

**Department of Planning and Budget**  
**2024 Session Fiscal Impact Statement**  
**Revised 1/19/2024**

**1. Bill Number:** HB133

<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:** Convirs-Fowler

**3. Committee:** General Laws

**4. Title:** Emergency Response Toxic Exposure Grant Fund and Program.

**5. Summary:** Creates the Emergency Response Toxic Exposure Grant Fund and Program to provide funding to local government employee responders who were exposed to toxic materials when responding to emergencies declared by the Commonwealth or a locality. The bill directs the Department of Fire Programs (VD FP) to convene a work group to 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 findings are due to the General Assembly by November 1, 2024.

The bill also provides that the 2012 incident in which a United States Navy jet crashed into a Virginia Beach apartment complex would qualify as an emergency for which grant funding may be available.

**6. Budget Amendment Necessary:** Yes, Item 406.

**7. Fiscal Impact Estimates:** Preliminary, see Item 8 below.

**8. Fiscal Implications:** The Virginia Department of Fire Programs (VD FP) believes that to assist with the implementation and administration of the Fund and Program, once funding is appropriated for the Fund and Program, the agency would require one additional position at an estimated cost of \$117,106 annually. All costs associated with the proposed work group to assess the implementation and administration of the proposed grant Fund and Program are anticipated to be absorbed by VD FP.

According to the Virginia Department of the Treasury, there is no anticipated fiscal impact on the agency's operations as a result of this bill.

According to the Virginia Retirement System (VRS), exclusive benefit rules established in federal law, the Constitution of Virginia, and the Code of Virginia require VRS trust funds to be used exclusively for the benefit of its own members. As such, these rules do not allow the use of VRS staff or retirement trust funds for anything that is not directly related to the benefit of its own members, to include the reimbursement for staff time and other costs associated with the work group from other fund sources. Therefore, the participation of VRS in the work group as required by the bill would violate exclusive benefit rules.

- 9. Specific Agency or Political Subdivisions Affected:** Department of Fire Programs, Virginia Retirement System, local and regional fire companies, Department of Planning and Budget, Department of the Treasury, Department of State Police.

- 10. Technical Amendment Necessary:** No.

- 11. Other Comments:** None.