

# Commission on Local Government

## Estimate of Local Fiscal Impact

2024 General Assembly Session | 1/16/24

In accordance with the provisions of 30-19.03 of the Code of Virginia, the staff of the Commission on Local Government offers the following analysis of legislation impacting local governments.

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**HB 378: Developer performance guarantees; clarifies existing provisions related to periodic partial release (Patron: David Owen)**

**Bill Summary:** Clarifies that existing provisions related to the periodic partial and final release of developer performance guarantees also applies to performance guarantees for erosion and sediment control measures, stormwater management facilities, and fill and borrow areas.

**Local Fiscal Impact:**    **Net Additional Expenditure:** \_\_\_\_\_    **Net Reduction of Revenues:** \_\_\_\_\_

**Summary Analysis:**

**Number of Localities Responding: 5 Cities, 8 Counties, 5 Towns, 0 Other**

Localities estimated no fiscal impact over the biennium.

Localities indicated that all increases in staff responsibilities can be accommodated by current staffing levels.

**Net Increase in Expenditures: Itemized Estimates by Responding Localities**

Locality	Juris	Recurring Expense- Personnel		Recurring Expense - Operating		Recurring Expense - Capital		Recurring Expense - Other	
		FY25	FY26	FY25	FY26	FY25	FY26	FY25	FY26
City of Alexandria	City								
City of Harrisonburg	City								
City of Richmond	City								
City of Winchester	City								
Lynchburg	City								
Bedford	County								
Charlotte County	County								
Fauquier	County								
Mecklenburg County	County								
Montgomery County	County								
Prince George County	County								
Rappahannock County	County								
York	County								
Town of Blacksburg	Town								
Town of Chincoteague	Town								
Town of Christiansburg	Town								
Town of Marion	Town								
Town of Victoria	Town								

**Net Increase in Expenditures: Itemized Estimates by Responding Localities**

Locality	Nonrecurring Expense - Operating		Nonrecurring Expense - Capital		Nonrecurring Expense - Other		Total Increase in Expenses (Biennium Total)
	FY25	FY26	FY25	FY26	FY25	FY26	
City of Alexandria							0
City of Harrisonburg							0
City of Richmond							0
City of Winchester							0
Lynchburg							0
Bedford							0
Charlotte County							0
Fauquier							0
Mecklenburg County							0
Montgomery County							0
Prince George County							0
Rappahannock County							0
York							0
Town of Blacksburg							0
Town of Chincoteague							0
Town of Christiansburg							0
Town of Marion							0
Town of Victoria							0

Locality	Expenditure Narrative by Responding Localities
City of Alexandria	This bill does not appear to have a fiscal impact.
City of Harrisonburg	The City's practices already comply with the content of the bill.
City of Richmond	No fiscal impact anticipated.
City of Winchester	
Lynchburg	Agree this is important to clarify
Bedford	
Charlotte County	
Fauquier	
Mecklenburg County	Our County would simply have to amend our ordinance to conform to the provisions of this bill, if enacted; however, there would be no cost to do so. It would be covered within existing staff work time.
Montgomery County	
Prince George County	Limited fiscal impact; funds are held in escrow to return once project is complete; no impact on County's position.
Rappahannock County	
York	York County currently has operating procedures in place for the acceptance, oversight, and release of developer performance guarantees. The performance guarantees are provided by the developer of a site, not the County. The only expenses the County spends is staff time related to inspections and management of the guarantees. The proposed bill will not affect our current operating procedures in any capacity. We technically already do this as we have our Planning Department who are responsible for the developer performance guarantees and they already coordinate with Public Works on the status and release of the E&SC, SWM, and Fill/Borrow guarantees.
Town of Blacksburg	Appears to be rather minor changes and in accordance with our current practice.
Town of Chincoteague	
Town of Christiansburg	The Town releases bonds for erosion and sediment control measures, stormwater management facilities, and fill and borrow areas in a timely manner now if the work is complete.
Town of Marion	
Town of Victoria	