



# **Subcommittee Bill Positions**

**Legislative Subcommittee Meeting**

**January 14, 2022**

**HB7** Transient occupancy tax; supporting documentation.

**SUPPORT**

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

Summary: Transient occupancy tax; supporting documentation. Requires accommodations providers to submit certain supporting documentation, upon request by a locality, when remitting transient occupancy taxes collected.

**HB13** Libraries; assessment for costs in civil actions, disbursement for law libraries.

**SUPPORT**

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

Summary: Libraries; assessment for costs in civil actions; disbursement for law libraries. Increases from \$4 to \$7 the maximum assessment a county, city, or town may make as part of the costs incident to each civil action filed in the courts located within its boundaries. Such funds are disbursed by a locality's governing body for the establishment, use, and maintenance of its law library.

**HB48** Local advisory referenda; exception to rule that prohibits referendum from being placed on ballot.

**SUPPORT**

Primary Sponsor: [Delegate C. Matthew Fariss \(R\)](#)

Summary: Elections; referenda; local advisory referenda. Provides for an exception to the rule that prohibits a referendum from being placed on the ballot unless specifically authorized by statute or by charter, allowing each locality to provide by ordinance a process for holding an advisory referendum provided such advisory referendum is placed on the ballot not more than once per calendar year.

**HB95** Adult protective services investigations; financial institutions to furnish records and information.

**SUPPORT**

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

Summary: Adult protective services investigations; financial institutions; furnishing of records and information. Requires financial institutions to cooperate in any investigation of alleged adult abuse, neglect, or exploitation conducted by a local department of social services and to make any financial records or information relevant to such investigation available to the local department upon request.

**HB129** Elections; primaries for local offices, ranked choice voting, conduct of election.

**SUPPORT**

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

Summary: Elections; conduct of election; ranked choice voting; primaries for local offices. Permits parties to decide to hold a primary for any office by ranked choice voting and changes from

discretionary to mandatory the provision that the State Board of Elections promulgate regulations for their proper and efficient administration.

**SB1** Paid family and medical leave program; Virginia Employment Commission required to establish.

**SUPPORT**

Primary Sponsor: [Senator Jennifer B. Boysko \(D\)](#)

Summary: Paid family and medical leave program. Requires the Virginia Employment Commission to establish and administer a paid family and medical leave program with benefits beginning January 1, 2025. Under the program, benefits are paid to eligible employees for family and medical leave. Funding for the program is provided through premiums assessed to employers and employees beginning in 2024. The amount of a benefit is 80 percent of the employee's average weekly wage, not to exceed 80 percent of the state weekly wage, which amount is required to be adjusted annually to reflect changes in the statewide average weekly wage. The measure caps the duration of paid leave at 12 weeks in any application year. The bill provides self-employed individuals the option of participating in the program.

**SB12** Taxes, local; surplus revenues.

**SUPPORT**

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

Summary: Local taxes; surplus revenues. Grants localities permissive authority to return surplus personal property tax revenues to taxpayers. Under current law, localities may return only surplus real property tax revenues.

**SB13** Energy performance-based contracts; roof replacement.

**SUPPORT**

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

Summary: Energy performance-based contracts; roof replacement. Requires the acquisition of a roofing subcontractor through competitive negotiation if a contracting entity enters into an energy performance-based contract that involves roof replacement. Current law prohibits the inclusion of a roof replacement project as part of an energy performance-based contract.

**SB21** Constitutional amendment; qualifications of voters and the right to vote (voter referendum).

**SUPPORT**

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

Summary: Constitutional amendment (voter referendum); qualifications of voters and the right to vote; persons not entitled to vote. Provides for a referendum at the November 8, 2022, general election to approve or reject an amendment that would provide for the fundamental right to vote in the Commonwealth, revise the qualifications of voters so that a person convicted of a felony is not entitled to vote during his period of incarceration but is automatically invested with the right to vote

upon release from incarceration, and update the existing prohibition on voting by persons found to be mentally incompetent to instead apply to persons who have been found to lack the capacity to understand the act of voting.

**SB23** Historical African American cemeteries and graves; qualified organization.

**SUPPORT**

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

Summary: Historical African American cemeteries and graves; qualified organization. Amends the definition of a qualified organization authorized to apply for funds for the maintenance of historical African American cemeteries to include a locality in which such a cemetery is located.

**SB43** Virginia Residential Landlord and Tenant Act; county and city enforcement.

**SUPPORT**

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

Summary: Virginia Residential Landlord and Tenant Act; county and city enforcement. Provides that any county or city may bring an action to enforce the provisions of the Virginia Residential Landlord and Tenant Act related to health and safety, provided that (i) the property where the violations occurred is within the jurisdictional boundaries of the county or city; (ii) the county or city has notified the landlord who owns the property directly or through the managing agent of the nature of the violations and the landlord has not remedied the violations within a reasonable time after receiving such notice to the satisfaction of the county or city; and (iii) such enforcement action may include seeking an injunction, damages, or both.

**SB56** Foster Care Prevention program; established.

**SUPPORT**

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

Summary: Foster Care Prevention program. Establishes the Foster Care Prevention program to facilitate placements with relatives and ensure that such relatives are provided with the resources necessary to provide care for the child. The bill provides that a child is eligible to participate in the Foster Care Prevention program if the local department of social services (local department) determines that (i) the child is in the custody of a relative pursuant to a court order; (ii) the child's parent or guardian voluntarily placed the child with such relative; (iii) the child demonstrates a strong attachment to the relative, and the relative has a strong commitment to caring for the child; and (iv) had the relative not agreed to take custody of the child, the local department likely would have filed a petition to remove the child from his home due to an imminent threat of child abuse or neglect. The bill requires relatives seeking to receive Foster Care Prevention program payments to enter into an agreement with the local department and Department of Social Services that describes the manner in which payments will be provided and establishes the amount of such payments. The bill requires the juvenile and domestic relations court, in any custody case involving the Foster Care Prevention

program wherein a relative is awarded custody of a child, to establish the timelines of the custody order and allows the court to order the local department to provide case management services.

**SB69** Virginia Residential Landlord and Tenant Act; prohibited provisions in rental agreements.

**SUPPORT**

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

Summary: Virginia Residential Landlord and Tenant Act; prohibited provisions in rental agreements. Prohibits a rental agreement from containing provisions that prohibit the operation of properly licensed and authorized child care services.

**SB140** Smoke alarms; expands requirement to dwelling unit buildings.

**SUPPORT**

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

Summary: Smoke alarm retrofitting; dwelling unit buildings. Expands the requirement to retrofit buildings with one or more dwelling units, hotels and motels, and rooming houses with smoke alarms without regard to the time of construction of such buildings.

**SB142** Land bank ordinances; disposition.

**SUPPORT**

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

Summary: Delinquent tax lands; disposition. Authorizes localities to have a special commissioner appointed to, in lieu of a sale at public auction, convey certain real estate having delinquent taxes or liens to a land bank entity or nonprofit designated to carry out the functions of a land bank entity. Currently, such real estate may only be conveyed to the locality itself. The bill also allows real estate that contains a derelict building and has delinquent taxes and liens exceeding 10 percent of its value to be conveyed via special commissioner in lieu of a sale at public auction.

**SJ1** Constitutional amendment; qualifications of voters and the right to vote (second reference).

**SUPPORT**

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

Summary: Constitutional amendment (second reference); qualifications of voters and the right to vote; persons not entitled to vote. Provides that every person who meets the qualifications of voters set forth in the Constitution 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 provides that a person who has been adjudicated to be mentally incompetent is not qualified to vote until his competency is reestablished.

**SJ3** Constitutional amendment; local government, sale of property.

**SUPPORT**

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.

**SJ5** Constitutional amendment; marriage; fundamental right to marry, same-sex marriage prohibition.

**SUPPORT**

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

Summary: Constitutional amendment (second reference); marriage; repeal of same-sex marriage prohibition; affirmative right to marry. 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). The amendment provides that the right to marry is a fundamental right inherent in the liberty of persons and requires the Commonwealth and its political subdivisions and agents to issue marriage licenses, recognize marriages, and treat all marriages equally under the law, regardless of the sex or gender of the parties to the marriage. Religious organizations and clergy acting in their religious capacity have the right to refuse to perform any marriage.

**HB4** School principals; incident reports.

**WATCH**

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

Summary: School principals; incident reports. Requires that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor offense and report to the parents of any minor student who is the specific object of such act that the incident has been reported to law enforcement. Under current law, principals are required to make such reports only for such acts that may constitute a felony offense.

**HB5** Flood Relief Fund; established.**WATCH**Primary Sponsor: [Delegate James W. Morefield \(R\)](#)

Summary: Flood Relief Fund established. Establishes the Flood Relief Fund (the Fund), funded by reducing the allocation of Regional Greenhouse Gas Initiative (RGGI) funds to the Community Flood Preparedness Fund from 45 to 40 percent and allocating the five percent to the Fund. The Flood Relief Fund is administered by the Virginia Department of Emergency Management (VDEM) and used to make payments to private property owners of property is damaged by a flood, landslide, or mudslide for which the President declares a major disaster under the federal Stafford Act. Under the bill, claims are paid at 175 percent of property value in a double distressed locality, 150 percent of property value in a distressed locality, and 100 percent of property value in all other localities. Claims are limited to \$1 million for commercial properties and \$500,000 for residential properties and are exempt from individual and corporate income tax. If there are no flood disasters, VDEM will award grants for flood prevention efforts to applicants in double distressed localities. The bill provides that if Virginia withdraws from RGGI, \$50 million of any unobligated auction proceeds will be reallocated to the Fund from the accounts established for flood preparedness and low-income energy efficiency programs.

**HB42** Improper driving; person may be charged with offense when conduct constitutes reckless driving.**WATCH**Primary Sponsor: [Delegate Timothy V. Anderson \(R\)](#)

Summary: Improper driving. Provides that a person may be charged with the offense of improper driving when his conduct is of the kind that constitutes reckless driving but when his degree of culpability is slight. Currently, a law-enforcement officer is not able to charge a person with improper driving, but a charge of reckless driving may be reduced to improper driving by the court or the attorney for the Commonwealth.

**HB47** Suspended sentence or probation; violation of the terms and conditions, technical violations.**WATCH**Primary Sponsor: [Delegate Timothy V. Anderson \(R\)](#)

Summary: Violation of the terms and conditions of a suspended sentence or probation; technical violations; penalty. Removes from the definition of technical violation, used for the purposes of limiting the amount of active incarceration a court can impose as a result of a revocation hearing for a probation violation, violations based on a probationer's failure to (i) refrain from the use, possession, or distribution of controlled substances or related paraphernalia; (ii) refrain from the use, ownership, possession, or transportation of a firearm; (iii) gain permission to change his residence or remain in the Commonwealth or other designated area without permission of the probation officer; or (iv) maintain contact with the probation officer whereby his whereabouts are no longer known to the



probation officer. Accordingly, if a court finds that a violation of the terms and conditions of a suspended sentence or probation is based on such no-longer-technical violations, the court may revoke the suspension and impose or resuspend any or all of the period previously suspended.

[HB54](#) Absentee voting; ballots to be sorted and results to be reported by precinct.

**WATCH**

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

Summary: Elections; absentee voting; ballots to be sorted and results to be reported by precinct. Provides that absentee ballots processed at a central absentee precinct must be sorted by the precinct to which the voter who cast the absentee ballot is assigned and that the resulting vote totals from such ballots must be reported separately for each voter precinct.

[HB61](#) Overtime pay requirements; volunteers.

**WATCH**

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

Summary: Overtime pay requirements; volunteers. Permits individuals who work as both employees and on a volunteer basis for a public body, church, or nonprofit organization to earn overtime wages for hours worked as an employee only and continues to exclude hours worked on a volunteer basis from overtime wage requirements.

[HB70](#) Law-Enforcement Officers Procedural Guarantee Act; minimum rights.

**WATCH**

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

Summary: Law-Enforcement Officers Procedural Guarantee Act; minimum rights. Provides that the rights accorded to law-enforcement officers in the Law-Enforcement Officers Procedural Guarantee Act are minimum rights, and all law-enforcement agencies shall adopt grievance procedures that are consistent with such rights. The bill removes the current exception from the provisions of the Law-Enforcement Officers Procedural Guarantee Act for any law-enforcement officer or law-enforcement agency that serves under the authority of a locality that has established a law-enforcement civilian oversight body.

[HB75](#) Localities; restricts authority to impose transient occupancy tax at rate that exceeds five percent.

**WATCH**

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

Summary: Local taxing authority. Restricts localities from imposing a transient occupancy tax at a rate that exceeds five percent and provides that any tax revenues from a rate of greater than two percent but less than five percent shall be spent solely for tourism-related and travel-related purposes. The bill also lowers the amount of food and beverage tax that counties can impose from six percent to a



total of four percent. Under the bill, a county is able to impose a food and beverage tax at up to two percent without restriction, but that would require approval via a referendum in order to impose the tax at four percent.

**HB76** Absentee voting; reimbursement of costs to counties and cities for cost of conducting.

**WATCH**

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

Summary: Absentee voting; reimbursement of costs. Requires the General Assembly to establish in the general appropriation act a reimbursement plan to reimburse counties and cities, fully and annually, for the cost of conducting absentee voting in the locality.

**HB79** Marijuana and certain traffic offenses; issuing citations.

**WATCH**

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

Summary: Issuing citations; marijuana and 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. The bill also repeals the provision that provides that no law-enforcement officer may lawfully stop, search, or seize any person, place, or thing solely on the basis of the odor of marijuana and that no evidence discovered or obtained as a result of such unlawful search or seizure shall be admissible in any trial, hearing, or other proceeding.

**HB90** Sales tax; exemption for food purchased for human consumption & essential personal hygiene products.

**WATCH**

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

Summary: Sales tax; exemption for food purchased for human consumption and essential personal hygiene products. Exempts food purchased for human consumption and essential personal hygiene products (the grocery tax) from all state, regional, and local sales taxes. The bill dedicates state sales tax revenue to provide a supplemental school payment to counties and cities. For fiscal year 2023, the payment is the county or city's fiscal year 2022 distribution of revenue from the grocery tax. For fiscal year 2024 and after, the payment is the previous year's payment multiplied by the county or city's local sales tax index, defined in the bill as the ratio by which sales tax revenues in a county or city for the current year exceed the previous year's revenues.

**HB147** Local correctional facilities and lock-ups; minimum standards.**WATCH**

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

Summary: Minimum standards for local correctional facilities and lock-ups; individuals in need of behavioral health or developmental services. Requires the State Board of Local and Regional Jails (the Board) to establish minimum standards for identification and care of individuals with developmental disabilities in local correctional facilities and procedures for enforcing such minimum standards, including requirements for (i) screening of individuals committed to local correctional facilities for developmental disabilities, (ii) referral of individuals committed to local correctional facilities for whom a screening indicates reason to believe the person may have a developmental disability to an appropriate provider for an assessment to determine whether the individual has a developmental disability and is in need of developmental services, and (iii) transfer of an individual determined to have a developmental disability and to be in need of developmental services from a local correctional facility to a facility at which appropriate developmental services are provided within 72 hours of completion of the assessment. The bill also requires the Board to amend standards governing the delivery of behavioral health services in local correctional facilities and lock-ups to provide that if an individual is assessed as being in need of behavioral health services, such individual shall be transferred from the local correctional facility or lock-up to a behavioral health facility within 72 hours of the assessment. Currently, standards governing behavioral health services in local correctional facilities and lock-ups require that if a person is assessed as being in need of behavioral health services, the local correctional facility or lock-up shall provide such services.

**HB152** Sales and use tax; exemption for portion of payment card processing fees.**WATCH**

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

Summary: Sales and use tax; payment card processing fees. Provides a sales and use tax exemption for the portion of any transaction that is a payment card processing fee, defined in the bill. The bill also provides such an exemption from local meals taxes.

**SB2** School principals; incident reports.**WATCH**

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

Summary: School principals; incident reports. Requires that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor offense and report to the parents of any minor student who is the specific object of such act that the incident has been reported to law enforcement. Under current law, principals are required to make such reports only for such acts that may constitute a felony offense.

**SB3** Absentee voting; ballots to be sorted and results to be reported by precinct.

**WATCH**

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

Summary: Elections; absentee voting; ballots to be sorted and results to be reported by precinct. Provides that absentee ballots processed at a central absentee precinct must be sorted by the precinct to which the voter who cast the absentee ballot is assigned and that the resulting vote totals from such ballots must be reported separately for each voter precinct.

**SB17** Virginia Retirement System; employment of retired law-enforcement officers.

**WATCH**

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

Summary: Virginia Retirement System; employment of retired law-enforcement officers. Allows a retired law-enforcement officer to continue to receive his service retirement allowance during a subsequent period of employment by a state and local law-enforcement agency, so long as he has a break in service of at least 12 calendar months between retirement and reemployment, did not retire under an early retirement program, and did not retire under the Workforce Transition Act of 1995. The bill also provides that the Director of the Department of Criminal Justice Services shall exempt a law-enforcement officer who has demonstrated sensitivity to cultural diversity issues, had previous experience and training as a law-enforcement officer, is currently receiving or is eligible to receive a service retirement allowance, and has a break in service of no longer than 60 calendar months between retirement and the new employment from the mandatory attendance of all courses which are required for the successful completion of the compulsory minimum training standards.

**SB19** Gifts of real estate; requirements.

**WATCH**

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

Summary: Gifts of real estate; requirements. Prohibits a clerk of court from recording a deed of gift conveying real estate unless it is accompanied by a certified copy of the existing deed showing the name of the current owner of the property.

**SB117** Local school divisions; budget bill to include appropriation of surplus for operational costs.

**WATCH**

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

Summary: K-12 funding. Provides that for any year in which there is a surplus, the Governor shall include in his proposed budget an appropriation of five percent of such surplus for the operational costs of local school divisions. The bill provides for an equivalent decrease in the amount of operational costs funded by the Lottery Proceeds Fund and an equivalent increase in the amount of funds in the Fund restricted exclusively for local school divisions' capital construction and renovation

costs. If the restricted amount is equal to or greater than the amount in the Fund, the increases and decreases are no longer required under the bill.

**HB10** Resident concealed handgun permits; fees.

**OPPOSE**

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

Summary: Fees for resident concealed handgun permits. Eliminates the fees that may be charged for the processing of an application for or issuing of a resident concealed handgun permit, including any costs associated with the clerk's consultation with law-enforcement agencies.

**HB11** Concealed handgun permits; penalties.

**OPPOSE**

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

Summary: Concealed handgun permits; penalties. Changes the penalty for a first violation of carrying a concealed weapon without a permit from a Class 1 misdemeanor to a civil penalty of not more than \$100, a second violation from a Class 6 felony to a Class 2 misdemeanor, and a third or subsequent violation from a Class 5 felony to a Class 1 misdemeanor. The bill also provides that a person, unless otherwise disqualified, shall not be precluded from applying for a concealed handgun permit during the pendency of the proceedings for a violation. If such person is issued a valid concealed handgun permit while a charge for a violation is pending, he may offer such permit to the court, and the court may dismiss the charge.

**HB14** Handguns; limitation on purchases.

**OPPOSE**

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

Summary: Purchase of handguns; limitation on handgun purchases. Removes the prohibition on any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period. Current law makes it a Class 1 misdemeanor for a violation of this provision, subject to certain exemptions.

**HB22** Medical mandates; each adult has a fundamental right to be free from mandates.

**OPPOSE**

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

Summary: Fundamental right to be free from medical mandates. Declares that, except as otherwise provided by law, each adult has a fundamental right to be free from medical mandates of the Commonwealth or any locality, private employer, health care entity or provider, or provider of public accommodations. The bill defines "medical mandate" as any affirmative requirement by the Commonwealth or any locality, private employer, health care entity or provider, or provider of public accommodations for an individual to undergo or participate in a health-related test, procedure,

tracking or monitoring program, or bodily insertion or injection of any drug or the wearing of any medical equipment or apparel. The bill provides that it shall be no less a medical mandate for such entities to condition an individual's receipt of otherwise ordinary services, benefits, or employment upon the performance or acquiescence of undergoing or participating in a health-related test, procedure, tracking or monitoring program, or bodily insertion or injection of any drug or the wearing of any medical equipment or apparel. The bill sets out exceptions, including protocols in health care facilities and food handling operations and valid orders of quarantine or isolation.

**HB23** Dangerous weapons; carrying to place of religious worship.

**OPPOSE**

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

Summary: Carrying dangerous weapon to place of religious worship; repeal. Repeals the prohibition on the carrying of dangerous weapons in a place of worship without good and sufficient reason while a meeting for religious purposes is being held at such place.

**HB24** Voter identification; identification containing a photograph required.

**OPPOSE**

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

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.

**HB26** Firearms; control by localities of possession or carrying.

**OPPOSE**

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

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 and state governmental entities to bring lawsuits against certain firearms manufacturers and others.

**HB34** Absentee voting; return of absentee ballots, drop-off locations.

**OPPOSE**

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

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

**HB35** Absentee voting; excuse required to vote absentee by mail, etc.

**OPPOSE**

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

Summary: Absentee voting; excuse required to vote absentee by mail; excuse required to vote absentee in person prior to the second Saturday preceding an election. Requires a registered voter to provide a reason for being absent or unable to vote at his polling place on election day in order to receive an absentee ballot to vote by mail. Registered voters offering to vote absentee in person are similarly required by the bill to provide a reason until the second Saturday immediately preceding an election, at which time an excuse is not required to vote absentee in person. The bill provides that an application for an absentee ballot is required to receive an absentee ballot by mail and to vote absentee in person before the second Saturday immediately preceding an election. The bill also repeals the permanent absentee voter list and limits the special annual application to those voters with an illness or disability.

**HB36** Absentee voting; permanent absentee voter list repealed.

**OPPOSE**

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

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 remains on the 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.

**HB37** School boards; employment of at least one school resource officer in public middle and high school.

**OPPOSE**

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

Summary: School boards; school resource officers; employment; threat assessment. Requires each school board to enter into a collaborative agreement with the local law-enforcement agency to employ at least one school resource officer in each public middle and high school in the local school division

and at least one school resource officer per five public elementary schools in the local school division, who is required to serve in each such elementary school on a rotating basis. The bill also requires each division superintendent to include on the threat assessment team established for each public elementary and secondary school in the local school division at least one school resource officer employed in the school.

**[HB39](#)** Absentee voting in person; available beginning on the fourteenth day prior to election.

**OPPOSE**

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

Summary: Absentee voting in person; available beginning on the fourteenth day prior to election; 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.

**[HB46](#)** Voter identification; identification containing a photograph required.

**OPPOSE**

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

Summary: Elections; voter identification containing a photograph required; permanent absentee voter list repealed. 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. The bill also 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 remains on the 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.

**[HB58](#)** Local government; prohibits certain practices that would require contractors to provide benefits.

**OPPOSE**

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

Summary: Prohibit certain local government practices that would require contractors to provide certain compensation or benefits. Prohibits local governing bodies from establishing provisions related to procurement of goods, professional services, or construction that would require a wage floor or any other employee benefit or compensation above what is otherwise required by state or federal law to be provided by a contractor to one or more of the contractor's employees as part of a contract with the locality. The bill provides that the prohibition shall not affect contracts between a locality and another party that were executed prior to January 1, 2023, or the renewal or future rebids of services thereof. The bill provides that localities shall not be prohibited from entering into contracts



for economic development incentives in which the company receiving the incentives is required to maintain a certain stated wage level for its employees.

**[HB73](#)** Electric utilities; definitions, aggregate capacity requirements for renewable energy facilities.

**OPPOSE**

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

Summary: Electric utilities; definitions; public interest; aggregate capacity requirements for renewable energy facilities; cost recovery. Amends certain provisions related to the Air Pollution Control Board's regulation of carbon dioxide emissions. The bill removes certain requirements for energy efficiency pilot programs to be considered in the public interest. The bill removes aggregate capacity requirements for renewable energy generating facilities, including facilities utilizing energy derived from sunlight, onshore wind, and offshore wind. The bill further removes requirements for the State Corporation Commission's methodology in determining the reasonableness and prudence of costs related to a request for cost recovery for an offshore wind facility by a Phase II Utility.

The bill removes the requirement that the State Corporation Commission must wait until a certain report is received by the General Assembly prior to issuing a certificate of public convenience and necessity for any investor-owned utility to own, operate, or construct any electric generating unit that emits carbon as a by-product of combusting fuel to generate electricity.

**[HB74](#)** 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 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.

**[HB110](#)** Law-enforcement civilian oversight bodies; removes the authority of a locality to establish.

**OPPOSE**

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

Summary: Law-enforcement civilian oversight bodies. Removes the authority of a locality to establish a law-enforcement civilian oversight body. Under current law, law-enforcement civilian oversight bodies may (i) receive, investigate, and issue findings on complaints from civilians regarding conduct of law-enforcement officers and civilian employees; (ii) investigate and issue findings on incidents,

including the use of force by a law-enforcement officer, death or serious injury to any person held in custody, serious abuse of authority or misconduct, allegedly discriminatory stops, and other incidents regarding the conduct of law-enforcement officers or civilian employees; (iii) make binding disciplinary determinations in cases that involve serious breaches of departmental and professional standards; (iv) investigate policies, practices, and procedures of law-enforcement agencies and make recommendations regarding changes to such policies, practices, and procedures; (v) review all investigations conducted internally by law-enforcement agencies and issue findings regarding the accuracy, completeness, and impartiality of such investigations and the sufficiency of any discipline resulting from such investigations; (vi) request reports of the annual expenditures of law-enforcement agencies and make budgetary recommendations; (vii) make public reports on the activities of the law-enforcement civilian oversight body; and (viii) undertake any other duties as reasonably necessary for the law-enforcement civilian oversight body to effectuate its lawful purpose to effectively oversee the law-enforcement agencies as authorized by the locality.

**HB118** Electric utilities; regulation, development of renewable energy facilities.

**OPPOSE**

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

Summary: Regulation of electric utilities; development of renewable energy facilities; powers of State Air Pollution Control Board; powers of State Corporation Commission. Repeals provisions (i) requiring the State Air Pollution Control Board to adopt regulations to reduce carbon dioxide emissions from any electricity generating unit in the Commonwealth and authorizing the Board to establish an auction program for energy allowances; (ii) prohibiting the State Corporation Commission from approving any new utility-owned generation facilities that emit carbon dioxide as a by-product of energy generation, in certain circumstances; (iii) declaring that statutory allowances for energy derived from sunlight, onshore wind, offshore wind, and storage facilities are in the public interest; and (iv) relating to the development of solar and wind generation and energy storage capacity, development of offshore wind capacity, and generation of electricity from renewable and zero carbon sources. The bill provides that planning and development activities for new nuclear generation facilities are in the public interest.

**HB119** Public-Private Competition Act; created, repeals Competitive Government Act, etc.

**OPPOSE**

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

Summary: Public-Private Competition Act. Creates the Public-Private Competition Act, which prohibits public bodies from engaging in any commercial activity, defined in the bill to mean any activity that can be performed by an existing private business. The bill creates an exemption for commercial activities that public bodies are required to perform pursuant to the Constitution of Virginia. The bill also repeals the Competitive Government Act, which requires the Governor to (i) conduct a study at least once every two years to examine whether at least three commercial activities

being performed by state employees at state agencies and institutions are being accomplished in the most cost-efficient and effective manner and (ii) outsource any commercial activity for which the study determines that outsourcing may result in reduced costs or otherwise provide a measurable benefit to the Commonwealth.

**SB9** Eminent domain; payment of judgment, attorney fees.

**OPPOSE**

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

Summary: Eminent domain; payment of judgment; attorney fees. Provides for attorney fees to be awarded in eminent domain cases in which there is a judgment for a property owner if such judgment is not paid within the time required by law.

**SB46** Emergency and quarantine orders, certain; additional procedural requirements.

**OPPOSE**

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

Summary: Certain emergency and quarantine orders; additional procedural requirements. Provides that any person who is affected by an order of quarantine may file an appeal in the circuit court for the city or county in which he resides or is located or the circuit court for the jurisdiction or jurisdictions for any affected area; currently, only a person who is subject to an order of quarantine may appeal the order. The bill also provides that, in any case in which the Governor has issued an emergency order that includes any measure that closes schools or businesses or restricts the movement of healthy persons within the area to which the order applies, all of the rights, protections, and procedures applicable in the case of an order of quarantine issued by the Commissioner of Health shall apply.

**SB52** Utilities, certain; pro rata reimbursements for installation.

**OPPOSE**

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

Summary: Pro rata reimbursements for installation of certain utilities. Requires localities that adopt subdivision ordinances that permit subdividers or developers to install certain utilities to provide within that ordinance the subdivider's or developer's entitlement to pro rata reimbursement for costs of such installations. Under current law, localities are permitted to provide such entitlement but are not required to do so.

**SB74** 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 and state governmental entities to bring lawsuits against certain firearms manufacturers and others.

**[SB80](#)** Election officials, state and local; acceptance of certain gifts and funding prohibited.

**OPPOSE**

Primary Sponsor: [Senator William M. Stanley, Jr. \(R\)](#)

Summary: State and local elections officials; acceptance of certain gifts and funding prohibited.

Prohibits state and local elections officials from soliciting, accepting, using, or disposing of any moneys, grants, property, or services given by a private individual or nongovernmental entity for the purpose of funding voter education and outreach programs, voter registration programs, or any other expense incurred in the conduct of elections. The bill specifically provides that the operation of a polling place or voter satellite office in a facility furnished by a private individual or nongovernmental entity is not a violation of this prohibition.

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### Commission on Local Government Request for Local Fiscal Impact Analysis

1. **[HB152](#)** Sales and use tax; exemption for portion of payment card processing fees.

**WATCH**

2. **[HB75](#)** Localities; restricts authority to impose transient occupancy tax at rate that exceeds five percent.

**WATCH**

3. **[HB56](#)** Virginia Retirement System; enhanced retirement benefits for juvenile detention specialists.

No Position



## **Bills Docket**

**Legislative Subcommittee Meeting**

**January 21, 2022**

**PRINCIPLES*****Inclusive City of Kindness***

**HB596** Rent stabilization, local; any locality may by ordinance adopt provisions.

**SUPPORT**

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

Summary: Local rent stabilization authority. Provides that any locality may by ordinance adopt rent stabilization provisions. The bill provides that no such ordinance shall be adopted until the proposed ordinance has been posted on the locality's website and advertised in a newspaper of general circulation in the locality at least two weeks prior to a public hearing on such ordinance. 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, the maximum amount a landlord can increase a tenant's rent during any 12-month period, in effect at the time of the increase, and the bill requires the locality to annually publish this allowance on its website. The allowance is equal to the annual increase in the Consumer Price Index for the region in which the locality sits and is effective for a 12-month period beginning July 1.

The bill provides that no such ordinance shall apply to the following:

1. Any unit in a licensed facility, the primary purpose of which is the diagnosis, cure, mitigation, and treatment of illnesses;
2. Any unit in a facility owned or leased by an organization exempt from federal income taxes pursuant to § 501(c)(3) of the Internal Revenue Code, the primary purpose of which is to provide temporary sanctuary or shelter for qualified clients, provided that the organization has notified the clients residing in the facility of the temporary nature of their housing at the inception of their residence;
3. Any owner-occupied group house;
4. Religious facilities, such as churches, synagogues, parsonages, rectories, convents, and parish homes;
5. Transient facilities, such as motels, tourist homes, and bed and breakfast facilities;
6. School dormitories;
7. Licensed assisted living facilities and nursing homes; or
8. Single-family residences.

The bill states that such ordinance shall 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.

The 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.

**HB824** Low-income housing; tax credit for specialty populations, expands availability.

**SUPPORT**

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

Summary: Housing opportunity tax credit; specialty populations. Expands availability beginning in taxable year 2022 of the nonrefundable Virginia Housing Opportunity Tax Credit, which is equal to the amount of the federal low-income housing tax credit allocated or allowed by the Virginia Housing Development Authority, to qualified specialty population projects, defined in the bill as low-income buildings that are eligible for the federal credit that creates housing for individuals who (i) have been issued an intellectual disability or developmental disability waiver, (ii) require behavioral health treatment or services, or (iii) require treatment or services for substance use and abuse recovery. No more than \$2.5 million in credits shall be granted per calendar year for such qualified specialty population projects.

**[HB803](#)** Virginia 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.

**[HB804](#)** 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. Places limitations on when a landlord may charge a nonrefundable application fee in addition to a refundable application deposit. The bill prohibits a landlord with more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units from charging prospective tenants any nonrefundable application fee in excess of the amount necessary to reimburse the landlord for any actual out-of-pocket expenses paid by the landlord to a third party performing a number of pre-occupancy checks on the applicant. The bill allows an applicant to choose to provide certain information to the landlord in the form of a portable tenant screening report in lieu of paying an application fee. When an applicant chooses not to provide such report, a landlord that owns four or fewer rental dwelling units may charge such applicant actual out-of-pocket expenses paid by the landlord to a third party performing certain pre-occupancy checks on the applicant or, in the case of an application for a public housing unit, an application fee of no more than \$32, including any actual out-of-pocket expenses paid to a third party by the landlord performing background, credit, or other pre-occupancy checks on the applicant.



**HB882** Virginia Residential Landlord and Tenant Act; tenant's assertion, condemnation of dwelling unit.

**SUPPORT**

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

Summary: Virginia Residential Landlord and Tenant Act; tenant's assertion; condemnation of dwelling unit; 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. 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.

**HB802** 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 any county, city, or town may bring an action to enforce the provisions of the Virginia Residential Landlord and Tenant Act related to health and safety, provided that (i) the property where the violations occurred is within the jurisdictional boundaries of the county, city, or town; (ii) the county, city, or town has notified the landlord who owns the property directly or through the managing agent of the nature of the violations and the landlord has not remedied the violations within a reasonable time after receiving such notice to the satisfaction of the county, city, or town; and (iii) such enforcement action may include seeking an injunction, damages, or both.

**HB796** Voter registration; restoration of political rights upon release from incarceration.

**SUPPORT**

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

Summary: Voter registration; restoration of political rights upon release from incarceration; certain adjudications. Provides that any person who loses his political rights as a result of a felony conviction shall be invested with those rights upon his release from incarceration and shall be entitled to register to vote. The bill directs the Department of Corrections and the State Board of Local and Regional Jails to transmit to the Department of Elections certain information for incarcerated persons with a pending date of release and requires the Department of Elections to process the information and make the necessary changes to the voter registration system to permit such persons to register to vote by the date of the person's scheduled date of release. On the date of an incarcerated person's release, the appropriate authority is required by the bill to provide a voter registration application, information on returning the form by mail or completing it by electronic means, and an official release document to serve as a safety net for voter registration. The bill amends the language regarding adjudications of mental incompetency for purposes of being qualified to vote; a person adjudicated to

lack the capacity to understand the act of voting shall not be entitled to vote until that capacity has been reestablished.

**HB1158** Temporary Assistance for Needy Families; Virginia Initiative for Education and Work; sanctions.

**SUPPORT**

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

Summary: Temporary Assistance for Needy Families; Virginia Initiative for Education and Work; sanctions. Lowers from the full amount of the Temporary Assistance for Needy Families (TANF) grant to a maximum of six percent of the TANF grant the amount a local department of social services can impose as a sanction on a parent for noncompliance with the requirements of the Virginia Initiative for Education and Work.

**HB942** Voter identification; identification containing a photograph required.

**OPPOSE**

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

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.

**HB945** Absentee voting in person; available beginning on the tenth day prior to election.

**OPPOSE**

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

Summary: Absentee voting in person; available beginning on the tenth day prior to election. Limits absentee voting in person to the ten days immediately preceding an election.

**HB1141** Absentee voting; return of absentee ballots, drop-off locations.

**OPPOSE**

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

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

***Safe and Resilient City***

**SB40** Assisted living facilities; involuntary discharge, safeguards for residents.

**SUPPORT**

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

Summary: Assisted living facilities; involuntary discharge. Requires that regulations of the Board of Social Services regarding involuntary discharges of residents from assisted living facilities provide

certain safeguards for residents, including a description of the reasons for which a resident may be involuntarily discharged, certain notice requirements, a requirement that the facility make reasonable efforts to resolve any issues upon which the discharge is based, and the provision of information regarding the resident's right to appeal the facility's decision to discharge the resident.

**HB827** Firearms; control by localities of possession or carrying.

**OPPOSE**

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

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 and state governmental entities to bring lawsuits against certain firearms manufacturers and others.

**HB1033** Control of firearms by localities.

**OPPOSE**

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

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 and state governmental entities to bring lawsuits against certain firearms manufacturers and others.

**HB917** Aging services; allocation of resources, individuals with the greatest economic need.

**OPPOSE**

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

Summary: Aging services; allocation of resources; individuals with the greatest economic need.

Provides that in allocating resources for aging services, the Department for Aging and Rehabilitative Services (i) shall prioritize providing services to those with the greatest economic need and (ii) among individuals with comparable levels of economic need, may prioritize providing services to individuals with the greatest social need.

***Environmentally Sustainable City***

**HB826** Beverage container deposit and redemption program; established, civil and criminal penalties.

**SUPPORT**

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

Summary: Beverage container deposit and redemption program; established; civil and criminal penalties. Establishes a beverage container deposit, refund, and redemption program involving distributors, retailers, and consumers. The program would be run by a Producer Responsibility Organization under the Department of Environmental Quality. The bill creates an advisory committee, requires reporting, and imposes civil and criminal penalties for violation.

**HB918** Packaging Stewardship Program and Fund; established.

**SUPPORT**

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

Summary: Packaging Stewardship Program and Fund; established. Establishes the Packaging Stewardship Program (the Program), administered by the Department of Environmental Quality. Under the Program, a producer that sells products with packaging materials in the Commonwealth pays a fee to the Department based upon the amount of packaging used and whether or not it is easily recyclable. A producer may establish an alternative collection program to offset some or all of the fees. The fees are paid into the Packaging Stewardship Fund, established in the bill, and are used to reimburse participating localities for expenses related to recycling, invest in recycling infrastructure and education, and pay administrative costs related to the Program. The bill authorizes the Department to contract with a third party to administer the Program.

***Safe Multimodal Transportation***

**HB261** Speed limits; local authority.

**SUPPORT**

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

Summary: Reduction of speed limits; local authority. Authorizes localities to reduce the speed limit by up to 10 miles per hour on any highway within its boundaries if indicated by lawfully placed signs and based on a traffic engineering study and analysis. Current law authorizes localities to reduce the

speed limit to less than 25 miles per hour, but not less than 15 miles per hour, on highways within its boundaries that are located in a business district or residence district and maintained by the locality.

**HB633** Speed limits; expands authority of any locality to reduce to less than 25 miles per hour, etc.

**SUPPORT**

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

Summary: Reduction of speed limits; local authority. Expands the current authority of any locality to reduce the speed limit to less than 25 miles per hour, but not less than 15 miles per hour, on highways within its boundaries that are located in a business district or residence district, provided that such reduced speed limit is indicated by lawfully placed signs, to include highways within the state highway system.

**SB333** Speed limits; established by local authority.

**SUPPORT**

Primary Sponsor: [Senator John J. Bell \(D\)](#)

Summary: Establishment of speed limits; local authority. Authorizes localities to reduce speed limits on any highway in the locality, provided that such speed limit is indicated by lawfully placed signs. Current law authorizes localities to reduce the speed limit to less than 25 miles per hour, but not less than 15 miles per hour, on highways within its boundaries that are located in a business district or residence district, provided that such reduced speed limit is indicated by lawfully placed signs.

***Equal and Equitable City***

**SJ5** Constitutional amendment; marriage; fundamental right to marry, same-sex marriage prohibition.

**SUPPORT**

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

Summary: Constitutional amendment (second reference); marriage; repeal of same-sex marriage prohibition; affirmative right to marry. 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). The amendment provides that the right to marry is a fundamental right inherent in the liberty of persons and requires the Commonwealth and its political subdivisions and agents to issue marriage licenses, recognize marriages, and treat all marriages equally under the law, regardless of the sex or gender of the parties to the marriage. Religious organizations and clergy acting in their religious capacity have the right to refuse to perform any marriage.

**SB76** Historical African American cemeteries and graves; qualified organization.

**SUPPORT**

Primary Sponsor: [Senator Thomas K. Norment, Jr. \(R\)](#)

Summary: Historical African American cemeteries and graves; qualified organization. Amends the definition of a qualified organization authorized to apply for funds for the maintenance of historical African American cemeteries to include a locality in which such a cemetery is located.

## PRIORITIES

### *Investing in Infrastructure*

#### Preserve and Increase State Programs and Funding, Expand Local Authority for Affordable Housing

**HB465** Affordable dwelling unit; ordinances in certain localities.

#### **SUPPORT**

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

Summary: Affordable dwelling unit ordinances in certain localities. Provides that any project may be required, outside of an affordable housing dwelling unit program, to contribute to a county or city housing fund but not for density covered by the program. The bill's provision applies to any county where the urban county executive form of government (Fairfax County) or the county manager plan of government (Arlington County) is in effect, as well as to the Counties of Albemarle and Loudoun and the Cities of Alexandria, Charlottesville, and Fairfax.

#### Fund the Virginia Public Schools Construction Grant Program

**HB531** Sales and use tax, additional local; revenues to support construction or renovation of schools.

#### **SUPPORT**

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

Summary: Additional local sales and use tax to support schools. 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. Under the bill, the tax can only be imposed if it is initiated by a resolution of the local governing body and approved by the voters in a referendum. The bill requires the governing body to specify in the enacting ordinance the time period, not to exceed 20 years, for which the tax would be imposed, and revenue from the tax is required to be used solely for capital projects for new construction or major renovation of schools in the locality enacting the tax.

Under current law, only Charlotte County, Gloucester County, Halifax County, Henry County, Mecklenburg County, Northampton County, Patrick County, Pittsylvania County, and the City of Danville are authorized to impose such a tax.

**HB1099** Retail sales & use tax, additional local; use of revenues for construction or renovation of schools.

#### **SUPPORT**

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

Summary: Additional local sales and use tax; use of revenues for construction or renovation of schools. Allows any county or city to levy a local general retail sales tax and a local use tax at a rate not to exceed one percent as determined by its governing body to provide revenues solely for capital projects for the construction or renovation of schools if such levy is approved in a voter referendum. Under current law, the power to levy such local sales and use taxes for the construction or renovation of schools is limited to the qualifying localities of Charlotte, Gloucester, Halifax, Henry, Mecklenburg, Northampton, Patrick, and Pittsylvania Counties and the City of Danville.

### State Assistance for Equitable and Affordable Universal Broadband Technology

[HB249](#) Virginia Telecommunications Initiative; eligibility.

#### **SUPPORT**

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

Summary: Department of Housing and Community Development; Virginia Telecommunications Initiative; eligibility. Directs the Department of Housing and Community Development to adjust criteria regarding eligibility for a Virginia Telecommunications Initiative grant to reflect the provisions established by the United States Treasury's Final Rule regarding the Coronavirus State and Local Fiscal Recovery Funds established under the American Rescue Plan Act of 2021.

### Provide Authority and Funding for Localities to Mitigate the Impacts of Inland Flooding

[HB845](#) Resilient Virginia Revolving Loan Fund; created.

#### **SUPPORT**

Primary Sponsor: [Delegate Robert S. Bloxom, Jr. \(R\)](#)

Summary: Virginia Resources Authority; Resilient Virginia Revolving Loan Fund. Creates the Resilient Virginia Revolving Loan Fund, for which sums are appropriated by the General Assembly, and that is administered and managed by the Virginia Resources Authority, with oversight given to the Soil and Water Conservation Board. The bill provides guidelines for deposits, expenditures, and investments and requires an annual audit of the Authority. The Authority can collect money for the Fund. The bill provides that the Fund be used for loans or to refinance projects for local governments or to give grants to them; that the Fund may be used for loans or grants for individuals; guidelines for the priority of such loans and grants. In addition, the bill provides that the Authority may pledge loans to secure bonds and sell loans.

### ***Local Authority and Funding***

### Expand Local Authority for Automated Traffic Enforcement

[HB630](#) 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 localities to, by ordinance, authorize their 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 support 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.

**HB747** Photo speed monitoring devices; locality-designated highway segments.

**SUPPORT**

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

Summary: Photo speed monitoring devices; locality-designated highway segments. Authorizes localities to, by ordinance, authorize their 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 support the need for stronger enforcement against speeding; (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; and (v) the Superintendent of State Police, upon request of the chief law-enforcement officer for the locality, annually certifies that the speed limit on the locality-designated highway segment cannot be safely enforced without the use of a photo speed monitoring device. The bill directs the locality to also identify the speeding violations that may be enforced by a photo speed monitoring device. Current law authorizes the use of photo speed monitoring devices in highway work zones and school crossing zones.

***Protecting Vulnerable Populations***

**Endorsement of Commission on Youth Data and Information Sharing Proposal**

**HB733** Juvenile records; identification of children receiving coordinated services.

**SUPPORT**

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

Summary: Juvenile records; identification of children receiving coordinated services. Provides that for the purpose of disclosing records, information, and statistical registries of the Department of Social Services, local departments of social services, and all child-welfare agencies concerning social services, a person having a legitimate interest in child-protective services records includes the staff of (i) a court services unit, (ii) the Department of Juvenile Justice, (iii) a local community services board, or (iv) the Department of Behavioral Health and Developmental Services who are providing treatment,

services, or care for a child who is the subject of such records for a purpose relevant to the provision of the treatment, services, or care when the local agencies have entered into a formal agreement with the Department of Juvenile Justice to provide coordinated services to such children. The bill provides that such formal agreements may allow the local agencies and the Department of Juvenile Justice to immediately identify children who may be receiving or who have received treatment, services, or care from the local agencies and the Department of Juvenile Justice. The bill also provides that the Department of Juvenile Justice shall develop and biennially update a model memorandum of understanding setting forth the respective roles and responsibilities of the Department, the Department of Behavioral Health and Developmental Services, the Department of Social Services, the court service units, the local departments of social services, and the community services boards or behavioral health authorities regarding the sharing of information derived from juvenile records for purposes of identifying juveniles who may be receiving or who have received treatment, services, or care from the local agencies, the Department of Juvenile Justice, or the Department of Behavioral Health and Developmental Services. The bill provides that the model memorandum of understanding developed by the Department of Juvenile Justice may satisfy the requirement for a formal agreement, but it shall be reviewed by the chief judge of the circuit court, or his designee, where such local agencies are located before such agreement takes effect. This bill is a recommendation of the Commission on Youth.

**[SB316](#)** Juvenile records; identification of children receiving coordinated services.

**SUPPORT**

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

Summary: Juvenile records; identification of children receiving coordinated services. Provides that for the purpose of disclosing records, information, and statistical registries of the Department of Social Services, local departments of social services, and all child-welfare agencies concerning social services, a person having a legitimate interest in child-protective services records includes the staff of (i) a court services unit, (ii) the Department of Juvenile Justice, (iii) a local community services board, or (iv) the Department of Behavioral Health and Developmental Services who are providing treatment, services, or care for a child who is the subject of such records for a purpose relevant to the provision of the treatment, services, or care when the local agencies have entered into a formal agreement with the Department of Juvenile Justice to provide coordinated services to such children. The bill provides that such formal agreements may allow the local agencies and the Department of Juvenile Justice to immediately identify children who may be receiving or who have received treatment, services, or care from the local agencies and the Department of Juvenile Justice. The bill also provides that the Department of Juvenile Justice shall develop and biennially update a model memorandum of understanding setting forth the respective roles and responsibilities of the Department, the Department of Behavioral Health and Developmental Services, the Department of Social Services, the court service units, the local departments of social services, and the community services boards or behavioral health authorities regarding the sharing of information derived from juvenile records for purposes of identifying juveniles who may be receiving or who have received treatment, services, or

care from the local agencies, the Department of Juvenile Justice, or the Department of Behavioral Health and Developmental Services. The bill provides that the model memorandum of understanding developed by the Department of Juvenile Justice may satisfy the requirement for a formal agreement, but it shall be reviewed by the chief judge of the circuit court, or his designee, where such local agencies are located before such agreement takes effect. This bill is a recommendation of the Commission on Youth.

### Legislation to Protect Residents Experiencing Housing Insecurities

**SB284** Virginia Residential Landlord and Tenant Act; landlord's noncompliance as defense to action.

#### **SUPPORT**

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

Summary: Virginia Residential Landlord and Tenant Act; landlord's noncompliance as defense to action for possession for nonpayment of rent. Removes the requirement that a tenant, if in possession of a dwelling unit, must pay for the court to hold the amount of rent found to be due and unpaid pending the issuance of an order pursuant to an action by the landlord for possession based upon nonpayment of rent where the tenant has asserted a defense that there exists upon the leased premises a condition that constitutes, or will constitute, a fire hazard or a serious threat to the life, health, or safety of the occupant of the dwelling unit. The bill provides that (i) a tenant may assert such a defense if, prior to the commencement of the action for rent or possession, the landlord or his agent had notice of the condition, was given a reasonable opportunity to remedy the condition, and failed to do so and (ii) while the period of time that is deemed to be an unreasonable delay is left to the court, there shall be a rebuttable presumption that a period in excess of 14 days, changed from 30 days in current law, from receipt of the notification by the landlord is reasonable. Finally, the bill clarifies that, not only may the court issue an order that reduces rent by an equitable amount in consideration of the existence of an allowable condition asserted by the tenant, but the court may also refer any matter before it to the proper state or local agency for investigation and report and continue the action or complaint pending completion of such investigation and receipt of the report. Current law allows the court to terminate the rental agreement or order the surrender of the premises to the landlord or require the tenant to deposit with the court any rents that will become due during the period of continuance while the state or local agency investigates.

### ***Enhancing Access, Equity, and Equality***

#### Ensure All Virginians Access to Vote

**SJ1** Constitutional amendment; qualifications of voters and the right to vote (second reference).

#### **SUPPORT**

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

Summary: Constitutional amendment (second reference); qualifications of voters and the right to vote; persons not entitled to vote. Provides that every person who meets the qualifications of voters set forth in the Constitution 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 provides that a person who has been adjudicated to be mentally incompetent is not qualified to vote until his competency is reestablished.

### Support for the General Assembly's Joint Subcommittee to Study Comprehensive Campaign Finance Reform

**HB973** Campaign finance; prohibited personal use of campaign funds, complaints, hearings, civil penalty.

#### **SUPPORT**

Primary Sponsor: [Delegate Marcus B. Simon \(D\)](#)

Summary: Campaign finance; prohibited personal use of campaign funds; complaints, hearings, civil penalty, and advisory opinions. Prohibits any person from converting contributions to a candidate or a candidate's campaign committee for their personal use. Current law only prohibits such conversion of contributions with regard to disbursement of surplus funds at the dissolution of a campaign or political committee. The bill provides that a contribution is considered to have been converted to personal use if the contribution, in whole or in part, is used to fulfill any commitment, obligation, or expense that would exist irrespective of the person's seeking, holding, or maintaining public office but excepts from "personal use" the ordinary and accepted expenses related to campaigning for or holding elective office, including the use of campaign funds to pay for the candidate's child care expenses that are incurred as a direct result of campaign activity. Any person subject to the personal use ban may request an advisory opinion from the State Board of Elections on such matters. The bill directs the State Board of Elections to adopt emergency regulations similar to those promulgated by the Federal Election Commission to implement the provisions of the bill and to provide an updated summary of Virginia campaign finance law that reflects the Attorney General's opinion and any new regulations promulgated by the State Board of Elections.

### ***Energy Efficiency***

### Support for Increased Energy Efficiency in Existing Buildings

**HB905** Energy efficiency standards; more stringent energy efficiency requirements.

#### **SUPPORT**

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

Summary: Energy efficiency standards; more stringent energy efficiency requirements. Allows a locality by ordinance to create and require stretch codes, defined in the bill as energy efficiency standards that are in addition to or more stringent than those in the Uniform Statewide Building Code, and use them as an alternative means of compliance with a locality's building requirements. The bill requires periodic review of the codes and allows the locality to make amendments.

**[HB998](#)** Building energy use intensity; reporting; reduction; requirements; incentives.

**SUPPORT**

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

Summary: Building energy use intensity; reporting; reduction; requirements; incentives and incentive programs. Allows localities to incentivize, by ordinance, the owner or operator of a building meeting certain criteria, or an agent of such owner or operator, to report energy use intensity (EUI) information and reduce EUI. The bill allows localities to set EUI requirements for certain buildings and develop local incentive programs for increasing building energy efficiency.

**[SB625](#)** Low-to-Moderate Income Solar Fund and Program; financial incentives.

**SUPPORT**

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

Summary: Low-to-Moderate Income Solar Fund and Program; financial incentives. Provides that the purpose of the Low-to-Moderate Solar Loan and Rebate Fund and the Low-to-Moderate Solar Loan and Rebate Pilot Program is to provide financial incentives, which may include grants, loans, rebates, and other inducements, to electric customers who complete solar installations and energy efficiency projects and renames the Fund and Program to reflect such purpose. Under current law, the Fund and Program may only offer loans and rebates to customers who complete either solar installations or energy efficiency projects. The bill reassigns the duty to accept and review applications to the Program for such financial incentives from the Clean Energy Advisory Board to the Director of Energy. The bill updates references to the Maryland-DC-Delaware-Virginia Solar Energy Industries Association with the association's new name, the Chesapeake Energy Storage and Solar Association.

## **OTHER BILLS OF INTEREST**

### ***Agency Reporting and Records***

**[HB96](#)** Public guardian and conservator program; decennial review of staff-to-client ratios, report.

**SUPPORT**

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

Summary: Public guardian and conservator program; decennial review of staff-to-client ratios; report. Directs the Department of Aging and Rehabilitative Services (the Department) to decennially review the ideal range of staff-to-client ratios for local and regional public guardian and conservator programs in the Commonwealth and make recommendations as to whether the ratio should be

revised to ensure that public guardians are able to meet their obligations to incapacitated persons. The bill requires the Department to report its findings and conclusions to the Governor and the General Assembly by December 1 of each year in which such review is performed and directs the Department to complete the first decennial review and submit its report by December 1, 2022.

**HB98** Adult protective services; central registry.

**WATCH**

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

Summary: Adult protective services; central registry. Creates a central registry of substantiated complaints of adult abuse, neglect, and exploitation to be maintained by the Department for Aging and Rehabilitative Services. The bill establishes (i) investigation requirements for local departments of social services related to reports of adult abuse, neglect, and exploitation; (ii) record retention and disclosure requirements for the Department for Aging and Rehabilitative Services and local departments of social services; (iii) notice requirements related to findings by local departments and central registry entries; and (iv) an appeals process to contest the findings of a local department related to substantiated reports of adult abuse, neglect, or exploitation.

**SB119** Involuntary temporary detention; disclosure of health records.

**WATCH**

Primary Sponsor: [Senator Emmett W. Hanger, Jr. \(R\)](#)

Summary: Involuntary temporary detention; disclosure of health records. Requires a local community services board to disclose medical records and ancillary information obtained during an evaluation to determine whether a person meets the criteria for involuntary temporary detention to a health care provider providing services to such person in a hospital emergency department.

***Correctional Facilities***

**HB989** Compensation of local jails for cost of incarceration.

**SUPPORT**

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

Summary: Compensation of local jails for cost of incarceration. Provides that the Department of Corrections shall compensate local jails for the cost of incarceration of convicted felons, calculated from the date of mailing of the final order, at the rate of \$12 per inmate per day for the first 60 days, at the rate of \$40 per inmate per day during the period of more than 60 but not more than 90 days, and for the actual cost of incarceration as calculated in the jail report prepared annually by the Compensation Board for more than 90 days. Currently, such compensation rates are provided for in the general appropriation act.

**HB673** Correctional facilities; fees.

**WATCH**

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



Summary: Local correctional facilities; fees. Eliminates certain fees charged to inmates within a local correctional facility, including a fee to defray the costs associated with an inmate's keep, travel and other expenses associated with an inmate's work release employment or participation in an educational or rehabilitative program, and telephone systems. The bill also reduces certain fees charged to inmates within a local correctional facility, including that the cost of items within a correctional facility's store or commissary shall not exceed 10 percent of the typical market rate for the same goods or services, and that the fee associated with electronic visitation and messaging systems shall not exceed the actual costs of establishing and operating such systems. The bill removes provisions that if an inmate is unable to pay in full such fees, the inmate must enter into a deferred or installment payment agreement with the local correctional facility, or that such facility may enter into a contract for collection of such fees with a private entity, a local governing body, or the county or city treasurer. The bill also provides that, upon discharge from a local correctional facility, an inmate shall receive, in the form of a check, electronic transfer, or a debit or other account card, the balance of all accounts maintained by the facility for an inmate's use.

**HB1053** Local correctional facilities; fees.

**WATCH**

Primary Sponsor: [Delegate Irene Shin \(D\)](#)

Summary: Local correctional facilities; fees. Eliminates certain fees charged to inmates within a local correctional facility, including a fee to defray the costs associated with an inmate's keep, travel and other expenses associated with an inmate's work release employment or participation in an educational or rehabilitative program, and telephone systems. The bill also reduces certain fees charged to inmates within a local correctional facility, including that the cost of items within a correctional facility's store or commissary shall not exceed 10 percent of the typical market rate for the same goods or services, and that the fee associated with electronic visitation and messaging systems shall not exceed the actual costs of establishing and operating such systems. The bill removes provisions that if an inmate is unable to pay in full such fees, the inmate must enter into a deferred or installment payment agreement with the local correctional facility, or that such facility may enter into a contract for collection of such fees with a private entity, a local governing body, or the county or city treasurer. The bill also provides that, upon discharge from a local correctional facility, an inmate shall receive, in the form of a check, electronic transfer, or a debit or other account card, the balance of all accounts maintained by the facility for an inmate's use.

**SB165** Jails, local; compensation for cost of incarceration.

**WATCH**

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

Summary: Compensation of local jails for cost of incarceration. Provides for local jails to be compensated for the actual cost of incarcerating convicted felons at the rate calculated in the Compensation Board's annual jail cost report. Current law provides for jails to be compensated for the cost of incarceration of convicted felons as provided for in the general appropriation act.



**Elections**

**HB895** Elections; local electoral boards & general registrars to perform certain risk-limiting audits, etc.

**WATCH**

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

Summary: Elections; conduct of election; election results; risk-limiting audits. Requires local electoral boards and general registrars to perform certain risk-limiting audits, defined in the bill, under the supervision of the Department of Elections and in accordance with the procedures prescribed by the State Board of Elections. The bill provides that localities are required to participate in such audits at least once every five years. The bill also provides that the Department shall submit a report on the results of such audits to the State Board. The provisions of the bill requiring that such audits be conducted (i) for at least one randomly selected contested race for the General Assembly in the year of a general election for members of the General Assembly and (i) for any other contested race that is necessary to ensure that each locality participates in a risk-limiting audit of an office within its jurisdiction at least once every five years or that the State Board finds appropriate has a delayed effective date of July 1, 2023. The provision of the bill requiring that such audits be conducted for at least one randomly selected contested race for an office that requires certification by the State Board in the year of general election for any local office has a delayed effective date of July 1, 2024.

**HB205** Election officials, state and local; acceptance of certain gifts and funding prohibited.

**OPPOSE**

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

Summary: State and local elections officials; acceptance of certain gifts and funding prohibited. Prohibits state and local elections officials from soliciting, accepting, using, or disposing of any moneys, grants, property, or services given by a private individual or nongovernmental entity for the purpose of funding voter education and outreach programs, voter registration programs, or any other expense incurred in the conduct of elections. The bill specifically provides that the operation of a polling place or voter satellite office in a facility furnished by a private individual or nongovernmental entity is not a violation of this prohibition.

**Environmental**

**HB448** Land disturbances; review of local authority regarding.

**SUPPORT**

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

Summary: Department of Environmental Quality; review of local authority regarding certain land disturbances; report. Directs the Department of Environmental Quality (the Department) to convene a work group to review and make recommendations concerning existing law regarding limits on local authority to review certain land-disturbing activities for stormwater impacts. The Department is required by the bill submit a report of the work group's findings and recommendations to the Governor and the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources and

the Senate Committee on Agriculture, Conservation and Natural Resources no later than November 15, 2022.

**HB276** Wetland and stream mitigation banks; use of credits from secondary service area.

**WATCH**

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

Summary: Wetland and stream mitigation banks; use of credits from secondary service area. Allows any applicant for a Virginia Water Protection Permit to purchase or use credits from the secondary service area of a mitigation service provider.

**HB969** Comprehensive plan; adoption of an environmental justice strategy.

**WATCH**

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

Summary: Comprehensive plan; environmental justice strategy. Requires cities with populations greater than 20,000 and counties with populations greater than 100,000 to consider, at the next and all subsequent reviews of the comprehensive plan, adopting an environmental justice strategy. The bill provides that the locality's strategy shall be to identify environmental justice and fenceline communities within the jurisdiction of the local planning commission and identify objectives and policies to reduce health risks, to promote civic engagement, and to prioritize improvements and programs that address the needs of the environmental justice and fenceline communities.

**HB959** Unpermitted discharges; dissemination of information, de minimis impact.

**OPPOSE**

Primary Sponsor: [Delegate Kathy K.L. Tran \(D\)](#)

Summary: Dissemination of information regarding unpermitted discharges; de minimis impact. Modifies the current requirement that the Department of Environmental Quality disseminate information about certain unpermitted discharges to require dissemination of all unpermitted discharges unless the discharge is determined to have a de minimis impact on the beneficial uses of state waters. The Department is directed to develop guidance for determining when an impact is de minimis by October 1, 2022.

***Fair Housing Law***

**HB1097** Fair Housing Law; exemptions; tenant's source of funds.

**OPPOSE**

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

Summary: Fair Housing Law; exemptions; tenant's source of funds. Exempts an owner that, individually or through a business entity, owns more than a 10 percent interest in more than 10 rental dwelling units in the Commonwealth from the provisions of the Fair Housing Law that prohibit discrimination against a person based on such person's source of funds. Current law exempts owners that own more than 10 percent interest in more than four rental dwelling units in the Commonwealth.

**HB1137** Virginia Fair Housing Law; removes certain exemptions. [Exemptions.](#)

**OPPOSE**

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

Summary: Exemptions.

**FOIA**

**HB980** FOIA; exclusions to application of chapter, local administrative investigations, disclosure.

**SUPPORT**

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

Summary: Virginia Freedom of Information Act; exclusions to application of chapter; local administrative investigations; disclosure. Adds email addresses as information that, when made in confidence to the local governing body, with respect to complainants in local investigations are exempt from disclosure under the Virginia Freedom of Information Act. The bill expands the applicability of the exemption to zoning enforcement complaints for all such complaints, not just individual enforcement complaints. The bill also adds local public health and safety, nuisance, and waste and recycling complaints to the list of complainants whose personal information is exempt from disclosure.

**SB152** FOIA and FOIA Advisory Council; definition of official public government website.

**WATCH**

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

Summary: Virginia Freedom of Information Act and Virginia Freedom of Information Advisory Council; definition; official public government website. Defines "official public government website" as it applies to the Virginia Freedom of Information Act and the Virginia Freedom of Information Advisory Council as any Internet site controlled by a public body and used, among any other purposes, to post required notices and other content pursuant to the Virginia Freedom of Information Act on behalf of the public body. This bill is a recommendation of the Virginia Freedom of Information Advisory Council.

**HB154** Virginia Freedom of Information Act; public records database.

**OPPOSE**

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

Summary: Virginia Freedom of Information Act; public records database. Requires the establishment of a publicly available, centralized database for all public records. All public bodies will be required to transfer any public records in its possession to the database. The bill directs VITA, in consultation with the FOIA Council, to (i) convene a workgroup consisting of representatives from state and local public bodies in every region of the Commonwealth to conduct research, evaluate data, and determine a plan for implementation of the database and (ii) report its recommendations to the Governor and the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology on or before December 1, 2022. The provisions of the bill that establish the central public records database shall become effective on July 1, 2023, and the

provisions of the bill requiring every public body to submit its public records to VITA for inclusion in the central public records database shall become effective on January 1, 2024.

**HB307** Virginia Freedom of Information Act; estimated charges for records.

**OPPOSE**

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

Summary: Virginia Freedom of Information Act; estimated charges. Provides that a public body subject to the Virginia Freedom of Information Act shall make all reasonable efforts to supply records requested by a citizen at the lowest possible cost. The bill also requires a public body to notify the requester in writing of any estimated costs for the supplying of requested records prior to conducting a search for such records.

**HB890** Va. Freedom of Information Act; release of certain law-enforcement criminal incident information.

**OPPOSE**

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

Summary: Virginia Freedom of Information Act; repeal; release of certain law-enforcement criminal incident information and criminal investigative files. Repeals the provisions in the Virginia Freedom of Information Act (i) regarding the release of criminal investigative files that relate to a criminal investigation or proceeding that is not ongoing; (ii) that provide limitations to the mandatory release of criminal incident information relating to felony offenses and certain criminal investigative files; and (iii) that allow for, in the case of a request for certain criminal investigative files, an additional 60 work days to respond to such request after the initial allowable five-work-day response period.

**HB970** Public agencies; privacy of personal information.

**OPPOSE**

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

Summary: Public agencies; privacy of personal information. Provides that public agencies shall not request personal information, defined in the bill. The bill amends the Virginia Freedom of Information Act definition of "public record" to exclude personal information. The bill also exempts the Campaign Finance Disclosure Act of 2006 from the requirements that public agencies protect personal information and refrain from requesting personal information.

***Government Employees***

**HB854** Virginia Retirement System; enhanced retirement benefits for 911 dispatchers.

**SUPPORT**

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

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 current law, localities may provide such benefits to first responders, including firefighters and emergency medical technicians, and certain other hazardous duty positions.

**SB18** Virginia Retirement System; retired law-enforcement officers employed as school security officers.

**SUPPORT**

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

Summary: Virginia Retirement System; retired law-enforcement officers employed as school security officers. Provides that if a retired law-enforcement officer was employed by a local school division as a school security officer on January 1, 2020, and had a bona fide break in service of at least one month between retirement and employment as a school security officer, such person is not required to establish a 12-month break in service that would otherwise be required by law.

**HB710** Local government; hiring people with disabilities.

**WATCH**

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

Summary: Local government hiring; people with disabilities. Requires any locality to take into consideration or give preference to an individual's status as a person with a disability in its employment hiring policies and practices, provided that such person with a disability meets all of the knowledge, skills, and eligibility requirements for the available position.

**HB1157** Attorneys for the Commonwealth; compensation and collection of fees.

**WATCH**

Primary Sponsor: [Delegate Marcus B. Simon \(D\)](#)

Summary: Attorneys for the Commonwealth; compensation and collection of fees. Prohibits the Compensation Board, when determining staffing and funding levels for offices of attorneys for the Commonwealth, from (i) considering the number of charges brought or the number of convictions obtained by such attorney for the Commonwealth; (ii) relying on standards devised or recommended by the attorney for the Commonwealth, law-enforcement agencies, or professional associations representing attorneys for the Commonwealth or law-enforcement officers; or (iii) using measures that increase if an attorney for the Commonwealth (a) elects to prosecute a more serious charge, (b) elects to prosecute additional charges from a single arrest or criminal incident, (c) obtains convictions rather than dismissing charges or offering reduced charges, or (d) proceeds with prosecution rather than diversion. The bill requires attorneys for the Commonwealth to pay into the state treasury all fees collected by them in consideration of the performance of official duties or functions; current law requires the payment of half of such fees. The bill requires the State Treasurer to pay to the treasuries of the respective counties and cities of the attorneys for the Commonwealth a proportion of half of all such fees collected by all attorneys for the Commonwealth, as determined by each county or city's crime rate, criminal incident rate, or arrest rate. Finally, the bill changes the fees collected by attorneys for the Commonwealth on trials of felony indictments from \$40 on each count to \$120 for

each trial of a Class 1 or Class 2 felony indictment, or any other felony punishable by imprisonment for life, and \$40 for each trial on all other felony indictments, regardless of the number of counts. The bill contains technical amendments.

**HB384** State and local employees; freedoms of conscience and expression.

**OPPOSE**

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

Summary: Administration of government; rights of state and local employees; freedoms of conscience and expression. Protects state and local government employees from being required to take actions incompatible with their deeply held beliefs, values, or conscience or from being penalized for expressing opinions in opposition to or approval of official government policy.

**HB1055** Local government; employment of grant writer.

**OPPOSE**

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

Summary: Local government; employment of grant writer. Requires all counties and cities to employ a grant writer to assist individuals and organizations with (i) researching and identifying public and private grant opportunities; (ii) developing, writing, and submitting proposals to federal, state, and private funding agencies; and (iii) satisfying eligibility requirements for grant funds sought or received.

***Labor/Contracts***

**HB817** Grants and public procurement; grants or contracts issued by Governor, state agency, etc.

**SUPPORT**

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

Summary: Grants and public procurement. Requires that for any grant or contract issued or entered into by the Governor, any state agency, or any locality, such entity shall inquire whether the grant recipient, bidder, offeror, or contractor is a small, women-owned, or minority-owned business and whether it is certified by the Department of Small Business and Supplier Diversity (SBSD) for procurement enhancement. If such business is eligible but not certified, the bill directs the SBSD to provide it with information on the certification process and encourage it to apply for certification.

**HB881** Contracts; payment clauses to be included, right to payment of subcontractors.

**SUPPORT**

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

Summary: Contracts; payment clauses to be included; right to payment of subcontractors. Requires contracts awarded by state or local government agencies or private entities to include a payment clause that obligates the contractor to be individually liable for the entire amount owed to any subcontractor with which it contracts minus any amount that may otherwise be withheld due to the subcontractor's breach of contract. The bill provides that payment by the party contracting with the contractor shall not be a condition precedent to payment to any lower-tier subcontractor.



**HB883** Project labor agreements; prevailing wage, collective bargaining for employees of local governments.

**OPPOSE**

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

Summary: Project labor agreements; prevailing wage; collective bargaining for employees of local governments. Repeals certain provisions of the Code that (i) require contractors and subcontractors under any public contract with a state agency or certain localities to pay the prevailing wage rate; (ii) authorize any public body, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, to require bidders to enter into or adhere to project labor agreements on the public works projects; and (iii) authorize a locality to recognize any labor union or other employee association as a bargaining agent of any public officers or employees or to collectively bargain or enter into any collective bargaining contract with any such union or association or its agents.

**SB374** Project labor agreements; prevailing wage, collective bargaining for employees of local governments.

**OPPOSE**

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

Summary: Project labor agreements; prevailing wage; collective bargaining for employees of local governments. Repeals certain provisions of the Code that (i) require contractors and subcontractors under any public contract with a state agency or certain localities to pay the prevailing wage rate; (ii) authorize any public body, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, to require bidders to enter into or adhere to project labor agreements on the public works projects; and (iii) authorize a locality to recognize any labor union or other employee association as a bargaining agent of any public officers or employees or to collectively bargain or enter into any collective bargaining contract with any such union or association or its agents.

***Land Use***

**HB272** Local land use approvals; extension of approvals to address the COVID-19 pandemic.

**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, 2022, to July 1, 2023, 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 COVID-19 housing crisis.

**HB1016** Local land use approvals; extension of approvals to address the COVID-19 pandemic.

**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, 2022, to July 1, 2023, the sunset date for various local land use approvals that were valid and outstanding as of July 1, 2020.

## ***Law Enforcement***

**HB801** Civilian deaths in custody; report.

### **SUPPORT**

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. The Director of the Department shall 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, 2023, and each July 1 thereafter.

**HB863** Local law enforcement; certain reports to school principals and division superintendents.

### **WATCH**

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

Summary: Local law enforcement; certain reports to school principals and division superintendents; form and scope. Requires local law-enforcement authorities to report in writing, and the principal or his designee and the division superintendent to receive each such report, on (i) any suspected offense, offense for which any charge has been filed, or offense that is subject to investigation, that was committed by a student enrolled at the school if the offense would be a felony if committed by an adult or would be a violation of the Drug Control Act and occurred on a school bus, on school property, or at a school-sponsored activity, or would be an adult misdemeanor involving certain enumerated incidents, and (ii) whether the student is released to the custody of his parent or, if 18 years of age or older, is released on bond. Current law does not require such reports to be in writing and only applies to student offenses but does not specify whether such reports are required to be made for student offenses that are suspected, charged, or subject to investigation.

**HB1000** Law-enforcement civilian oversight bodies; requirements.

### **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 a law-enforcement officer employed with such locality's law-enforcement agency while such law-enforcement officer is engaged in his official duties. 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. The bill requires that such observation take place within 90 days of the member's appointment to the civilian oversight body and total no fewer than 24 hours, a portion of which includes a ride-along with a law-enforcement officer. The bill also 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.

**HB1142** Virginia Community Policing Act; collection of data and reporting requirements.

**WATCH**

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

Summary: Virginia Community Policing Act; collection of data and reporting requirements. Expands the type and detail of information required to be collected by a law-enforcement officer during a motor vehicle stop or other investigatory stop, or when responding to a motor vehicle accident, in order to comply with the Virginia Community Policing Act.

**HB870** Law-enforcement officers; conduct of investigation.

**OPPOSE**

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

Summary: Law-enforcement officers; conduct of investigation. Requires that a law-enforcement officer who is under investigation for an officer-involved shooting or an instance of alleged use of excessive force be questioned not more than 24 hours after the incident is reported.

***Property Sales***

**SJ3** Constitutional amendment; local government, sale of property.

**SUPPORT**

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.

**HB961** Cemeteries; registration, publication prior to sale.

**OPPOSE**

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

Summary: Cemeteries; registration; publication prior to sale. Requires every locality to adopt an ordinance setting forth a register of identified cemeteries, graveyards, or other places of burial located on private property not belonging to any memorial or monumental association. The bill provides that the official local register shall include an official map and that both the register and map shall be available on the locality's website, if one exists. The bill also provides that the governing body shall publish a notice in a newspaper having general circulation in the locality at least two weeks prior to the sale of any property on such registry, or as soon thereafter as possible, and shall also publish the notice on the locality's website, if one exists.

***Public Meetings and Notices***

**HB167** Localities; publication of notice in newspaper.

**SUPPORT**

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

Summary: Publication of notice by localities. Provides that in any instance in which a locality has submitted a correct and timely notice request to such newspaper and the newspaper fails to publish the notice, or publishes the notice incorrectly, such locality shall be deemed to have met the appropriate notice requirements so long as the notice was published in the next available edition of a newspaper having general circulation in the locality.

**HB437** Localities; public meeting during state project planning phase.

**SUPPORT**

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

Summary: Localities; public meeting; state project planning phase. Allows a locality the option to request a public meeting in the locality during the planning phase of a public facilities state project from the state agency or institution of higher education responsible for such project.

***Schools***

**SB156** Public schools; English language learners.

**WATCH**

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

Summary: Public schools; English language learners. Requires state funding to be provided to support new divisionwide ratios of English learner students in average daily membership to full-time equivalent teaching positions, as follows: (i) for each English language learner identified as proficiency level one, one position per 25 students; (ii) for each English language learner identified as proficiency level two, one position per 30 students; (iii) for each English language learner identified as proficiency level three, one position per 40 students; and (iv) for all other English language learners, one position per 50 students. Under the bill, in order to provide additional support for instruction of

English language learners, \$150 shall be appropriated in year one to divisions for each English learner student to support professional development of instructional and support staff, purchase resources developed for students learning English, and offer grants to community-based organizations that offer support services to English language learners in school settings.

**SB157** Public elementary and secondary schools; competitive compensation for certain positions.

**WATCH**

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

Summary: Competitive compensation for certain positions in public elementary and secondary schools. Declares it the goal of the Commonwealth that its public school teachers and all other individuals employed in Standards of Quality-funded positions be compensated at a rate that is competitive, defined as at or above the national average salary for the position, in order to attract and keep highly qualified individuals in such positions. The bill requires state funding to be provided pursuant to the general appropriation act in a sum sufficient to fund a five percent annual pay increase for each such position, effective from the 2023%9624 school year through the 2027%9628 school year, provided that such five percent annual pay increase (i) is subject to a local matching requirement in accordance with each local school board's composite index of local ability-to-pay and (ii) shall be adjusted annually as necessary to account for rebenchmarking and to yield a rate of compensation percentage increase for all Standards of Quality-funded positions that is pegged to providing a competitive average teacher salary in the Commonwealth. The bill has a delayed effective date of July 1, 2023.

**HB251** School boards and local governing bodies; unexpended local funds, etc.

**OPPOSE**

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

Summary: School boards and local governing bodies; unexpended local funds; school maintenance, renovation, and construction. Encourages each school board to enter into a collaborative agreement with the local governing body to set aside in a separate fund any sums appropriated to the school board by the local governing body that are unexpended by the school board in any year in order to use such sums to finance school maintenance, renovation, or construction in the local school division. The bill declares any school board that fails to enter into such a collaborative agreement ineligible to participate in any state grant, loan, or bond program that supports school maintenance, renovation, or construction. This bill is a recommendation of the Commission on School Construction and Modernization.

**HB271** School bds. & comprehensive community colleges, local; compensation structure for adjunct professor.

**OPPOSE**

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

Summary: Local school boards and comprehensive community colleges; compensation structure for adjunct instructors; noncredit workforce credentials. Requires local school boards and comprehensive communities colleges to enter into local or regional agreements for the establishment and implementation of a competitive compensation structure to recruit and retain adjunct instructors to be jointly compensated by the relevant school boards and colleges to prepare both high school students and college students to earn noncredit workforce credentials, as that term is defined in relevant law.

**HB873** School boards; employment of at least one school resource officer in elementary & secondary schools.

**OPPOSE**

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

Summary: School boards; school resource officers; employment; threat assessment. Requires each school board to enter into a collaborative agreement with the local law-enforcement agency to employ at least one school resource officer in each public elementary and secondary school in the local school division. The bill provides that no school board shall be granted any full or partial waiver from such staffing requirements and that no school board that fails to fully comply with such staffing requirements is eligible for any grant or waiver from the Commonwealth, Board of Education, or Department of Education. The bill also requires each division superintendent to include on the threat assessment team established for each public elementary and secondary school in the local school division at least one school resource officer employed in the school.

***Solar Energy***

**HB471** State agencies and localities; solar-ready roof requirements, etc.

**WATCH**

Primary Sponsor: [Delegate Suhas Subramanyam \(D\)](#)

Summary: Solar-ready roof requirements for state agencies and localities; energy-positive building design for schools. Requires any executive branch agency or institution and any locality entering the design phase for the construction of a new building greater than 5,000 gross square feet in size, or the renovation of a building where the cost of the renovation exceeds 50 percent of the value of the building, to ensure that such building includes a solar-ready roof, defined in the bill as having the structural capability to accept the increased load from solar panels, proper sizing of the electrical panel, installation of conduit and wire from the roof to the electrical panel, use of solar-appropriate roof membranes and other roofing materials, and clustering of vents and non-solar equipment to maximize available space for solar panels. However, the provisions of the bill do not apply to localities with a population of less than 100,000 until July 1, 2023. The bill also requires new public school buildings and facilities, and improvements and renovations to existing public school buildings and facilities where the cost of the renovation exceeds 50 percent of the value of the building to be designed, constructed, maintained, and operated to generate more electricity than consumed.

**HB1087** Solar photovoltaic projects; local taxation for projects less than five megawatts.

**OPPOSE**

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

Summary: Local taxation for solar photovoltaic projects less than five megawatts. Provides that generating equipment of solar photovoltaic projects less than five megawatts shall be taxable by a locality, at a rate determined by such locality, but shall not exceed the real estate rate applicable in that locality, and that the exemption shall be as follows: 80 percent of the assessed value in the first five years in service after commencement of commercial operation, 70 percent of the assessed value in the second five years in service, and 60 percent of the assessed value for all remaining years in service. The bill also provides that (i) solar photovoltaic projects less than five megawatts shall not be exempt from the assessment of a revenue share by ordinance of that locality and (ii) nothing in the bill shall be construed to authorize local taxation of generating or storage equipment of solar photovoltaic projects that serve the electricity needs of that property upon which such solar facilities are located.

**Taxes**

**HB911** Approved local volunteer activities; enables localities to provide credit against taxes & fees.

**SUPPORT**

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

Summary: Local credits for approved local volunteer activities. Enables localities, by ordinance, to provide a credit against taxes and fees imposed by the locality to an individual who provides approved volunteer services in the locality. As defined in the bill, "approved volunteer services" includes (i) volunteer first responders or (ii) individuals who perform volunteer services to a nonprofit organization or to the locality, if such services are approved by the locality. The bill specifies that the credit shall not be applied against any property taxes or payments in lieu of property taxes. The bill gives localities discretion to determine which taxes or fees are permissible uses of the credit and which services qualify for the credit.

**HB957** Real property; classification, property owned by certain surviving spouses for tax purposes.

**SUPPORT**

Primary Sponsor: [Delegate Kathy K.L. Tran \(D\)](#)

Summary: Classification of real property owned by certain surviving spouses for tax purposes. Provides that beginning with taxable year 2022, any locality may declare real property owned by a surviving spouse of a member of the armed forces of the United States who died in the line of duty with a line of duty determination from the U.S. Department of Defense, where the spouse occupies the real property as his principal place of residence and does not remarry, a separate class of property for local taxation of real property that may be taxed at a different rate than that imposed on the general class of real property, provided that the rate of tax is greater than zero and does not exceed the rate of tax on the general class of real property.



**SB634** Transient occupancy tax; supporting documentation.

**SUPPORT**

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

Summary: Transient occupancy tax; supporting documentation. Requires accommodations providers to submit certain supporting documentation, upon request by a locality, when remitting transient occupancy taxes collected.

**HB267** Taxes, local; surplus revenues.

**WATCH**

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

Summary: Local taxes; surplus revenues. Grants localities permissive authority to return surplus personal property tax revenues to taxpayers. Under current law, localities may return only surplus real property tax revenues.

**HB697** Stormwater management service districts; rate of taxation.

**WATCH**

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

Summary: Stormwater management service districts; rate of taxation. Provides that if a locality located within a stormwater management service district requires, by ordinance, that certain property owners maintain private stormwater management facilities, the rate of tax imposed by such service district on such property owners shall be half of the amount imposed on property owners not required to maintain private stormwater management facilities.

**HB380** License taxes, local; elimination of authority to impose.

**OPPOSE**

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

Summary: Local license taxes; elimination of authority to impose. Prohibits any county, city, or town from imposing any license tax or fee in any taxable year beginning on or after January 1, 2023. The bill does not apply to any severance tax that is levied as a license tax.

**HB1008** RSUT; exemption for food purchased for human consumption and essential personal hygiene.

**OPPOSE**

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

Summary: Sales tax; exemption for food purchased for human consumption and essential personal hygiene products. Exempts food purchased for human consumption and essential personal hygiene products (the grocery tax) from all state, regional, and local sales taxes.



**SB380** Sales tax; exemption for food purchased for human consumption & essential personal hygiene products.

**OPPOSE**

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

Summary: Sales tax; exemption for food purchased for human consumption and essential personal hygiene products. Exempts food purchased for human consumption and essential personal hygiene products (the grocery tax) from all state, regional, and local sales taxes. The bill dedicates state sales tax revenue to provide a supplemental school payment to counties and cities. For fiscal year 2023, the payment is the county or city's fiscal year 2022 distribution of revenue from the grocery tax. For fiscal year 2024 and after, the payment is the previous year's payment multiplied by the county or city's local sales tax index, defined in the bill as the ratio by which sales tax revenues in a county or city for the current year exceed the previous year's revenues.

**SB620** Real property taxes; rate of increase.

**OPPOSE**

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

Summary: Real property taxes; rate of increase. Requires the governing body of a locality to hold a referendum before making most increases in their real property tax rate. Under current law, the governing body of a locality is required to limit their real property tax rate to a rate that would collect no more than 101 percent of the amount of real property taxes collected for the previous year. Increases above this rate may only be imposed if the locality holds a public meeting. The bill replaces the public meeting requirement with a requirement that any such increase be approved in a referendum.

***Miscellaneous***

**SB132** Smoking; local regulation in outdoor parks, recreation facilities, and playgrounds.

**SUPPORT**

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

Summary: Local regulation of smoking; outdoor parks, recreation facilities, and playgrounds. Allows localities to designate smoking areas within 100 feet of sports fields, recreation centers, and playgrounds in outdoor parks. The bill requires signs regarding designated smoking areas to be posted at the entrances to such parks.

**HB184** Virginia Stormwater Management Programs; regional industrial facility authorities.

**WATCH**

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

Summary: Virginia Stormwater Management Programs; regional industrial facility authorities. Authorizes a locality that administers a Virginia Stormwater Management Program or a Virginia Erosion and Stormwater Management Program to review, approve, and administer the permits of a regional industrial facility authority of which it is a member.

**HB885** Uniform Statewide Building Code; livability standards.

**WATCH**

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

Summary: Uniform Statewide Building Code; livability standards. Expands the list of provisions in the Uniform Statewide Building Code related to recognized standards of health and safety required to be present in buildings and structures to include standards related to (i) the accumulation and growth of mold, (ii) plumbing leaks or issues, (iii) air conditioning and heating equipment and running hot water, and (iv) the removal of lead paint and paint that is flaking.

**HB958** Towing; applies existing fee limitations.

**WATCH**

Primary Sponsor: [Delegate Kathy K.L. Tran \(D\)](#)

Summary: Towing fees. Applies the existing fee limitations for towing, storage, and safekeeping of passenger cars removed, towed, or stored from private property without the consent of the owner to all vehicles towed pursuant to a lawful request for towing by a law-enforcement officer or other uniformed employee of a law-enforcement agency who specifically is authorized to make such request. The bill authorizes the hookup and initial towing fee to be up to 2.5 times the amount authorized for other tows when the vehicle being towed is involved in a crash or traffic incident and is located so as to impede the orderly flow of traffic. The bill requires towing and recovery operators responding to a request for towing by a law-enforcement officer to provide to the owner or operator of the vehicle being towed a written explanation of fees charged by the towing and recovery operator. The bill provides that such fee limits shall not apply if a local governing body has established different fee limits by ordinance.

**HB1070** Fund to Assist Localities with Translation of Essential Information; established.

**WATCH**

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

Summary: Fund to Assist Localities with Translation of Essential Information; established. Establishes the Fund to Assist Localities with Translation of Essential Information to be administered by the Department of Housing and Community Development for the purpose of making grants to local governments to address the lack of translated 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.

**HB1133** Nondiscrimination in places of public accommodation, definitions.

**OPPOSE**

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

Summary: Nondiscrimination in places of public accommodation, definitions.

**SB206** Historic preservation; filing of a historic designation application.

**OPPOSE**

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

Summary: Historic preservation. Provides that the filing of a historic designation application shall stay a locality from issuing any permit to raze or demolish a proposed historic landmark, building, or structure until 30 days after the rendering of the final decision of the governing body of the locality. The bill also specifies that the affected property owner, the applicant, or any resident of the locality who provided public input on the locality's historic district plan may appeal to the circuit court for review of any final decision of the governing body pursuant to such application.

**SB602** Short-term rental properties; definition; locality requirements and restrictions.

**OPPOSE**

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

Summary: Short-term rental properties; definition; locality requirements and restrictions. Prohibits, except as provided, localities from (i) requiring or allowing the approval of neighbors or the neighborhood for the operation of short-term rental properties; (ii) imposing requirements or restrictions that exceed those of regular properties, including special parking and occupancy restrictions; or (iii) restricting short-term rentals by geographic location within the locality by means other than the normal general land use and zoning authority. The bill expands the current definition of short-term rental to include any house provided for such purpose.

**Commission on Local Government Request for Local Fiscal Analysis**

1. [HB380](#) License taxes, local; elimination of authority to impose.  
**OPPOSE**
2. [HB520](#) Climate resilience; locality's comprehensive plan to consider strategies to address.
3. [HB616](#) Zoning appeals, board of; funding.
4. [HB626](#) Disclosure in land use proceedings; statewide application.
5. [HB635](#) Inclusionary housing; zoning.
6. [HB778](#) Monument and memorials; relocation.
7. [HB961](#) Cemeteries; registration, publication prior to sale.  
**OPPOSE**
8. [HB1084](#) License taxes, local; limitation of authority.
9. [HB1185](#) Local tax; solar facility exemption.  
**SUPPORT**
10. [SB507](#) Virginia Retirement System; benefits for certain local law-enforcement employees.