

25102073D

HOUSE BILL NO. 1992

Offered January 13, 2025

Prefiled January 7, 2025

A BILL to amend the Code of Virginia by adding sections numbered 44-146.19:1 and 44-146.19:2, relating to Virginia Emergency Management Preparedness and Capabilities Grant Program and Fund established; work group; report.

Patron—Askew

Referred to Committee on Appropriations

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding sections numbered 44-146.19:1 and 44-146.19:2 as follows:

§ 44-146.19:1. Virginia Emergency Management Preparedness and Capabilities Grant Program; report.

A. For the purposes of this section:

"Department" means the Department of Emergency Management.

"Emergency management professional" means an employee of the political subdivision whose duties are substantially dedicated to planning for, responding to, recovering from, and mitigating the threat or impact of natural, technological, and human-caused hazards.

"Fund" means the Virginia Emergency Management Preparedness and Capabilities Fund.

"Program" means the Virginia Emergency Management Preparedness and Capabilities Grant Program.

"Political subdivision" means a locality with an established emergency management agency established pursuant to § 44-146.19.

B. There is hereby established the Virginia Emergency Management Preparedness and Capabilities Grant Program for the purpose of assisting political subdivisions with the cost of emergency management and preparedness. The Program shall be administered by the Department, and the Department shall establish guidelines for the administration of the Program, including (i) establishing procedures for application for a grant award by a political subdivision, (ii) ensuring that grants awarded to political subdivisions are used for the purpose of developing or enhancing emergency management capabilities in political subdivisions, (iii) ensuring that grants are not used to supplant existing funding, and (iv) establishing monitoring and accountability mechanisms to include procedures for obtaining repayment of misused funds. The Department may receive an amount no greater than 2.5 percent of the total amount of grants annually awarded to cover the administrative costs of managing the Program. The Department shall also develop criteria for awarding grants from the Fund, including procedures for determining the amount of the grant award.

C. All political subdivisions that receive a grant are required to provide a 50 percent match of local or federal funds. Such match may include the salary and benefits of locally funded emergency management professionals whose salary and benefits are not being counted as the match requirement for any other state or federal grant program. Political subdivisions shall, as a condition of receiving funds from the Program, use such funds only for the purposes described in this section. Such funds shall be kept segregated by the political subdivision from all other funds. In the event that funds provided by the Program are used for any purpose other than those described in this section, the political subdivision shall repay such funds to the Program.

D. Grants awarded to political subdivisions by the Program shall be used for the purpose of hiring a full-time emergency management professional or converting a part-time emergency management professional to full-time status. Upon certification to the Department by the political subdivision that it already employs at least one full-time emergency management professional, or has used a portion of its grant award to convert an emergency management professional from part-time to full-time status, it may then use the grant award to (i) prepare or maintain a local or interjurisdictional emergency operations plan and annual emergency management assessment in accordance with subsections E and F of § 44-146.19; (ii) establish an alert and warning plan, including costs for the purchase of or subscription to alert origination software, to achieve or maintain compliance with subsection G of § 44-146.19; (iii) purchase audiovisual, communications, or information technology or power generation equipment, furniture, software, or subscription services that enable the political subdivision to establish or enhance a room or facility already owned or leased by the locality to serve as the locality's emergency operations center as outlined in the locality's adopted emergency operations plan; or (iv) purchase a motor vehicle for the operational response or logistical support needs of the locality's emergency management program, to include any upfitting or communications equipment required for the vehicle to be operated in accordance with § 46.2-1023.

E. On or before December 1, 2025, and each year thereafter, the Department shall submit a report to the

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HB1992

59 *Secretary of Public Safety and Homeland Security, the Governor, and the Chairmen of the House Committee*
60 *on Public Safety and the Senate Committee on Finance and Appropriations. The report shall include the*
61 *number of grants awarded, the number of full-time or part-time emergency management positions created or*
62 *sustained in political subdivisions using Program funding, the number of other projects funded that assisted a*
63 *political subdivision in achieving or maintaining compliance with § 44-146.19, and an executive summary of*
64 *such projects.*

65 **§ 44-146.19:2. Virginia Emergency Management Preparedness and Capabilities Fund.**

66 *A. There is hereby created in the state treasury a special nonreverting fund to be known as the Virginia*
67 *Emergency Management Preparedness and Capabilities Fund. The Fund shall be established on the books of*
68 *the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and*
69 *other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest*
70 *earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the*
71 *Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall*
72 *remain in the Fund. Expenditures and disbursements from the Fund shall be made by the State Treasurer on*
73 *warrants issued by the Comptroller upon written request signed by the State Emergency Planning Director.*

74 **2. That the Secretary of Public Safety and Homeland Security (the Secretary) shall establish a work**
75 **group composed of representatives from the Department of Emergency Management, the Department**
76 **of Planning and Budget, the Virginia Emergency Management Association, the Senate Committee on**
77 **Finance and Appropriations, the House Committee on Appropriations, and such other stakeholders as**
78 **the Secretary deems appropriate to study existing emergency management needs, analyze**
79 **sustainability of current funding, review alternative funding models from other states, and develop**
80 **recommendations for long-term funding of the Virginia Emergency Management Preparedness and**
81 **Capabilities Fund, as created by this act. In conducting its study, the work group may hire an outside**
82 **consultant and shall analyze local capability assessment for readiness reports, recent after-action**
83 **reports from declared emergency events, historical trends of federal homeland security and emergency**
84 **management funding, any gaps in current funding, how other states fund emergency management**
85 **services, and best practices from other states. The Secretary shall report the work group's findings and**
86 **recommendations to the Chairmen of the House Committee on General Laws and the Senate**
87 **Committee on General Laws and Technology on or before October 1, 2025.**