

Department of Planning and Budget
2026 General Assembly Session
State Fiscal Impact Statement

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ORIGINAL

Bill Number: HB134

Patron: Simon

Bill Title: Virginia Conservation Easement Act; definitions; federally recognized tribes.

Bill Summary: Provides that a federally recognized tribe, as defined in the bill, can be a conservation easement holder and that such a tribe is not bound by the same restrictions on the location of a principal office or the duration of existence that are placed on other types of easement holders. This bill is a recommendation of the Commission on Updating Virginia Law to Reflect Federal Recognition of Virginia Tribes.

Budget Amendment Necessary: No.

Items Impacted: N/A.

Explanation: This bill involves the Department of Conservation and Recreation (DCR); however, a budget amendment is not required to implement the provisions of the bill.

Fiscal Summary: It is anticipated that this bill will not result in a fiscal impact to DCR.

Fiscal Analysis: This impact statement is preliminary. This bill adds federally recognized tribes to the list of eligible holders of conservation easements under the Virginia Conservation Easement Act. DCR administers the provisions of this act. Currently, the definition of an eligible holder of a conservation easement includes certain restrictions related to location of a principal office and duration of existence. This bill removes these restrictions from federally recognized tribes, allowing them to serve as conservation holders. Presently, there are seven federally recognized tribes in Virginia.

Other: This bill addresses conservation easements, which are administered by DCR. The Departments of Forestry and Historic Resources administer open-space easements, which are not addressed in this bill.