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HOUSE BILL NO. 496

Offered January 14, 2026

Prefiled January 12, 2026

A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 22 of Title 15.2 a section numbered 15.2-2209.4, relating to siting of data centers; site assessment; water usage disclosures.

Patrons—Guzman and Cole, J.G.

Committee Referral Pending

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding a section numbered 15.2-2209.4 as follows:

§ 15.2-2209.4. Siting of data centers; site assessment; water use disclosures.

A. For the purpose of this section:

"Data center" means the same as that term is defined in subdivision A 43 of § 58.1-3506.

"Water use" means all water used in the operation of a data center.

B. Prior to any approval of a rezoning application, special exception, or special use permit for the siting of a new data center, a locality shall require that an applicant perform and submit a site assessment to examine and disclose, to the extent practicable and within the timeline provided by subdivision A 7 of § 15.2-2286, the expected water use for the new data center.

C. An applicant that is proposing the by-right development of a new data center shall disclose the expected water use at the time of site plan or plan of development submission required by subdivision A 8 of § 15.2-2286.

D. Water use disclosures required under this section shall include specified metrics including average daily use, maximum daily use, and total maximum annual use.

E. Notwithstanding any other provision of law, any applicant proposing the development of a new data center shall not (i) use nondisclosure or confidentiality provisions or agreements or (ii) redact water and wastewater service agreements to abrogate the requirements of this section.

F. Nothing in this section shall be construed to prohibit, limit, or otherwise supersede existing local zoning authority.