2026 General Assembly Legislative Report

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Charter

SB343/HB887 - Amends town Charter regarding Town Manager and removes reference to Herndon School Board. Effective date: July 1, 2026. No further action is needed.

Housing & Land Use

SB74 / HB867 - Authorizes an affordable housing dwelling unit program to include additional implementation measures including lot size reductions and accessory housing unit allowances. Coordination with FFCo Housing Authority is necessary. Ordinance Required. Delayed effective date of July 1, 2027.

SB388 – Administrative Approval of affordable housing; religious organizations and other nonprofit tax-exempt properties.
Effective Date: January 1, 2027 and Expiration Date**:** January 1, 2031.

HB594 - Allows a locality to authorize a zoning administrator to use an administrative process to approve rezoning applications for certain affordable housing developments. *Ordinance required.*

SB181 - Allows localities to grant partial real estate tax exemptions for conversions that include affordable housing. *Ordinance required*.

HB1144 – Allows localities to reimburse first-time homebuyers for water/sewer fees and to waive such fees for affordable dwelling unit developments. *Ordinance required.*

Housing & Land Use

SB531 - Requires a locality to include in its zoning ordinances for single-family residential zoning districts accessory dwelling units, or ADUs, as defined in the bill, as a permitted accessory use. Effective Date: July 1, 2027. Recommended Action: No action will be needed by the Town Council. The bill specifically exempts localities that adopted an ADU ordinance prior to January 1, 2026.

HB888 – In areas ½ mile of an entrance to a mass transit station (*Metro)* provides that no locality shall adopt or enforce any provision of a zoning ordinance that imposes minimum off-street parking. Localities with populations greater than 20,000 shall, by ordinance, provide for an administrative reduction of minimum off-street parking requirements of not less than 20 percent for residential, multifamily, or mixed-use development proposed on parcels not located within a designated area. Effective Date: July 1, 2026. *Ordinance required*

HB549 / SB589 – Expands certain existing local government authority to plant or replace trees during the development process by expanding such authority statewide. *Ordinance required.*

HB833 – Allows localities, starting July 1, 2027, to require EV-ready or EV-capable parking in commercial, industrial, and multifamily developments. *Ordinance required*.

Public Safety & Code Enforcement

HB343 – Permits localities to require children 14 years of age or younger to wear helmets whenever riding or being carried on a motorized skateboard or scooter or a nonmotorized scooter. *Ordinance required.*

HB783 – Parking enforcement; Removes the population requirement for a locality to be authorized to, by ordinance, authorize law-enforcement officers, other uniformed employees of the locality, and uniformed personnel serving under contract with the locality to issue a summons or parking ticket for a violation of an ordinance regulating the parking, stopping, and standing of vehicles. Effective Date: July 1, 2026. *Ordinance required*

Taxation, Finance, and Procurement

HB341 - Plastic bag tax; distribution to towns. Requires that any town located within a county that has imposed a disposable plastic bag tax receive a distribution of revenues collected by the county based on the local sales tax distribution formula for appropriations to towns. The bill restricts a town's use of such revenues to the same purposes allowable for a county or city.
Effective Date: July 1, 2026. Coordinate with Fairfax County for implementation.

Environmental and Utilities

HB1350 – Authority to increase erosion & sediment control civil penalties. *Ordinance required*

HB250 - Electric utilities; Cannot prohibit small portable solar generation devices.

Misc. Administration of Government

HB630 / SB176 – Expands ranked choice voting eligibility to all local governing bodies, including towns

SB699 – Freedom of Information Act requires public bodies to post the proposed agenda on the public body's official government website, if any, prior to the meeting. No final action may be taken on any items added to an agenda after a meeting commences unless the matter is time-sensitive or is the subject of a closed meeting properly identified in a motion in accordance with FOIA requirements and defines "final action.“ Effective Date: July 1, 2026. Staff will review the Town Council’s Rules of Procedure and recommend whether any amendments are needed to be effective by July 1, 2026.

HB1 - Minimum wage; increases incrementally to $15.00 per hour by January 1, 2028.
Town staff will have to implement the new rates according to the outlined schedule.

SB2 - Paid family & med. leave insurance program; definitions, notice requirements, civil action, report.
Requires the Virginia Employment Commission to establish and administer a paid family and medical leave insurance program with benefits beginning April 1, 2028. Funding for the program is provided through premiums assessed to employers and employees beginning April 1, 2028. Effective Date: April 1, 2028

Vetoed Legislation

SB756 - Casino gaming; eligible host localities.
The governor vetoed a bill adding Fairfax County to the list of localities eligible to host a casino in the Commonwealth and provides that any proposed site for a casino gaming establishment considered by Fairfax County shall be (i) located within one-quarter of a mile of an existing station on the Metro Silver Line, (ii) part of a coordinated mixed-use project development consisting of no less than 1.5 million square feet, (iii) within two miles of a regional enclosed mall containing not less than 1.5 million square feet of gross building area, and (iv) outside of the Interstate 495 Beltway.

SB661 - Regulation and taxation of skill game machines.
The Governor vetoed a bill requiring the registration and licensing requirements for the manufacture, distribution, operation, hosting, and playing of electronic skill gaming devices under the regulatory authority of the Virginia Lottery.

Amended Legislation

HB1263 - Public employees; repeals existing prohibition on collective bargaining, etc.
Status: The General Assembly rejected the Governor's amendments. The Governor can either sign the bill as originally passed by the General Assembly or veto the bill.

SB542 - Cannabis control; establishes framework for creation of retail marijuana market, penalties, report.

Status: The General Assembly rejected the Governor's amendments. The Governor can either sign the bill as originally passed by the General Assembly or veto the bill.

Next Steps

1. **Staff Review:** Departments should review enacted legislation relevant to their operations.
2. **Ordinance/Policy Updates:** Any required changes will be brought forward for Council consideration as needed.
3. **Ongoing Monitoring:** Staff will continue tracking guidance, regulations, and future legislative developments.