

## Department of Planning and Budget

### 2020 Fiscal Impact Statement

**1. Bill Number:** HB1311

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

**2. Patron:** Kory

**3. Committee:** General Laws

**4. Title:** Virginia Public Procurement Act; contracts with state agencies for public works.

**5. Summary:** Repeals provisions requiring state agencies to ensure that neither the state agency nor any construction manager acting on behalf of the state agency, in its bid specifications, project agreements, or other controlling documents relating to the operation, erection, construction, alteration, improvement, maintenance, or repair of any public facility of public works, (i) requires or prohibits bidders, offerors, contractors, or subcontractors to enter into or adhere to agreements with one or more labor organizations, on the same or related projects, or (ii) discriminates against bidders, offerors, contractors, subcontractors, or operators for becoming or refusing to become or remain signatories or otherwise to adhere to agreements with one or more labor organizations, on the same or related public works projects.

**6. Budget Amendment Necessary:** No.

**7. Fiscal Impact Estimates:** See Item 8.

**8. Fiscal Implications:** Under existing law, state agencies cannot require or prohibit bidders, offerors, contractors, or subcontractors from entering into or adhering to labor agreements with labor organizations, nor can the state agencies discriminate against those same entities for becoming or refusing to sign project labor agreements. This legislation would repeal these provisions, such that state agencies could require or prohibit such agreements, or discriminate against such entities for becoming or refusing to sign such agreements, to the extent allowed by law. Those requirements or prohibitions would be discretionary and as such do not generate a fiscal impact at this time. Should agencies opt to include such requirements or prohibitions in contracts or procurements, the fiscal impact is indeterminate.

**9. Specific Agency or Political Subdivisions Affected:** All state public bodies unless the body has received an exemption from the VPPA, such as through the Higher Education Restructuring Act or the Appropriation Act.

**10. Technical Amendment Necessary:** No.

**11. Other Comments:** This legislation is a companion bill to SB182.