



Recommended Positions on Bills

Legislative Subcommittee

January 24, 2023

PRINCIPLES

ACCESS TO VOTING

HB1444 Elections; voter identification containing a photograph required, availability of absentee voting.

OPPOSE

Primary Sponsor: [Delegate R. Lee Ware \(R\)](#)

Summary: Elections; voter identification containing a photograph required; availability of absentee voting in person; processing of returned absentee ballots; permanent absentee voter list repealed. Requires presentation of a form of identification containing a photograph in order to vote. A voter who does not show an accepted form of identification is entitled to cast a provisional ballot. The bill limits the period that absentee voting in person is available to the seven days prior to an election and allows localities to offer extended hours for absentee voting in person. Additionally, the bill repeals the provision that allows an absentee ballot that is returned after the close of polls to be counted if it is postmarked by election day and arrives by the Friday after the election. The bill makes changes to the processing of returned absentee ballots and repeals the permanent absentee voter list.

HB1467 Elections; voter identification containing photograph required, availability of absentee voting.

OPPOSE

Primary Sponsor: [Delegate Scott A. Wyatt \(R\)](#)

Summary: Elections; voter identification containing photograph required; who may register up to and including the day of the election; availability of absentee voting in person; return of absentee ballots. Requires presentation of a form of identification containing a photograph in order to vote and provides that a voter who does not have one of the required forms of identification is entitled to cast a provisional ballot. The bill repeals a provision that would permit any person who is qualified to register to vote to do so in person up to and including the day of the election and limits the persons who are entitled to register to vote after the close of registration records to members of a uniformed service on active duty, persons who are residing temporarily outside of the United States, and their spouses and dependents. The bill limits the period during which absentee voting in person is available from 45 days preceding the date of the election to the Wednesday, Thursday, Friday, and Saturday immediately preceding the date of the election. The bill requires that absentee ballots returned by mail be returned to the office of the general registrar by the close of polls on election day and be postmarked on or before the Saturday preceding the date of the election. The bill eliminates the use of drop-off locations for the return of absentee ballots. The bill requires absentee ballot applications to contain the last four digits of the applicant's social security number and provides that the failure of an absentee ballot to include a witness signature is a material omission, rendering the ballot void.

(*Grayed out bills in this document indicate that the bill has failed by the time of this reporting)

[HB1499](#) Absentee voting; limits availability of absentee voting in person.

OPPOSE

Primary Sponsor: [Delegate Chris S. Runion \(R\)](#)

Summary: Absentee voting; availability of absentee voting in person. Limits the availability of absentee voting in person to the two-week period immediately preceding an election. Under current law, absentee voting in person is available beginning on the forty-fifth day prior to an election.

[HB1680](#) Voter registration; registration after the close of registration records, required affirmation.

OPPOSE

Primary Sponsor: [Delegate Margaret B. Ransone \(R\)](#)

Summary: Voter registration; registration after the close of registration records; required affirmation. Requires any registration application used to register persons after the close of registration records, up to and including the day of an election, to require the applicant to affirm, subject to felony penalties for making false statements, that he is not intentionally voting more than once in the same election, whether in the same or a different jurisdiction, and that he is not intentionally registering to vote at more than one residence at the same time, both of which constitute the crime of election fraud and are punishable as a Class 6 felony.

[HB1693](#) Absentee voting; return of absentee ballots, drop-off locations.

OPPOSE

Primary Sponsor: [Delegate John J. McGuire, III \(R\)](#)

Summary: Absentee voting; return of absentee ballots; drop-off locations. Repeals the provisions of the Code providing for the establishment of drop-off locations for the return of absentee ballots.

[HB1847](#) Elections; registration, absentee, and conduct of election.

OPPOSE

Primary Sponsor: [Delegate Dave A. LaRock \(R\)](#)

Summary: Elections; registration, absentee, and conduct of election. Restores the local option to hold May elections; repeals laws permitting registration on election day and requiring preregistration of certain persons under 18 years of age; eliminates the permanent absentee voter list; removes provisions allowing general registrars to contract with a third party for the printing, assembly, and mailing of absentee ballot packets; requires an excuse to vote absentee; reduces absentee voting in person to the 10 days prior to the date of an election; requires that mailed absentee ballots be returned by the United States Postal Service; repeals provisions allowing for absentee ballot drop boxes; requires absentee ballots to be received by the general registrar by the close of polls on election day in order to be counted; requires presentation of a form of identification containing a photograph in order to vote; repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement that he is the named registered voter he claims to be; and requires that provisional ballot envelopes have written on them certain required information in order to be considered, including the signature of the officer of election

administering the provisional ballot and his indication of whether photo identification was shown, and if so, the type. The bill also amends provisions regarding risk-limiting audits to allow for (i) risk-limiting audits of the part of a district that covers multiple localities that lies in a single locality and (ii) the use of the batch comparison method when conducting a risk-limiting audit.

[HB1877](#) Absentee voting; availability of absentee voting in person, hours of operation.

OPPOSE

Primary Sponsor: [Delegate Phillip A. Scott \(R\)](#)

Summary: Absentee voting; availability of absentee voting in person; hours of operation. Limits absentee voting in person to the two weeks immediately preceding an election. During these two weeks, the bill requires that absentee voting in person be available Monday through Saturday, from 7:00 a.m. to 7:00 p.m. each day.

[HB2049](#) Polling place; assistance for certain voters, definition of disability.

SUPPORT

Primary Sponsor: [Delegate Elizabeth B. Bennett-Parker \(D\)](#)

Summary: Assistance for certain voters outside of the polling place; definition of disability. Limits the entitlement of voters with disabilities to vote outside the polls to those whose disability prevents them from entering the polling place. Expands the definition of disability for purposes of providing assistance outside of a polling place to voters with disabilities to include any permanent or temporary disability. Under current law, the disability is limited to a permanent or temporary physical disability.

[HB2234](#) Voter registration; registering in person up to and including the day of the election.

OPPOSE

Primary Sponsor: [Delegate H. Otto Wachsmann, Jr. \(R\)](#)

Summary: Voter registration; registering in person up to and including the day of the election; limited to certain persons. Provides that only members of a uniformed service, as defined in relevant law, persons who are residing temporarily outside of the United States, and spouses or dependents of such members or persons are entitled to register to vote after the close of registration records in person up to and including the day of the election. Under current law, any person who is qualified to register to vote is entitled to register to vote after the close of registration records up to and including the day of the election.

[HB2242](#) Elections administration; requests made pursuant to Virginia Freedom of Information Act.

SUPPORT

Primary Sponsor: [Delegate Shelly A. Simonds \(D\)](#)

Summary: Elections administration; requests made pursuant to Virginia Freedom of Information Act; tolling of period for responding to certain requests. Provides that the period within which a local electoral board or general registrar is required to respond to requests made pursuant to the Virginia Freedom of Information Act shall be tolled when such request is (i) received on or after the first day on which absentee voting in person is available for an election and before the tenth day following the

certification of such election and (ii) related to a previously conducted election until the deadline to request a recount pursuant to law has passed and, if any recount is pending in the locality thereafter, until it has been concluded.

HJ520 Constitutional amendment; qualifications of voters and the right to vote (first reference).

SUPPORT

Primary Sponsor: [Delegate Charniele L. Herring \(D\)](#)

Summary: Constitutional amendment (first reference); qualifications of voters; right to vote; persons not entitled to vote. Provides that every person who meets the qualifications of voters set forth in the Constitution of Virginia shall have the fundamental right to vote in the Commonwealth and that such right shall not be abridged by law, except for persons who have been convicted of a felony and persons who have been adjudicated to lack the capacity to understand the act of voting. A person who has been convicted of a felony shall not be entitled to vote during any period of incarceration for such felony conviction, but upon release from incarceration for that felony conviction and without further action required of him, such person shall be invested with all political rights, including the right to vote. Currently, in order to be qualified to vote a person convicted of a felony must have his civil rights restored by the Governor or other appropriate authority. The amendment also provides that a person adjudicated by a court of competent jurisdiction as lacking the capacity to understand the act of voting shall not be entitled to vote during this period of incapacity until his capacity has been reestablished as prescribed by law. Currently, the Constitution of Virginia provides that a person who has been adjudicated to be mentally incompetent is not qualified to vote until his competency is reestablished.

SB1092 Elections; protection of election officials, penalty.

SUPPORT

Primary Sponsor: [Senator Adam P. Ebbin \(D\)](#)

Summary: Elections; protection of election officials; penalty. Adds to the list of protected voters any election official or employee of an election official. Protected voters are permitted by law to provide on the application for voter registration, in addition to the voter's residence street address, a post office box address located within the Commonwealth, which would be the address included on (i) lists of registered voters and persons who voted, (ii) voter registration records made available for public inspection, and (iii) lists of absentee voter applicants. The bill also makes it a Class 5 felony to hinder or prevent an election official or employee of an election official from administering elections. Under current law it is only a Class 5 felony to hinder or prevent an officer of election at a location being used for voting from holding an election.

HJ459 Constitutional amendment; qualifications of voters, 16-year-olds permitted to vote (first reference).

SUPPORT

Primary Sponsor: [Delegate Sam Rasoul \(D\)](#)

Summary: Constitutional amendment (first reference); qualifications of voters; 16-year-olds permitted to vote. Provides that, notwithstanding the requirement that a voter shall be 18 years of age, any person who is 16 years of age or older and is otherwise qualified to vote shall be permitted to register to vote and to vote in local elections.

SB794 Voter identification; identification containing a photograph required.

OPPOSE

Primary Sponsor: [Senator Ryan T. McDougale \(R\)](#)

Summary: Voter identification; identification containing a photograph required. Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot.

SB834 Absentee voting; permanent absentee voter list repealed.

OPPOSE

Primary Sponsor: [Senator Amanda F. Chase \(R\)](#)

Summary: Absentee voting; permanent absentee voter list repealed. Repeals the provisions of law by which any registered voter may apply to receive absentee ballots for all elections in which he is eligible to vote and remain on the absentee voter list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status pursuant to law, or the voter moves to a different address not in the same county or city of his registration.

SB880 Absentee voting; absentee voting in person available beginning seven days prior to any election.

OPPOSE

Primary Sponsor: [Senator Ryan T. McDougale \(R\)](#)

Summary: Absentee voting; absentee voting in person available beginning seven days prior to any election. Limits the availability of absentee voting in person to the week beginning seven days before the election. Under current law, absentee voting in person is available beginning 45 days prior to the election.

SB884 Elections; registration, absentee voting, and conduct of election.

OPPOSE

Primary Sponsor: [Senator Amanda F. Chase \(R\)](#)

Summary: Elections; registration, absentee voting, and conduct of election. Repeals provisions of law permitting registration on election day; requires an excuse to vote absentee; removes the option to vote absentee in person; requires absentee ballots to either be accompanied by a copy of an approved form of identification or be notarized; requires absentee ballots returned to drop boxes to be returned by the voter; requires absentee ballots to be received by the general registrar by the close of polls on election day in order to be counted; requires presentation of a form of identification

containing a photograph in order to vote; repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement that he is the named registered voter he claims to be; eliminates the use of electronic poll books and voting machines while polls are open; and requires that ballots be manually tabulated in order to determine the results of an election.

SB968 Voter identification; identification containing a photograph required.

OPPOSE

Primary Sponsor: [Senator Mark J. Peake \(R\)](#)

Summary: Voter identification; identification containing a photograph required. Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot.

COMMON SENSE GUN SAFETY

HB1394 Firearms; removal from persons posing substantial risk, penalties.

OPPOSE

Primary Sponsor: [Delegate Marie E. March \(R\)](#)

Summary: Firearms; removal from persons posing substantial risk; penalties. Repeals the procedure by which any attorney for the Commonwealth or law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. The bill also repeals the requirement that the Department of State Police maintain and make information available from the Substantial Risk Order Registry.

HB1420 Carrying a concealed handgun; permit not required.

OPPOSE

Primary Sponsor: [Delegate Bill D. Wiley \(R\)](#)

Summary: Carrying a concealed handgun; permit not required. Allows any person who is otherwise eligible to obtain a concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth.

HB1656 Gun violence; JLARC to study effects on communities.

SUPPORT

Primary Sponsor: [Delegate Marcia S. "Cia" Price \(D\)](#)

Summary: Study; JLARC; effects of gun violence on communities; report. Directs the Joint Legislative Audit and Review Commission to study the social, physical, emotional, and economic effects of gun violence on communities across the Commonwealth.

HB1427 Firearms, etc.; control of possession by locality.**OPPOSE**Primary Sponsor: [Delegate Dave A. LaRock \(R\)](#)

Summary: Control of firearms by localities. Removes a locality's authority to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any public park owned or operated by the locality; (ii) any recreation or community center facility operated by the locality; or (iii) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.

HB1729 Firearms; transfers to another person from a prohibited person.**WATCH**Primary Sponsor: [Delegate Elizabeth B. Bennett-Parker \(D\)](#)

Summary: Firearm transfers to another person from a prohibited person. Provides that a person who is prohibited from possessing a firearm because such person is subject to a protective order or has been convicted of an assault and battery of a family or household member may transfer a firearm owned by such prohibited person to any person who is not otherwise prohibited by law from possessing such firearm, provided that such person who is not otherwise prohibited by law from possessing such firearm is 21 years of age or older and does not reside with the person who is subject to the protective order. Under current law, there is no requirement that such transferee cannot be younger than 21 years of age and cannot reside with such prohibited person. The bill also provides that such prohibited person who transfers, sells, or surrenders a firearm pursuant to the provisions of the bill shall inform the clerk of the court of the name and address of the transferee, the federally licensed firearms dealer, or the law-enforcement agency in possession of the firearm.

HB1801 Carrying a concealed handgun; permit not required.**OPPOSE**Primary Sponsor: [Delegate Nicholas J. Freitas \(R\)](#)

Summary: Carrying a concealed handgun; permit not required. Allows any person who is otherwise eligible to obtain a concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth.

HB1936 Virginia Firearm Buy-Back Program and Fund; established.**WATCH**Primary Sponsor: [Delegate Kenneth R. Plum \(D\)](#)

Summary: Establishment of Virginia Firearm Buy-Back Program and Fund. Directs the Department of State Police to establish the uniform standards for the creation of the Virginia Firearm Buy-Back Program. The bill requires the Department to (i) inform local law-enforcement agencies of the policies and procedures to be used for the Program, (ii) provide guidelines to participating local law-enforcement agencies on implementation of the Program, and (iii) establish a formula for determining

any monetary incentive for a surrendered firearm. The bill clarifies that participation in the Program by a local law-enforcement agency is voluntary. The bill also directs the Department to establish the Virginia Firearm Buy-Back Fund, a nonreverting fund to be used solely for the purposes of development and implementation of the Program.

HB2240 Assault firearms, etc.

SUPPORT

Primary Sponsor: [Delegate Dan I. Helmer \(D\)](#)

Summary: Prohibiting the sale, transport, etc., of assault firearms, large-capacity firearm magazines, and silencers; penalties. Expands the definition of "assault firearm" and prohibits any person from importing, selling, transferring, manufacturing, purchasing, or transporting an assault firearm. A violation of this provision of the bill is a Class 6 felony. The bill also prohibits a dealer from selling, renting, trading, or transferring from his inventory an assault firearm to any person. The bill makes it a Class 6 felony to import, sell, transfer, manufacture, purchase, or transport a large-capacity firearm magazine, as defined in the bill, and a Class 1 misdemeanor to possess such large-capacity firearm magazine. The bill provides that any person who legally owns a large-capacity firearm magazine on July 1, 2023, may retain possession of such firearm magazine until January 1, 2024, and during that time, such person shall (i) render the large-capacity firearm magazine permanently inoperable, (ii) remove the large-capacity firearm magazine from the Commonwealth, (iii) transfer the large-capacity firearm magazine to a person outside the Commonwealth who is not prohibited from possessing it, or (iv) surrender the large-capacity firearm magazine to a state or local law-enforcement agency. Finally, the bill makes it a Class 6 felony for any person to import, sell, transfer, manufacture, or purchase a silencer, except as provided for in the National Firearms Act.

SB805 Firearms; control by localities of possession or carrying.

OPPOSE

Primary Sponsor: [Senator Amanda F. Chase \(R\)](#)

Summary: Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit. The bill provides that any firearm received by the locality pursuant to a buy-back program shall be offered for sale by public auction or sealed bids to a person licensed as a dealer. Current law provides that any such firearm shall be destroyed by the locality unless the person surrendering the firearm requests in writing that the firearm be offered for sale. The bill also limits the authority of localities to bring lawsuits against certain firearms manufacturers and others and further provides that the right to bring any such action is reserved exclusively to the Commonwealth and shall be brought by the Attorney General.

SB1192 Assault firearms; carrying in public areas prohibited, penalty.

SUPPORT

Primary Sponsor: [Senator Adam P. Ebbin \(D\)](#)

Summary: Carrying assault firearms in public areas prohibited; penalty. Prohibits the carrying of certain semi-automatic center-fire rifles, pistols, and shotguns on any public street, road, alley, sidewalk, or public right-of-way or in any public park or any other place of whatever nature that is open to the public. Under current law, the current prohibition on carrying certain shotguns and semi-automatic center-fire rifles and pistols applies to a narrower range of firearms, only in certain localities, and only when such firearms are loaded.

SB1236 Firearms, etc.; control of possession by locality.

OPPOSE

Primary Sponsor: [Senator Mark D. Obenshain \(R\)](#)

Summary: Control of firearms by localities. Removes a locality's authority to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any public park owned or operated by the locality; (ii) any recreation or community center facility operated by the locality; or (iii) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.

MARRIAGE EQUALITY PROTECTIONS

HB2174 Marriage; lawful regardless of sex of parties.

SUPPORT

Primary Sponsor: [Delegate Mark D. Sickles \(D\)](#)

Summary: Marriage lawful regardless of sex of parties. Clarifies that a marriage between two parties is lawful regardless of the sex or gender of such parties, provided that such marriage is not otherwise prohibited by the laws of the Commonwealth. The bill also provides that religious organizations or members of the clergy acting in their religious capacity shall have the right to refuse to perform any marriage.

SB1096 Marriage; lawful regardless of sex of parties.

SUPPORT

Primary Sponsor: [Senator Adam P. Ebbin \(D\)](#)

Summary: Marriage lawful regardless of sex of parties. Clarifies that a marriage between two parties is lawful regardless of the sex or gender of such parties, provided that such marriage is not otherwise prohibited by the laws of the Commonwealth. The bill also provides that religious organizations or members of the clergy acting in their religious capacity shall have the right to refuse to perform any marriage.

[HJ460](#) Constitutional amendment; repeal of same-sex marriage prohibition (first reference).

SUPPORT

Primary Sponsor: [Delegate Timothy V. Anderson \(R\)](#)

Summary: Constitutional amendment (first reference); repeal of same-sex marriage prohibition. Repeals the constitutional provision defining marriage as only a union between one man and one woman as well as the related provisions that are no longer valid as a result of the United States Supreme Court decision in Obergefell v. Hodges, 576 U.S. 644 (2015).

[HJ476](#) Constitutional amendment; repeal of same-sex marriage prohibition (first reference).

SUPPORT

Primary Sponsor: [Delegate Kelly K. Convirs-Fowler \(D\)](#)

Summary: Constitutional amendment (first reference); marriage. Proposes the repeal of the constitutional amendment dealing with marriage that was approved by referendum at the November 2006 election. That amendment to the Bill of Rights (i) defines marriage as "only a union between one man and one woman"; (ii) prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage"; and (iii) prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage." The provisions of this section of the Constitution of Virginia are no longer valid as a result of the United States Supreme Court decision in Obergefell v. Hodges, 576 U.S. 644 (2015).

[SJ242](#) Constitutional amendment (first reference); marriage.

SUPPORT

Primary Sponsor: [Senator Adam P. Ebbin \(D\)](#)

Summary: Constitutional amendment (first reference); marriage. Proposes the repeal of the constitutional amendment dealing with marriage that was approved by referendum at the November 2006 election. That amendment to the Bill of Rights (i) defines marriage as "only a union between one man and one woman"; (ii) prohibits the Commonwealth and its political subdivisions from creating or recognizing "a legal status for relationships of unmarried individuals that intends to approximate the design, qualities, significance, or effects of marriage"; and (iii) prohibits the Commonwealth or its political subdivisions from creating or recognizing "another union, partnership, or other legal status to which is assigned the rights, benefits, obligations, qualities, or effects of marriage." The provisions of this section of the Constitution of Virginia are no longer valid as a result of the United States Supreme Court decision in Obergefell v. Hodges, 576 U.S. 644 (2015).

ABORTION AND TRANSGENDER RIGHTS

[HB1395](#) Rights beginning at conception; definitions, etc.

OPPOSE

Primary Sponsor: [Delegate Marie E. March \(R\)](#)

Summary: Rights beginning at conception. Provides that life begins at conception and each person is accorded the same rights and protections guaranteed to all persons by the Constitution of the United States, the Constitution of Virginia, and the laws of the Commonwealth beginning at the moment of conception. The bill also repeals all provisions of the Code of Virginia allowing for the performance of abortions.

HB1434 Student records; name change, court order required.

OPPOSE

Primary Sponsor: [Delegate Jason S. Ballard \(R\)](#)

Summary: Student records; name change; court order required. Prohibits any school board member or school board employee from changing the name of a student enrolled in the local school division on any education record relating to such student unless the member or employee receives a change of name order for such student that was issued in accordance with relevant law.

HB1707 Public school students; self-identification as gender other than biological sex, parental contact.

OPPOSE

Primary Sponsor: [Delegate Tara A. Durant \(R\)](#)

Summary: Public school students; self-identification as gender other than biological sex; parental contact. Requires any person licensed as administrative or instructional personnel by the Board of Education and employed by a local school board who, in the scope of his employment, has reason to believe, as a result of direct communication from a student, that such student is self-identifying as a gender that is different than his biological sex to contact, as soon as practicable and in accordance with Board guidelines, at least one of such student's parents to ask whether such parent is aware of the student's mental state and whether the parent wishes to obtain or has already obtained counseling for such student.

SB791 Save Adolescents from Experimentation (SAFE) Act; established, health benefit plans, etc.

OPPOSE

Primary Sponsor: [Senator Amanda F. Chase \(R\)](#)

Summary: Establishment of the Save Adolescents from Experimentation (SAFE) Act; health benefit plans; coverage for gender transition procedures. Creates the Save Adolescents from Experimentation (SAFE) Act, which prohibits gender transition procedures, defined in the bill, for individuals under 18 years of age and prohibits the use of public funds for gender transition procedures for individuals under 18 years of age. The bill establishes enforcement procedures for violation of the SAFE Act. The bill provides that a health benefit plan providing health care coverage in the Commonwealth is prohibited from providing coverage for gender transition procedures for individuals younger than 18 years of age and is not required to provide coverage for gender transition procedures for individuals 18 years of age or older.

HB1999 Right to Contraception Act; sets out statutory protections for an individual's right.

SUPPORT

Primary Sponsor: [Delegate Kaye Kory \(D\)](#)

Summary: Right to Contraception Act. Sets out statutory protections for an individual's right to access and a health care provider's right to provide contraceptives, contraception, and information related to contraception. The bill prohibits measures that single out and impede access to contraceptives, contraception, or contraception-related information. However, a party may defend against a claim that a measure violates the bill's prohibitions by demonstrating through clear and convincing evidence that the measure significantly advances access to contraceptives, contraception, and information related to contraception and cannot be advanced by a less restrictive alternative measure or action. The Office of the Attorney General, individuals, or health care providers may bring a lawsuit to enforce the provisions of the bill, and localities are not immune from suits for violations.

HB2278 Abortion; when lawful, 15-week gestational age, exceptions, penalty.

OPPOSE

Primary Sponsor: [Delegate Kathy J. Byron \(R\)](#)

Summary: Abortion; when lawful; 15-week gestational age; exceptions; penalty. Makes it a Class 4 felony for any physician licensed by the Board of Medicine to practice medicine and surgery to terminate or attempt to terminate a human pregnancy or aid or assist in the termination of a human pregnancy by performing an abortion or causing a miscarriage on any woman if the physician determines using best clinical judgment that the gestational age of the unborn child is more than 15 weeks, unless (i) the physician determines, based upon best clinical judgment, that the continuation of the pregnancy will result in the death of the woman or substantially and irreversibly impair one or more of such woman's major bodily functions, not including psychological or emotional conditions, or (ii) the pregnancy is the result of rape or incest. The bill further requires that any abortion procedure performed after it is determined that the unborn child's gestational age is more than 15 weeks is required to be performed in a hospital licensed by the State Department of Health or operated by the Department of Behavioral Health and Developmental Services. The bill provides that its provisions shall be known as the Pain-Capable Unborn Child Protection Act.

HJ519 Constitutional amendment; fundamental right to reproductive freedom (first reference).

SUPPORT

Primary Sponsor: [Delegate Charniele L. Herring \(D\)](#)

Summary: Constitutional amendment (first reference); fundamental right to reproductive freedom. Provides that every individual has the fundamental right to reproductive freedom and that the right to make and effectuate one's own decisions about all matters related to one's pregnancy cannot be denied, burdened, or otherwise infringed upon by the Commonwealth, unless justified by a compelling state interest and achieved by the least restrictive means. The amendment prohibits the Commonwealth from penalizing, prosecuting, or otherwise taking adverse action against an individual

for exercising the individual's right to reproductive freedom or for aiding another individual in the exercise of such right, unless justified by a compelling state interest.

[SB962](#) Elementary and secondary schools; participation in female sports, civil cause of action.

OPPOSE

Primary Sponsor: [Senator Mark J. Peake \(R\)](#)

Summary: Elementary and secondary schools; athletics; participation in female sports; civil cause of action. Requires each public elementary or secondary school and each private elementary or secondary school that competes in sponsored athletic events against such public schools to designate all interscholastic athletic teams and intramural athletic teams sponsored by such school based on biological sex as follows: (i) for "males," "men," or "boys"; (ii) for "females," "women," or "girls"; or (iii) as "coed" or "mixed" if such team is open to participation by (a) "males," "men," or "boys" and (b) "females," "women," or "girls." The bill prohibits students whose biological sex is male from participating on any school athletic team or squad designated for "females," "women," or "girls." Finally, the bill creates a civil cause of action for students and schools that suffer harm as a result of a violation of the provisions of the bill, provided that such action is initiated within two years of the harm occurring.

[SB1203](#) Children Deserve Help Not Harm Act established; health benefit plans; coverage for gender transition.

OPPOSE

Primary Sponsor: [Senator Bryce E. Reeves \(R\)](#)

Summary: Children Deserve Help Not Harm Act established; health benefit plans; coverage for gender transition procedures. Creates the Children Deserve Help Not Harm Act (the Act), which prohibits gender transition procedures, defined in the bill, for individuals under 18 years of age and prohibits the use of public funds for gender transition procedures for individuals under 18 years of age. The bill establishes enforcement procedures for violation of the Act. The bill provides that a health benefit plan providing health care coverage in the Commonwealth is prohibited from providing coverage for gender transition procedures for individuals younger than 18 years of age and is not required to provide coverage for gender transition procedures for individuals 18 years of age or older.

COMMUNITY POLICING

[HB1401](#) Community Policing Act; repeals Act.

OPPOSE

Primary Sponsor: [Delegate Marie E. March \(R\)](#)

Summary: Community Policing Act; repeal. Repeals the Community Policing Act that, under current law, prohibits law-enforcement officers and State Police officers from engaging in bias-based profiling in the performance of their official duties. The bill also repeals the provisions requiring the State Police to create the Community Policing Reporting Database into which sheriffs, police forces, and

State Police officers report certain data pertaining to, among other law-enforcement activities, investigatory motor vehicle stops.

[HB1501](#) Law-enforcement civilian oversight bodies; requirements of members.

WATCH

Primary Sponsor: [Delegate Chris S. Runion \(R\)](#)

Summary: Law-enforcement civilian oversight bodies; requirements. Requires every member appointed to a locality's law-enforcement civilian oversight body to observe within 90 days of the member's appointment a law-enforcement officer employed with such locality's law-enforcement agency while such law-enforcement officer is engaged in his official duties and that such observation total no fewer than 24 hours, a portion of which includes a ride-along with a law-enforcement officer. The bill also provides that any disciplinary determination recommended by a law-enforcement civilian oversight body shall be advisory and that if any law-enforcement agency declines to implement such recommendation, such agency shall create and make available to the public within 30 days from the date such recommendation is reported to such agency a written public record of its rationale for declining to implement such recommendation. Finally, the bill requires each law-enforcement civilian oversight body to include at least one retired law-enforcement officer as a voting member; under current law, a retired law-enforcement officer may serve on such body as an advisory, nonvoting ex officio member.

MARIJUANA LEGALIZATION

[HB1464](#) Cannabis control; establishes framework for creation of retail market, transitional sale, penalties.

WATCH

Summary: Cannabis control; retail market; transitional sales; penalties. Establishes a framework for the creation of a retail marijuana market in the Commonwealth, which would be administered by the Virginia Cannabis Control Authority. The bill allows the Authority to begin issuing marijuana licenses on July 1, 2024. The bill allows, beginning July 1, 2023, certain pharmaceutical and industrial hemp processors, pending establishment of the retail market, to cultivate, manufacture, and sell cannabis products to persons 21 years of age or older.

JUVENILE PROTECTIONS

[HB2018](#) Children's Services Act; information sharing, confidentiality exception.

WATCH

Primary Sponsor: [Delegate Les R. Adams \(R\)](#)

Summary: Children's Services Act; information sharing; confidentiality exception. Allows family assessment and planning teams (FAPT) and community policy and management teams (CPMT) to share information with local law enforcement or threat assessment teams established by local school boards if a FAPT or CPMT obtains information from which the team determines that a child poses a

threat of violence or physical harm to himself or others. Under current law, all information about specific children and families obtained by FAPT and CPMT members must be kept confidential.

ADULT PROTECTIONS

HB2344 Adult protective services; referrals to local law enforcement.

SUPPORT

Primary Sponsor: [Delegate Christopher T. Head \(R\)](#)

Summary: Adult protective services; referrals to local law enforcement. Removes the requirement that the adult protective services hotline immediately refer certain reports of alleged adult abuse, neglect, or exploitation to the appropriate local law-enforcement agency and removes the duty of local law-enforcement agencies to provide the adult protective services hotline with a preferred point of contact for such referrals. The bill retains the requirement for the local department of social services to immediately refer such reports to the appropriate local law-enforcement agency and the duty of local law-enforcement agencies to provide local departments of social services with a preferred point of contact for such referrals.

FOIA

HB1569 Virginia Freedom of Information Act; disclosure of personnel records.

SUPPORT

Primary Sponsor: [Delegate Wendell S. Walker \(R\)](#)

Summary: Virginia Freedom of Information Act; disclosure of personnel records. Clarifies that personnel records excluded from disclosure under the Virginia Freedom of Information Act include those of persons employed by (i) a public body engaged in emergency medical services or fire protection services, (ii) a law-enforcement agency, or (iii) an emergency 911 system or any other equivalent reporting system. The bill also contains technical amendments.

HB1878 FOIA; exclusions to application of chapter, local administrative investigations, disclosure.

WATCH

Primary Sponsor: [Delegate Angelia Williams Graves \(D\)](#)

Summary: Virginia Freedom of Information Act; exclusions to application of chapter; local administrative investigations; disclosure. Clarifies that personal contact information, to include a home or business (i) address, (ii) email address, or (iii) telephone number or comparable number assigned to any other electronic communication device, when furnished in confidence to a local governing body with respect to complainants in local investigations, is exempt from disclosure under the Virginia Freedom of Information Act. The bill expands the applicability of the exemption to zoning enforcement complaints to all such complaints, not just individual enforcement complaints. The bill also provides that information in completed investigations shall be disclosed in a form that does not reveal the identity of the complainants or persons supplying information to investigators.

HB1880 Localities; record of legal settlement or judgment, disclosure of records.

SUPPORT

Primary Sponsor: [Delegate Elizabeth B. Bennett-Parker \(D\)](#)

Summary: Localities; record of legal settlement or judgment; disclosure. Requires localities to retain a public record of certain legal settlements and judgments and requires the record of such amount to be subject to disclosure if requested pursuant to the Virginia Freedom of Information Act.

HB2007 Virginia Freedom of Information Act; posting of fee policy by a public body.

WATCH

Primary Sponsor: [Delegate Danica A. Roem \(D\)](#)

Summary: Virginia Freedom of Information Act; posting of fee policy. Requires a public body to make available upon request and post on its website or otherwise publish a written policy (i) explaining how the public body assesses charges for accessing or searching for requested records and (ii) noting the current fee charged, if any, by the public body for accessing and searching for the requested records.

LAND USE

HB1473 Land use plans; zoning, notice.

WATCH

Primary Sponsor: [Delegate Hyland F. "Buddy" Fowler, Jr. \(R\)](#)

Summary: Land use plans; zoning; notice. Alters the notice requirements related to local government adoption of land use plans and zoning ordinances by no longer requiring the notice to contain a descriptive summary of the proposed action but continues to require the locality to identify in the notice the place or places within the locality where copies of the proposed plans, ordinances, or amendments may be examined. Furthermore, such notice must include the street address or tax map parcel number of the parcels as well as the approximate acreage subject to the action. With regard to notice of proposed zoning actions, the bill also (i) removes the requirement to state general usage and density of the proposed zoning action and (ii) eliminates the requirement for an extra public hearing when land is zoned to a more intensive use classification than was contained in the previous public notice.

HB1671 Residential land development and construction; fee transparency, annual report.

OPPOSE

Primary Sponsor: [Delegate Scott A. Wyatt \(R\)](#)

Summary: Residential land development and construction fee transparency; annual report. Requires localities with a population greater than 3,500 to submit an annual report no later than March 1 to the Department of Housing and Community Development containing the total fee revenue collected by the locality over the preceding calendar year in connection with the processing, reviewing, and permitting of applications for residential land development and construction activities. The bill requires the report to be submitted by the locality in accordance with any guidelines and forms developed by

the Department and the Commission on Local Government. The Department shall make the reports available on its website.

ZONING/ COMPREHENSIVE PLAN

HB2047 Affordable housing; amending local zoning ordinance authority.

SUPPORT

Primary Sponsor: [Delegate Betsy B. Carr \(D\)](#)

Summary: Affordable housing; local zoning ordinance authority; comprehensive plan. Authorizes any locality in the Commonwealth to provide for an affordable housing dwelling unit program by amending the zoning ordinance of such locality. Current law restricts such authorization to counties with an urban county executive form of government or county manager plan of government and certain other localities. The bill also requires the comprehensive plan of each locality to show the connection between affordable housing and other needs of its residents, such as job creation, educational opportunities, and parks and recreational activities.

SB1331 Affordable housing; local zoning ordinance authority, comprehensive plan.

SUPPORT

Primary Sponsor: [Senator Jennifer L. McClellan \(D\)](#)

Summary: Affordable housing; local zoning ordinance authority; comprehensive plan. Authorizes any locality in the Commonwealth to provide for an affordable housing dwelling unit program by amending the zoning ordinance of such locality. Current law restricts such authorization to counties with an urban county executive form of government or county manager plan of government and certain other localities. The bill also requires the comprehensive plan of each locality to show the connection between affordable housing and other needs of its residents, such as job creation, educational opportunities, and parks and recreational activities.

SB1141 Affordable housing; local zoning ordinance authority, comprehensive plan.

SUPPORT

Primary Sponsor: [Senator Jeremy S. McPike \(D\)](#)

Summary: Affordable housing; local zoning ordinance authority; comprehensive plan. Authorizes any locality in the Commonwealth to provide for an affordable housing dwelling unit program by amending the zoning ordinance of such locality. Current law restricts such authorization to counties with an urban county executive form of government or county manager plan of government and certain other localities.

HB1665 Local land use approvals; extension of approvals to address the COVID-19 pandemic, sunset provision.

OPPOSE

Primary Sponsor: [Delegate Daniel W. Marshall, III \(R\)](#)

Summary: Local land use approvals; extension of approvals to address the COVID-19 pandemic. Extends from July 1, 2023, to July 1, 2025, the sunset date for various local land use approvals that were valid and outstanding as of July 1, 2020. The bill also provides that its provisions shall not be construed to extend previous extensions related to the housing crisis and that any extension of approvals outstanding as of July 1, 2020, shall apply to any such approvals granted subsequent to July 1, 2020, that expire prior to July 1, 2025. This provision is declarative of existing law.

[HB1798](#) Comprehensive plan; healthy communities strategy.

WATCH

Primary Sponsor: [Delegate Shelly A. Simonds \(D\)](#)

Summary: Comprehensive plan; healthy communities strategy. Authorizes cities with populations greater than 20,000 and counties with populations greater than 100,000, beginning July 1, 2023, to consider, at the next and all subsequent reviews of the comprehensive plan, adopting a healthy communities strategy. The bill provides that the locality's strategy may include identifying neighborhoods with major sources of pollution or hazardous waste and identifying objectives and policies to reduce health risks in such neighborhoods, to promote civic engagement by residents of such neighborhoods, and to prioritize improvements and programs that address the needs of such neighborhoods.

[HB1634](#) Comprehensive plan; strategies to address resilience.

WATCH

Primary Sponsor: [Delegate David L. Bulova \(D\)](#)

Summary: Comprehensive plan; strategies to address resilience. Requires localities to consider strategies to address resilience in their comprehensive plans.

[SB1187](#) Comprehensive plan; strategies to address resilience.

WATCH

Primary Sponsor: [Senator Lynwood W. Lewis, Jr. \(D\)](#)

Summary: Comprehensive plan; strategies to address resilience. Requires localities to consider strategies to address resilience in their comprehensive plans.

CEMETERIES

[HB2244](#) African American cemeteries and graves; appropriations DHR.

SUPPORT

Primary Sponsor: [Delegate A.C. Cordoza \(R\)](#)

Summary: Department of Historic Resources; appropriations for African American cemeteries and graves. Requires appropriations by the Department of Historic Resources for African American cemeteries to be allocated on the bases of (i) the number of markers in a cemetery of African Americans who were born after January 1, 1900, and interred in such cemetery prior to January 1, 1948, and (ii) the number of markers in a cemetery of African Americans who lived on or after January 1, 1800, but not after January 1, 1900. Under current law, such appropriations are allocated

on the basis of the number of markers in a cemetery of African Americans who were interred in such cemetery prior to January 1, 1948.

SB1062 African American cemeteries and graves; appropriations DHR.

SUPPORT

Primary Sponsor: [Senator Lionell Spruill, Sr. \(D\)](#)

Summary: Department of Historic Resources; appropriations for African American cemeteries and graves. Requires appropriations by the Department of Historic Resources for African American cemeteries to be allocated on the bases of (i) the number of markers in a cemetery of African Americans who were born after January 1, 1900, and interred in such cemetery prior to January 1, 1948, and (ii) the number of markers in a cemetery of African Americans who lived on or after January 1, 1800, but not after January 1, 1900. Under current law, such appropriations are allocated on the basis of the number of markers in a cemetery of African Americans who were interred in such cemetery prior to January 1, 1948.

BUILDING SAFETY

HB1482 Vacant building; registration.

SUPPORT

Primary Sponsor: [Delegate Terry L. Austin \(R\)](#)

Summary: Commonwealth Mass Transit Fund. Allocates 2.5 percent of the Commonwealth Mass Transit Fund (the Fund) to the Commuter Rail Operating and Capital Fund (CROC) for operating purposes. The bill creates a subfund called the Subfund within CROC for such funds. The bill decreases from 27 percent to 24.5 percent the allocation from the Fund to support the operating costs of transit providers and excludes the Virginia Railway Express from receiving such allocations. The bill requires the actual distribution of the 2.5 percent of the Fund to CROC to be based on service delivery factors established by the Commonwealth Transportation Board and reverts remaining funds to existing allocation for supporting the operating costs of transit providers.

HB1766 Uniform Statewide Building Code; multifamily residential housing construction projects.

SUPPORT

Primary Sponsor: [Delegate David A. Reid \(D\)](#)

Summary: Uniform Statewide Building Code; multifamily residential housing construction projects; electric vehicle charging infrastructure standards. Requires the Board of Housing and Community Development to promulgate regulations for electric vehicle charging infrastructure standards for multifamily residential housing construction projects consisting of more than 25 residential dwelling units. The standards shall require a developer of such multifamily residential housing construction projects to ensure that at least 25 percent of the available parking spaces are electric vehicle charging ready during the design and construction process. Landlords, condominium unit owners' associations, and property owners' associations shall be authorized to negotiate with electric vehicle charging providers with respect to the installation and maintenance of electric vehicle infrastructure

and any related revenue sharing. The bill also requires the Board to promulgate such regulations by January 1, 2024, and provides that such regulations shall only apply to any new multifamily residential housing construction projects approved by a locality after January 1, 2024.

SB848 Public school bldgs. & facilities; construction & renovation, renewable energy generation facility.

SUPPORT

Primary Sponsor: [Senator Barbara A. Favola \(D\)](#)

Summary: Public school buildings and facilities; construction and renovation; renewable energy generation facilities; report. Directs the Commission on School Construction and Modernization, in consultation with the Department of Energy, to develop and make recommendations on strategies to assist interested school divisions with incorporating renewable energy generation facilities in the construction or renovation of school buildings. The bill requires the Commission to report the recommendations to the House Committee on Appropriations and the Senate Committee on Finance and Appropriations no later than November 1, 2023.

SB1111 Cities and certain towns; powers, increases vacant building registration fees, civil penalty.

SUPPORT

Primary Sponsor: [Senator Ghazala F. Hashmi \(D\)](#)

Summary: Powers of cities and certain towns; vacant building registration fees; civil penalty. Increases the maximum annual registration fee that cities and certain towns can impose on an owner of any building that has been vacant for at least 12 months and meets the definition of "derelict building" from \$100 to \$500. The bill increases the civil penalty for failing to pay such fee from \$200 to \$500 for the first violation and \$2000 for any subsequent violations and increases the civil penalty for failure to register such real property in conservation and rehabilitation districts designated by the governing body or in other areas designated as blighted from \$400 to \$1,000 for the first violation and \$4,000 for any subsequent violations.

MULTI MODAL TRANSPORTATION FUNDING

HB1496 Commonwealth Mass Transit Fund; 2.5 percent of Fund allocated to CROC for operating purposes.

WATCH

Primary Sponsor: [Delegate Terry L. Austin \(R\)](#)

Summary: Commonwealth Mass Transit Fund. Allocates 2.5 percent of the Commonwealth Mass Transit Fund (the Fund) to the Commuter Rail Operating and Capital Fund (CROC) for operating purposes. The bill creates a subfund called the Subfund within CROC for such funds. The bill decreases from 27 percent to 24.5 percent the allocation from the Fund to support the operating costs of transit providers and excludes the Virginia Railway Express from receiving such allocations. The bill requires the actual distribution of the 2.5 percent of the Fund to CROC to be based on service

delivery factors established by the Commonwealth Transportation Board and reverts remaining funds to existing allocation for supporting the operating costs of transit providers.

HB2302 Transportation Partnership Opportunity Fund; funds for transportation projects.

OPPOSE

Primary Sponsor: [Delegate Les R. Adams \(R\)](#)

Summary: Transportation Partnership Opportunity Fund. Requires the Governor to include in the Budget Bill an appropriation of up to \$200 million, limited to \$100 million each year, from the Commonwealth Transportation Fund to maintain a minimum available balance of \$300 million in the Transportation Partnership Opportunity Fund (the Fund). The bill authorizes the Governor to direct funds from the Fund to the Commonwealth Transportation Board for transportation projects determined to be necessary to support major economic development initiatives or to enhance the economic development opportunities of the Commonwealth's transportation programs when recommended by the Secretary of Transportation and Secretary of Commerce and Trade; these directed funds do not have a specified limit. The bill also authorizes the Governor to use funds from the Fund to enhance the economic development opportunities of the Commonwealth's transportation programs. The bill authorizes the use of grants, funds directed to the Board, and revolving loans for property acquisition and new or improved infrastructure to support economic development opportunities of the Commonwealth's transportation programs. The bill removes the requirement for the Governor to provide copies of the guidelines and criteria for awarding grants and loans to the Chairmen of the House Committees on Appropriations, Finance, and Transportation and the Senate Committees on Finance and Appropriations and Transportation. The bill repeals the requirement for the Commonwealth Transportation Board to ensure that projects are not undertaken primarily for economic development purposes.

SB1106 Transportation Partnership Opportunity Fund; funds for transportation projects.

OPPOSE

Primary Sponsor: [Senator Stephen D. Newman \(R\)](#)

Summary: Transportation Partnership Opportunity Fund. Requires the Governor to include in the Budget Bill an appropriation of up to \$200 million, limited to \$100 million each year, from the Commonwealth Transportation Fund to maintain a minimum available balance of \$300 million in the Transportation Partnership Opportunity Fund (the Fund). The bill authorizes the Governor to direct funds from the Fund to the Commonwealth Transportation Board for transportation projects determined to be necessary to support major economic development initiatives or to enhance the economic development opportunities of the Commonwealth's transportation programs when recommended by the Secretary of Transportation and Secretary of Commerce and Trade; these directed funds do not have a specified limit. The bill also authorizes the Governor to use funds from the Fund to enhance the economic development opportunities of the Commonwealth's transportation programs. The bill authorizes the use of grants, funds directed to the Board, and revolving loans for property acquisition and new or improved infrastructure to support economic development

opportunities of the Commonwealth's transportation programs. The bill removes the requirement for the Governor to provide copies of the guidelines and criteria for awarding grants and loans to the Chairmen of the House Committees on Appropriations, Finance, and Transportation and the Senate Committees on Finance and Appropriations and Transportation. The bill repeals the requirement for the Commonwealth Transportation Board to ensure that projects are not undertaken primarily for economic development purposes.

HB2338 Transit Ridership Incentive Program; use of funds, improving accessibility.

SUPPORT

Primary Sponsor: [Delegate Delores L. McQuinn \(D\)](#)

Summary: Transit Ridership Incentive Program; funds; improving accessibility; transition to zero-emissions. Directs the Commonwealth Transportation Board to use up to 30 percent of available funds in the Transit Ridership Incentive Program to support local, regional, and state entities in improving the accessibility of transit bus passenger facilities and transitioning public transit bus fleets and infrastructure to zero-emission bus fleets and infrastructure. The bill directs the Board to develop guidelines for applications for grants to any local, regional, or state public entity that supports a transit system.

HB1609 Transit Ridership Incentive Program; on-demand microtransit operations.

SUPPORT

Primary Sponsor: [Delegate Anne Ferrell Tata \(R\)](#)

Summary: Transit Ridership Incentive Program; on-demand microtransit operations. Includes the development and implementation of on-demand microtransit operations, defined in the bill, to incentivize and promote transit ridership, as part of the goal of the Transit Ridership Incentive Program. The bill provides that an approved initiative or service is eligible to continue receiving funding for the duration of the Program on an annual basis, for up to 80 percent of costs, from funds that are available to the urbanized area in which the initiative or service is located.

SB977 Transit Ridership Incentive Program; on-demand microtransit operations.

SUPPORT

Primary Sponsor: [Senator T. Montgomery "Monty" Mason \(D\)](#)

Summary: Transit Ridership Incentive Program; on-demand microtransit operations. Includes the development and implementation of on-demand microtransit operations, defined in the bill, to incentivize and promote transit ridership, as part of the goal of the Transit Ridership Incentive Program. The bill provides that an approved initiative or service is eligible to continue receiving funding for the duration of the Program on an annual basis, for up to 80 percent of costs, from funds that are available to the urbanized area in which the initiative or service is located.

[HB1537](#) School buses; use of warning devices before proposed stop.

SUPPORT

Primary Sponsor: [Delegate Clinton L. Jenkins \(D\)](#)

Summary: Warning devices on school buses; use before proposed stop. Increases the distance before a proposed stop that a school bus must use its warning devices from 100 feet to 200 feet if the lawful speed limit is less than 35 miles per hour and from 200 feet to 500 feet if the lawful speed limit is 35 miles per hour or more.

[HB1589](#) Pedestrian control signals; applicability to persons riding bicycles and other devices.

SUPPORT

Primary Sponsor: [Delegate Richard C. "Rip" Sullivan, Jr. \(D\)](#)

Summary: Pedestrian control signals; applicability to persons riding bicycles and other devices. Allows persons riding bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, mopeds, or motorized skateboards or scooters to follow the pedestrian Walk signal at an intersection when traveling in the direction of the signal, provided they yield to pedestrians in the crosswalk traveling in the same direction. The bill provides that a person riding a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, or motorized skateboard or scooter may not start to cross a highway in the direction of a Don't Walk signal, but such person who has partially completed his crossing on the Walk signal shall proceed to a sidewalk or safety island and remain there while the Don't Walk signal is showing.

[HB1785](#) Speed limit in residence districts; local authority to reduce limit, penalty.

SUPPORT

Primary Sponsor: [Delegate Betsy B. Carr \(D\)](#)

Summary: Speed limit in residence districts; local authority; penalty. Authorizes the governing body of any city to reduce the default speed limit on any highway maintained by the city that is located in a residence district to less than 25 miles per hour unless otherwise indicated by a sign and to adopt increased penalties for operation of a motor vehicle 15 miles per hour or more above the posted speed limit in a residence district. Current law authorizes the increased penalties in the Cities of Falls Church and Manassas. The bill clarifies that the requirement for signage for a conviction of a speeding violation does not apply to ordinances adopted setting a default speed limit as provided in the bill.

[HB2119](#) Photo speed monitoring devices; locality-designated highway segments.

SUPPORT

Primary Sponsor: [Delegate Sally L. Hudson \(D\)](#)

Summary: Photo speed monitoring devices; locality-designated highway segments. Authorizes any locality to authorize, by ordinance, its local law-enforcement agency to place and operate photo speed monitoring devices in certain locations named in the ordinance, provided that (i) the highway

has a posted speed limit of 35 miles per hour or greater; (ii) the ordinance identifies the locality-designated speeding offense to be enforced by the photo speed monitoring device; (iii) speeding, crash, or fatality data supports the need for stronger enforcement against speeding; and (iv) in counties and towns whose roads are subject to the control and jurisdiction of the Department of Transportation, the locality-designated highway segment is in the secondary state highway system. The bill directs the locality to also identify the speeding violations that may be enforced by photo speed monitoring device. Current law authorizes the use of photo speed monitoring devices in highway work zones and school crossing zones.

SB1069 Pedestrians; drivers stopping at certain signs.

SUPPORT

Primary Sponsor: [Senator Richard L. Saslaw \(D\)](#)

Summary: Drivers stopping for pedestrians; certain signs; stops. Requires the driver of a vehicle on a highway approaching a pedestrian who is crossing such highway to stop for such pedestrian. Currently, a driver is required to yield the right-of-way to such pedestrian by stopping and remaining stopped. The bill also provides that localities that are already authorized to install signs directing motor vehicles to yield the right-of-way to pedestrians crossing or attempting to cross a highway may also install signs directing motor vehicles to stop for such pedestrians.

SB847 Pedestrian control signals; applicability to persons riding bicycles and other devices.

SUPPORT

Primary Sponsor: [Senator Barbara A. Favola \(D\)](#)

Summary: Pedestrian control signals; applicability to persons riding bicycles and other devices. Allows persons riding a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, or motorized skateboard or scooter to follow the pedestrian control signal at an intersection when traveling in the direction of the signal, provided they yield to pedestrians in the crosswalk traveling in the same direction. The bill specifies that such persons shall not start to cross the highway in the direction of such signal while the signal is solid, that pedestrians shall not start to cross the highway when such signal is solid or flashing, and that any person who has partially crossed the highway shall proceed to a sidewalk or safety island when the solid Don't Walk signal begins.

SB1293 Bicycles; exemptions to certain traffic control devices, local ordinances.

SUPPORT

Primary Sponsor: [Senator R. Creigh Deeds \(D\)](#)

Summary: Bicycles; exemptions to certain traffic control devices; local ordinances. Authorizes the local governing body of any county, city, or town to by ordinance authorize a bicyclist to treat a stop light as a stop sign and a stop sign as a yield right-of-way sign, provided that certain safety measures are observed.

HOUSING SECURITY AND TENANT PROTECTIONS

[HB1542](#) Virginia Residential Landlord and Tenant Act; security deposits.

OPPOSE

Primary Sponsor: [Delegate Jeffrey L. Campbell \(R\)](#)

Summary: Virginia Residential Landlord and Tenant Act; security deposits. Increases from 15 to 30 days the additional time period that a landlord has to provide a tenant with an itemization of damages to the premises and the cost of repair when such damages exceed the amount of the tenant's security deposit and require the services of a third-party contractor. The bill sunsets on June 30, 2024.

[HB1614](#) Housing authorities; common household pets.

SUPPORT

Primary Sponsor: [Delegate Angelia Williams Graves \(D\)](#)

Summary: Housing authorities; common household pets. Requires each housing authority to permit tenants to own or maintain one or more common household pets, as defined in the bill, subject to applicable state and federal law and regulations and certain reasonable conditions outlined in the bill. As defined, "common household pet" does not include an assistance animal or any animal prohibited by a local ordinance regulating the keeping of animals or fowl, other than dogs or cats, within a certain distance of residences or other buildings or structures.

[HB1635](#) Virginia Residential Landlord and Tenant Act; tenant remedies, uninhabitable dwelling unit.

SUPPORT

Primary Sponsor: [Delegate David L. Bulova \(D\)](#)

Summary: Virginia Residential Landlord and Tenant Act; tenant remedies; uninhabitable dwelling unit. Provides that a tenant may terminate the rental agreement and receive a full refund of all money paid to the landlord if, at the beginning of the tenancy, the tenant finds that the dwelling unit is not in a fit and habitable condition, so long as the tenant provides the landlord or the landlord's agent notice of his intent to terminate the rental agreement within five days of the date on which possession of the dwelling unit was to have transferred to the tenant. The bill requires the landlord to provide the tenant a full refund on or before the fifth day following the day on which the termination notice was delivered to the landlord or the landlord's agent and entitles the tenant to actual damages and reasonable attorney fees should the landlord fail to do so. The bill also allows any landlord who reasonably believes that the dwelling unit was kept in a fit and habitable condition and the tenant was unjustified in his termination of the rental agreement to contest such termination before a court of competent jurisdiction.

[HB1651](#) Virginia Residential Landlord and Tenant Act; nonrefundable application fee, limitations.

SUPPORT

Primary Sponsor: [Delegate Marcia S. "Cia" Price \(D\)](#)

Summary: Virginia Residential Landlord and Tenant Act; nonrefundable application fee; limitations. Provides that a landlord shall not obtain a consumer report or conduct any other investigation into the

background or qualifications of a rental applicant without first establishing a written rental admission policy that is available to the public and providing the applicant with either a written or an electronic copy of such policy. The bill also provides that such policy must contain a disclosure of the amount of all nonrefundable application fees and deposits.

[HB2058](#) Virginia Residential Landlord and Tenant Act; tenant's assertion, condemnation of leased premises.

SUPPORT

Primary Sponsor: [Delegate Alfonso H. Lopez \(D\)](#)

Summary: Virginia Residential Landlord and Tenant Act; tenant's assertion; condemnation of leased premises; remedies. Provides a rebuttable presumption of a landlord's material noncompliance with the rental agreement if the leased premises was condemned by an appropriate state or local agency due to the landlord's or his agent's refusal or failure to remedy a condition for which he was served a condemnation notice, unless such condition was caused by an act of God. The bill requires a court, when such rebuttable presumption is established, to award the tenant the amount of three months' rent, any prepaid rent, and any security deposit paid by the tenant.

[HB1702](#) Virginia Residential Landlord and Tenant Act; terms and conditions of rental agreement.

SUPPORT

Primary Sponsor: [Delegate Michelle Lopes Maldonado \(D\)](#)

Summary: Virginia Residential Landlord and Tenant Act; terms and conditions of rental agreement; rent increase; notice. Requires a landlord who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, whether individually or through a business entity, in the Commonwealth, to, in the case of any rental agreement that contains an option to renew or an automatic renewal provision, provide written notice to the tenant notifying the tenant of any increase in rent during the subsequent rental agreement term no less than 90 days prior to the end of the current rental agreement term.

SHORT TERM RENTALS

[HB2103](#) Short-term rentals; special exceptions.

SUPPORT

Primary Sponsor: [Delegate Sally L. Hudson \(D\)](#)

Summary: Special exceptions; short-term rentals. Allows any locality to impose a condition upon any special exception or special use permit relating to short-term rentals that provides that such special exception or special use permit will automatically expire upon a change of ownership of the property, a change in the owner of the business or a transfer of majority control of a business entity, a change in possession, a change in the operation or management of a facility, or the passage of a specific period of time.

HB2271 Short-term rental property; locality's ability to restrict property managed by a Virginia realtor.

OPPOSE

Primary Sponsor: [Delegate Daniel W. Marshall, III \(R\)](#)

Summary: Short-term rental property; locality's ability to restrict property managed by a Virginia realtor. Provides that a locality may not restrict by ordinance any short-term rental property managed by a Virginia realtor, defined in the bill. The bill provides that a locality may not enforce an ordinance against such property where the ordinance (i) prohibits short-term rentals; (ii) limits occupancy in a short-term rental property to less than what is allowed under the building code or local zoning regulations; (iii) limits the number of days in a calendar year for which a short-term rental property can be rented; (iv) requires an owner to occupy the short-term rental property as his primary residence for any number of days in a calendar year; (v) requires any type of remote monitoring device to be installed on the short-term rental property, including decibel, audio, or video; (vi) requires exterior or interior inspections of the short-term rental property pertaining to any items defined under the building code more frequently than every five years, unless a complaint has been filed with the locality or building authority; (vii) requires repairs, renovations, or updates to the structure of the short-term rental property that are greater than those required under the applicable building code; or (viii) requires an owner to add additional or otherwise alter existing parking spaces for the short-term rental property. The provisions of the bill shall apply to any short-term rental property managed by a realtor and operating as such on or after January 1, 2023.

ACCESS TO BROADBAND

HB1533 Public utility regulation; Internet service providers, certificate to furnish broadband service.

WATCH

Primary Sponsor: [Delegate Clinton L. Jenkins \(D\)](#)

Summary: Public utility regulation; Internet service providers; certificate to furnish broadband service. Provides that Internet service providers are public utilities for the purposes of services and rates that are regulated by the State Corporation Commission. Under the bill, an Internet service provider does not include any agency, municipality, school board, or other political subdivision of the Commonwealth that provides broadband service. Beginning January 1, 2024, the bill requires an Internet service provider to seek a certificate of public convenience and necessity from the Commission for furnishing broadband service, extending its broadband service, or constructing, enlarging, or acquiring any new facilities for use in the provision of broadband service. The bill directs the Commission to promulgate rules and regulations to establish the requirements and process for an Internet service provider to seek such certificates by January 1, 2024.

HB1510 Urban green space; local incentives.

SUPPORT

Primary Sponsor: [Delegate Dawn M. Adams \(D\)](#)

Summary: Local incentives for urban green space. Authorizes localities to establish programs to grant tax incentives or provide regulatory flexibility to encourage the preservation, restoration, or development of urban green space, defined in the bill. The incentives or regulatory flexibility may include (i) a reduction in permit fees, (ii) a streamlined process for the approval of permits, or (iii) a reduction in any gross receipts tax.

HB1686 Sales and use tax, local; exemptions for food purchased for human consumption.

SUPPORT

Primary Sponsor: [Delegate Karen S. Greenhalgh \(R\)](#)

Summary: Local sales and use tax; exemptions. Authorizes the governing board of a city or county to, by ordinance, exempt food purchased for human consumption and essential personal hygiene products from local sales and use tax.

HB1920 License taxes and fees, local; exemptions, blog or online website.

OPPOSE

Primary Sponsor: [Delegate Patrick A. Hope \(D\)](#)

Summary: Local license taxes and fees; exemptions; blog or online website. Prohibits a county, city, or town from imposing a license fee or levying a license tax on the privilege or right of publishing any blog or online website containing daily or regularly updated news, feature articles, advertisements, or correspondence, provided that such blog or online website employs full time at least one journalist who has a Virginia taxable income.

HJ462 Constitutional amendment; exemption for motor vehicles owned for personal, noncommercial use.

OPPOSE

Primary Sponsor: [Delegate Timothy V. Anderson \(R\)](#)

Summary: Constitutional amendment (first reference); personal property tax; exemption for motor vehicles owned for personal, noncommercial use. Requires the General Assembly to exempt from personal property taxes motor vehicles owned by an individual for personal, noncommercial use. For purposes of the exemption, "motor vehicle" includes only automobiles, pickup trucks, and motorcycles. The amendment provides that the exemption shall be applicable on the date the motor vehicle is acquired or the effective date of the amendment, whichever is later, but shall not be applicable for any period of time prior to the effective date.

HJ517 Constitutional amendment; real property tax exemption for new construction of housing.

WATCH

Primary Sponsor: [Delegate James A. "Jay" Leftwich \(R\)](#)

Summary: Constitutional amendment (first reference); real property tax exemption for new construction of housing. Allows the General Assembly to authorize the governing body of any county, city, or town to provide for the exemption from local real property taxation, or a portion thereof, of real estate on which housing is to be constructed.

SB1066 Historic rehabilitation; increases maximum amount of tax credit.

SUPPORT

Primary Sponsor: [Senator Scott A. Surovell \(D\)](#)

Summary: Historic rehabilitation tax credit; increase. Increases from \$5 million to \$10 million, beginning in taxable year 2023, the maximum amount of the historic rehabilitation tax credit, including amounts carried over from prior taxable years, that may be claimed by a taxpayer in any taxable year. In addition, should the taxpayer incur expenses toward the rehabilitation of a certified historic structure in a locality that has a designated enterprise zone, as defined in the Code, the taxpayer may claim up to an additional \$10 million in any taxable year.

HJ485 Constitutional amendment; local property tax exemption for property owned by low-income households.

WATCH

Primary Sponsor: [Delegate Marcia S. "Cia" Price \(D\)](#)

Summary: Constitutional amendment (first reference); local property tax exemption; property owned by low-income households. Provides that the General Assembly may authorize a county, city, or town to provide for an exemption from local property taxation of property owned by a low-income taxpayer, as defined by law.

HJ498 Constitutional amendment; exemption of property owned and occupied by persons of low income, etc.

WATCH

Primary Sponsor: [Delegate Betsy B. Carr \(D\)](#)

Summary: Constitutional amendment (first reference); tax and finance; exempt property; affordable housing tax exemption. Amends the Constitution of Virginia by providing that the General Assembly may by general law authorize the governing body of any county, city, town, or regional government to provide for the exemption from local real property taxation, or a portion thereof, within such restrictions and upon such conditions as may be prescribed, of real estate owned and occupied by persons of low income or low financial worth.

SJ247 Constitutional amendment; exemption of property owned and occupied by persons of low income, etc.

WATCH

Primary Sponsor: [Senator Ghazala F. Hashmi \(D\)](#)

Summary: Constitutional amendment (first reference); tax and finance; exempt property; affordable housing tax exemption. Amends the Constitution of Virginia by providing that the General Assembly may by general law authorize the governing body of any county, city, town, or regional government to provide for the exemption from local real property taxation, or a portion thereof, within such restrictions and upon such conditions as may be prescribed, of real estate owned and occupied by persons of low income or low financial worth.

[SB1032](#) Disabled veterans & surviving spouses of certain military; state subsidy of property tax exemptions.

SUPPORT

Primary Sponsor: [Senator Richard H. Stuart \(R\)](#)

Summary: State subsidy of property tax exemptions for disabled veterans and surviving spouses of military members killed in action. Requires the Commonwealth to subsidize local real estate tax relief for disabled veterans and surviving spouses of members of the United States Armed Forces killed in action when more than one percent of a locality's real estate tax base is lost due to such state-mandated tax relief programs. The bill provides that the Commonwealth will subsidize only that portion of tax-exempt real estate that exceeds the one percent threshold and requires the Auditor of Public Accounts to establish an application process whereby a locality demonstrates that more than one percent of its real estate tax base was lost. Under the bill, the Auditor certifies to the Governor and the General Assembly those localities that are eligible for a subsidy and the Governor includes in the Budget Bill a proposed appropriation of the amount of the state subsidy to be provided to localities certified as eligible localities.

[SJ231](#) Const. amendment; prop. tax exemption for surviving spouses of soldiers who died in line of duty.

WATCH

Primary Sponsor: [Delegate Daniel W. Marshall, III \(R\)](#)

Summary: Historic rehabilitation tax credit; increase. Increases from \$5 million to \$10 million, beginning in taxable year 2023, the maximum amount of the historic rehabilitation tax credit, including amounts carried over from prior taxable years, that may be claimed by a taxpayer in any taxable year. In addition, should the taxpayer incur expenses toward the rehabilitation of a certified historic structure in a locality that has a designated enterprise zone, as defined in the Code, the taxpayer may claim up to an additional \$10 million in any taxable year.

[HB1668](#) Historic rehabilitation; increases maximum amount of tax credit.

SUPPORT

Primary Sponsor: [Delegate Daniel W. Marshall, III \(R\)](#)

Summary: Historic rehabilitation tax credit; increase. Increases from \$5 million to \$10 million, beginning in taxable year 2023, the maximum amount of the historic rehabilitation tax credit, including

amounts carried over from prior taxable years, that may be claimed by a taxpayer in any taxable year. In addition, should the taxpayer incur expenses toward the rehabilitation of a certified historic structure in a locality that has a designated enterprise zone, as defined in the Code, the taxpayer may claim up to an additional \$10 million in any taxable year.

TAXES FEES & PENALTIES

HB1685 Business local; taxes, penalties.

OPPOSE

Primary Sponsor: [Delegate Karen S. Greenhalgh \(R\)](#)

Summary: Local business taxes; penalties. Caps the maximum amount of penalties that may be assessed on unpaid license taxes or tangible personal property taxes owed by a business at five percent of the amount due. The bill provides the same cap for penalties assessed for failing to apply for a license or file a return on time for such taxes. The bill requires the assessing official, upon assessing any such penalty, to notify the affected taxpayer of the amount of such penalty, any interest assessed, and the total amount of tax owed. The bill is a recommendation of the Small Business Commission.

HB2203 Fines and costs; period of limitations on collection.

OPPOSE

Primary Sponsor: [Delegate Angelia Williams Graves \(D\)](#)

Summary: Fines and costs; period of limitations on collection. Changes the period of limitations for the collection of court fines and costs from within 60 years from the date of the offense or delinquency giving rise to imposition of such penalty if imposed by a circuit court or within 30 years if imposed by a general district court to within 10 years from the date of the judgment whether imposed by a circuit court or general district court. The bill provides that upon the expiration of the period of limitations, the fines imposed and costs taxed are extinguished, there shall be no right to collect the debt, and the period of limitations shall not be extended or revived on account of a partial payment; a written or verbal affirmation of any fines, monetary penalties, or costs; or a change in collection methods.

HB2340 Motor vehicle license plates and registration; increases taxes and penalties.

SUPPORT

Primary Sponsor: [Delegate David L. Bulova \(D\)](#)

Summary: Motor vehicle license plates and registration; taxes and penalties. Increases from \$100 to \$150 the maximum license tax that a locality is authorized to impose annually on motor vehicles not displaying current license plates. The bill increases from up to \$250 to up to \$350 the penalty on motor vehicles that have not been registered within the first 30 days of an individual's residency in the Commonwealth.

ECONOMIC DEVELOPMENT

[HB1842](#) Virginia Business Ready Sites Acquisition Fund and Program; created.

WATCH

Primary Sponsor: [Delegate Barry D. Knight \(R\)](#)

Summary: Economic development; Virginia Business Ready Sites Acquisition Fund and Program. Creates the Virginia Business Ready Sites Acquisition Program for the purposes of (i) acquiring sites for the purpose of creating and maintaining a portfolio of project-ready sites to promote economic development in the Commonwealth, (ii) developing such sites to increase their marketability, and (iii) entering into development agreements with private employers for large-scale economic development projects. The Virginia Economic Development Partnership Authority shall administer the Program, in consultation with the Department of General Services.

The bill requires Program activities to be reviewed by the Business Ready Site Acquisition Oversight Commission (the Commission), created by the bill, composed of the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, the Speaker of the House of Delegates, the President Pro Tempore of the Senate, the Secretary of Commerce and Trade, the Secretary of Finance, and the Secretary of Administration, who shall review proposals for site acquisitions, site development activities, and development agreements with private employers and determine whether the proposals are consistent with the objective of the Program. If the Commission issues a negative finding, it shall communicate such finding to the Governor and to the General Assembly, and the Authority shall not implement the proposal unless the proposal, either in its original or revised form, is authorized by the General Assembly at its next session and enacted into law.

[HB2332](#) Virginia Economic Development Partnership Authority; eligible site for site development grant.

WATCH

Primary Sponsor: [Delegate Ellen H. Campbell \(R\)](#)

Summary: Virginia Economic Development Partnership Authority; eligible site for site development grant; minimum acreage requirement. Reduces from 100 acres to 50 acres the minimum number of contiguous acres required for a site that is not a brownfield to satisfy the acreage requirement to be considered eligible to receive a site development grant from the Virginia Business Ready Sites Program Fund by the Virginia Economic Development Partnership Authority.

OTHER LOCAL AUTHORITY

[HB1559](#) Ordinances, local; vehicle exhaust, operation on property near residential district.

SUPPORT

Primary Sponsor: [Delegate Vivian E. Watts \(D\)](#)

Summary: Local ordinances; vehicle exhaust; operation on property near residential district. Allows local governing bodies to regulate, by ordinance, noise from vehicles not conforming to exhaust system requirements that are operated on highways or on public or private property in or within 500 feet of any residential district. Current law only allows such regulation by ordinance from such vehicles that are operated on a highway.

HB1607 Localities; penalties for violation of ordinances, civil penalties.

OPPOSE

Primary Sponsor: [Delegate Anne Ferrell Tata \(R\)](#)

Summary: Localities; penalties for violation of ordinances; civil penalties. Permits any locality to adopt an ordinance that establishes a uniform schedule of civil penalties for violations of ordinances. The bill provides that the civil penalty, unless elsewhere authorized, shall not exceed (i) \$500 for the initial summons, (ii) \$1,000 for the second violation, or (iii) \$1,500 for the third or subsequent violation. The bill further provides that a locality that has charged an individual criminally under the ordinance may also issue summonses for civil penalties for continued or additional violations of the ordinance.

HB1611 Va. Public Procurement; competitive negotiation, localities to post public notice on website.

SUPPORT

Primary Sponsor: [Delegate Angelia Williams Graves \(D\)](#)

Summary: Virginia Public Procurement Act; competitive negotiation; allows localities to post public notice on appropriate websites. Removes the requirement that if a local public body elects not to publish notice of a Request for Proposal in a newspaper of general circulation in the area in which the contract is to be performed, then such local public body shall post such notice on the Department of General Services' central electronic procurement website. The bill allows local public bodies to post such notice on any appropriate website without requiring local public bodies to post such notice in a newspaper.

SB956 Localities; authorized to create business improvement and recruitment districts.

WATCH

Primary Sponsor: [Senator Frank M. Ruff, Jr. \(R\)](#)

Summary: Localities; business improvement and recruitment districts. Authorizes any locality to create a local business improvement and recruitment district plan, consisting of fees charged to businesses and used to fund business improvements, business promotions, and business recruitment activities.

SB1151 Local government; standardization of public notice requirements for certain intended actions.

WATCH

Primary Sponsor: [Senator John S. Edwards \(D\)](#)

Summary: Local government; standardization of public notice requirements for certain intended actions and hearings; report. Standardizes the frequency and length of time that notices of certain meetings, hearings, and other intended actions of localities must be published in newspapers and

other print media. The notice provisions included in the bill are organized into the following three groups: (i) publication required one week before the meeting, hearing, or intended action; (ii) publication required two consecutive weeks before the meeting, hearing, or intended action; and (iii) publication required three consecutive weeks before the meeting, hearing, or intended action. In addition, the bill amends provisions related to the content of notices for zoning ordinances and amendments to such ordinances by removing the requirement that such notices contain a descriptive summary of the proposed action and providing that such notices shall include the street address or tax map parcel number of the parcels subject to the action. In cases where the intended action affects more than 25 parcels, the notice must also include the approximate acreage subject to the intended action. The bill also removes the requirement that notices of proposed amendments to a zoning map state the general usage and density range of the proposed amendment and the general usage density set forth in the applicable part of the comprehensive plan. The bill directs the Virginia Code Commission to convene a work group to continue review of the notice requirements throughout the Code of Virginia and requires the Virginia Code Commission to submit a report to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology summarizing the work and any recommendations of the work group by November 30, 2023.

SJ226 Constitutional amendment; local government, sale of property.

WATCH

Primary Sponsor: [Senator Mamie E. Locke \(D\)](#)

Summary: Constitutional amendment (first reference); local government; sale of property; authority to grant perpetual easements to units of government. Allows easements on public property to be granted in perpetuity to a public body, political subdivision, or authority of the Commonwealth or to the United States or any of its departments or agencies. The requirement to advertise and publicly receive bids does not apply to easements conveyed to any such governmental entity.

HB2110 Delinquent tax lands; extends maximum duration of an installment agrmt. between locality/landlord.

OPPOSE

Primary Sponsor: [Delegate Jeffrey M. Bourne \(D\)](#)

Summary: Delinquent tax lands. Extends the maximum duration of an installment agreement between a locality and a landowner to pay delinquent taxes from 60 to 72 months. The bill also allows for a property owner, or his heirs, to redeem real estate sold for delinquent taxes for a period of up to 365 days after such judicial sale. The bill provides that such redemption shall be made by paying to the purchaser the amount paid by the purchaser plus the amount of taxes, penalties, interest, and other charges due to a locality and incurred after the judicial sale and plus interest thereon at the rate of six percent per year.

HB1942 Real property tax; notice of rate and assessment changes.

OPPOSE

Primary Sponsor: [Delegate Tara A. Durant \(R\)](#)

Summary: Real property tax; notice of rate and assessment changes. Requires certain information to be included in the notice that a locality is required to send to taxpayers after conducting a reassessment of real property. The bill provides that when a locality has not yet established its real property tax rate when such notice is sent, the locality shall set out in the notice the "lowered tax rate," defined in the bill as the tax rate which would levy the same amount of real estate tax as the previous year, when multiplied by the new total assessed value of real estate.

LOCAL GOVERNMENT ETHICS & COMPLIANCE

SB1002 Conflict of Interests Act, State and Local Government; certain gifts prohibited, foreign countries.

WATCH

Primary Sponsor: [Senator John A. Cosgrove, Jr. \(R\)](#)

Summary: State and Local Government Conflict of Interests Act; certain gifts prohibited; foreign countries of concern. Prohibits officers and employees of state and local governments and nonprofit private institutions of higher education from receiving a gift with a value exceeding \$100 for which the fair market value or a gift of greater or equal value has not been provided or exchanged from foreign countries of concern, defined in the bill.

HB1476 Auditor of Public Accounts; civil penalty for local noncompliance.

OPPOSE

Primary Sponsor: [Senator Jeremy S. McPike \(D\)](#)

Summary: Auditor of Public Accounts; civil penalty for local noncompliance. Provides that localities and localities' constitutional officers shall be subject to monetary penalties for failure to comply with various deadlines for preparing local financial audit reports and submitting such reports to the Auditor of Public Accounts.

PROCUREMENT

HB1490 Virginia Public Procurement Act; certain construction contracts, performance and payment bonds.

SUPPORT

Primary Sponsor: [Delegate Glenn R. Davis \(R\)](#)

Summary: Virginia Public Procurement Act; certain construction contracts; performance and payment bonds. Allows localities to allow a contractor of indefinite delivery or quantity contracts, defined in the bill, who is otherwise required to furnish performance and payment bonds in the sum of the contract amount to the public body with which he contracted to furnish such bonds only the dollar amount of

the individual tasks identified in the underlying contract. Such contractors shall not be required to furnish the sum of the contract amount if the governing locality has adopted such an ordinance.

[HB1957](#) Virginia Public Procurement Act; construction management and design-build contracting.

OPPOSE

Primary Sponsor: [Delegate James A. "Jay" Leftwich \(R\)](#)

Summary: Virginia Public Procurement Act; construction management and design-build contracting; applicability. Requires a two-step process consisting of (i) a preconstruction contract and (ii) competitive sealed bidding for construction services for certain projects totaling less than \$125 million. Complex projects, defined in the bill, may request an exemption from the provisions of the bill and relevant law from the Secretary of Administration. If a complex project totals is more than \$125 million, the bill provides that an exemption from the provisions of the bill and relevant law is not required. Finally, the bill states that competitive sealed bidding is the preferred method of procurement for construction services in the Commonwealth.

[SB954](#) Virginia Public Procurement Act; construction management and design-build contracting.

OPPOSE

Primary Sponsor: [Senator J. Chapman Petersen \(D\)](#)

Summary: Virginia Public Procurement Act; construction management and design-build contracting; applicability. Requires a two-step process consisting of (i) a preconstruction contract and (ii) competitive sealed bidding for construction services for certain projects totaling less than \$125 million. Complex projects, defined in the bill, may request an exemption from the provisions of the bill and relevant law from the Secretary of Administration. If a complex project totals is more than \$125 million, the bill provides that an exemption from the provisions of the bill and relevant law is not required. Finally, the bill states that competitive sealed bidding is the preferred method of procurement for construction services in the Commonwealth.

WORKERS' CLASSIFICATION, COMPENSATION & BENEFITS

[HB1775](#) Workers' compensation; anxiety disorder or depressive disorder incurred by law-enforcement officers.

WATCH

Primary Sponsor: [Delegate Israel D. O'Quinn \(R\)](#)

Summary: Workers' compensation; anxiety disorder or depressive disorder incurred by law-enforcement officers and firefighters. Provides that an anxiety disorder or depressive disorder, as both are defined in the bill, incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers' Compensation Act on the same basis as post-traumatic stress disorder. The bill provides that a mental health professional must diagnose the law-enforcement officer or firefighter as suffering from anxiety disorder or depressive disorder as a result of a qualifying event, as defined in the Code, and includes other conditions for compensability.

SB1088 Workers' compensation; post-traumatic stress disorder incurred by dispatchers.

WATCH

Primary Sponsor: [Senator Adam P. Ebbin \(D\)](#)

Summary: Workers' compensation; post-traumatic stress disorder incurred by dispatchers. Allows dispatchers, as defined in the bill, to claim workers' compensation benefits relating to post-traumatic stress disorder under the Virginia Workers' Compensation Act. Currently, only law-enforcement officers and firefighters may claim such benefits.

WORKER PROTECTIONS

HB1474 Law-enforcement officers; protected personal information.

SUPPORT

Primary Sponsor: [Delegate Michael J. Webert \(R\)](#)

Summary: Law-enforcement officers; protected personal information. Provides that any law-enforcement officer who provides information relative to a criminal investigation or in proceedings preliminary to a criminal prosecution may refuse, unless ordered by a court, to disclose his residence address, home telephone number, or any personal information concerning his family. The bill also provides that any law-enforcement officer who testifies as a witness in a criminal case may refuse to disclose personal information concerning his family unless it is determined by the court that such evidence is relevant to the case.

HB1616 Workplace violence; policy required for certain employers, civil penalty.

WATCH

Primary Sponsor: [Delegate Nadarius E. Clark \(D\)](#)

Summary: Workplace violence policy required for certain employers; civil penalty. Requires any employer of 100 or more employees to develop, implement, and maintain a workplace violence policy no later than January 1, 2024. The bill includes requirements for such a policy, such as procedures and methods for employee reporting of incidents and post-incident investigations. Employers subject to the bill are required to maintain documentation of workplace violence incidents for not less than five years. An employer that violates the provisions of the bill shall be subject to a civil penalty of not more than \$1,000 per violation. The bill prohibits retaliation from an employer on the basis of reporting a workplace violence incident and provides that any employee who makes a report of workplace violence shall be immune from civil liability.

SB1046 Law-enforcement officer; definition includes fire marshal with police powers.

SUPPORT

Primary Sponsor: [Senator Jeremy S. McPike \(D\)](#)

Summary: Definition of law-enforcement officer; fire marshal with police powers. Provides that fire marshals who have been appointed with police powers are included in the definition of law-enforcement officer that applies in numerous applications in the Code.

HB1571 Virginia Retirement System; enhanced retirement benefits for 911 dispatchers.

WATCH

Primary Sponsor: [Delegate Wendell S. Walker \(R\)](#)

Summary: Virginia Retirement System; enhanced retirement benefits for 911 dispatchers. Adds 911 dispatchers to the list of local employees eligible to receive enhanced retirement benefits for hazardous duty service under the Virginia Retirement System.

HB1408 Workers' compensation; presumption of compensability for certain cancers.

WATCH

Primary Sponsor: [Delegate Emily M. Brewer \(R\)](#)

Summary: Workers' compensation; presumption of compensability for certain cancers. Expands the workers' compensation presumption of compensability for certain cancers causing the death or disability of certain employees who have completed five years of service in their position to include melanoma, non-Hodgkin's lymphoma, and bladder and thyroid cancer. The presumption for these cancers does not apply for any individual diagnosed with such a condition before July 1, 2023.

HB1631 Workers' compensation; post-traumatic stress disorder incurred by dispatchers.

WATCH

Primary Sponsor: [Delegate David L. Bulova \(D\)](#)

Summary: Workers' compensation; post-traumatic stress disorder incurred by dispatchers. Allows dispatchers, as defined in the bill, to claim workers' compensation benefits relating to post-traumatic stress disorder under the Virginia Workers' Compensation Act. Currently, only law-enforcement officers and firefighters may claim such benefits.

SB1004 Law-enforcement officers; protected personal information.

SUPPORT

Primary Sponsor: [Senator Bill DeSteph \(R\)](#)

Summary: Law-enforcement officers; protected personal information. Provides that any law-enforcement officer who provides information relative to a criminal investigation or in proceedings preliminary to a criminal prosecution may refuse, unless ordered by a court, to disclose his residence address, home telephone number, or any personal information concerning his family. The bill also provides that any law-enforcement officer who testifies as a witness in a criminal case may refuse to disclose personal information concerning his family unless it is determined by the court that such evidence is relevant to the case.

ENVIRONMENTAL REGULATIONS

HB1632 Virginia Erosion and Stormwater Management Act; regulations, effective date.

SUPPORT

Primary Sponsor: [Delegate David L. Bulova \(D\)](#)

Summary: Virginia Erosion and Stormwater Management Act; regulations; effective date. Directs the State Water Control Board to adopt regulations to implement before July 1, 2024, the requirements of amendments to the Virginia Erosion and Stormwater Management Act enacted by the 2016 Session and amended by the 2017 Session and delays from July 1, 2018, to July 1, 2024, the effective date of the amendments made by the 2016 Session and regulations required to be adopted pursuant thereto.

HB1485 Chesapeake Bay Watershed Implementation Plan; effective date.

OPPOSE

Primary Sponsor: [Delegate Michael J. Weibert \(R\)](#)

Summary: Chesapeake Bay Watershed Implementation Plan; effective date. Changes the contingency for the effective date of the Chesapeake Bay Watershed Implementation Plan provisions to (i) allow consideration of a combination of point or nonpoint source pollution reduction efforts other than agricultural best management conservation practices when determining whether the Commonwealth's commitments in the Chesapeake Bay Total Maximum Daily Load Phase III Watershed Implementation Plan have been satisfied and (ii) bar such provisions from becoming effective unless the Commonwealth funds the Virginia Natural Resources Commitment Fund each year of the current or existing biennial period.

SB1158 Garbage and refuse pickup and disposal services; regulation, exclusive service areas.

WATCH

Primary Sponsor: [Senator David W. Marsden \(D\)](#)

Summary: Regulation of garbage and refuse pickup and disposal services; exclusive service areas; Planning District 8. Grants localities in Planning District 8 (Northern Virginia) authority to establish exclusive service areas and award such service areas to businesses that as of July 1, 2024, are legally engaged in the pickup and disposal of garbage, trash, or refuse, wherein service will be provided to the residents of the locality. For each such business, the locality may establish a separate service area with a customer base that approximates the number of residential customers served by the business in the locality on July 1, 2023. The ordinance shall establish procedures for removing or adding businesses and adjusting the boundaries of such service areas as needed. Property owners' associations may continue to contract with properly licensed businesses of their choice notwithstanding the establishment of exclusive service areas. The bill contains a reenactment clause.

SB1178 Soil erosion control and stormwater management plans; Phase I Utility.

OPPOSE

Primary Sponsor: [Senator Lynwood W. Lewis, Jr. \(D\)](#)

Summary: Soil erosion control and stormwater management plans; Phase I Utility. Establishes that with regard to permanent gravel access roads associated with the construction and maintenance of electric transmission lines by a Phase I Utility, such utility is not required to obtain a General Virginia Pollutant Discharge Elimination System permit for the discharge of stormwater from construction

activities if certain conditions are met and also requires such utility to provide in its annual standards and specifications reasonable assurance that such conditions will be satisfied.

CLEAN AIR & CLEAN WATER

HB1721 Public drinking water; Commissioner of Health's work group to study occurrence of microplastics.

SUPPORT

Primary Sponsor: [Delegate Nadarius E. Clark \(D\)](#)

Summary: Commissioner of Health; work group to study the occurrence of microplastics in the Commonwealth's public drinking water; report. Directs the Commissioner of Health to convene a work group to study the occurrence of microplastics in the Commonwealth's public drinking water. The bill requires the work group to report its findings and recommendations to the Governor and the Chairmen of the House Committees on Agriculture, Chesapeake and Natural Resources and Health, Welfare and Institutions and the Senate Committees on Agriculture, Conservation and Natural Resources and Education and Health by December 1, 2023.

HB1372 State Air Pollution Control Board; regulations; low-emissions and zero-emissions vehicle standards.

OPPOSE

Primary Sponsor: [Delegate Hyland F. "Buddy" Fowler, Jr. \(R\)](#)

Summary: State Air Pollution Control Board; regulations; low-emissions and zero-emissions vehicle standards. Repeals the State Air Pollution Control Board's authority to implement low-emissions and zero-emissions vehicle standards for vehicles with a model year of 2025 and later.

HB1378 State Air Pollution Control Board; motor vehicle emissions standards.

OPPOSE

Primary Sponsor: [Delegate Tony O. Wilt \(R\)](#)

Summary: State Air Pollution Control Board; motor vehicle emissions standards. Repeals the requirement that the State Air Pollution Control Board implement a low-emissions and zero-emissions vehicle program for motor vehicles with a model year of 2025 and later. The bill prohibits the Board from adopting or enforcing any model year standards related to control of emissions from new motor vehicles or new motor vehicle engines, including low-emission vehicle and zero-emission vehicle standards pursuant to the federal Clean Air Act and prohibits the Commonwealth from requiring any new motor vehicle or new motor vehicle engine to be certified as compliant with model year standards related to the control of emissions adopted by California for which a waiver has been granted pursuant to the federal Clean Air Act.

SB779 State Air Pollution Control Board; motor vehicle emissions standards.

OPPOSE

Primary Sponsor: [Senator Stephen D. Newman \(R\)](#)

Summary: State Air Pollution Control Board; motor vehicle emissions standards. Repeals the requirement that the State Air Pollution Control Board implement a low-emissions and zero-emissions vehicle program for motor vehicles with a model year of 2025 and later. The bill prohibits the Board from adopting or enforcing any model year standards related to control of emissions from new motor vehicles or new motor vehicle engines, including low-emission vehicle and zero-emission vehicle standards pursuant to the federal Clean Air Act and prohibits the Commonwealth from requiring any new motor vehicle or new motor vehicle engine to be certified as compliant with model year standards related to the control of emissions adopted by California for which a waiver has been granted pursuant to the federal Clean Air Act.

SB781 State Air Pollution Control Board; motor vehicle emissions standards.

OPPOSE

Primary Sponsor: Senator Bill DeSteph (R)

Summary: State Air Pollution Control Board; motor vehicle emissions standards. Repeals the requirement that the State Air Pollution Control Board implement a low-emissions and zero-emissions vehicle program for motor vehicles with a model year of 2025 and later. The bill prohibits the Board from adopting or enforcing any model year standards related to control of emissions from new motor vehicles or new motor vehicle engines, including low-emission vehicle and zero-emission vehicle standards pursuant to the federal Clean Air Act and prohibits the Commonwealth from requiring any new motor vehicle or new motor vehicle engine to be certified as compliant with model year standards related to the control of emissions adopted by California for which a waiver has been granted pursuant to the federal Clean Air Act.

SB782 State Air Pollution Control Board; motor vehicle emissions standards.

OPPOSE

Primary Sponsor: Senator Bryce E. Reeves (R)

Summary: State Air Pollution Control Board; motor vehicle emissions standards. Repeals the requirement that the State Air Pollution Control Board implement a low-emissions and zero-emissions vehicle program for motor vehicles with a model year of 2025 and later. The bill prohibits the Board from adopting or enforcing any model year standards related to control of emissions from new motor vehicles or new motor vehicle engines, including low-emission vehicle and zero-emission vehicle standards pursuant to the federal Clean Air Act and prohibits the Commonwealth from requiring any new motor vehicle or new motor vehicle engine to be certified as compliant with model year standards related to the control of emissions adopted by California for which a waiver has been granted pursuant to the federal Clean Air Act.

SB785 State Air Pollution Control Board; motor vehicle emissions standards.

OPPOSE

Primary Sponsor: Senator Ryan T. McDougale (R)

Summary: State Air Pollution Control Board; motor vehicle emissions standards. Repeals the requirement that the State Air Pollution Control Board implement a low-emissions and zero-emissions vehicle program for motor vehicles with a model year of 2025 and later. The bill prohibits the Board from adopting or enforcing any model year standards related to control of emissions from new motor vehicles or new motor vehicle engines, including low-emission vehicle and zero-emission vehicle standards pursuant to the federal Clean Air Act and prohibits the Commonwealth from requiring any new motor vehicle or new motor vehicle engine to be certified as compliant with model year standards related to the control of emissions adopted by California for which a waiver has been granted pursuant to the federal Clean Air Act.

UTILITY RATES

HB1670 Electric utilities; schedule for rate review proceedings.

WATCH

Primary Sponsor: [Delegate Daniel W. Marshall, III \(R\)](#)

Summary: Electric utilities; schedule for rate review proceedings. Provides that, in lieu of the triennial review proceedings required under current law, Dominion Energy Virginia and Appalachian Power will be subject to biennial reviews of their rates, terms, and conditions for generation, distribution, and transmission services.

SB984 Electric utilities; net metering.

SUPPORT

Primary Sponsor: [Senator T. Montgomery "Monty" Mason \(D\)](#)

Summary: Electric utilities; net metering. Provides that a contract that provides for the ownership, maintenance, or operation of an electrical generating facility by a third party through a lease agreement with fixed monthly payments does not constitute the sale of electricity and does not cause an eligible customer-generator or the third party that owns, maintains, or operates the electrical generating facility through such a lease agreement to be considered an electric utility. The bill prohibits an eligible customer-generator or eligible agricultural customer-generator from being required to provide proof of liability insurance or to purchase additional liability insurance as a condition of interconnection. The bill exempts eligible customer-generators and eligible agricultural customer-generators that operate a battery storage device in conjunction with an electrical generating facility from standby charges. The bill provides that net metering provisions do not limit the ability of an eligible customer-generator or eligible agricultural customer-generator to participate in a distributed energy resource aggregation or other retail program involving demand response, energy efficiency, or peak reduction from dispatch of onsite battery service, provided that the compensation received is in exchange for a distinct service that is not already compensated by net metering credits for electricity exported to the electric distribution system.

HB1770 Virginia Electric Utility Regulation Act; retail competitiveness, review proceedings, etc.

OPPOSE

Primary Sponsor: [Delegate Terry G. Kilgore \(R\)](#)

Summary: Virginia Electric Utility Regulation Act. Provides that the purchase of electric energy from a licensed supplier of electric energy by a qualifying individual retail customer is limited to the purchase of electric energy provided 100 percent from resources that qualify as a renewable energy standard eligible source applicable to the customer's incumbent electric utility and requires a finding by the State Corporation Commission (the Commission), after considering potential cost shifting impacts, that neither the customer's incumbent electric utility nor retail customers of such utility that do not obtain electric energy from alternate suppliers will be adversely affected in a manner contrary to the public interest. The bill eliminates the option for two or more customers to aggregate demand in order to meet the demand threshold to purchase electric energy from a licensed supplier and the option to purchase electric energy provided 100 percent from renewable energy from a licensed supplier if the customer's incumbent electric utility does not offer an approved tariff for electric energy provided 100 percent from renewable energy. The bill provides that any individual retail customer that, prior to January 1, 2023, entered into an agreement with a licensed supplier to purchase electric energy from such licensed supplier and that is no longer eligible to make such purchase may continue to purchase electric energy from the licensed supplier through the unexpired term of such agreement. The bill requires such customer to purchase electric energy exclusively through its incumbent utility following the expiration of such agreement.

The bill makes various changes to procedures under which the Commission reviews the earnings and sets the rates of investor-owned incumbent electric utilities. The bill requires that the Commission, in determining a fair rate of return on common equity for an investor-owned electric utility after January 1, 2023, not set such rate (i) lower than the average of the most recently authorized returns on common equity or weighted cost of equity set by the applicable regulatory commissions for all investor-owned electric utilities in the peer group of the utility or (ii) more than 150 basis points higher than such average. The bill eliminates a requirement that the Commission, in selecting the utility's peer group, eliminate from the peer group the utilities with the two lowest and the two highest returns and requires that a utility serve at least 200,000 retail electric customers to be considered part of the peer group.

The bill provides that, in lieu of the triennial review proceedings required under current law, Dominion Energy Virginia, beginning in 2023, and Appalachian Power, beginning in 2024, will be subject to biennial reviews of their rates, terms, and conditions for generation, distribution, and transmission services. The bill requires that if, during a biennial review, the Commission determines that the utility has earned more than 70 basis points above its fair combined rate of return on its generation and distribution services, the Commission will direct that 70 percent of the amount of such overearnings be credited to customers' bills. The bill requires the Commission to increase or reduce the utility's rates for generation or distribution services in order to ensure that the utility's rates for generation and distribution services (a) are just and reasonable and (b) provide the utility an opportunity to fully

recover its costs of providing such services and to earn not less than a fair combined rate of return on its generation and distribution services. The bill provides that customer credit reinvestment offsets under which a utility is allowed, upon request, to reduce or eliminate amounts of overearnings that otherwise would be required to be credited to customers by applying a customer credit reinvestment offset for expenses on new solar and wind generation facilities and electric distribution grid transformation projects are only applicable to review proceedings initiated prior to January 1, 2024. The bill requires Dominion Energy Virginia, in its 2023 biennial review, to combine certain rate adjustment clauses having a combined annual revenue requirement of at least \$300 million with the utility's base rates. The bill provides that the combination of such rate adjustment clauses is subject to audit by the Commission in the utility's 2023 biennial review filing. The bill authorizes the Commission to, in its discretion, direct the consolidation of any previously implemented rate adjustment clauses in the interest of judicial economy, customer transparency, or other factors the Commission determines to be appropriate.

The bill requires Dominion Energy Virginia, throughout the duration of the construction period for certain offshore wind projects, to maintain, subject to audit by the Commission, its common equity capitalization to total capitalization ratio at a level at least equal to the average of such ratio for all utilities in Dominion's peer group investor-owned utilities.

The bill prohibits an investor-owned incumbent electric utility from permanently retiring an electric power generation facility from service after July 1, 2023, without first obtaining the approval of the Commission and a finding by the Commission that the retirement determination, after consideration of the impact of the proposed retirement on reliability or security of electric service to customers, is reasonable and prudent. Such prohibition does not apply to early retirement determinations identified by the utility in an integrated resource plan filed with the Commission by July 1, 2023.

The bill contains technical amendments.

[SB1265](#) [Virginia Electric Utility Regulation Act; retail competitiveness, review proceedings, etc.](#)

OPPOSE

Primary Sponsor: [Senator Richard L. Saslaw \(D\)](#)

Summary: Virginia Electric Utility Regulation Act. Provides that the purchase of electric energy from a licensed supplier of electric energy by a qualifying individual retail customer is limited to the purchase of electric energy provided 100 percent from resources that qualify as a renewable energy standard eligible source applicable to the customer's incumbent electric utility and requires a finding by the State Corporation Commission (the Commission), after considering potential cost shifting impacts, that neither the customer's incumbent electric utility nor retail customers of such utility that do not obtain electric energy from alternate suppliers will be adversely affected in a manner contrary to the public interest. The bill eliminates the option for two or more customers to aggregate demand in order to meet the demand threshold to purchase electric energy from a licensed supplier and the option to purchase electric energy provided 100 percent from renewable energy from a licensed supplier if the customer's incumbent electric utility does not offer an approved tariff for electric energy provided 100 percent from renewable energy. The bill provides that any individual retail customer that, prior to

January 1, 2023, entered into an agreement with a licensed supplier to purchase electric energy from such licensed supplier and that is no longer eligible to make such purchase may continue to purchase electric energy from the licensed supplier through the unexpired term of such agreement. The bill requires such customer to purchase electric energy exclusively through its incumbent utility following the expiration of such agreement.

The bill makes various changes to procedures under which the Commission reviews the earnings and sets the rates of investor-owned incumbent electric utilities. The bill requires that the Commission, in determining a fair rate of return on common equity for an investor-owned electric utility after January 1, 2023, not set such rate (i) lower than the average of the most recently authorized returns on common equity or weighted cost of equity set by the applicable regulatory commissions for all investor-owned electric utilities in the peer group of the utility or (ii) more than 150 basis points higher than such average. The bill eliminates a requirement that the Commission, in selecting the utility's peer group, eliminate from the peer group the utilities with the two lowest and the two highest returns and requires that a utility serve at least 200,000 retail electric customers to be considered part of the peer group.

The bill provides that, in lieu of the triennial review proceedings required under current law, Dominion Energy Virginia, beginning in 2023, and Appalachian Power, beginning in 2024, will be subject to biennial reviews of their rates, terms, and conditions for generation, distribution, and transmission services. The bill requires that if, during a biennial review, the Commission determines that the utility has earned more than 70 basis points above its fair combined rate of return on its generation and distribution services, the Commission will direct that 70 percent of the amount of such overearnings be credited to customers' bills. The bill requires the Commission to increase or reduce the utility's rates for generation or distribution services in order to ensure that the utility's rates for generation and distribution services (a) are just and reasonable and (b) provide the utility an opportunity to fully recover its costs of providing such services and to earn not less than a fair combined rate of return on its generation and distribution services. The bill provides that customer credit reinvestment offsets under which a utility is allowed, upon request, to reduce or eliminate amounts of overearnings that otherwise would be required to be credited to customers by applying a customer credit reinvestment offset for expenses on new solar and wind generation facilities and electric distribution grid transformation projects are only applicable to review proceedings initiated prior to January 1, 2024. The bill requires Dominion Energy Virginia, in its 2023 biennial review, to combine certain rate adjustment clauses having a combined annual revenue requirement of at least \$300 million with the utility's base rates. The bill provides that the combination of such rate adjustment clauses is subject to audit by the Commission in the utility's 2023 biennial review filing. The bill authorizes the Commission to, in its discretion, direct the consolidation of any previously implemented rate adjustment clauses in the interest of judicial economy, customer transparency, or other factors the Commission determines to be appropriate.

The bill requires Dominion Energy Virginia, throughout the duration of the construction period for certain offshore wind projects, to maintain, subject to audit by the Commission, its common equity

capitalization to total capitalization ratio at a level at least equal to the average of such ratio for all utilities in Dominion's peer group investor-owned utilities.

The bill prohibits an investor-owned incumbent electric utility from permanently retiring an electric power generation facility from service after July 1, 2023, without first obtaining the approval of the Commission and a finding by the Commission that the retirement determination, after consideration of the impact of the proposed retirement on reliability or security of electric service to customers, is reasonable and prudent. Such prohibition does not apply to early retirement determinations identified by the utility in an integrated resource plan filed with the Commission by July 1, 2023.

The bill contains technical amendments.

TOWING

HB1649 Towing trespassing vehicles; limitations on fees.

OPPOSE

Primary Sponsor: [Delegate Scott A. Wyatt \(R\)](#)

Summary: Towing trespassing vehicles; limitations on fees. Prohibits localities from setting limits on towing fees and other associated fees for trespassing passenger cars and vehicles that are lower than the respective statewide maximum charges authorized for such fees in localities without a local ordinance setting towing fees; removes current specified limits for Planning Districts 8 and 16 that would fall below those limits; and requires an ordinance adopted by a locality that sets such limits to provide that no more than two additional fees can be charged for towing any vehicle between 7:00 p.m. and 8:00 a.m. or on any Saturday, Sunday, or holiday. The bill changes current statewide trespass towing fee limits on hookup and initial towing fees of passenger cars from \$150 to \$180 and additional fees for towing between 7:00 p.m. and 8:00 a.m. or on any Saturday, Sunday, or holiday from \$30 to \$35.

SB790 Towing enforcement; violations of current law subject to Va. Consumer Protection Act.

WATCH

Primary Sponsor: [Senator Barbara A. Favola \(D\)](#)

Summary: Towing enforcement. Provides that violations of current law regarding tow truck drivers and towing and recovery operators are subject to the Virginia Consumer Protection Act. The bill repeals the \$150 civil penalty for certain towing violations in Planning District 8.

SB979 Towing trespassing vehicles; limitations on fees.

OPPOSE

Primary Sponsor: [Senator David W. Marsden \(D\)](#)

Summary: Towing trespassing vehicles; limitations on fees. Prohibits localities from setting limits on towing fees and other associated fees for trespassing passenger cars and vehicles that are lower than the respective statewide maximum charges authorized for such fees in localities without a local ordinance setting towing fees; removes current specified limits for Planning Districts 8 and 16 that would fall below those limits; and requires an ordinance adopted by a locality that sets such limits to

provide that no more than two additional fees can be charged for towing any vehicle between 7:00 p.m. and 8:00 a.m. or on any Saturday, Sunday, or holiday. The bill changes current statewide trespass towing fee limits on hookup and initial towing fees of passenger cars from \$150 to \$180 and additional fees for towing between 7:00 p.m. and 8:00 a.m. or on any Saturday, Sunday, or holiday from \$30 to \$35.

TRAFFIC OFFENSES

HB1380 Issuing citations; certain traffic offenses.

OPPOSE

Primary Sponsor: [Delegate Ronnie R. Campbell](#)

Summary: Issuing citations; certain traffic offenses. Removes the provisions that provide that no law-enforcement officer may lawfully stop a motor vehicle for operating (i) without a light illuminating a license plate, (ii) with defective and unsafe equipment, (iii) without brake lights or a high mount stop light, (iv) without an exhaust system that prevents excessive or unusual levels of noise, (v) with certain sun-shading materials and tinting films, and (vi) with certain objects suspended in the vehicle, and the accompanying the exclusionary provisions.

HB1703 Issuing citations; certain traffic offenses.

OPPOSE

Primary Sponsor: [Delegate Tara A. Durant \(R\)](#)

Summary: Issuing citations; certain traffic offenses. Removes the provisions that provide that no law-enforcement officer may lawfully stop a motor vehicle for operating (i) without a light illuminating a license plate, (ii) with defective and unsafe equipment, (iii) without brake lights or a high mount stop light, (iv) without an exhaust system that prevents excessive or unusual levels of noise, (v) with certain sun-shading materials and tinting films, and (vi) with certain objects suspended in the vehicle, and the accompanying exclusionary provisions.

SB875 Issuing citations; certain traffic offenses.

OPPOSE

Primary Sponsor: [Senator Ryan T. McDougle \(R\)](#)

Summary: Issuing citations; certain traffic offenses. Removes the provisions that provide that no law-enforcement officer may lawfully stop a motor vehicle for operating (i) without a light illuminating a license plate, (ii) with defective and unsafe equipment, (iii) without brake lights or a high mount stop light, (iv) without an exhaust system that prevents excessive or unusual levels of noise, (v) with certain sun-shading materials and tinting films, and (vi) with certain objects suspended in the vehicle, and the accompanying the exclusionary provisions.

SB1010 Issuing citations; certain traffic offenses.

OPPOSE

Primary Sponsor: [Senator Bill DeSteph \(R\)](#)

Summary: Issuing citations; certain traffic offenses. Removes the provisions that provide that no law-enforcement officer may lawfully stop a motor vehicle for operating (i) without a light illuminating a license plate, (ii) with defective and unsafe equipment, (iii) without brake lights or a high mount stop light, (iv) without an exhaust system that prevents excessive or unusual levels of noise, (v) with certain sun-shading materials and tinting films, and (vi) with certain objects suspended in the vehicle, and the accompanying the exclusionary provisions.

CRIMINAL JUSTICE

HB1524 Va. Opioid Use Reduction & Jail-Based Substance Use Disorder Treatment & Transition Fund; establish.

WATCH

Primary Sponsor: [Delegate Carrie E. Coyner \(R\)](#)

Summary: Virginia Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund; established. Establishes the Virginia Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund to be administered by the Department of Criminal Justice Services for the purpose of funding and supporting the planning and implementation of locally administered jail-based addiction recovery and substance use disorder treatment and transition programs in local and regional jails.

HB1561 Arrest/prosecution of individual experiencing mental health emerg.; assault against law enforcement.

OPPOSE

Primary Sponsor: [Delegate Vivian E. Watts \(D\)](#)

Summary: Assault or assault and battery against a law-enforcement officer; arrest and prosecution of individual experiencing a mental health emergency. Provides that no individual shall be subject to arrest or prosecution for an assault or assault and battery against a law-enforcement officer if at the time of the assault or assault and battery (i) the individual (a) is experiencing a mental health emergency or (b) meets the criteria for issuance of an emergency custody order pursuant to § 37.2-808 and (ii) the law-enforcement officer subject to the assault or assault and battery was responding to a call for service requesting assistance for such individual. The bill provides that no law-enforcement officer acting in good faith shall be found liable for false arrest if it is later determined that the person arrested was immune from prosecution.

HB1584 Biological evidence; storage, preservation, and retention of evidence in felony cases.

WATCH

Primary Sponsor: [Delegate Richard C. "Rip" Sullivan, Jr. \(D\)](#)

Summary: Storage, preservation, and retention of biological evidence in felony cases. Requires any governmental entity that possesses any biological evidence, defined in the bill, collected or obtained during an investigation of a felony case to ensure the storage, preservation, and retention of such biological evidence or representative samples for such period of time that (i) the defendant remains

incarcerated or under any registration or supervision requirement in connection with the felony conviction or (ii) until the expiration of the statute of limitations for the alleged offense has lapsed in such case where a felony remains unsolved or no charges have been filed. The bill requires biological evidence to be preserved in a condition that is suitable for deoxyribonucleic acid (DNA) testing and analysis, and such evidence shall be made available for DNA testing.

The bill requires the court, upon motion by the defendant, to order the Department of Forensic Science to submit an inventory of the biological evidence that has been preserved in the connection with the defendant's case, a copy of which shall be provided to the defendant. The bill requires the chief evidence custodian of a governmental entity to submit an affidavit if such government entity cannot locate biological evidence that it is required to preserve, under penalty of perjury, that describes the biological evidence that cannot be located and details the efforts made to locate such evidence.

The bill provides remedies the court may order if it finds that biological evidence has not been properly preserved, including (i) granting a new trial; (ii) dismissing the charges; (iii) reducing the sentence; (iv) vacating the defendant's conviction; or (v) entering a finding that a presumption exists that the evidence would have been exculpatory to the defendant because the biological evidence has not been preserved properly.

HB1654 Civilian deaths in custody; report.

WATCH

Primary Sponsor: [Delegate Marcia S. "Cia" Price \(D\)](#)

Summary: Civilian deaths in custody; report. Requires every law-enforcement agency and correctional facility to report to the Department of Criminal Justice Services certain information regarding the death of any person who is detained, under arrest or in the process of being arrested, en route to be incarcerated, incarcerated, or otherwise in the custody of such law-enforcement agency or correctional facility. The bill provides that any law-enforcement agency or correctional facility that fails to comply may, at the discretion of the Department, be declared ineligible for state grants or funds. The bill also requires the Department to analyze the submitted data to (i) determine the means by which such information can be used to reduce the number of such deaths and (ii) examine the relationship, if any, between the number of such deaths and the actions of management of such law-enforcement agencies and correctional facilities. Finally, the bill requires the Director of the Department to annually report the findings and recommendations resulting from the analysis and interpretation of the data to the Governor, the General Assembly, and the Attorney General beginning on or before July 1, 2024, and each July 1 thereafter.

HB1976 Involuntary admission; temporary detention, release of detained individual.

OPPOSE

Primary Sponsor: [Delegate Robert B. Bell \(R\)](#)

Summary: Involuntary admission; temporary detention; release of detained individual. Permits the director of a facility where a person is awaiting transport to the facility of temporary detention pursuant

to a temporary detention order to release the person prior to a commitment hearing if the person no longer meets the commitment criteria.

SB872 Emergency custody; temporary detention, alternative transportation.

SUPPORT

Primary Sponsor: [Senator Stephen D. Newman \(R\)](#)

Summary: Emergency custody; temporary detention; alternative transportation. Requires magistrates to authorize alternative transportation if a person subject to an emergency custody order or temporary detention order is deemed to not be a danger to himself or others and appropriate alternative transportation is available.

SB966 Jails, local; compensation for cost of incarceration.

SUPPORT

Primary Sponsor: [Senator Mark J. Peake \(R\)](#)

Summary: Compensation of local jails for cost of incarceration. Requires the Department of Corrections to compensate local jails for the actual cost, based on the rate calculated in the Compensation Board's annual jail cost report, of incarcerating felons who should otherwise be confined in a state correctional facility. Current law provides for local jails to be compensated at the rate set forth in the general appropriation act.

SB1080 Juvenile and domestic relations district courts; adjudication of delinquency.

WATCH

Primary Sponsor: [Senator John S. Edwards \(D\)](#)

Summary: Juvenile and domestic relations district courts; Department of Juvenile Justice; adjudication of delinquency. Raises the maximum age for delinquency matters in juvenile and domestic relations district courts from persons under 18 years of age to persons under 21 years of age. The bill defines "underage person" as an individual who is 18 years of age or older but younger than 21 years of age. The bill adds underage persons to all provisions regarding delinquency proceedings in juvenile and domestic relations district courts, the transfer of delinquency matters to circuit courts, and criminal procedure as currently applies to juveniles only. The bill differentiates between juveniles and underage persons in specific circumstances, including consent for medical or mental health records or procedures, mental health screenings in secure detention facilities, and provisions regarding release on bail or recognizance.

The bill also specifies that a delinquent child is a child 11 years of age or older who has committed a delinquent act. Currently, there is no minimum age for a child to be adjudicated delinquent. The bill provides that if a juvenile younger than 11 years of age is found to have committed a delinquent act, the juvenile shall not be proceeded upon as delinquent; however, the court may make any orders of disposition authorized for a child in need of services or a child in need of supervision. The bill has a delayed effective date of January 1, 2025.

[HB1590](#) Telephone, digital pager, or other device; causing alert with intent to annoy, penalty.

SUPPORT

Primary Sponsor: [Delegate Richard C. "Rip" Sullivan, Jr. \(D\)](#)

Summary: Causing a telephone, digital pager, or other device to alert with intent to annoy; emergency communications; penalty. Modernizes the harassing phone call statute to include any communications that may ring or otherwise signal or alert. Under current law, only telephones and digital pagers are included within the ambit of the statute.

[HB2208](#) Hate crimes and discrimination; anti-Semitism, penalties.

OPPOSE

Primary Sponsor: [Delegate Terry G. Kilgore \(R\)](#)

Summary: Hate crimes and discrimination; anti-Semitism; penalties. Provides that it is the policy of the Commonwealth to safeguard all individuals within the Commonwealth from unlawful discrimination in employment and in places of public accommodation because of anti-Semitism. The bill also adds victims who are intentionally selected because of anti-Semitism to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense and adds anti-Semitism to the categories of hate crimes that are to be reported to the central repository of information regarding hate crimes maintained by the Virginia State Police. The bill provides that a person who is subjected to acts of intimidation or harassment, violence directed against his person, or vandalism to his real or personal property, where such acts are motivated by anti-Semitism, may bring a civil action to recover his damages. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of anti-Semitism.

"SWATTING"

[HB1572](#) Emergency response; false information by device, penalty.

SUPPORT

Primary Sponsor: [Delegate Wendell S. Walker \(R\)](#)

Summary: Emergency response; false information by device; penalty. Makes it a Class 1 misdemeanor to maliciously advise or inform another over any other device by any means, or cause another to do the same, of the death of, accident to, injury to, illness of, or disappearance of some third party, or of the imminent threat to the safety of a person, that results in an emergency response, knowing the information to be false. The bill defines emergency response as a response by law-enforcement officers, firefighters, or emergency medical personnel to a situation where human life or

property is in jeopardy and the prompt summoning of aid is essential. Current law only prohibits such false information to another by telephone.

[HB1613](#) False emergency communication to emergency personnel; penalties, report.

SUPPORT

Primary Sponsor: [Delegate Angelia Williams Graves \(D\)](#)

Summary: False emergency communication to emergency personnel; penalties; report. Provides that it is a Class 1 misdemeanor for any person to knowingly report, or cause another to report in reliance on intentionally false information provided by such person, a false emergency communication to any emergency personnel that results in an emergency response. The bill also provides that it is a Class 6 felony if such false emergency communication results in an emergency response during which and as a result of such emergency response any person suffers a serious bodily injury and a Class 5 felony if any person is killed. The bill authorizes any locality to provide by ordinance that a person convicted of such false emergency communication shall be liable for the reasonable expense in responding to such false emergency communication. The bill also requires the Secretary of Education, together with the Secretary of Public Safety and Homeland Security, to convene a work group for the purpose of establishing best practices, policies, and procedures for school personnel in the event of false information resulting in an emergency response at or near a school.

OTHER

[HB1802](#) Food product sales; waive government inspection.

OPPOSE

Primary Sponsor: [Delegate Nicholas J. Freitas \(R\)](#)

Summary: Food product sales; waive government inspection. Exempts from certain inspection and permitting requirements food products that are otherwise permitted by state law and are sold either at a farmers market or on the premises where such products were grown or produced. Consumers purchasing exempt food products will sign a waiver provided by the seller that includes information about the products and the producers of such products.

[HB2243](#) Assist Localities with Translation of Essential Documents Fund; established.

SUPPORT

Primary Sponsor: [Delegate A.C. Cordoza \(R\)](#)

Summary: Fund to Assist Localities with Translation of Essential Documents established. Establishes the Fund to Assist Localities with Translation of Essential Documents to be administered by the Department of Housing and Community Development for the purpose of making grants to local governments to address the availability of translated essential documents for those citizens and taxpayers of the Commonwealth and its localities for whom English is a second language. The bill provides that the Fund shall make grants to local governments for the purpose of translating essential documents into foreign languages.

SB789 Jury duty; increases allowance from \$30 to \$100 per day.

SUPPORT

Primary Sponsor: [Senator Lionell Spruill, Sr. \(D\)](#)

Summary: Jury duty; allowance increase. Increases the jury duty allowance from \$30 to \$100 per day.

SB845 Immunity of persons at public hearing; statements made by employee against employer.

WATCH

Primary Sponsor: [Senator J. Chapman Petersen \(D\)](#)

Summary: Immunity of persons at public hearing; statements made by employee against employer. Clarifies that the civil immunity provided to any person who makes a statement at a public hearing or that is communicated to a third party applies where such statement is made by an employee against his employer and where retaliatory action against an employee by such employer is otherwise prohibited by law.

SB862 Highway use fee and mileage-based user fee program; eliminates the program.

WATCH

Primary Sponsor: [Senator Stephen D. Newman \(R\)](#)

Summary: Highway use fee and mileage-based user fee program; repeal. Eliminates the highway use fee and mileage-based user fee program. The bill directs the Commissioner of the Department of Motor Vehicles to continue to reimburse the cost of the highway use fee to any applicant that paid a highway use fee and is eligible for reimbursement of the original vehicle registration fee pursuant to relevant law. The bill directs the Commissioner to refund the cost of the highway use fee to any owner of a vehicle who prepaid the fee before the effective date of the bill, prorated for the period after which the highway use fee is no longer in effect.

SB933 Single-use plastic carrier bags; local prohibition.

SUPPORT

Primary Sponsor: [Senator John S. Edwards \(D\)](#)

Summary: Single-use plastic carrier bags; local prohibition. Authorizes a locality to prohibit by ordinance the purchase, sale, or provision, whether free or for a cost, of any single-use plastic carrier bag that is not recyclable from grocery stores, retail stores, and convenience stores.

SB1001 Clean Energy and Community Flood Preparedness Act; repeals Act.

OPPOSE

Primary Sponsor: [Senator Richard H. Stuart \(R\)](#)

Summary: Clean Energy and Community Flood Preparedness Act; repeal. Repeals the Clean Energy and Community Flood Preparedness Act and directs the Director of the Department of Environmental Quality to take all steps necessary to suspend the Commonwealth's participation in the Regional Greenhouse Gas Initiative market-based trading program.

PRIORITIES**ECONOMIC DEVELOPMENT****CONSTRUCTION & RENOVATION OF SCHOOL FACILITIES**

HB2176 Income tax, state; distribution of revenues to localities, funds for local school construction.

SUPPORT

Primary Sponsor: [Delegate Mark D. Sickles \(D\)](#)

Summary: Individual income tax; distribution of revenues; local school construction. Requires distribution of five percent of the individual income tax revenues collected from residents of a locality to be distributed to that locality. The bill requires such funds to be used for school construction or renovation purposes and to be repaid to the state if used for any other purpose. The bill provides that a locality shall be required to maintain its level of expenditure for public school purposes as a condition of receiving the income tax revenues; however, a locality may reduce its level of expenditure to account for a loss of revenues resulting from a reduction in machinery and tools taxes.

HB2316 Sales and use tax, local; additional tax authorized in all counties & cities to support schools.

SUPPORT

Primary Sponsor: [Delegate Jeffrey M. Bourne \(D\)](#)

Summary: Additional local sales and use tax to support schools; referendum. Authorizes all counties and cities to impose an additional local sales and use tax at a rate not to exceed one percent with the revenue used only for capital projects for the construction or renovation of schools if such levy is approved in a voter referendum. Under current law, only Charlotte, Gloucester, Halifax, Henry, Mecklenburg, Northampton, Patrick, and Pittsylvania Counties and the City of Danville are authorized to impose such a tax. This bill is a recommendation of the Commission on School Construction and Modernization.

SB1045 School boards; school building maintenance reserves.

WATCH

Primary Sponsor: [Senator Jeremy S. McPike \(D\)](#)

Summary: School boards; school building maintenance reserves. Requires each local school board to establish and include in any multiyear capital improvement plan or substantially similar document that it adopts a school building maintenance reserve target of at least 1.5 percent of the replacement value of such building in order to avoid major replacement costs in the future. This bill is a recommendation of the Commission on School Construction and Modernization.

HB1694 School boards; school building maintenance reserves.

WATCH

Primary Sponsor: [Delegate Shelly A. Simonds \(D\)](#)

Summary: School boards; school building maintenance reserves. Requires each local school board to establish and include in any multiyear capital improvement plan or substantially similar document that it adopts a school building maintenance reserve target of at least 1.5 percent of the replacement value of such building in order to avoid major replacement costs in the future. This bill is a recommendation of the Commission on School Construction and Modernization.

SB848 Public school bldgs. & facilities; construction & renovation, renewable energy generation facility.

SUPPORT

Primary Sponsor: [Senator Barbara A. Favola \(D\)](#)

Summary: Public school buildings and facilities; construction and renovation; renewable energy generation facilities; report. Directs the Commission on School Construction and Modernization, in consultation with the Department of Energy, to develop and make recommendations on strategies to assist interested school divisions with incorporating renewable energy generation facilities in the construction or renovation of school buildings. The bill requires the Commission to report the recommendations to the House Committee on Appropriations and the Senate Committee on Finance and Appropriations no later than November 1, 2023.

FLOOD PROTECTIONS & RESILIENCE

HJ516 Study; Joint Subcommittee on Recurrent Flooding; membership increase.

SUPPORT

Primary Sponsor: [Delegate Elizabeth B. Bennett-Parker \(D\)](#)

Summary: Study; Joint Subcommittee on Recurrent Flooding; membership increase. Increases the total membership of the Joint Subcommittee on Recurrent Flooding from 11 to 17 by increasing the number of nonlegislative members from three to seven. The additional nonlegislative members include representatives from the environmental, development, and business communities, a certified floodplain manager, and three local elected officials representing three of Virginia's flood-prone communities.

VIRGINIA COASTAL RESILIENCE TECHNICAL ADVISORY COMMITTEE EXPANSION

SJ243 Study; Joint Subcommittee on Recurrent Flooding; membership increase.

SUPPORT

Primary Sponsor: [Senator Adam P. Ebbin \(D\)](#)

Summary: Study; Joint Subcommittee on Recurrent Flooding; membership increase. Increases the total membership of the Joint Subcommittee on Recurrent Flooding from 11 to 17 by increasing the number of nonlegislative members from three to nine. The bill specifies that the additional nonlegislative members include representatives from the environmental, development, and business communities, a certified floodplain manager, and two local elected officials representing two of Virginia's flood-prone communities. The bill also replaces the existing member of the Joint

Subcommittee who is a local official representing Virginia's flood-prone communities with a local official representing an area impacted by coastal flooding.

PROTECTING PROVISIONS OF THE VIRGINIA CLEAN ECONOMY ACT

HB1430 Va. Clean Economy Act; non-bypassable charges, energy-intensive trade-exposed (EITE) industries.

OPPOSE

Primary Sponsor: [Delegate R. Lee Ware \(R\)](#)

Summary: Virginia Clean Economy Act; non-bypassable charges; energy-intensive trade-exposed (EITE) industries. Defines EITE industries as companies that are constrained in their ability to pass through carbon costs due to international competition, companies that engage in importation of products that cause emission leakage, and critical infrastructure facilities identified by certain federal agencies. The bill directs the State Corporation Commission to establish an EITE customer exemption pilot program for non-bypassable charges in certain provisions of the Virginia Clean Economy Act related to generation of electricity from renewable and zero-carbon sources and development of offshore wind capacity. The pilot program, to be designated as the EITE Pilot Program, shall commence no later than January 1, 2024, and shall have an initial aggregate customer load not to exceed 2,000 megawatts based on each participating customer's load during the previous calendar year. The bill requires the State Corporation Commission to report to the Governor and to the Chairmen of the House Committee on Commerce and Energy and the Senate Committee on Commerce and Labor on the status of the EITE Pilot Program by March 31, 2025.

HB1480 Va. Clean Economy Act; non-bypassable charges, energy-intensive trade-exposed (EITE) industries.

OPPOSE

Primary Sponsor: [Delegate R. Lee Ware \(R\)](#)

Summary: Virginia Clean Economy Act; non-bypassable charges; energy-intensive trade-exposed (EITE) industries. Directs the State Corporation Commission to establish an EITE customer exemption pilot program for non-bypassable charges in certain provisions of the Virginia Clean Economy Act related to generation of electricity from renewable and zero carbon sources and development of offshore wind capacity. The bill defines EITE industries as companies that are constrained in their ability to pass through carbon costs due to international competition, companies that engage in importation of products that cause emission leakage, and critical infrastructure facilities identified by certain federal agencies. The bill requires the EITE Pilot Program to commence no later than January 1, 2024, and to have an initial aggregate customer load of 150 to 200 megawatts based on each participating customer's load during the previous calendar year. The State Corporation Commission shall also submit a report to the Governor, the House Committee on Commerce and Energy, and the Senate Committee on Commerce and Labor on the status of the EITE Pilot Program by March 31, 2025. The EITE Pilot Program terminates on January 1, 2028.

OPPORTUNITIES & LOSSES FOR LOCAL REVENUE

HB1442 Transient occupancy tax; administration.

WATCH

Primary Sponsor: [Delegate Joseph P. McNamara \(R\)](#)

Summary: Transient occupancy tax; administration. Requires the Department of Taxation to annually publish on its website the current transient occupancy tax rates imposed in each locality. The bill also (i) requires the tax-assessing officer of a locality to administer and enforce the assessment and collection of transient occupancy taxes from accommodations intermediaries, (ii) specifies certain return filing requirements for accommodations intermediaries, and (iii) directs the Compensation Board to contract with a third-party provider for development of an electronic interface that enables accommodations intermediaries, beginning on July 1, 2024, to provide a single filing and remittance system for transient occupancy taxes due for all localities.

SB850 Sales Tax; exemption for food purchased for human consumption, essential personal hygiene products.

OPPOSE

Primary Sponsor: [Senator David R. Suetterlein \(R\)](#)

Summary: Sales tax; exemption for food purchased for human consumption and essential personal hygiene products. Provides an exemption from local sales and use tax beginning July 1, 2023, for food purchased for human consumption and essential personal hygiene products. The bill also provides an allocation of state revenues to fund the distribution to localities for funding that would have been distributed to them absent the exemption created by the bill. Under current law, such products are exempt from state sales and use tax but are subject to the standard local rate of one percent.

COMPENSATION PHILOSOPHY

RECRUIT & HIRE 5-YEAR RESIDENT NON-CITIZENS

HB1994 Law-enforcement officers; minimum qualifications, citizenship, waiver.

SUPPORT

Primary Sponsor: [Delegate Charniele L. Herring \(D\)](#)

Summary: Minimum qualifications for law-enforcement officers; citizenship; waiver. Allows individuals who are lawfully admitted for permanent residence who have resided in the United States for no less than 60 months and who are both eligible for and have applied for United States citizenship to qualify for the positions of chief of police and all police officers of any locality, all deputy sheriffs and jail officers in the Commonwealth, and all law-enforcement officers. The bill allows any agency or department employing law-enforcement officers to hire, recruit, or refer an individual who is a citizen of the United States over another individual who meets such qualifications if such individuals are equally qualified.

Current law only allows citizens of the United States to qualify for the named positions; the citizenship requirement can only be waived for good cause upon request of a sheriff or chief of police or the director or chief executive of any agency or department employing law-enforcement officers to the Department of Criminal Justice Services.

[HB2144](#) Law-enforcement officers; minimum qualifications, citizenship.

WATCH

Primary Sponsor: [Delegate Elizabeth R. Guzman \(D\)](#)

Summary: Minimum qualifications for law-enforcement officers; citizenship; waiver. Allows individuals who are lawfully admitted for permanent residence who have resided in the United States and who are eligible for United States citizenship or individuals granted Deferred Action for Childhood Arrivals by U.S. Citizenship and Immigration Services to qualify for the positions of chief of police and all police officers of any locality, all deputy sheriffs and jail officers in the Commonwealth, and all law-enforcement officers. The bill allows any agency or department employing law-enforcement officers to hire, recruit, or refer an individual who is a citizen of the United States over another individual who meets such qualifications if such individuals are equally qualified. Current law allows only citizens of the United States to qualify for the named positions; the citizenship requirement can be waived only by the Department of Criminal Justice Services for good cause shown, upon the request of a sheriff or chief of police or the director or chief executive of any agency or department employing law-enforcement officers.

STATE & LOCAL FUNDED EMPLOYEE POSITIONS

[HB1429](#) Public defender; supplementing compensation.

OPPOSE

Primary Sponsor: [Delegate Timothy V. Anderson \(R\)](#)

Summary: Supplementing compensation of public defender. Requires the governing body of any county or city that elects to supplement the compensation of the attorney for the Commonwealth, or any of his deputies or employees, above the salary set by the Compensation Board to proportionally supplement the compensation of the public defender, or any of his deputies or employees, commensurate with the compensation of the attorney for the Commonwealth, or any of his deputies or employees, and to pay for such additional compensation from the funds of the county or city.

[SJ239](#) Study; Compensation Board; funding for deputy sheriffs; report.

WATCH

Primary Sponsor: [Senator T. Travis Hackworth \(R\)](#)

Summary: Study; Compensation Board; funding for deputy sheriffs; report. Requests the Compensation Board to study the feasibility and fiscal impact of including a locality's total square mileage when calculating funding for deputy sheriffs and to issue a report by the 2024 Regular Session of the General Assembly.

LOCAL AUTHORITY OVER LANDLORD TENANT ACT

HB1650 Virginia Residential Landlord and Tenant Act; enforcement by localities.

SUPPORT

Primary Sponsor: [Delegate Marcia S. "Cia" Price \(D\)](#)

Summary: Virginia Residential Landlord and Tenant Act; enforcement by localities. Provides that if a condition exists in a rental dwelling unit that constitutes a material noncompliance by the landlord with the rental agreement or with any provision of law that, if not promptly corrected, constitutes a fire hazard or serious threat to the life, health, or safety of tenants or occupants of the premises, a locality may institute an action for injunction and damages to enforce the landlord's duty to maintain the rental dwelling unit in a fit and habitable condition, provided that (i) the property where the violation occurred is within the jurisdictional boundaries of the locality and (ii) the locality has notified the landlord who owns the property, either directly or through the managing agent, of the nature of the violation and the landlord has failed to remedy the violation to the satisfaction of the locality within a reasonable time after receiving such notice.

HB1830 Va Residential Landlord & Tenant Act; landlord remedies, noncompliance with rental agreement.

SUPPORT

Primary Sponsor: [Delegate Luke E. Torian \(D\)](#)

Summary: Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement. Increases from five days to 14 days the mandatory waiting period after a landlord serves written notice on a tenant notifying the tenant of his nonpayment of rent and of the landlord's intention to terminate the rental agreement if rent is not paid before the landlord may pursue remedies for termination of the rental agreement.

HB1532 Rent stabilization, local; any locality may by ordinance adopt provisions.

SUPPORT

Primary Sponsor: [Delegate Nadarius E. Clark \(D\)](#)

Summary: Local rent stabilization authority; civil penalty. Provides that any locality may by ordinance adopt rent stabilization provisions. The bill provides for notice and a public hearing prior to the adoption of such ordinance and specifies that all landlords who are under rent stabilization may be required to give up to a two-month written notice of a rent increase and cannot increase the rent by more than the locality's rent stabilization allowance, described in the bill as the maximum amount a landlord can increase a tenant's rent during any 12-month period, in effect at the time of the increase. The bill sets such allowance as equal to the annual increase in the Consumer Price Index for the region in which the locality sits, states that such allowance is effective for a 12-month period beginning July 1 each year, and requires the locality to annually by June 1 publish such allowance on

its website. Certain facilities, as outlined in the bill, are exempt from any such ordinance. The bill also requires such ordinance to provide a procedure by which a landlord may apply for an exemption from the rent stabilization provisions in situations where the net operating income generated by the rental facility has not been maintained due to escalating operating expenses or for other appropriate reasons as established by the locality. Finally, the bill provides that a locality may establish a civil penalty for failure to comply with the requirements set out in the ordinance that shall not exceed \$2,500 per separate violation.

EVICITION PROTECTIONS

[HB1652](#) Va Residential Landlord & Tenant Act; landlord remedies, noncompliance with rental agreement.

SUPPORT

Primary Sponsor: [Delegate Marcia S. "Cia" Price \(D\)](#)

Summary: Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement. Increases from five days to 14 days the mandatory waiting period after a landlord serves written notice on a tenant notifying the tenant of his nonpayment of rent and of the landlord's intention to terminate the rental agreement if rent is not paid before the landlord may pursue remedies for termination of the rental agreement.

[HB1836](#) Writs of eviction; returns to issuing clerk.

SUPPORT

Primary Sponsor: [Delegate Clinton L. Jenkins \(D\)](#)

Summary: Writs of eviction; returns to issuing clerk. Requires the sheriff executing a writ of eviction to return such executed writ to the clerk of court who issued such writ. The bill further directs the Office of the Executive Secretary of the Supreme Court of Virginia to report annually to the Chairmen of the Senate Committee on the Judiciary, the Senate Committee on General Laws and Technology, the House Committee for Courts of Justice, the House Committee on General Laws, and the Virginia Housing Commission on the number of executed writs returned during the preceding fiscal year and directs the Virginia Housing Commission to convene a stakeholder work group to study a more comprehensive data collection process to track the resolution of writs of unlawful detainers filed in the Commonwealth.

[SB1089](#) Writs of eviction; returns to issuing clerk.

SUPPORT

Primary Sponsor: [Senator Adam P. Ebbin \(D\)](#)

Summary: Writs of eviction; returns to issuing clerk. Requires the sheriff executing a writ of eviction to return such executed writ to the clerk of court who issued such writ. The bill further directs the Office of the Executive Secretary of the Supreme Court of Virginia to report annually to the Chairmen of the Senate Committee on the Judiciary, the Senate Committee on General Laws and Technology, the House Committee for Courts of Justice, the House Committee on General Laws, and the Virginia

Housing Commission on the number of executed writs returned during the preceding fiscal year and directs the Virginia Housing Commission to convene a stakeholder work group to study a more comprehensive data collection process to track the resolution of writs of unlawful detainers filed in the Commonwealth.

SUPPLY OF LOW/MODERATE-INCOME HOUSING

HB1413 Industrial development authorities; safe and affordable housing.

SUPPORT

Primary Sponsor: [Delegate Daniel W. Marshall, III \(R\)](#)

Summary: Industrial development authorities; safe and affordable housing; activation status of housing authority. Allows an industrial development authority to promote safe and affordable housing with respect to facilities used primarily for single or multifamily residences regardless of the activation status of the housing authority in such industrial development authority's locality.

HB2045 Zoning for Housing Production Act; created, sunset provision.

SUPPORT

Primary Sponsor: [Delegate Betsy B. Carr \(D\)](#)

Summary: Housing; creation of the Zoning for Housing Production Act; affordable dwelling unit policy incentives. Creates, within the Department of Housing and Community Development, the Zoning for Housing Production Act, which establishes a special nonreverting fund in the state treasury to be known as the Zoning for Housing Production Fund. The bill requires moneys from the Fund to be awarded as grants to localities by application to the Department for the purpose of creating and maintaining affordable housing in mixed-income communities, defined in the bill. To be eligible for a grant from the Fund, a locality is required to make a change to such locality's zoning ordinance in accordance with the requirements of the bill. The provisions of the bill expire on July 1, 2029.

HJ507 Study; Virginia Housing Commission; affordable housing; local regulation; report.

WATCH

Primary Sponsor: [Delegate Daniel W. Marshall, III \(R\)](#)

Summary: Study; Virginia Housing Commission; affordable housing; local regulation; report. Directs the Virginia Housing Commission, in consultation with the Department of Housing and Community Development and representatives of the Governor's office, to develop recommended revisions to Chapter 22 (§ 15.2-2200 et seq.) of Title 15.2 of the Code of Virginia to (i) streamline and enhance predictability in local development review processes and (ii) alleviate the effects of local policies or ordinances that contribute to increased housing costs and constrain the supply of affordable and workforce housing.

COMMUNITY ENGAGEMENT

PUBLIC ADVISORY MEMBER ELECTRONIC PARTICIPATION

HB2050 Virginia Freedom of Information Act; electronic meetings, local and regional public bodies.

SUPPORT

Primary Sponsor: [Delegate Elizabeth B. Bennett-Parker \(D\)](#)

Summary: Virginia Freedom of Information Act; electronic meetings; local and regional public bodies. Allows, with certain exceptions, local and regional public bodies to convene as many all-virtual public meetings as each such public body deems acceptable in its individual remote participation meeting policy, to be adopted at least once annually by recorded vote at a public meeting. Current law limits all-virtual public meetings to no more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, and prohibits any such meeting from being held consecutively with another all-virtual public meeting.

SB1309 Virginia Freedom of Information Act; allow local public bodies to hold virtual meetings.

SUPPORT

Primary Sponsor: [Senator R. Creigh Deeds \(D\)](#)

Summary: Virginia Freedom of Information Act; allow local public bodies to hold virtual meetings. Allows local public bodies, except for boards with the authority to deny, revoke, or suspend a professional or occupational license, to hold all-virtual public meetings in accordance with the other provisions of the Virginia Freedom of Information Act. The bill limits the requirement that public bodies do not convene all-virtual public meetings consecutively or more than twice per year to state public bodies.

SB1351 Virginia Freedom of Information Act; electronic meetings, local and regional public bodies.

SUPPORT

Primary Sponsor: [Senator David W. Marsden \(D\)](#)

Summary: Virginia Freedom of Information Act; electronic meetings; local and regional public bodies. Allows, with certain exceptions, local and regional public bodies to convene as many all-virtual public meetings as each such public body deems acceptable in its individual remote participation meeting policy, to be adopted at least once annually by recorded vote at a public meeting. Current law limits all-virtual public meetings to no more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater, and prohibits any such meeting from being held consecutively with another all-virtual public meeting.

VA CODE TERMINOLOGY CORRECTIONS

HB1450 Individuals with disabilities; terminology.

SUPPORT

Primary Sponsor: [Delegate Robert D. Orrock, Sr. \(R\)](#)

Summary: Individuals with disabilities; terminology. Replaces various instances of the terms "handicap," "handicapped," and similar variations throughout the Code of Virginia with alternative terms, as appropriate in the statutory context, such as "disability" and "impairment." The bill contains technical amendments. The bill is a recommendation of the Virginia Disability Commission.

SB798 Individuals with disabilities; terminology.

SUPPORT

Primary Sponsor: [Senator Ghazala F. Hashmi \(D\)](#)

Summary: Individuals with disabilities; terminology. Replaces various instances of the terms "handicap," "handicapped," and similar variations throughout the Code of Virginia with alternative terms, as appropriate in the statutory context, such as "disability" and "impairment." The bill contains technical amendments. The bill is a recommendation of the Virginia Disability Commission.

SURETY BOND REMOVAL

SB942 Alexandria Historical Restoration and Preservation Commission; surety bonds for membership.

SUPPORT

Primary Sponsor: [Senator Richard L. Saslaw \(D\)](#)

Summary: Alexandria Historical Restoration and Preservation Commission; surety bonds for membership. Removes the requirement that members of the Alexandria Historical Restoration and Preservation Commission give a surety bond in the sum of \$10,000 that is executed by a surety company, payable to the Governor and his successors in office, and conditioned upon the member's faithful performance of the his duties.

COVID-19 RECOVERY

LOCALLY ADMINISTERED HEALTH DEPARTMENT

SB1344 Alexandria, City of; operation of local health department.

SUPPORT

Primary Sponsor: [Senator George L. Barker \(D\)](#)

Summary: Operation of the City of Alexandria local health department. Allows the City of Alexandria to enter into a contract with the Department of Health for the local administration of local health services.

STUDENT LEARNING LOSS

HB2269 Federal pandemic relief; funds for public education, certain conditions.

OPPOSE

Primary Sponsor: [Delegate Karen S. Greenhalgh \(R\)](#)

Summary: Certain federal pandemic relief funds for public education; certain conditions; emergency. Requires any local school division that, as of March 1, 2023, has available and unspent federal (i) ESSER formula funds exceeding \$5,000 or (ii) state set-aside ESSER or GEER funds awarded to the local school division by the Virginia Department of Education (the Department) to return such funds to the Department no later than March 15, 2023, unless precluded by federal law or regulation. The bill

requires the Department to subsequently expend any such returned funds for student instruction and remediation. The bill also requires each local school division to obtain the approval of the local school board for its federal ESSER III spending plan, update such spending plan at least once every six months, and publish such spending plan in an accessible format on a publicly available website. The bill contains an emergency clause.

CRISIS PROGRAMS

SB808 Mental or physical condition; temporary detention in hospital for testing, observation, etc.

SUPPORT

Primary Sponsor: [Senator Barbara A. Favola \(D\)](#)

Summary: Temporary detention in hospital for testing, observation, or treatment; mental or physical conditions resulting from intoxication. Clarifies that in the case where a mental or physical condition is a result of intoxication, a licensed physician who has attempted to obtain informed consent of an adult person for treatment of such mental or physical condition resulting from intoxication may seek an order from the magistrate or court in the jurisdiction where the respondent is located authorizing temporary detention of the adult person in a hospital emergency department or other appropriate facility for testing, observation, or treatment, provided that certain conditions are met.

FYSA

HB1487 Local government; live broadcast and archive of meetings.

Primary Sponsor: [Delegate Marie E. March \(R\)](#)

Summary: Meetings of local governing body; live broadcast and archive. Requires localities to provide a live video broadcast of public meetings of the local governing body and to archive such broadcasts on their websites.

HB1751 Elections; ranked choice voting, local governing bodies, school boards, & primaries for any office.

Primary Sponsor: [Delegate Glenn R. Davis \(R\)](#)

Summary: Elections; conduct of election; ranked choice voting; local governing bodies, school boards, and primaries for any office. Allows ranked choice voting to be used in any state-run primary election at the option of the political party for which the primary is being held and changes from discretionary to mandatory the provision that the State Board of Elections promulgate regulations for the proper and efficient administration of elections determined by ranked choice voting. The bill also allows elections of members of a local governing body or school board to be conducted by ranked choice voting. Current law only allows elections of members of a county board of supervisors or city council to be conducted by ranked choice voting.

HB1414 Ballots; party identification of candidates.

Primary Sponsor: [Delegate Bill D. Wiley \(R\)](#)

Summary: Form of ballot; party identification of candidates. Extends to elections for local and constitutional offices the requirement that candidates who have been nominated by a political party or in a primary election be identified on the ballot by name of their political party. Currently, this requirement applies only to federal, statewide, and General Assembly elections.

HB2118 Local or constitutional office; elections allowed to be conducted by ranked choice voting.

Primary Sponsor: [Delegate Sally L. Hudson \(D\)](#)

Summary: Elections; conduct of election; ranked choice voting; locally elected offices. Allows elections for any local or constitutional office to be conducted by ranked choice voting. Under current law, only elections of members of a county board of supervisors or a city council are allowed to be conducted by ranked choice voting.

HJ458 Constitutional amendments; General Assembly and local elected officials, term limits (first refer.).

Primary Sponsor: [Delegate Timothy V. Anderson \(R\)](#)

Summary: Constitutional amendments (first reference); General Assembly and local elected officials; term limits. Limits members of the Senate to three consecutive terms and members of the House of

Delegates to six consecutive terms. The amendments provide that the limits apply to terms of service beginning on and after the start of the 2026 Regular Session of the General Assembly. The amendments also limit officials elected to any county, city, town, or constitutional office to three consecutive terms, except for persons elected to the office of the clerk of the court, who are limited to two consecutive terms. These limits apply to terms of service in county, city, town, and constitutional offices beginning on and after January 1, 2026. Both amendments provide that service for a partial term does not preclude serving the allowed number of full terms.

HJ551 Commending Karen Pallansch.

Primary Sponsor: [Delegate Elizabeth B. Bennett-Parker \(D\)](#)

Summary: Commending Karen Pallansch.