
SOE.DOE206	Compulsory Order	Participation in SAT School Day Program Required; Student Participation	New Mandate
SOE.DOE207	Compulsory Order	School Boards; Use of Social Media Platforms by Schools for Extracurricular Communications Prohibited	New Mandate
SOE.DOE208	Compulsory Order	School Meal Debt; Annual Report Required	New Mandate
SOE.DOE209	Compulsory Order	School Nurses; Sickle Cell Disease Training	New Mandate
SOL.DPOR005	Compulsory Order	Architects, Engineers, Surveyors and Landscape Architects	New Mandate
NSO.210	Compulsory Order	Small Lot Residential Zoning Districts, Zoning Ordinances	New Mandate
SHHR.DARS012	Non-Discretionary Condition of Aid	Serve as Local Lead for No Wrong Door Agency	New Mandate
SPSHS.DCJS049	Non-Discretionary Condition of Aid	Byrne State Crisis Intervention Program	New Mandate
SPSHS.DFP007	Non-discretionary Condition of Aid	Firefighter Cancer Screening	New Mandate
NSO.202	Regulation of Optional Activity	Expedited Approval for Certain Affordable Housing Developments	New Mandate
NSO.203	Regulation of Optional Activity	Right of First Refusal for Affordable Housing	New Mandate
NSO.204	Regulation of Optional Activity	Affordable Housing Performance Grant Programs	New Mandate
NSO.205	Regulation of Optional Activity	Affordable Housing Dwelling Unit	New Mandate

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

		Programs, Zoning Ordinances	
NSO.206	Regulation of Optional Activity	Automated External Defibrillators Required at Local Government Sporting Events and Sporting Facilities.	New Mandate
NSO.207	Regulation of Optional Activity	Local Enforcement of the Virginia Residential Landlord and Tenant Act	New Mandate
NSO.209	Regulation of Optional Activity	Right of First Refusal for Manufactured Home Parks	New Mandate
NSO.211	Regulation of Optional Activity	Accessory Dwelling Units, Zoning Ordinances	New Mandate
NSO.212	Regulation of Optional Activity	Small Portable Solar Generation Devices	New Mandate
NSO.213	Regulation of Optional Activity	Affordable Housing by Religious Organizations or Other Tax-Exempt Nonprofits	New Mandate
SHHR.VDH043	Regulation of Optional Activity	Establishment of Local Suicide and Fatality Review Teams	New Mandate
SPSHS.BLRJ006	Regulation of Optional Activity	Correctional Facility Compliance Audit	New Mandate
SPSHS.DCJS048	Regulation of Optional Activity	Passing Stopped School Buses; Photo Speed Devices	New Mandate
SCT.DHCD028	Compulsory Order	Local Housing Policies	Newly Identified
SCT.DHCD027	Compulsory Order	Residential Land Development and Construction Fees Report	Expanded Mandate
SHHR.DSS072	Compulsory Order	Criminal History and Central Registry Check for Placements of Children	Expanded Mandate

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

SOA.ELECT001	Compulsory Order	Voting Equipment, Systems, and Staffing Requirements	Expanded Mandate
SOA.ELECT003	Compulsory Order	Polling Place and Registration Facilities	Expanded Mandate
SOA.ELECT005	Compulsory Order	Cancellation of Voter Registration	Expanded Mandate
SOA.ELECT007	Compulsory Order	Public Notification Requirements for General Registrars	Expanded Mandate
SOE.DOE026	Compulsory Order	Local School Division Policies	Expanded Mandate
SOE.DOE047	Compulsory Order	Drugs, Substance Abuse, Gambling, and Drunk Driving	Expanded Mandate
SOE.DOE059	Compulsory Order	Administration of Assessment Instruments	Expanded Mandate
SOE.DOE086	Compulsory Order	Prevention of Violence and Crime on School Property	Expanded Mandate
SOE.DOE103	Compulsory Order	Student Code of Conduct	Expanded Mandate
SOE.DOE105	Compulsory Order	Internet Use Policy	Expanded Mandate
SOE.DOE141	Compulsory Order	School Health, Training, and Reporting	Expanded Mandate
SOE.DOE165	Compulsory Order	Mental Health Awareness Training	Expanded Mandate
SOE.DOE167	Compulsory Order	Teacher, other instructional personnel, and support staff shortages	Expanded Mandate
SOE.DOE197	Compulsory Order	Bell-to-Bell Student Cell Phone & Smart Device Possession	Expanded Mandate
SPSHS.DFS006	Compulsory Order	Handling and Submission of Physical Evidence Recovery Kits (PERKs)	Expanded Mandate
IND.VASAP001	Regulation of Optional Activity	Virginia Alcohol Safety Action	Expanded Mandate

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

		Program (VASAP), Commission on; structure and responsibilities.	
NSO.103	Regulation of Optional Activity	Manufactured Homes, Zoning Ordinances	Expanded Mandate
NSO.111	Regulation of Optional Activity	Wireless Telecommunication Antenna Sites	Expanded Mandate
NSO.126	Regulation of Optional Activity	Renewable Energy Generation Facility Ordinances	Expanded Mandate
NSO.196	Regulation of Optional Activity	Vacant Building Registry	Expanded Mandate
NSO.201	Regulation of Optional Activity	Reimbursement of Water and Sewer Fees	Expanded Mandate
SNHR.DCR005	Regulation of Optional Activity	Virginia Impounding Structure Regulations	Expanded Mandate
SNHR.DEQ001	Regulation of Optional Activity	Water Withdrawal Reporting	Expanded Mandate
SNHR.DEQ020	Regulation of Optional Activity	Virginia Pollutant Discharge Elimination System Permit	Expanded Mandate
SNHR.DEQ022	Regulation of Optional Activity	Virginia Pollution Abatement Permit	Expanded Mandate
SNHR.MRC001	Regulation of Optional Activity	Wetlands Zoning Ordinance in Tidewater	Expanded Mandate
SOA.ELECT022	Regulation of Optional Activity	Ranked Choice Voting	Expanded Mandate
SOE.DOE150	Regulation of Optional Activity	Licensure Accommodations for Career and Technical Education Teachers	Expanded Mandate
SPSHS.DFS003	Regulation of Optional Activity	Testimony Regarding Identification of Drugs	Expanded Mandate
SPSHS.DJJ011	Regulation of Optional Activity	Intake Officer Information Actions on Complaints	Expanded Mandate

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

SHHR.DMAS001	Compulsory Order	State/Local Hospitalization Program	Eliminated Mandate
STO.VDOT035	Non-Discretionary Condition of Aid	Safe Routes to School Program (SRTS)	Mandates removed from the catalog
NSO.138	Regulation of Optional Activity	Replacement of Trees Lost Due to Site Development	Other Changes (Abstract)
SFIN.TD004	Regulation of Optional Activity	Virginia Public Building Authority Regional and Local Jail Construction Reimbursement Program	Other Changes (Authority)
SHHR.DSS074	Compulsory Order	Family Services Degree Requirements	Other Changes (Abstract)
SHHR.VDH006	Compulsory Order	Environmental Health Services Program	Other Changes (Authority)
SNHR.DCR021	Non-Discretionary Condition of Aid	Virginia Community Flood Preparedness Fund	Other Changes (Abstract)
SNHR.DCR027	Non-Discretionary Condition of Aid	Resilient Virginia Revolving Loan Fund	Other Changes (Abstract)
SNHR.DEQ035	Regulation of Optional Activity	Sewage Collection and Treatment Regulation	Other Changes (Abstract)
SNHR.DEQ039	Compulsory Order	Virginia Erosion and Stormwater Management Programs by Localities	Other Changes (Abstract, Authority)
SNHR.DEQ045	Non-Discretionary Condition of Aid	Stormwater Local Assistance Funds	Other Changes (Authority, Comment)
SNHR.DEQ050	Non-Discretionary Condition of Aid	On-site Septic System Loans	Other Changes (Current Assessment Period)
SNHR.DEQ051	Compulsory Order	Hazardous Substances Facilities	Other Changes (Comment)
SOA.DGS008	Regulation of Optional Activity	Laboratory, testing, and analytical functions	Other Changes (Authority)

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

SOA.DHRM002	Regulation of Optional Activity	Supplemental Salary Payments to State Employees by a Locality	Other Changes (Authority)
SOA.ELECT021	Compulsory Order	Election Materials in Minority Languages	Other Changes (Abstract)
SOE.DOE132	Compulsory Order	School Year to Begin After Labor Day	Other Changes (Abstract)
SOE.VCA001	Non-Discretionary Condition of Aid	Creative Communities Partnership Grant	Other Changes (Authority)
SOE.VCA002	Non-Discretionary Condition of Aid	Lifelong Learning Grants	Other Changes (Abstract, Authority, Title)
SOE.VCA003	Non-Discretionary Condition of Aid	Community Impact Grants	Other Changes (Authority)
SOE.VC004	Non-Discretionary Condition of Aid	Virginia Touring Grants	Other Changes (Abstract, Authority)
SOE.VCA005	Non-Discretionary Condition of Aid	Arts in Practice Grants	Other Changes (Abstract, Authority)
SPSHS.BLRJ005	Regulation of Optional Activity	Correctional Facility Compliance Audit	Other Changes (Authority)
SPSHS.DCJS005	Non-Discretionary Condition of Aid	Byrne Justice Assistance Grant Program	Other Changes (Abstract, Authority)
SPSHS.DCJS022	Non-Discretionary Condition of Aid	School Resource Officer and School Security Officer Grants	Other Changes (Authority)
SPSHS.DCJS041	Non-Discretionary Condition of Aid	Professional Standards of Conduct and Decertification of Law Enforcement Officers	Other Changes (Authority, Comment)
SPSHS.DCJS042	Non-Discretionary Condition of Aid	Training Standards for Detector Canine Handlers Employed by the Department of Corrections	Other Changes (Authority, Comment)
SPSHS.DCJS043	Non-Discretionary Condition of Aid	Waiver Process for Law Enforcement Agencies to use Certain Military Property	Other Changes (Authority)

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

SPSHS.VDEM003	Compulsory Order	Local Emergency Operations Plan	Other Changes (Abstract)
SPSHS.VSP006	Compulsory Order	Missing Children Information Clearinghouse Reporting	Other Changes (Authority)
SPSHS.VSP020	Regulation of Optional Activity	Photo Speed Monitoring	Other Changes (Abstract)
SNHR.DEQ014	Compulsory Order	Solid Waste Management Plan	Minor Edits (Abstract)
SNHR.DEQ021	Regulation of Optional Activity	Virginia Water Protection Permit	Minor Edits (Abstract)
SNHR.DEQ028	Regulation of Optional Activity	Solid Waste Management Reporting	Minor Edits (Abstract)
SNHR.DEQ031	Regulation of Optional Activity	Compliance with Air Emission Standards	Minor Edits (Authority)
SNHR.DEQ040	Compulsory Order	Virginia Erosion and Sediment Control Programs by Localities	Minor Edits (Abstract)
SOA.DGS005	Compulsory Order	Standardization of Police Equipment	Minor Edits (Abstract)
SOA.DGS007	Compulsory Order	State and local buildings, certain; building standards	Minor Edits (Comment)
SOA.ELECT002	Compulsory Order	Cancelling a Primary Election	Minor Edits (Abstract, Comment)
SOA.ELECT004	Compulsory Order	Vacancies to be Filled by Special Election	Minor Edits (Abstract)
SOA.ELECT006	Compulsory Order	Compensation of Officers; Volunteer Officers	Minor Edits (Abstract)
SOA.ELECT009	Compulsory Order	City Council, Board of Supervisors, and School Board Elections	Minor Edits (Abstract)
SOA.ELECT011	Compulsory Order	Voter Registration and Preregistration Available in Public High Schools	Minor Edits (Abstract)
SOA.ELECT012	Compulsory Order	Procedure for Removal of Elected and Certain	Minor Edits (Abstract)

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

		Appointed Officers by the Circuit Court	
SOA.ELECT013	Compulsory Order	Establishment of the Electoral Board and the Office of the General Registrar	Minor Edits (Abstract)
SOA.ELECT014	Compulsory Order	Training for the Electoral Board, the General Registrar, and Officers of Election	Minor Edits (Abstract)
SOA.ELECT015	Compulsory Order	Voter Applications Received by the General Registrar	Minor Edits (Abstract)
SOA.ELECT017	Compulsory Order	Election Responsibilities of the Clerk of Court	Minor Edits (Abstract)
SOA.ELECT018	Compulsory Order	Risk-limiting Audits	Minor Edits (Abstract)
SOA.ELECT019	Compulsory Order	Security Standards of the Virginia Electronic Registration System	Minor Edits (Abstract)
SOA.ELECT023	Compulsory Order	Ascertaining Results of Elections	Minor Edits (Abstract)
SOA.ELECT024	Compulsory Order	Reporting Election Results	Minor Edits (Abstract)
SOA.ELECT025	Compulsory Order	Campaign Finance for Local and Constitutional Officers	Minor Edits (Abstract)
SPSHS.BLRJ001	Regulation of Optional Activity	Correctional Facility Standards	Minor Edits (Authority)
SPSHS.BLRJ002	Regulation of Optional Activity	Correctional Facility Cost-Sharing	Minor Edits (Authority)
SPSHS.DFP005	Non-Discretionary Condition of Aid	Fire Programs Fund-Fire Services Grant Program	Minor Edits (Abstract)
SPSHS.DFS002	Compulsory Order	DNA Samples Required from Certain Convicted Persons	Minor Edits (Abstract)
SPSHS.DFS004	Compulsory Order	DNA Samples Required Upon Arrest	Minor Edits (Comment)

Changes in Mandates Since the Publication of the 2025 Edition of the Catalog

SPSHS.DJJ012	Compulsory Order	Intake Officer Action on Complaint Alleging Child in Need of Supervision	Minor Edits (Comment)
SPSHS.DJJ013	Compulsory Order	Intake Officer Notification to Commonwealth's Attorney	Minor Edits (Comment)
SPSHS.DJJ014	Compulsory Order	Intake Officer Report to School Superintendents	Minor Edits (Authority, Comment)
SPSHS.DJJ016	Compulsory Order	Intake Officer Response Regarding Detention Orders	Minor Edits (Comment)
SPSHS.DJJ018	Regulation of Optional Activity	Youth Justice Diversion Programs	Minor Edits (Abstract, Comment)
STO.VDOT006	Non-Discretionary Condition of Aid	Economic Development Access Road	Minor Edits (Abstract)
STO.VDOT014	Compulsory Order	Work Area Protection in Maintenance and Construction Operations	Minor Edits (Abstract)
STO.VDOT030	Compulsory Order	Coordination of State and Local Transportation Planning	Minor Edits (Abstract)
STO.VDOT045	Regulation of Optional Activity	Unpaved Secondary Road Funds	Minor Edits (Title)



Abigail Spanberger
Governor

Carrie Chenery
Secretary of
Commerce and Trade

COMMONWEALTH of VIRGINIA

Tamarah Holmes, PhD
Director

DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT

Memorandum

To: Commission on Local Government

From: DHCD Staff

Subject: Town of Tangier Fiscal Distress Update

Date: September 18, 2026

The Virginia Acts of Assembly and Code of Virginia direct the Commission on Local Government to serve in an oversight capacity to the state-appointed intervention staff (fiscal turnaround specialist) for a locality deemed in fiscal distress (§15-2512.1). On January 9, 2026, the Commission on Local Government began its oversight of the fiscal turnaround specialist for the Town of Tangier.

At its July 10, 2026, meeting, the Commission received a letter from the Town of Tangier requesting additional support from the Commonwealth to implement recommendations from the fiscal turnaround specialist. This request, in addition to the Town of Tangier Performance Plan approved by the Commission, was included in the Second Periodic Report transmitted to the Governor and members of the General Assembly.

On September 9, 2026, Governor Spanberger authorized additional assistance to procure a fiscal turnaround specialist to assist the Town of Tangier with implementing the immediate recommendation of the financial turnaround plan. Enclosed is the letter from the Governor of Virginia.

Enclosures



Virginia Department of Housing and Community Development | Partners for Better Communities
Main Street Centre | 600 East Main Street, Suite 300 Richmond, VA 23219
www.dhcd.virginia.gov | Phone (804) 371-7000 | Fax (804) 371-7090 | Virginia Relay 7-1-1



COMMONWEALTH of VIRGINIA

Office of the Governor

Abigail D. Spanberger
Governor

September 9, 2026

The Honorable L. Louise Lucas
Chair, Senate Finance and Appropriations Committee
P.O. Box 700
Portsmouth, VA 23705

The Honorable Luke E. Torian
Chair, House Appropriations Committee
4222 Fortuna Plaza, Suite 659
Dumfries, VA 22026

Dear Chairs Lucas and Torian:

Section 15.2-2512.1 of the Code of Virginia requires the Governor to consult with the Chairs of the House Appropriations Committee and the Senate Finance and Appropriations Committee regarding a plan for state assistance, oversight, or intervention prior to any expenditure of state funds from the cash reserve. This letter serves to provide you with notice of a plan for additional state assistance to the Town of Tangier, Virginia, related to its fiscal distress designation by the Auditor of Public Accounts and recent periodic reports from the Commission on Local Government (CLG). This plan is supplemental to the efforts previously communicated on November 7, 2025.

Under the original plan for state intervention, The Berkley Group was selected as the fiscal turnaround specialist to assess the Town's financial condition and prepare a financial turnaround plan for the Town to implement. The Berkley Group presented its assessment and plan to the Town and the CLG on March 26, 2026, in Tangier. The Berkley Group's report (*Town of Tangier Fiscal Distress Report*) identified significant issues including absent audits and financial controls, inaccessible records, inadequate staffing, and structurally imbalanced budgets.

The financial turnaround plan The Berkley Group prepared also contained recommended actions for the Town to take within the next 30, 60, 90, and 180 days to address the identified issues. At the time of the CLG's second periodic report, dated July 27, 2026, the Town had not completed any of the recommendations or tasks contained within the financial turnaround plan. Furthermore, on June 8, 2026, the Town of Tangier formally requested, via letter, support for implementing the recommendations contained in the report, citing a lack of financial capacity necessary to satisfy the many recommendations outlined.

Provided the Town of Tangier's willingness but inability to demonstrate progress on the items outlined in the financial turnaround plan, I have authorized \$160,000 pursuant to § 15.2-2512.1(E.) of the Code of Virginia, to be overseen by the Department of Housing and Community Development (DHCD), to cover the costs associated with procuring fiscal turnaround services to assist the Town of Tangier with implementing the

The Honorable L. Louise Lucas
The Honorable Luke Torian
September 9, 2026
Page 2

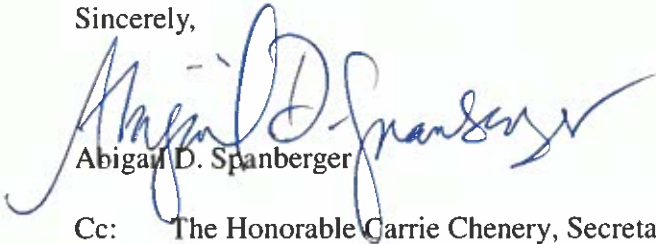
recommendations of the financial turnaround plan. Section 15.2-2512.1(E.) allows the Governor to appropriate up to \$750,000 from the prior year's unexpended general fund balance to be used to provide technical assistance and intervention actions for local governments deemed to be fiscally distressed and in need of intervention to address such distress. This \$160,000 authorization is in addition to the \$100,000 previously authorized on November 7, 2025, to assist the Town.

In procuring the fiscal turnaround specialist, DHCD will use the Commonwealth's master contract of firms qualified to provide local fiscal turnaround services developed pursuant to § 15.2-2512.1(I.). The selected fiscal turnaround specialist will have 90 days to assist the Town with implementing the immediate recommendations of the financial turnaround plan, as well as contracting for a part-time town manager or equivalent position. The fiscal turnaround specialist will also coordinate the completion of a forensic audit of the Town's finances and operations. Periodic reports will continue to be provided by the Executive Director of the CLG regarding efforts to implement the financial turnaround plan and address the Town's identified fiscal distress.

Pursuant to §§ 15.2-2512.1 and 15.2-2903, the CLG will continue to act in an oversight capacity to determine whether the locality has taken appropriate action to address the issues originally identified by the Auditor of Public Accounts. The CLG's oversight will conclude once it has issued an advisory report containing its findings and conclusions to the Governor and Chairs of the House Committees on Appropriations and Counties, Cities, and Towns, and the Senate Committees on Finance and Appropriations and Local Government.

Thank you for your continued cooperation in supporting state assistance for Tangier.

Sincerely,



Abigail D. Spanberger

Cc: The Honorable Carrie Chenery, Secretary of Commerce and Trade
The Honorable Mark Sickles, Secretary of Finance
Delegate Dan Helmer, Chair, House Counties, Cities, and Towns Committee
Delegate Robert S. Bloxom, Jr., Virginia House of Delegates 100th District
Senator Lashrecse Aird, Chair, Senate Local Government Committee
Senator Bill DeSteph, Virginia State Senate District 20
Dr. Tamarah Holmes, Executive Director, Commission on Local Government
Ms. Staci A. Henshaw, Auditor of Public Accounts
Mr. Amigo Wade, Director, Division of Legislative Services
Ms. Anne Oman, Director, House Appropriations Committee
Ms. April Kees, Director, Senate Finance and Appropriations Committee