

INSTRUCTIONS TO STATE AGENCIES FOR COMPLETING MANDATE ASSESSMENTS

Section 2.2-613 of the Code of Virginia requires all state agencies to assess the impact of the mandates that they administer on local governments, and to determine whether any mandates can be altered or eliminated. Section 15.2-2903 charges the Commission on Local Government (CLG) with the responsibility for managing the mandate assessment process. Executive Order 58 (2007) provides details on the process.

State agencies administer over 450 mandates on local governments, which the CLG has enumerated and described in the Catalog of State and Federal Mandates on Local Governments. The CLG updates the catalog annually. For the most part, only new or significantly altered mandates are subject to assessment; however, the CLG may decide that reassessment of any mandate is warranted after considering input from state agencies, interest groups, and the public. No mandate can be reassessed more frequently than once every four years, and all must be in effect for at least two years prior to being assessed.

Early in each year, CLG staff determines which cataloged mandates are due for assessment and notifies the applicable state agencies. For each mandate, the agencies choose a 60 to 90-day assessment period in the following fiscal year. The CLG compiles this information into a schedule that is ultimately approved by the Governor and published in the Virginia Register.

Mandate Assessment Form

The CLG has prepared a template to assist state agencies in meeting their mandate assessment obligations. Assessments should not deviate from this format. Save the form on your computer.

To begin, locate the abstract for your particular mandate in the Catalog of State and Federal Mandates on Local Governments. The abstract provides the basic information that should be entered into the top of the form.

Detailed instructions for completing each item are included in the form itself (please delete these instructions in your final document).

Input From Local Governments

The assessment form requires information on the fiscal impact of mandates on local governments. Please note that under EO 58, section B.1(b), agencies have the ultimate responsibility for soliciting comments from local governments. Therefore, your agency will need to conduct its own outreach to local governments to gather sufficient fiscal impact data to complete your mandate assessment. You can use the fiscal impact form provided to assist in gathering fiscal impact data.

The CLG works with the Virginia Association of Counties and the Virginia Municipal League to encourage localities to provide comments and fiscal impact data. The CLG asks that participating localities submit forms summarizing the fiscal impact of the mandate within the first 30 days of each assessment period. Localities may or may not choose to submit information through this process, but if submitted, the CLG will forward them to you for incorporation into the assessment.

Completing the Assessment

Please be aware that in 2011, the General Assembly amended § 2.2-613 to require that each assessment include an estimate of the mandate’s fiscal impact on local governments, as well as a written justification as to why the mandate should or should not be eliminated.

Be advised that a response of “Not Applicable” on the assessment form is not acceptable. You must explain why the particular item is not applicable.

After finishing the assessment form for the mandate, you must print it out and have it signed by your department head and cabinet secretary. Please return the original signed, final assessment document to:

Zachary Robbins
Commission on Local Government
600 East Main Street, Suite 300
Richmond, VA 23219

In addition, please e-mail a .pdf of the signed document to [zachary.robbsins@ dhcd.virginia.gov](mailto:zachary.robbsins@dhcd.virginia.gov).

If you have any questions, please contact Zachary Robbins, Senior Policy Analyst at 804-371-8010, or zachary.robbsins@dhcd.virginia.gov.