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SENATE BILL NO. 474

Offered January 14, 2026

A BILL to amend the Code of Virginia by adding in Article 1 of Chapter 11 of Title 28.2 a section numbered 28.2-1102.1, relating to Virginia Institute of Marine Science; Atlantic Menhaden Research Fund established; report.

Patron—Marsden

Referred to Committee on Finance and Appropriations

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 11 of Title 28.2 a section numbered 28.2-1102.1 as follows:

§ 28.2-1102.1. Atlantic Menhaden Research Fund; report.

A. There is hereby created in the state treasury a special nonreverting fund to be known as the Atlantic Menhaden Research Fund, referred to in this section as "the Fund." The Fund shall be established on the books of the Comptroller. All funds appropriated for such purpose and any gifts, donations, grants, bequests, and other funds received on its behalf shall be paid into the state treasury and credited to the Fund. Interest earned on moneys in the Fund shall remain in the Fund and be credited to it. Any moneys remaining in the Fund, including interest thereon, at the end of each fiscal year shall not revert to the general fund but shall remain in the Fund. Moneys in the Fund shall be used solely for the purposes established in subsection B. Expenditures and disbursements from the Fund shall be made by the State Treasurer on warrants issued by the Comptroller upon written request signed by the Dean and Director of the Institute.

B. 1. The Institute, in collaboration with the Commission, shall utilize moneys from the Fund to produce research relating to Atlantic menhaden necessary to inform a scientifically defensible and ecologically meaningful harvest limit for Atlantic menhaden in the Chesapeake Bay and an annual report summarizing such research. Such research and report shall also be produced in collaboration with relevant stakeholders, including recreational anglers, the reduction and bait fishery sectors, and nongovernmental organizations.

2. The report shall address (i) the seasonal abundance of Atlantic menhaden in the Chesapeake Bay; (ii) the movement rates of Atlantic menhaden between the coast of the Atlantic Ocean and the Chesapeake Bay; (iii) the impacts of predator demand, such as striped bass and osprey, and predator consumption of Atlantic menhaden on the Atlantic menhaden population; (iv) the spatial and temporal patterns of the Atlantic menhaden commercial fishing efforts in the Chesapeake Bay; and (v) the possibility of localized depletion of Atlantic menhaden in the Chesapeake Bay.

3. The Menhaden Management Advisory Committee established pursuant to § 28.2-208.2, in consultation with the Department of Workforce Development and Advancement, shall contribute analysis and recommendations to the report relating to the following potential workforce impacts: (i) projected workforce impacts from changes to the total allowable catch of Atlantic menhaden in the Atlantic Ocean and the Chesapeake Bay and (ii) recommendations for retraining and supporting workers impacted by such changes.

4. The Institute shall annually report its progress, findings, recommendations, and a proposal for expenditures and disbursements from the Fund for the following year to the Chairs of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources, the Secretary of Natural and Historic Resources, the Ecological Reference Point Work Group of the Atlantic States Marine Fisheries Commission, and the Menhaden Management Advisory Committee no later than October 1 of each year beginning in 2027.

2. That the Virginia Institute of Marine Science may utilize recommendations from (i) the Virginia Institute of Marine Science report to the General Assembly entitled Atlantic Menhaden Research Planning submitted pursuant to Chapter 284 of the Acts of Assembly of 2023 or (ii) the Science Center for Marine Fisheries (SCEMFIS) research roadmap for Atlantic menhaden in the Chesapeake Bay in preparing the annual report mandated pursuant to § 28.2-1102.1 of the Code of Virginia, as created by this act.

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