

# VIRGINIA ACTS OF ASSEMBLY - 2026 RECONVENED SESSION

## CHAPTER 1121

*An Act to amend the Code of Virginia by adding a section numbered 15.2-937.1 and by adding in Article 3 of Chapter 9 of Title 22.1 a section numbered 22.1-141.2:1, relating to compost and other products containing organic soil amendments; waste disposal infrastructure; civil penalty.*

[H 1011]

Approved May 14, 2026

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

**1. That the Code of Virginia is amended by adding a section numbered 15.2-937.1 and by adding in Article 3 of Chapter 9 of Title 22.1 a section numbered 22.1-141.2:1 as follows:**

**§ 15.2-937.1. Localities may require separation of organic waste; civil penalty.**

*A. For purposes of this section:*

*"Generator" means a generator of large quantities of organic waste, including public and nonpublic school facilities, supermarkets, convenience stores, or similar establishments; a business, school, or institutional cafeteria; and a cafeteria operated by or on behalf of the Commonwealth or a locality.*

*"Organic waste" means material derived from the processing or discarding of food, including pre-consumer and post-consumer vegetables, fruits, grains, dairy products, and meats.*

*B. Any locality may, by ordinance, require that certain generators separate organic waste from other solid waste and ensure that such organic waste is diverted from final disposal in a refuse disposal system. The ordinance may require that generators divert organic waste from final disposal in a refuse disposal system by (i) reducing the amount of food residuals generated; (ii) donating servable food; (iii) managing the organic waste in an on-site organics recycling system; (iv) providing for the collection and transportation of organic waste for agricultural use, including for use as animal feed or for processing in an organics recycling facility or anaerobic digester; or (v) engaging in some combination of those waste diversion activities. However, a locality that adopts an ordinance pursuant to this section shall require that a business generating at least one ton of organic waste weekly compost such organic waste at a permitted facility if such facility is within 30 miles of the business, unless the business demonstrates in writing that the permitted facility will not accept the organic waste.*

*C. The ordinance shall only apply to a generator that generates a threshold amount of organic waste, as established in the ordinance. Such generator may apply for a waiver from the above requirements if the generator demonstrates undue hardship in accordance with criteria established by the locality.*

*D. The ordinance may establish civil penalties for violations of the ordinance. A locality shall first issue a warning to a generator that violates the ordinance. After receiving a warning, a generator that subsequently violates the ordinance is subject to a civil penalty to be collected in a civil action brought by the locality. The civil penalty is \$250 for a second violation, \$500 for a third violation, and \$1,000 for a fourth or subsequent violation. Each day a violation occurs is a separate violation. Penalties collected under the ordinance shall be payable to the treasury of the locality.*

**§ 22.1-141.2:1. Waste disposal infrastructure.**

*A. For purposes of this section:*

*"Organic waste" means the same as that term is defined in § 15.2-937.1.*

*"Waste disposal infrastructure" means a physical waste disposal line located near a cafeteria that allows a student to efficiently and properly dispose of organic waste at the end of a meal.*

*B. It is the intent of the General Assembly that new public school buildings and facilities and improvements and renovations to existing public school buildings and facilities include waste disposal infrastructure that includes a place for the disposal of trash, recyclables, and organic waste and a sink for liquid waste.*