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SENATE BILL NO. 635
AMENDMENT IN THE NATURE OF A SUBSTITUTE
(Proposed by the Senate Committee on Finance and Appropriations
on February 12, 2026)
(Patron Prior to Substitute—Senator McDougle)

A *BILL to direct the Department of Emergency Management to assess the feasibility and impact of developing a program to prioritize the prevention and mitigation of damage, loss, hardship, or suffering due to the anticipated impacts of an imminent emergency necessitating a gubernatorial declaration of a state of preparedness or an emergency that does not warrant a gubernatorial declaration of a state of emergency; report.*

Be it enacted by the General Assembly of Virginia:

1. § 1. *As used in this act, "state of preparedness" means the condition declared by the Governor when, in his judgment, the threat or danger of a credible emergency or a disaster in any part of the Commonwealth is of sufficient severity and magnitude to warrant disaster preparedness assistance by the Commonwealth to supplement the preparedness efforts and pre-position available resources of the several localities and relief organizations in order to prevent or alleviate the damage, loss, hardship, or suffering threatened or caused thereby.*

§ 2. *That the Department of Emergency Management (the Department) shall assess the feasibility and impact of developing a program to prioritize the prevention and mitigation of damage, loss, hardship, or suffering due to the anticipated impacts of an imminent emergency necessitating a gubernatorial declaration of a state of preparedness, or an emergency that does not warrant a gubernatorial declaration of a state of emergency. In conducting the assessment, the Department shall evaluate and develop recommendations for the following:*

1. *Criteria for determining whether an emergency situation warrants a response from the Department when such emergency does not warrant a gubernatorial declaration of a state of emergency;*

2. *Procedures for the procurement, maintenance, and replenishment of materials, equipment, and supplies, in such quantities and at such locations as the Department may deem necessary to ensure readiness and to preserve the lives, property, and economic well-being of the people of the Commonwealth prior to and during an imminent emergency necessitating a gubernatorial declaration of a state of preparedness or an emergency that does not warrant a gubernatorial declaration of a state of emergency;*

3. *The feasibility of seeking reimbursement from any person causing or contributing to an emergency or disaster for expenses incurred by the Department for the protection, relief, and recovery from loss or damage caused by such person; and*

4. *Cost estimates, including personnel, administrative, and equipment expenses that will be incurred by the Department, or by any other state agency or political subdivision or other entity, in and for responding to an emergency that does not warrant a gubernatorial declaration of a state of emergency.*

§ 3. *That the Department shall submit a report on its findings and recommendations to the Governor and the Chairs of the Senate Committees on Finance and Appropriations and General Laws and Technology and the House Committee on Appropriations no later than November 1, 2026.*

SENATE SUBSTITUTE

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