

Department of Planning and Budget

2022 Fiscal Impact Statement

1. Bill Number: SB537

House of Origin	<input checked="" type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
Second House	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input type="checkbox"/> Enrolled

2. Patron: Marsden

3. Committee: Agriculture, Conservation and Natural Resources

4. Title: Trees; replacement and conservation during development process, powers of local government.

5. Summary: Expands to all localities provisions that currently only allow certain localities to adopt an ordinance providing for the planting and replacement of trees during the development process. The bill adds more flexibility for implementation and management of tree canopy banks, tree canopy credits, and tree canopy requirements. The bill changes and updates standards, reference documents, and published reference texts. The bill expands options for localities to disburse funds to charitable organizations. The bill adds percentage specifications for ordinances related to cemeteries. The bill removes the prohibition of invalidating local ordinances adopted before July 1, 1990, the allowance of 10-year minimum requirements for pre-1990 ordinances, and the inability to invalidate an ordinance adopted pursuant to the section relating to the replacement of trees during development process in certain localities. The bill provides guidelines for the Stakeholder Advisory Group, established by the bill to provide recommendations on the provisions of the bill, and its meetings; exemptions from the Administrative Process Act, section-specific definitions for public comment; and the Virginia Freedom of Information Act. The main provisions of the bill have a delayed enactment date of January 1, 2023; the remaining provisions are effective in due course.

6. Budget Amendment Necessary: No, see item 8.

7. Fiscal Impact Estimates: Preliminary, see item 8.

7a. Expenditure Impact:

<i>Fiscal Year</i>	<i>Dollars</i>	<i>Positions</i>	<i>Fund</i>
2024	\$50,000	-	GF

8. Fiscal Implications: The Department of Forestry (DOF) anticipates incurring a one-time general fund expenditure impact of \$50,000 to contract with an outside entity to develop the statewide tree canopy goals outlined in this bill. HB30/SB30, as Introduced, includes funding to expand the department's Urban and Community Forest program. With the additional funds included in the Introduced Budget Bill, DOF will have sufficient resources to develop and execute the plans required by this bill.

9. Specific Agency or Political Subdivisions Affected: Department of Forestry, localities

10. Technical Amendment Necessary: No

11. Other Comments: HB 1346, as introduced, also addresses the replacement and replacement of trees by a locality.