

Department of Planning and Budget 2020 Fiscal Impact Statement

1. Bill Number: SB406

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

2. Patron: Hashmi

3. Committee: General Laws

4. Title: Virginia Environmental Justice Act.

5. Summary: Establishes the Virginia Environmental Justice Act to environmental justice and ensure that it is carried out throughout the Commonwealth. Prior to taking any action, including the adoption of any regulation, guidance document, or policy, and prior to making any decision as to the use of any funding, a state agency shall determine whether such action or decision is likely to affect any environmental justice community or fenceline community. The bill requires each state agency to develop an agency-specific environmental justice policy no later than January 1, 2021. Each state agency shall review its environmental justice policy shall every five years and update it as needed. Each state agency authorized by its basic law, as defined in § 2.2-4001, to adopt regulations shall adopt regulations to effectuate the agency's environmental justice policy.

The bill provides that each of the Governor's Secretaries shall designate at least one environmental justice coordinator to represent the secretariat as a member Interagency Environmental Justice Working Group, established in the bill.

6. Budget Amendment Necessary: See item 8.

7. Fiscal Impact Estimates: Indeterminate.

8. Fiscal Implications: This bill requires that, prior to taking any action and making a funding decision, every state agency shall examine the impact that decision is likely to have on an environmental justice or fenceline community. Each agency shall develop an agency-specific environmental justice policy, and agencies that are authorized by Code to adopt regulations shall adopt regulations to further the agency's environmental justice policy. The extent of the review required is undefined. It is anticipated that this bill may have a greater impact on agencies in certain Secretariats, including the Secretariats of Transportation, Natural Resources, and Commerce and Trade, as the agencies in these areas promulgate and enforce a multitude of regulations and undertake construction projects. Additional resources are likely to be required; however, the totality of such resources cannot be determined.

The bill establishes the Interagency Environmental Justice Working Group, composed of the designated Environmental Justice Coordinators, with the purpose of assisting in the implementation of the provisions of the bill. The working group shall be staffed by the office

of the Secretary of Natural Resources, with additional support provided by all state agencies upon request of assistance.

9. Specific Agency or Political Subdivisions Affected: All state agencies; All Cabinet Secretaries.

10. Technical Amendment Necessary: No.

11. Other Comments: HB704 is similar to this bill.