

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB133ER

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Convirs-Fowler

3. **Committee:** Passed both houses.

4. **Title:** Local government; options for employees exposed to toxic materials

5. **Summary:** The substitute directs the Department of Fire Programs (DFP) to convene a work group to identify and analyze 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 will consider (i) options for creating and determining eligibility for a grant program to assist local government employee responders, 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 to support such grant program; (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 must report its findings to the General Assembly by November 1, 2024.

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

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

8. **Fiscal Implications:** According to the Department of Fire Programs (DFP), one additional part-time policy analyst is required to support the proposed work group. DFP reports that due to the proposed work group addressing policies and populations outside of the agency's scope of work, an additional staffer is required to assist in accomplishing the goals of the proposed work group. The cost of the part-time position will be \$23,040 of one-time funding in the first year, assuming the position earns an hourly wage of \$30 per hour, works a maximum of 32 hours per week, and a total term of employment of 24 weeks.

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.

Any fiscal impact on the Department of the Treasury is expected be absorbed.

9. Specific Agency or Political Subdivisions Affected: Department of Fire Programs, Department of Planning and Budget, Virginia Retirement System, Department of the Treasury, Virginia State Police Association.

10. Technical Amendment Necessary: No.

11. Other Comments: None.