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SENATE BILL NO. 1487

Offered January 17, 2025

A *BILL* to direct the Governor to establish committees aimed at protecting resiliency of the Commonwealth's critical infrastructure.

Patrons—Cifers and Durant

Referred to Committee on Rules**Be it enacted by the General Assembly of Virginia:**

1. § 1. That the Governor, in consultation with the Attorney General, the Secretary of Public Safety and Homeland Security, and the Adjutant General of the Virginia National Guard, shall appoint a Critical Infrastructure Committee (CIC) no later than September 1, 2025. The CIC shall consist of eight members, including security professionals, utility representatives, and scientists, and shall be tasked with conducting an inventory and assessment of Virginia's critical infrastructure and ranking of such in order of necessity for providing essential and critical life-saving functions to the citizens of the Commonwealth. The CIC shall report to the Governor no later than January 1, 2026, on what infrastructure should be protected against all hazards, including cyberattacks on operational technology (OT) systems, physical attacks, high-power radio-frequency weapons (HPRFs), electromagnetic pulses (EMPs), and natural disasters, including solar weather and coronal mass ejections (CMEs). The report shall include a ranking of the CIC's infrastructure protection recommendations in order of importance based on protecting the largest number of Virginians from death or illness as a result of the loss of power, water, communications, access to food or fuel, and law enforcement or protective services. The report shall also include cost estimates for appropriate technologies to protect critical infrastructure, including estimates for shielding, surge protection, ballistic protection, and other measures to protect or defend from attack or natural disasters.

§ 2. That the Governor, in consultation with the Attorney General and the Secretary of Commerce and Trade, shall appoint a Resilient Energy Committee (REC) no later than September 1, 2025. The REC shall consist of eight members, including energy experts, utility representatives, consumer advocates, and State Corporation Commission commissioners, and shall be tasked with identifying potential locations for "resilient islands" where back-up power is sited to ensure the protection of essential life-sustaining critical infrastructure necessary for the continuation of power, water, food, fuel, law enforcement, and essential services to the citizens of the Commonwealth. The REC shall review the potential utilization of all-hazard protected small modular nuclear reactors, renewable power, flexible fuel power generation, and other back-up power modalities. Additionally, the REC shall estimate the essential service power requirements of and provide cost estimates on the number, location, and types of resilient power recommended. The REC shall submit a report to the Governor and the General Assembly no later than January 1, 2026, with its findings and recommendations for siting resilient power sources. The report shall also include recommendations for utilities to maintain an inventory of spare transformers, filters, chemicals for water and wastewater treatment, and other materials necessary for repairing critical infrastructure.

§ 3. That the REC established pursuant to § 2 shall, in coordination with the State Corporation Commission, evaluate options to streamline regulatory requirements for the location and building of new resilient power and to provide surge protection and shielding in new homes and buildings and when retrofitting existing residences and buildings.

§ 4. That the State Corporation Commission shall review all reports submitted to the Governor by the CIC and the REC and make recommendations on funding the hardening of and improvements to existing systems and the construction of new infrastructure. Such funding recommendations may include a multiyear increase in electricity rates or the establishment of a critical infrastructure and resilient energy fund. Such fund, if established, shall be used for cybersecurity and all-hazard protection of OT systems, EMP surge protection, electromagnetic shielding, and other security and resilient power needs over an authorized 10-year period.

§ 5. That the Virginia National Guard and all law-enforcement agencies shall establish a plan to maintain order in the event of an attack or natural disaster under the direction of the Adjutant General, the Attorney General, the Secretary of Commerce and Trade, and the Secretary of Public Safety and Homeland Security, and in consultation with federal agencies where necessary. The plan shall be submitted to the Governor and General Assembly no later than February 1, 2026.

§ 6. That no more than \$2 million shall be appropriated by the General Assembly to fund the studies required pursuant to this act and the implementation of the recommendations that result from such studies.

INTRODUCED

SB1487