

This bill requires the Safety and Health Codes Board to adopt regulations establishing standards designed to protect workers from heat illness during indoor and outdoor work, as well as convene an advisory panel to assist in developing such regulations, including employee advocates, employee stakeholders, stakeholders from the agriculture and business industries, and stakeholders from public institutions of higher education. DOLI anticipates that the Board will need five additional meetings at a total cost of \$22,000 in FY 2028.

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

Under this bill, paragraph C of § 40.1-44.2, Code of Virginia, states that these regulations shall be enforced as specified in existing Code sections related to safety provisions for protection of employees. Because these standards are state specific, DOLI does not anticipate any federal support for enforcement. Based on previous implementation of state specific standards for infectious disease prevention in response to COVID, DOLI anticipates the need for up to 120 inspections annually; however, the actual number of investigations that would result from this bill is unknown at this time. The agency believes the standards will be comparable in terms of workload because they are health standards to prevent illness and impairment; have requirements for employers to develop policies, procedures, and prevention methods; have lack of control methodologies; and respond to ubiquitous hazards that can occur on or off the worksite. The standard is triggered at a heat index to be set by the Board and exempts heat exposure lasting no longer than 15 consecutive minutes; therefore, inspection volume may be lower than initially anticipated.

Each inspector is expected to conduct at least 30 annual inspections, so up to four positions may be needed. Each additional heat illness investigator requires a general fund expenditure of \$190,864 for salary, fringe, and overhead for a total of \$763,486. Additionally, an annual cost of \$4,425 is anticipated to support translation services for inquiries and documents. Because the bill directs the Board to adopt the regulations no later than May 1, 2028, enforcement costs are assumed to begin on that date.

The regulations may include fines for employers who violate the standards. Revenue would be paid to the Literary fund. Any amount estimates are not possible prior to establishment of the standards and the amounts of the fines.

Budget amendments to SB30 adopted by the Senate provided \$4.8 million in general fund support in FY 2027 and \$2.8 million in FY 2028, and 10 positions, for the department to hire additional personnel for labor law enforcement.

Other: The companion to this bill is HB1092.