

Home Builders Association of Virginia

GENERAL ASSEMBLY REVIEW

2023 SESSION

Overview of 2023 Session

2,338

Bills introduced
by the House
and Senate

165

Bills with
Impact on
Housing
Industry

HBA of Virginia's 2023 Legislative Agenda

13

Bills on HBAV's
Legislative Agenda

9

Passed

3

Failed

1

Sent to Housing
Commission

4

Budget Amendments

HBA of Virginia's 2023 Legislative Agenda

Passed by the General Assembly – Pending Governor's Signature

- Extension of land-use approvals to 2025: [HB 1665](#) (Danny Marshall) and [SB 1205](#) (Lynwood Lewis)
- "In-Lieu Fee" mitigation for wetland and streams impacts: [HB 1628](#) (Carrie Coyner)
- Established requirement for localities to submit *annual* reports to the Department of Housing and Community Development detailing any adopted or amended local policies, ordinances, or processes affecting the development and construction of housing: [HB 2494](#) (Lee Ware)
- Workforce Development - Universal License Recognition: [HB 2180](#) (Will Morefield) and [SB 1213](#) (Ryan McDougle)
- Per-Project Development Review & Permit Fee Transparency: [HB 1671](#) (Scott Wyatt)
- Established "Residential-Ready" Sites and Structures Locator: [SB 1114](#) (Bill Stanley)
- Remove "Descriptive Summary" Requirement for Land-Use Application Public Notices: [HB 1473](#) (Buddy Fowler) **Bill language was incorporated into two other bills**

Sent to the Virginia Housing Commission

Virginia Housing Commission Review of Land-Use, Zoning, and Development Review Statutes; Report to Secretary of Commerce and Trade by November 2023: [HJ 507](#) (Danny Marshall)

Directs the Virginia Housing Commission to develop amendments to the "Planning, Subdivision of Land and Zoning" chapter of the Virginia Code to (i) streamline & enhance predictability in the development review process and (ii) alleviate the effects of local ordinances on housing costs and supply.

Failed to Advance

- Increases maximum amount of the historic rehabilitation tax credit that can be claimed by a taxpayer: [HB 1668](#) (Danny Marshall) and [SB 1066](#) (Scott Surovell)
- Constitutional Amendment: Tax Exemption/Abatement for New Construction Residential Development ([HJR 517](#))

Home Builders Association of Virginia

GENERAL ASSEMBLY REVIEW

2023
SESSION

HBA of Virginia's 2023 Legislative Agenda

Summary of Passed Legislation

Extension of Local Land Use Approvals – [HB 1665](#) (Marshall) / [SB 1205](#) (Lewis)

Extends the validity of plans, permits, and other local land-use approvals to July 1, 2025, provided that such approvals were valid as of July 1, 2020. Currently, those plans, permits, and approvals are set to expire July 1, 2023. These bills continue the statewide extensions enacted by the legislature in 2020 and 2022.

In-Lieu Fee Mitigation for Wetland and Stream Impacts – [HB 1628](#) (Coyner) **Also includes budget amendment**

Legislation and budget amendment seek to implement the state's "In-Lieu Fee" program, known as the Wetland and Stream Replacement Fund. The Fund, which was established in 2013 but never implemented, allows developers to mitigate wetland/stream impacts by providing funds to the Department of Environmental Quality (DEQ). HB 1628 ensures operational efficiency of the Fund. The budget amendment (page two) provides funding to the DEQ to assist in obtaining approval from the U.S. Army Corps of Engineers to operate the Fund, and one FTE to manage day-to-day operations of the Fund.

Universal License Recognition – [HB 2180](#) (Morefield) / [SB 1213](#) (McDougale)

Allows regulatory boards within the Department of Professional and Occupational Regulation (DPOR) to recognize licenses and certificates issued by another state and establishes a uniform process for transferring licenses and certificates into the state, with the goal to simplifying and expediting the transfers process for contractors and other applications and speed up the license transfer process for applicants and regulators.

Residential Land Development and Permit Fee Transparency – [HB 1671](#) (Wyatt)

Establishes requirement for localities to submit annual reports to the Department of Housing and Community Development detailing the total amount of fees collected per-project to process, review, and issue permits for all residential land development and construction activities.

Local Land-Use & Housing Policy Clearinghouse – [HB 2494](#) (Ware) **Also includes budget amendment**

Requires localities to submit annual reports to the Department of Housing and Community Development summarizing any new or amended local ordinances or policies affecting residential land development and construction, including zoning and subdivision ordinances, Comprehensive Plans, fees, and more. Establishes a statewide clearinghouse of local housing policies to inform policymakers and stakeholders about the evolving local regulatory landscape.

"Residential-Ready" Sites and Structures Locator – [SB 1114](#) (Stanley) **Also includes budget amendment**

Establishes the *Virginia Residential Sites and Structures Locator* to assist localities in marketing potential development sites (land or existing structures) to builders and developers.

Public Notice Requirements for Land-Use Applications and Ordinances – [HB 1473](#) (B. Fowler)

Improves efficiency of the development review process by removing requirement for localities to include a "descriptive summary" of land-use proposals in public hearing notices published in newspapers.