

Department of Planning and Budget 2024 Session Fiscal Impact Statement

1. **Bill Number:** HB675

House of Origin Introduced Substitute Engrossed
Second House In Committee Substitute Enrolled

2. **Patron:** Runion

3. **Committee:** Education

4. **Title:** Board of Visitors of the Virginia School for the Deaf and the Blind; authority to establish campus.

5. **Summary:** Permits the Board of Visitors of the Virginia School for the Deaf and the Blind to establish a campus police department, in compliance with the provisions of law relating to campus police departments established by institutions of higher education, and to employ campus police officers therein.

6. **Budget Amendment Necessary:** Item 498 of HB/SB29, Item 129 of HB/SB30

7. **Fiscal Impact Estimates:** Preliminary, see Item 8.

8. **Fiscal Implications:** The Virginia School for the Deaf and the Blind (VSDB) has an Office of Public Safety and Security that includes seven full-time officer positions, one full-time public safety director position, one part-time school security officer position, and one part-time security officer position. All existing positions are supported by the general fund. According to the Virginia Retirement System (VRS), security officers are not eligible for the Virginia Law Officers' Retirement System (VaLORS) retirement plan or Line of Duty Act (LODA) benefits. If, as a result of this bill, any of these existing positions are reclassified as campus police officers, they will become eligible for the VaLORS retirement plan and will be covered under the LODA. Any new campus police officer positions created as a result of this bill would be eligible for those benefits.

Based on the fiscal year 2025 rates in the introduced budget, the change in retirement plan membership from the normal state employee plan to the VaLORS plan would result in a change in employer retirement contributions from 12.52% to 24.60% of each impacted employee's salary. The estimated additional cost to VSDB for these increased rates is \$46,264 annually based on the eight employees currently eligible for VRS and potentially eligible for VaLORS. Based on the fiscal year 2025 LODA rate approved by the VRS Board, a cost of \$995 per position would apply for each campus police officer. For the existing ten positions, the additional cost to VSDB for LODA premiums would be \$9,950 annually. Depending on the demographics and experience of any potential VSDB personnel covered under LODA, their eligibility for benefits may impact future LODA premium rates for the Line of Duty Death and Health Benefits Fund. Based on available information and existing positions, the total additional general fund cost to VSDB is estimated at \$56,214 annually

beginning in fiscal year 2025. The cost may increase if VSDB hires additional campus police officers.

VRS estimates a nongeneral fund cost of \$42,000 in order to add a new employer to VaLORS, support the transition from VRS to VaLORS, provide special communications to VSDB and the new VaLORS participants, and revise publications on the VRS website. VRS will require additional nongeneral fund appropriation for fiscal year 2024 if the changes are to be implemented at the beginning of fiscal year 2025.

9. Specific Agency or Political Subdivisions Affected: Virginia School for the Deaf and the Blind, Virginia Retirement System, Department of Human Resource Management

10. Technical Amendment Necessary: No

11. Other Comments: VSB had the authority to establish a campus police department prior to the recodification of Title 23 into Title 23.1 in 2016. Current Va. Code § 23.1-809 authorizes public institutions of higher education to establish campus police departments. Va. Code § 23.1-100 defines “public institution of higher education” for purposes of Title 23.1 as follows: "Public institution of higher education" includes the [Virginia Community College] System as a whole and each associate-degree-granting and baccalaureate public institution of higher education in the Commonwealth. This definition does not include VSDB. Va. Code § 23-232, the predecessor statute to Va. Code § 23.1-809, provided that any public institution of higher education “named in § 23-14” was authorized to establish a campus police department. VSDB was included in the list of institutions in Va. Code § 23-14. VSDB operated with a campus police department until 2023 when the change in code was identified by the agency, and the VSDB Campus Police and Security Department was decommissioned.