



**2025 VML Proposed Legislative Positions**  
**Approved by the VML Legislative Committee**  
**Sept. 5, 2024**  
*(Listed in alphabetical order)*

**Accessory Dwelling Units (ADUs)**

Localities should retain local land use control when regulating accessory dwelling units.

**Consumer disclosure in noise contour zones around airports**

VML supports efforts to increase consumer disclosure in noise contour zones established in and around airports.

**Funding of Community Services Boards and Behavioral Health Needs**

VML supports sufficient and sustained state funding and technical assistance for community services boards/behavioral health authorities to implement STEP-VA requirements and to support the planning and implementation of Marcus Alert protocols. This funding should not come at the expense of other community-based service initiatives and requirements; nor should funding of state initiatives be shifted to local governments.

Robust state revenues offer an opportunity for the state to build on investments in the community network and state system. Funding through other federal and nonprofit grants should also be pursued as appropriate.

VML supports state efforts to apply for a Medicaid Reentry Section 1115 Demonstration Waiver to help local and regional jails address certain behavioral health and substance use conditions of inmates prior to release and to help improve their transition into the community.

**Land Use Control**

Localities must maintain control of local land use decisions. Neither the state nor the federal government should usurp or pre-empt a locality's authority to make such decisions; nor should they impose requirements that weaken planning and land use functions. This includes all types of housing including but not limited to short-term rentals.

VML also supports local government authority to promote affordable and mixed income housing as well as the required infrastructure to facilitate in-fill development, redevelopment and mixing of uses. Any mandate from the state should include full funding for the locality.

### **Local and regional juvenile detention facilities**

Local and regional juvenile detention facilities play an integral role in the continuum of Virginia's juvenile justice system. A major consideration in maintaining the system of local and regional detention facilities is to serve youth closer to their families, their communities, the courts with which they are involved, and their legal counsel.

Any state-level discussion of the future of this system, including efforts involving closures or consolidations, must involve the major stakeholders involved in the system, such as members of the juvenile and domestic relations courts system, detention facility managers, and youth/family advocates.

Discussions should also consider regions looking to open facilities to serve their communities and avoid sending youth long distances for placement; include examination of ways the state can improve investments in facilities to update key infrastructure; address behavioral health needs of youth and their families to improve outcomes; and find ways to effectively address state requirements for educational services.

### **Local Excise Taxes**

VML supports the statewide authority for local governments to establish an excise tax on the sale of vaping products. VML also supports the statewide authority for local governments to establish an excise tax on the sale of cannabis products.

### **Local referenda, land use, and revenue authority regarding cannabis retail sales**

VML urges the Virginia General Assembly to authorize local governments - cities, towns, and counties - to regulate land use and zoning, hold a referendum on retail sales, and tax recreational cannabis retailers.

### **Local revenue authority or share of state revenue from skill games**

VML supports a local tax or portion of the tax revenue from Skill Games to go to localities. Local governments would prefer flexibility in directing any tax revenues to meet local needs.

### **Photo speed enforcement**

VML supports expanded legalization of speed cameras if the area in which they are placed has been documented as an area of concern through speed studies, crash data, or engineering studies.

### **Referendum Authority for Towns**

Towns should be included in any legislation authorizing referenda by local governments, including but not limited to skill games legislation.

## **Sovereign Immunity**

Expanding liability and eroding immunities at state levels across the nation have had a chilling effect on the actions of local government officials contributing to local government insurance problems, creating immense financial risks (particularly for legal costs), and posing a substantial obstacle to the provision of needed public services. The Virginia General Assembly should strengthen and must maintain the principles of sovereign immunity for local governments and their officials.

## **State Assistance to Local Police Departments (HB 599)**

Almost 70 percent of Virginians live in communities served by police departments. The State created a program of financial assistance to local police departments (HB 599) when it imposed an annexation moratorium on cities more than 30 years ago. It has increasingly de-emphasized this funding obligation as a priority but has never compromised on the annexation moratorium.

VML calls for the state to honor its commitment to local governments and public safety by funding the program as stipulated in the Code of Virginia or lift the moratorium on annexation.

## **State-mandated Tax Policy Changes and Local Revenues**

Locally elected officials understand the needs of their community as well as the burden of taxation on their constituents. The Commonwealth should refrain from encroaching upon the responsibility of local officials by imposing additional exemptions from locally generated revenues or imposing additional red tape that make it more difficult to raise revenue in their communities.

Further, VML opposes any state-mandated exemptions to the local option sales tax unless the General Assembly can establish a viable revenue replacement to local governments.

## **Support for Public Education**

A General Assembly joint subcommittee is addressing recommendations from the 2023 Joint Legislative Audit and Review Commission (JLARC) report on the Standards of Quality (SOQ). JLARC's report recommendations about updating the SOQ in the short and long term included items VML has long supported, such as the elimination of the support cap and providing additional staff and funding for staff.

VML encourages the General Assembly to expeditiously implement and fund the JLARC recommendations to more equitably share the costs of education with local governments and to ensure the overall success of students across the Commonwealth.

VML supports state funding and statewide authority to address school construction and renovation needs in our communities estimated at \$25.0 billion.

Finally, while VML supports innovation in public schools, we oppose efforts that limit local authority or divert state funds from the public education system.

## **Water Quality Improvement Fund (WQIF)**

VML supports continued full state funding for the Water Quality Improvement Fund (WQIF).