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## SENATE BILL NO. 650

Offered January 12, 2024

A *BILL to amend the Code of Virginia by adding in Title 9.1 a chapter numbered 16, consisting of a section numbered 9.1-1600, relating to Emergency Response Toxic Exposure Grant Fund and Program.*

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 Referred to Committee on Rules
 

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**Be it enacted by the General Assembly of Virginia:**

**1. That the Code of Virginia is amended by adding in Title 9.1 a chapter numbered 16, consisting of a section numbered 9.1-1600, as follows:**

## CHAPTER 16.

## EMERGENCY RESPONSE TOXIC EXPOSURE GRANT FUND AND PROGRAM.

§ 9.1-1600. *Emergency Response Toxic Exposure Grant Fund and Program.*

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Emergency Response Toxic Exposure Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes of (i) awarding grants through the Emergency Response Toxic Exposure Grant Program and (ii) implementing and administering such grant program as provided in subsection B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Executive Director of the Virginia Department of Fire Programs.

B. The Emergency Response Toxic Exposure Grant Program (the Program) is hereby established for the purpose of awarding grants from such funds as may be available from the Fund to localities for providing support to local government employees who respond to emergencies formally declared by the Commonwealth or a locality where toxic materials are used or present or where such responders are otherwise exposed to toxic materials. The Program shall be administered by the Department of Fire Programs. In administering the Program, the Department of Fire Programs shall establish and publish guidelines and criteria for grant awards subject to appropriation, including guidelines and criteria that determine grant eligibility based on types of emergencies and local government responders qualifying for such grants. Grant awards shall, at a minimum, provide funding to make available annual cancer screenings for eligible local government responders and cover portions of health care costs in the event such responders develop cancer from toxic material exposure. The Department of Fire Programs shall oversee each grant awarded through the Program and ensure thorough reporting on each such grant.

2. That the Department of Fire Programs shall convene a work group to assess the implementation and administration of the Emergency Response Toxic Exposure Grant Fund and Program established pursuant to § 9.1-1600, as created by this act, and identify options to help ensure that local government employees who respond to emergencies that expose them to toxic materials have appropriate preemptive and ongoing health care and are able to pay any health expenses related to such emergency and its aftereffects that are not covered by relevant health insurance plans. The work group shall consider: (i) options for determining eligibility for Emergency Response Toxic Exposure Grant funding, factors that would qualify an event as an emergency for which such grants may be awarded, and what other emergencies in the past 15 years could or should qualify; (ii) a detailed plan for administering grants and moneys in the Fund; (iii) a review of relevant approaches used in other states and at the federal level for assisting such responders; (iv) identification of the appropriate body to invest and manage the funds; (v) a detailed plan for providing annual cancer screenings for eligible local government employee responders; and (vi) what types of out-of-pocket expenses should be addressed by grant funding. The work group shall consist of representatives from the Virginia Department of Fire Programs, the Department of Planning and Budget, the Virginia Retirement System, and the Department of the Treasury; a designee from each of the Virginia Fire Chiefs Association, the Virginia State Firefighters Association, and the Virginia State Police Association; and staff of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, and may include any

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59 other relevant stakeholders. The work group shall report its findings to the General Assembly by  
60 November 1, 2024.

61 3. That for purposes of the Emergency Response Toxic Exposure Grant Fund and Program  
62 established pursuant to § 9.1-1600, as created by this act, the 2012 incident in which a United  
63 States Navy jet crashed into a Virginia Beach apartment complex shall qualify as an emergency  
64 for which grant funding may be available.

65 4. That the provisions of the first enactment of this act shall not become effective unless reenacted  
66 by the 2025 Session of the General Assembly.