

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: HB420 E

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|------------------------|---------------------------------------|-------------------------------------|---|
| House of Origin | <input type="checkbox"/> Introduced | <input type="checkbox"/> Substitute | <input checked="" type="checkbox"/> Engrossed |
| Second House | <input type="checkbox"/> In Committee | <input type="checkbox"/> Substitute | <input type="checkbox"/> Enrolled |

2. Patron: Price

3. Committee: Public Safety

4. Title: Emergency Management, Department of; responsibilities of political subdivisions.

5. Summary: This bill directs the Department of Emergency Management (VDEM) to consult with the Board of Education to ensure that development and revision of a model institutional crisis and emergency management plan is designed to include and reach individuals with limited English proficiency (as defined by the bill), disabilities, and other special needs. The bill also directs VDEM to develop an emergency response plan to (i) address the needs of individuals with limited English proficiency, disabilities, or other special needs in the event of a disaster, including the provisions of competent interpretation services and translated documents, and (ii) assist and coordinate with local agencies in developing a similar emergency response plan for such individuals.

The bill also requires that every local and inter-jurisdictional emergency management agency include in its emergency operations plan provisions to ensure that adequate and timely emergency relief assistance, including competent interpretation services and translated documents is provided to individuals with limited English proficiency, disabilities, or other special needs. It further requires the governing body of each locality with a population of over 50,000 to include adequate and timely warning to individuals with limited English proficiency, disabilities, or other special needs in their emergency alert warning plans.

The engrossed bill requires that emergency plans and disaster-related outreach activities be designed to include and reach individuals with limited English proficiency or access and functional needs.

6. Budget Amendment Necessary: Indeterminate

7. Fiscal Impact Estimates: Preliminary. See Item 8 below.

8. Fiscal Implications: The engrossed bill changes the terms “disabilities or other special needs” to “access and functional needs,” which, according to the Department of Education (DOE), goes beyond any classifications used by public schools. According to DOE, this may expand the population affected by the bill to include anyone who has functional access needs (for example, the elderly, motor-impaired individuals other than students). However, without knowing the intent of the change in terms, it is not possible to assess the impact this bill may

have on updating the current school crisis and emergency management plan. The impact the engrossed bill may have on local governments cannot be determined at this time.

Currently, VDEM maintains the Commonwealth of Virginia Operations Plan (COVEOP) and is responsible for assisting state agencies and local governments with establishing training programs and public information programs regarding emergency services and disaster preparedness activities. This substitute bill requires that such plans and training programs address the needs of and be accessible by individuals with limited English proficiency, access and functional needs. According to VDEM, ensuring that existing response plans are able to accommodate those with specialized needs is currently part of the agency's review process. Therefore, if the proposed legislation does not require a separate plan, this bill is not expected to have a fiscal impact on agency operations.

However, if the intent of the provision is for VDEM to create a separate stand-alone response plans to accommodate such individuals, then according to VDEM, it would cost approximately \$75,000 (one-time) for a contractor to draft the plan, as well as one FTE at Pay Band 5 (approximately \$65,000 plus benefits) to review and manage the approval processes for plan updates. In addition, VDEM estimates that it would have to provide approximately 10 initial training courses to localities and state agencies related to the changes. The VDEM estimates that these training sessions would cost a total of \$32,000 (all instructor salary, instructor lodging, mileage and per diem, facility cost and material costs included) and expects that initial training sessions for a new plan would be conducted in person. However, follow-up training sessions in subsequent years could be delivered online at a cost of approximately \$3,000 (one-time).

9. Specific Agency or Political Subdivisions Affected: Virginia Department of Emergency Management; Department of Education; state and local government agencies

10. Technical Amendment Necessary: None

11. Other Comments: None