



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.

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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 a 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.