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HOUSE BILL NO. 2491

Offered January 21, 1999

A BILL to amend and reenact § 30-19.03 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 30-19.03:1.1, relating to estimates of local fiscal impact.

Patrons—Day, Abbitt, Armstrong, Barlow, Davies, Kilgore, Landes, Ruff and Van Yahres; Senators: Hanger, Marye, Reynolds, Ticer and Whipple

Referred to Committee on Rules

Be it enacted by the General Assembly of Virginia:

1. That § 30-19.03 of the Code of Virginia is amended and reenacted, and that the Code of Virginia is amended by adding a section numbered 30-19.03:1.1 as follows:

§ 30-19.03. Estimates to be prepared for legislation affecting local government expenditures and revenues.

Whenever any bill requiring a net additional expenditure by any county, city, or town, as defined in § 30-19.03:1, or whenever any bill requiring a net reduction of revenues by any county, city or town, as defined in § 30-19.03:01, is filed during any session of the General Assembly, the Commission on Local Government shall investigate and prepare an estimate setting forth, to the extent practicable, the additional expenditures or reduction of revenues, if any, to be required of the affected localities in event of enactment of such legislation. The Division of Legislative Services shall examine all bills filed during any legislative session for the purpose of identifying and forwarding to the Commission on Local Government those bills requiring the preparation of fiscal estimates pursuant to this section.

As soon thereafter as may be practicable, the Commission on Local Government shall forward copies of such estimates to the Clerk of the House of Delegates for transmittal to each patron of the legislation and to the chairman of each committee of the General Assembly to consider the same.

All departments, agencies of government, the Division of Legislative Services, and all local governmental units of the Commonwealth are directed to make available such information and assistance as the Commission on Local Government may request in preparing the estimates required by this section.

§ 30-19.03:1.1. Bills requiring net reduced revenues by local governments to be filed by first calendar day of session.

No bill which mandates a net reduction of revenues collected by any county, city or town shall be considered by the General Assembly at a regular session unless the bill has been filed on or before the first calendar day of any session of the General Assembly, unless requested by the Governor or filed in accordance with the rules of the General Assembly. A bill shall be deemed to mandate a net reduction of revenues if it has the effect of requiring any county, city or town to (i) relinquish an existing or potential source of local revenue by classification or exclusion or (ii) diminish an existing or potential source of revenue by classification or exclusion.

For the purposes of this section, "net reduction of revenues" means the reduction anticipated in local revenues, including, but not limited to, general levies, special levies, revenues received pursuant to §§ 58.1-605 and 58.1-606 and administrative and user fees, to be incurred annually, less any new local revenues receivable and any offsetting savings resulting from the reduction of local revenues, caused by the classification or exclusion being proposed.

The provisions of this section shall not apply to a reduction in local revenues that is required or arises from a court order or judgment, nor to a revenue reduction that is adopted at the option of any county, city or town under a law that is permissive rather than mandatory.

The enactment of any statute that mandates a net reduction of revenues for any county, city or town shall be conclusive proof that the procedural requirements of this section have been satisfied or waived.

INTRODUCED

HB2491