

# 2026 SESSION

INTRODUCED

26102796D

1 **HOUSE BILL NO. 1430**

2 Offered January 22, 2026

3 *A BILL to amend and reenact §§ 15.2-2328 and 15.2-2329 of the Code of Virginia, relating to impact fees.*

4 Patron—Cousins

5 Referred to Committee on Counties, Cities and Towns

6 **Be it enacted by the General Assembly of Virginia:**

7 **1. That §§ 15.2-2328 and 15.2-2329 of the Code of Virginia are amended and reenacted as follows:**

8 **§ 15.2-2328. Applicability of article.**

9 The provisions of this article shall apply in their entirety to any locality ~~that has established an urban~~  
10 ~~transportation service district in accordance with § 15.2-2403.1. However, in any locality that has established~~  
11 ~~an urban transportation service district in accordance with § 15.2-2403.1, the authority granted by this~~  
12 ~~article may be exercised only in areas outside of the urban transportation service districts and on parcels that~~  
13 ~~are currently zoned agricultural and are being subdivided for by-right residential development. The authority~~  
14 ~~granted by this article shall expire on December 31, 2008, for any locality that has not established an urban~~  
15 ~~transportation service district and adopted an impact fee ordinance pursuant to this article by such date~~  
16 ~~district.~~

17 **§ 15.2-2329. Imposition of impact fees.**

18 A. Any locality that includes within its comprehensive plan a calculation of the capital costs of public  
19 facilities necessary to serve residential uses may impose and collect impact fees in amounts consistent with  
20 the methodologies used in its comprehensive plan to defray the capital costs of public facilities related to the  
21 residential development.

22 B. Impact fees imposed and collected pursuant to this section shall only be used for public facilities that  
23 are impacted by residential development.

24 C. A locality imposing impact fees as provided in this section shall allow credit against the impact fees for  
25 cash proffers collected for the purpose of defraying the capital costs of public facilities related to the  
26 residential development. A locality imposing impact fees as provided in this section shall also include within  
27 its comprehensive plan a methodology for calculating credit for the value of proffered land donations to  
28 accommodate public facilities, and for the construction cost of any public facilities or public improvements  
29 the construction of which is required by proffer.

30 D. A locality imposing impact fees under this section may require that such impact fees be paid prior to  
31 and as a condition of the issuance of any necessary building permits for residential uses.

32 E. For the purposes of this section, "public facilities" shall be deemed to include: (i) roads, streets, and  
33 bridges, including rights-of-way, traffic signals, landscaping, and any local components of federal or state  
34 highways; (ii) stormwater collection, retention, detention, treatment, and disposal facilities, flood control  
35 facilities, and bank and shore protection and enhancement improvements; (iii) parks, open space, and  
36 recreation areas and related facilities; (iv) public safety facilities, including police, fire, emergency medical,  
37 and rescue facilities; (v) primary and secondary schools and related facilities; and (vi) libraries and related  
38 facilities; ~~however, the definition "public facilities" for counties within the Richmond MSA shall be deemed~~  
39 ~~to include: roads, streets, and bridges, including rights-of-way, traffic signals, landscaping, and any local~~  
40 ~~components of federal or state highways.~~

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