



Key Bills for Planners
APA Virginia
Legislative Program
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Energy Efficiency

HB 1811 Virginia Public Procurement Act; preference for energy-efficient and water-efficient goods.

Provides that in the course of procuring goods, if a public body receives two or more bids for products that are Energy Star certified, meet Federal Energy Management Program (FEMP) designated efficiency requirements, appear on FEMP's Low Standby Power Product List, or are WaterSense certified, such public body may only select among those bids.

HB 1834 & SB 1247 Electric generating facility closures; public disclosure, integrated resource plans.

Requires each owner of a large carbon-emitting power plant to provide notice to relevant localities and state agencies about the decision to close the plant within 30 days of making such decision. The bill requires localities in which such facilities are located, and planning district commissions in such localities, to conduct public hearings regarding the impending closure within six months of receipt of such notice. The bill requires the Division of Energy to maintain a public website listing the facilities subject to the requirements of the bill and their anticipated closure dates. As part of an integrated resource plan, the bill requires each utility to submit a facility retirement study for its carbon-emitting facilities and disclose the study to relevant localities and state agencies.

HB 1855 Mines, Minerals and Energy, Department of; renamed the Department of Energy.

Renames the Department of Mines, Minerals and Energy as the Department of Energy. Within the Department, the bill renames the Division of Mined Land Reclamation as the Division of Mined Land Repurposing and renames the Division of Energy as the Division of Renewable Energy and Energy Efficiency. Makes substantive changes, removing the requirement that the Chief of the Division of Mines be appointed by the Governor and authorizing an employee other than the Virginia Gas and Oil Inspector to serve as the principal executive of the staff of the Virginia Gas and Oil Board. Provides that the Chief Clean Energy Policy Advisor shall be appointed by the Governor. Removes or updates outdated language.

HB 1907 Electric utilities; advanced renewable energy buyers.

Provides that certain accelerated renewable energy buyers that are customers of Dominion Energy Virginia and had subscribed to, as of March 1, 2020, a voluntary companion experimental tariff offering for the purchase of renewable attributes from renewable energy facilities that requires a renewable facilities agreement and the purchase of a minimum of 2,000 renewable attributes annually is exempt from the allocation of the net costs related to procurement of new solar or onshore wind generation capacity, energy, or environmental attributes, or energy storage facilities, by Dominion Energy Virginia. The exemption is based on

the amount of Renewable Energy Certificates associated with the customer's renewable facilities agreements associated with the tariff offering in proportion to the customer's total electric energy consumption, on an annual basis.

HB 1919 Local green banks; authorizes a locality, by ordinance, to establish.

Authorizes a locality, by ordinance, to establish a green bank to promote the investment in clean energy technologies in its locality and provide financing for clean energy technologies, defined in the bill. The bill establishes certain powers and functions of a green bank, including developing rules and procedures, financing and providing loans for clean energy projects, and stimulating demand for renewable energy. The bill requires the green bank to be a public entity, quasi-public entity, depository bank, or nonprofit entity and requires the locality to hold a hearing and publish notice of the hearing in a newspaper of general circulation prior to establishing the green bank.

HB 1925 Virginia Brownfield and Coal Mine Renewable Energy Grant Fund and Program; established, report.

Establishes the Virginia Brownfield and Coal Mine Renewable Energy Grant Fund and Program (the Fund and Program). The bill provides that no allocation of funds shall be made to the Fund or Program unless federal funds are available to cover the cost of such allocation. The Fund and Program shall be administered by the Department of Mines, Minerals and Energy for the purpose of awarding grants to renewable energy projects that are located on brownfields or previously coal mined lands, both defined in the bill. Grants are to be awarded on a basis of \$500 per kilowatt of nameplate capacity from renewable energy sources that are located on previously coal mined lands and \$100 per kilowatt of nameplate capacity from renewable energy sources that are located on brownfields. No more than \$10 million shall be awarded to any previously coal mined lands project and no more than \$5 million to any single brownfield project. No more than \$35 million shall be allocated per year by the grant program. Of the \$35 million, \$20 million shall be reserved for previously coal mined lands projects. If less than \$20 million is distributed to such projects, the remaining funds may be reallocated to brownfield projects. The bill also provides that the Department shall, in consultation with stakeholders, develop a handbook for renewable energy and energy storage development on brownfields and previously coal mined lands. Finally, the bill requires the Department to submit an annual report regarding administration of the Fund and Program to the General Assembly. However, the annual report shall not be required if the Fund and Program are not funded.

HB 1965 State Air Pollution Control Board; low-emissions and zero-emissions vehicle program.

Directs the State Air Pollution Control Board to implement a low-emissions and zero-emissions vehicle program for motor vehicles with a model year of 2025 and later. Regulations adopted by the Board to implement the program are exempt from the Administrative Process Act and shall not become effective prior to January 1, 2024. The bill requires that the regulations

adopted by the Board will allow any motor vehicle manufacturer to establish a Virginia-specific zero-emission vehicle credit account and to make a initial deposit into its account. Such credits may be traded or sold or used to meet up to 18 percent of the manufacturer's zero-emissions vehicle program credit requirements in any model year. The bill also authorizes the State Corporation Commission to exclude sales related to such vehicles from certain energy efficiency calculations.

HB 2034 & SB 1420 Electric utilities; nonjurisdictional customers, third party power purchase agreements.

Provides that for pilot programs under which an owner or operator of a renewable energy generation facility sells electricity to an eligible customer-generator through a third party power purchase agreement, both jurisdictional and nonjurisdictional customers may participate on a first-come, first-serve basis.

HB 2148 Small renewable energy projects; energy storage.

Includes in the definition of a "small renewable energy project" certain energy storage facilities and projects that include storage facility components. Such facilities are eligible for special permitting, review, and inspection requirements. The bill directs the Department of Environmental Quality to promulgate initial regulations to implement the provisions of the bill by January 1, 2022.

HB 2201 & SB 1207 Solar and energy storage projects; siting agreements throughout the Commonwealth.

Expands existing provisions related to siting agreements and zoning special exceptions for solar projects located in an opportunity zone to include energy storage projects and makes the provisions statewide. The bill provides that its provisions shall not apply to any energy storage project that has received zoning and site plan approval, preliminary or otherwise, from the host locality before January 1, 2021. The bill also provides that its provisions shall not become effective with respect to energy storage projects unless the General Assembly approves legislation that authorizes localities to adopt an ordinance for taxation of energy storage projects such as solar projects with a local option for machinery and tools tax or solar revenue share.

HB 2269 Solar energy projects and energy storage systems; revenue share for projects and systems.

Allows localities to assess a revenue share of up to \$1,400 per megawatt on energy storage systems. The bill provides that on July 1, 2026, and every five years thereafter, the maximum amount of the revenue share that a locality may impose on certain solar energy projects and energy storage systems shall be increased by 10 percent. No increase may be made to any revenue share imposed by a locality on a solar energy project or energy storage systems for

which an application has been filed with the locality and such application has been approved prior to January 1, 2021.

HB 2282 State Corporation Commission; transportation electrification, utility recovery of certain costs.

Directs the State Corporation Commission (the Commission) to report on policy proposals to accelerate transportation electrification in the Commonwealth. Requires the Commission to submit, no later than May 1, 2022, a report to the General Assembly recommending policy proposals that could govern public electric utility programs to accelerate widespread transportation electrification in the Commonwealth. Requires the Commission to utilize a public process, facilitated by a third party with expertise in transportation electrification, in which the Commission, the Department of Environmental Quality, the Department of Mines, Minerals and Energy, the Department of Transportation, and appropriate stakeholders participate. Requires that the Commission, in developing its policy recommendations, evaluate (i) areas where utility or other public investment may best complement private efforts to effectively deploy charging infrastructure, with particular focus on low-income, minority, and rural communities; (ii) how smart growth policies can complement and enhance the Commonwealth's transportation electrification goals; (iii) how utility programs, investments, or incentives to customers or third parties to facilitate the deployment of charging infrastructure and related upgrades can support or enhance (a) statewide transportation electrification, including electrification of public transit; (b) the electrification of medium-duty and heavy-duty vehicles, school buses, vehicles at ports and airports, personal vehicles, and vehicle fleets; (c) increased access to electric transportation and improved air quality in low-income and medium-income communities; (d) achievement of existing energy storage targets; (e) improvements to the distribution grid or to specific sites necessary to accommodate charging infrastructure; and (f) customer education and outreach programs that increase awareness of such programs and the benefits of transportation electrification. The bill requires that the report also address whether and how transportation electrification can, under current law, (1) reduce total ratepayer rates and costs; (2) assist in grid management and more efficient use of the grid, in a manner that does not increase peak demand, through time-of-use rates, managed charging programs, vehicle-to-grid programs, or other alternative rate designs; (3) utilize increased generation from renewable energy resources; and (4) reduce fueling costs for vehicles. Requires that, to the extent that the Commission and stakeholders conclude that transportation electrification cannot currently deliver these benefits, the report include public policy recommendations. Requires, beginning July 1, 2021, that any approved costs of any investor-owned electric utility associated with investment in transportation electrification be recovered only through the utility's rates for generation and distribution, prohibits recovery of such costs through a rate adjustment clause, and provides that such costs are not eligible for a customer credit reinvestment offset.

HB 2304 & SB 1413 Phase I or Phase II electric utilities; provision of broadband capacity.

Makes permanent the pilot program under which a Phase I or Phase II electric utility is permitted to petition the State Corporation Commission to provide broadband capacity to

unserved areas of the Commonwealth. The bill expands the program to allow for the participation of municipalities and government-owned broadband authorities. The bill provides that investor-owned electric utilities may recover costs of and revenue generated from providing broadband capacity that serves as an electric grid transformation project in areas unserved by broadband, as defined in the bill. The bill also consolidates the State Corporation Commission petition approval process into one hearing.

HB 2330 Percentage of Income Payment Program and Fund; DHCD & DSS to adopt rules, etc., for adoption.

Requires the Department of Social Services (the Department), in consultation with, as it deems necessary, the Department of Housing and Community Development, to adopt rules or establish guidelines for the adoption, implementation, and general administration of the Percentage of Income Payment Program (PIPP) and the Percentage of Income Payment Fund (Fund). The bill requires the PIPP to commence no later than March 1, 2022. Establishes the Fund for the purposes of implementing and administering the PIPP and related programs. Requires Dominion Energy Virginia and American Electric Power to cooperate with the requests of the Department and the State Corporation Commission (the Commission) in the implementation and administration of the PIPP. The Commission is required to promulgate any rules necessary to ensure that funds collected from each utility's universal service fee are directed to the Fund. The bill requires the Commission to initiate proceedings to provide for an annual true-up of the universal service fee within 60 days of the commencement of the PIPP and on an annual or semiannual basis thereafter. Provides that the PIPP may utilize existing energy efficiency or related programs approved by the Commission. Authorizes the Department to determine what deficiencies exist in existing and available federal, state, local, or nonprofit programs to meet energy reduction obligations and to (i) make recommendations to the Commission or the utilities regarding deficiency analysis and (ii) develop programs to address deficiencies. Authorizes the Department to develop and implement non-utility energy efficiency programs and other programs for the reduction of energy use for eligible participants in the PIPP, provided that the Department engage in a stakeholder process and undertake a cost-benefit analysis in the development of any such programs. Requires that the Commission to make adjustments to the universal service fee as necessary to provide adequate funding for such programs. Requires the Commission to initiate proceedings to establish new energy efficiency or low-income programs proposed by a utility as necessary to provide service to PIPP participants over a timeframe to be determined by the Commission. Requires the Commission to issue an order providing for the non-bypassable universal service fee as soon as practicable following the bill's effective date.

SB 1223 Virginia Energy Plan; amends Plan to include an analysis of electric vehicle charging infrastructure

Amends Virginia Energy Plan to include analysis of electric vehicle charging infrastructure and other infrastructure needed to support 2045 net-zero carbon target in the trans. sector.

SB 1284 Commonwealth Clean Energy Policy; established.

Establishes the Commonwealth Clean Energy Policy, replacing the Commonwealth Energy Policy. Sets out the energy policy and objectives of the Policy, which include: (i) the Commonwealth recognizes that effectively addressing climate change and enhancing resilience will advance the health, welfare, and safety of the residents of the Commonwealth and that addressing climate change requires reducing greenhouse gas emissions across the Commonwealth's economy sufficient to reach net-zero emission by 2045 in all sectors, including the electric power, transportation, industrial, agricultural, building, and infrastructure sectors; (ii) the Commonwealth recognizes the need to promote environmental justice and ensure that it is carried out throughout the Commonwealth and the need to address and prevent energy inequities in historically economically disadvantaged communities; and (iii) the Commonwealth must continue to prioritize economic competitiveness and workforce development in an equitable manner.

SB 1295 Electric utilities; procurement of certain equipment.

Requires a utility, in the construction of onshore wind, solar, and energy storage facilities, to procure, subject to a competitive process, equipment from a Virginia-based or United States-based manufacturer using materials or product components made in Virginia or the United States, if reasonably available and competitively priced. Requires a utility, in the construction of certain offshore wind projects, to develop and submit a plan for review to the State Corporation Commission that includes considerations for the procurement of equipment from a Virginia-based or United States-based manufacturer using materials or product components made in Virginia or the United States, if reasonably available and competitively priced.

SB 1374 Carbon Sequestration Task Force; established.

Directs the Secretary of Natural Resources with the Secretary of Agriculture and Forestry, to convene a task force to study carbon sequestration in the Commonwealth and submit a report of its findings before the first day of the 2022 Session of the General Assembly. Directs the task force to (i) consider methods of increasing carbon sequestration within the natural environment through state land and marine resources use policies; agricultural and silvicultural practices; and other practices to achieve restoration of natural resources and long-term conservation; (ii) recommend short-term and long-term benchmarks for increasing carbon sequestration; (iii) develop a standardized methodology to establish baseline carbon levels and account for increases in carbon sequestration over time; (iv) identify existing carbon markets and considerations relevant to potential participation by the Commonwealth; and (v) identify potential funding mechanisms to encourage carbon sequestration practices.

SB 1385 Underground utility facilities; Fairfax County.

Removes the sunset on a pilot program allowing a locality that has adopted the urban county executive form of government (Fairfax County) to request an electric utility to place

underground electric distribution lines as part of a transportation infrastructure improvement project and changes a number of provisions in the program including (i) expanding the scope to include electric cooperatives, telecommunications providers, cable providers, and other utilities; (ii) expanding the scope to include all underground facilities; (iii) making negotiable in the agreement the costs of relocating the facilities; (iv) placing additional limits on the levy to fund the project and the types of projects for which it may be imposed; and (v) authorizing the locality to secure necessary permits on behalf of the utility or provider.

Environment and Water Resources

HB 1763 & SB 1162 Tax credit; agricultural best management practices.

Creates an enhanced individual and corporate income tax credit for taxable years 2021 through 2024 for the implementation of certain agricultural best management practices by the taxpayer that are required as part of a certified resource management plan. The enhanced tax credit is equal to 50 percent of the first \$100,000 expended in implementing certain agricultural best management practices, and each amount shall be consistent with the rate offered for each eligible practice under the Virginia Agricultural Best Management Practices Cost-Share Program. The bill retains a tax credit for 25 percent of expenses made for all other agricultural best management practices that are not eligible for the enhanced credit rate but increases the maximum amount of expenses to which one can apply the 25 percent credit from \$70,000 to \$100,000. A taxpayer may not claim credit for the same practice in the same management area under both the 25 percent and enhanced 75 percent credits. The aggregate amount of credit claimed per taxpayer shall not exceed \$75,000 per year, and the aggregate amount of individual and corporate credits claimed among all taxpayers and credits shall not exceed \$2 million per year. The bill sunsets the existing agricultural best management practices tax credits after taxable year 2024.

HB 1819 Rappahannock River; designating a 79-mile portion as a component of Va. Scenic Rivers System.

Adds a 79-mile portion of the Rappahannock River located in Caroline, King George, Westmoreland, Essex, and Richmond Counties to the Rappahannock State Scenic River, a component of the Virginia Scenic Rivers System.

HB 1834 & SB 1247 Electric generating facility closures; public disclosure, integrated resource plans.

Requires each owner of a large carbon-emitting power plant to provide notice to relevant localities and state agencies about the decision to close the plant within 30 days of making such decision. The bill requires localities in which such facilities are located, and planning district commissions in such localities, to conduct public hearings regarding the impending closure.

within six months of receipt of such notice. The bill requires the Division of Energy to maintain a public website listing the facilities subject to the requirements of the bill and their anticipated closure dates. As part of an integrated resource plan, the bill requires each utility to submit a facility retirement study for its carbon-emitting facilities and disclose the study to relevant localities and state agencies.

HB 1836 Natural Resources, Secretary of; name changed to the Secretary of Natural and Historic Resources.

Renames the Secretary of Natural Resources as the Secretary of Natural and Cultural Resources. The bill also designates the Secretary as the Chief Resilience Officer and removes the Virginia Museum of Natural History from the purview of the Secretary.

HB 1837 & SB 1161 Virginia Soil and Water Conservation Board; clarifies membership.

Clarifies that each of the six nonlegislative citizen members of the Virginia Soil and Water Conservation Board (the Board) who is not an at-large member is to be appointed by the Governor from a list of two qualified nominees submitted for each vacancy by the Board and the Board of Directors of the Virginia Association of Soil and Water Conservation Districts (the Association) in consultation with other groups. Requires each of the six nonlegislative citizen members to be a resident of a different one of the six geographic areas represented in the Association. The bill contains technical amendments.

HB 1902 Expanded polystyrene food service containers; prohibition, civil penalty.

Prohibits the dispensing by a food vendor of prepared food to a customer in a single-use expanded polystyrene food service container, as defined in the bill. Requires certain chain restaurants to stop using such containers by July 1, 2023, and sets the date for compliance by all food vendors as July 1, 2025. Provides a process by which a locality may grant consecutive one-year exemptions to individual food vendors on the basis of undue economic hardship. The bill provides a civil penalty of not more than \$50 for each day of violation, to be collected in a civil action brought by the Attorney General or the relevant locality. Penalties collected are to be deposited in the Litter Control and Recycling Fund or to the treasury of the relevant locality, as appropriate. A portion of the penalties deposited in the Fund are to be used for public information campaigns to discourage the sale and use of expanded polystyrene products. Directs the DEQ to post to its website information on compliance and the filing of complaints.

HB 1958 South River; designates segment in City of Waynesboro as part of Va. Scenic Rivers System.

Designates a 6.5-mile segment of the South River in the City of Waynesboro as a component of the Virginia Scenic Rivers System.

HB 1965 State Air Pollution Control Board; low-emissions and zero-emissions vehicle program.

Directs the State Air Pollution Control Board to implement a low-emissions and zero-emissions vehicle program for motor vehicles with a model year of 2025 and later. Regulations adopted by the Board to implement the program are exempt from the Administrative Process Act and shall not become effective prior to January 1, 2024. The bill requires that the regulations adopted by the Board will allow any motor vehicle manufacturer to establish a Virginia-specific zero-emission vehicle credit account and to make a initial deposit into its account. Such credits may be traded or sold or used to meet up to 18 percent of the manufacturer's zero-emissions vehicle program credit requirements in any model year. Authorizes the State Corporation Commission to exclude sales related to such vehicles from certain energy efficiency calculations.

HB 1979 Electric vehicle rebate program; creation and funding, report, sunset date.

Creates a rebate program for the purchase or lease of new and used electric vehicles, to be administered by the Department of Mines, Minerals and Energy. A purchaser or lessee of a new or used electric vehicle would receive a \$2,500 rebate at the time of purchase, and a purchaser or lessee with an annual household income that does not exceed 300 percent of the federal poverty level would be entitled to an additional \$2,000 rebate for a new electric vehicle and \$500 for a used electric vehicle beginning in taxable year 2022. The bill also establishes an Electric Vehicle Rebate Advisory Council to oversee the Electric Vehicle Rebate Program and to make recommendations regarding its implementation. The Director of the Department of Mines, Minerals and Energy is required to report annually to the Governor and the General Assembly regarding the Program. The program expires on January 1, 2027.

HB 1982 Nutrient credits; use by facility with certain stormwater discharge permit.

Authorizes a facility that has been issued a Virginia Pollution Discharge Elimination System (VPDES) permit regulating stormwater discharges to acquire, use, and transfer nutrient credits for compliance with any waste load allocation established as an effluent limitation in its VPDES permit. Current law allows only a facility registered under the Industrial Stormwater General Permit to use nutrient credits for such purpose.

HB 1983 Wetland and stream mitigation banks; proximity of impacted site.

Provides that when a water protection permit applicant is required to purchase wetland or stream mitigation bank credits but no credits are available (i) in any mitigation provider's primary service area or (ii) at a cost of less than 200 percent of the price of credits available from a fund dedicated to achieving no net loss of wetland acreage and functions, the applicant may purchase or use credits from a mitigation provider's secondary service area. The bill provides certain requirements that the permit applicant must comply with in order to purchase

or use such credits from a secondary service area, including minimum tree canopy requirements.

HB 1994 Small agricultural generators; expands definition.

Expands the definition of "small agricultural generator" to include any business operating a small agricultural generating facility that has been granted a manufacturer license as a distillery, limited distillery, brewery, limited brewery, winery, or farm winery. Under current law, small agricultural generators include only those businesses operating a small agricultural generating facility as part of an agricultural business. The bill requires the State Corporation Commission to initiate a rulemaking, after August 1, 2021, but prior to January 1, 2022, to promulgate regulations to implement the provisions of the bill.

HB 2030 Neonicotinoid pesticides; communication between beekeepers and applicators.

Directs the Department of Agriculture and Consumer Services to study the Beekeeper Pollinator Protection Plan and voluntary best management practices for the purpose of proposing improvements to communication between beekeepers and applicators to reduce the risk to pollinators from neonicotinoid pesticides. Authorizes the Department to establish a stakeholder working group and directs it to report on its findings no later than December 1, 2021.

HB 2118 Virginia Electric Vehicle Grant Fund and Program; created, report.

Establishes the Electric Vehicle Grant Fund and Program for the purpose of (i) awarding grants on a competitive basis to public school divisions for (a) assisting with costs of replacing diesel school buses with electric school buses; (b) the implementation of recharging infrastructure or other infrastructure needed to charge or maintain such electric school buses; and (c) workforce development and training to support the maintenance, charging, and operation of such electric school buses and (ii) projects by public, private, and non-profit Virginia entities to assist with replacing diesel-fueled vehicles and machinery with electric vehicles. No allocation of funds shall be made to the Fund or the Program unless federal or nonstate funds are available to cover the entire cost of such allocation. The bill contains provisions relating to grant applications, priority, awards, and uses. The Department of Environmental Quality shall convene a stakeholder workgroup to develop recommendations for establishing and administering the Fund and Program and shall report the workgroup findings to the General Assembly.

HB 2129 & SB 1354 Chesapeake Bay; wastewater treatment, Enhanced Nutrient Removal Certainty Program established.

Requires the State Water Control Board to adopt regulations establishing a Phase III Watershed Implementation Plan Enhanced Nutrient Removal Certainty Program (ENRC Program), consisting of a number of total nitrogen and total phosphorous waste load allocation reductions

assigned to particular water treatment facilities with schedules for compliance. The bill provides that the ENRC Program shall operate in lieu of certain Chesapeake Bay waste load regulations. The bill directs the Board to modify affected discharge permits to incorporate the provisions of the ENRC Program and requires certain compliance plans due from treatment works beginning February 1, 2023, to address the requirements of the ENRC Program. The bill provides that the funding of certain design and installation costs for implementing nutrient upgrades pursuant to the ENRC Program shall be eligible for grants from the Water Quality Improvement Fund. The bill lists the projects and the total nitrogen or total phosphorus waste load allocation reductions that specified facilities are to complete. The bill provides that when grants to finance nutrient removal technology reach a sum sufficient to fund the completion of the ENRC Program at all publicly owned treatment works, certain General Assembly committees shall review funding needs and mechanisms. Finally, the bill provides that the priority projects and waste load allocation reductions that it sets forth shall be deemed to implement goals of the Chesapeake Bay Phase III Watershed Implementation Plan (WIP). It authorizes the Secretary of Natural Resources to develop an additional watershed implementation plan if he determines on or after July 1, 2026, that the Commonwealth has not achieved or will not be able to maintain the nitrogen pollution reduction commitments it made in the Phase III WIP.

HB 2159 Balloons; release of nonbiodegradable balloons outdoors prohibited, civil penalty.

Prohibits any individual 16 years of age or older or other person, including a corporation, from intentionally releasing, discarding, or causing to be released or discarded any nonbiodegradable balloon outdoors and provides that any person convicted of such violation is liable for a civil penalty of \$25 per balloon, to be paid into the Game Protection Fund. The bill provides that if a person under the age of 16 releases a balloon at the instruction of an adult, the adult shall be liable for the civil penalty. Current law prohibits a person from knowingly releasing 50 or more such balloons within an hour and sets the civil penalty at \$5 per balloon, with the proceeds deposited into the Lifetime Hunting and Fishing Endowment Fund.

HB 2187 Recurrent Flooding Resiliency, Commonwealth Center; study topics to manage water quality, etc.

Directs the Commonwealth Center for Recurrent Flooding Resiliency (the Center) to evaluate the development of a Flood Resiliency Clearinghouse Program and to work with the Department of Conservation and Recreation to evaluate solutions that manage both water quality and flooding and emphasize nature-based solutions. The bill requires the Center to report its findings by November 1, 2021.

HB 2213 Gold; Secretary of Natural Resources, et al., to study mining and processing.

Directs the Secretary of Natural Resources, the Secretary of Health and Human Resources, and the Secretary of Commerce and Trade to establish a work group to study the mining of gold in the Commonwealth. The bill requires that the study be conducted in consultation with the

Virginia Council on Environmental Justice and appropriate stakeholders, including experts in mining, hydrology, toxicology, and other fields; environmental organizations; representatives of potentially affected communities in localities with significant deposits of gold; and residents of Native American communities in such localities. The bill provides that the work group shall evaluate the impacts of gold mining on public health, safety, and welfare; evaluate whether existing air and water quality regulations are sufficient to protect air and water quality from the mining and processing of gold; evaluate whether existing bonding, reclamation, closure, and long-term monitoring of sites for such mining or processing are sufficient; and report its findings to the General Assembly by December 1, 2022.

HJ 527 Invasive plant species; DCR, et al., to study the sale and use of species.

Requests the Department of Conservation and Recreation, jointly with the Department of Agriculture and Consumer Services, to establish a work group to study the sale and use of invasive plant species. The resolution requests that the departments work with several state agencies, conservation nonprofits, plant industry and agriculture groups, local government associations, and other stakeholders to develop recommendations regarding statutory and regulatory changes intended to reduce or eliminate the sale and use of invasive plant species in the Commonwealth and promote the sale and use of native plants.

SB 1143 Wetlands; extension of certain permits through 2021.

Retroactively extends until January 1, 2022, certain wetlands permits set to expire between March 1, 2020, and July 1, 2021.

SB 1164 Advanced recycling; not considered solid waste management, definition.

Defines, for purposes of the Virginia Waste Management Act, "advanced recycling" as a manufacturing process for the conversion of post-use polymers and recovered feedstocks into basic hydrocarbon raw materials and other materials. The bill also defines "gasification," "post-use polymer," and other terms related to advanced recycling.

SB 1210 Permit fee schedules; DEQ to revise current schedule for nonhazardous solid waste mgmt. facilities.

Directs the Director of the Department of Environmental Quality to convene working groups for the purpose of developing annual fee schedules for nonhazardous solid waste management facilities and annual maintenance fees for certain water withdrawal permits to replace the current annual fee schedules.

SB 1258 Solar projects; erosion and sediment control.

Requires any locality that does not operate a regulated MS4 and for which the Department did not administer a VSMP as of July 1, 2020, to notify the Department of Environmental Quality

(the Department) if it decides to have the Department provide the locality with (i) review of a required erosion and sediment control plan and (ii) a recommendation on the plan's compliance with the requirements of the Erosion and Sediment Control Law and the State Water Control Board's regulations, for any solar project and its associated infrastructure with a rated electrical generation capacity exceeding five megawatts. The bill provides certain procedural steps for the Department and VESCP authority for a locality to take in reviewing the plan and making recommendations and decisions.

SB 1274 Wildlife corridors; various agencies to consider and incorporate.

Directs various agencies to consider and incorporate, where applicable, wildlife corridors and any recommendation of the Wildlife Corridor Action Plan. The bill directs the Department of Wildlife Resources to publish the Plan and subsequent updates on its website and to assist state agencies and political subdivisions, and by request any federal agency, in considering and incorporating, where applicable, wildlife corridors and the recommendations of the Plan when developing any governmental strategic plan, map, or action.

SB 1280 Dams; negotiated settlement agreements.

Authorizes the Virginia Soil and Water Conservation Board to enter into a negotiated settlement with the owners of certain impounding structures who have allegedly violated or failed, neglected, or refused to obey any permit condition, provision of the Dam Safety Act, or Board regulation or order. The settlement shall require the dam owner to correct deficiencies at the dam structure and to pay civil charges for past alleged violations instead of any appropriate civil penalty that could be imposed. Such civil charges shall be suspended upon compliance with the settlement agreement.

SB 1282 Greenhouse gas emissions inventory; regulations.

Directs the Department of Environmental Quality to conduct a statewide baseline and projection inventory of all greenhouse gas emissions and to update such inventory every four years. The bill requires that the inventory be published and included in the annual report of the State Air Pollution Control Board. The bill also authorizes the Board to adopt regulations necessary to collect data needed to conduct, update, and maintain the inventory. The bill exempts proprietary information collected by the Department from the mandatory disclosure requirements of the Virginia Freedom of Information Act.

SB 1284 Commonwealth Clean Energy Policy; established.

Establishes the Commonwealth Clean Energy Policy, replacing the Commonwealth Energy Policy. The bill sets out the energy policy and objectives of the Commonwealth Clean Energy Policy, which include: (i) the Commonwealth recognizes that effectively addressing climate change and enhancing resilience will advance the health, welfare, and safety of the residents of the Commonwealth and that addressing climate change requires reducing greenhouse gas

emissions across the Commonwealth's economy sufficient to reach net-zero emission by 2045 in all sectors, including the electric power, transportation, industrial, agricultural, building, and infrastructure sectors; (ii) the Commonwealth recognizes the need to promote environmental justice and ensure that it is carried out throughout the Commonwealth and the need to address and prevent energy inequities in historically economically disadvantaged communities; and (iii) the Commonwealth must continue to prioritize economic competitiveness and workforce development in an equitable manner.

SB 1290 ConserveVirginia program; established.

Establishes in the Department of Conservation and Recreation a data-driven Geographical Information Systems model to prioritize potential conservation areas across the Commonwealth that would provide quantifiable benefits to the citizens of Virginia, known as ConserveVirginia. Aspects of the program include (i) the synthesis of multiple mapped data inputs, divided into categories, each representing a different overarching conservation value, and periodic revision of such values; (ii) access to the model by the public and all state and federal agencies; and (iii) incorporation of the model into acquisition or grant decisions when appropriate. Requires the Virginia Land Conservation Foundation to report on success of the program and incorporate the program into needs assessments for expenditures from the Virginia Land Conservation Fund.

SB 1291 Va. Water Protection Permit; withdrawal of surface water or ground water, plans for water auditing.

Requires that any application for a permit to withdraw surface water or ground water include a water auditing plan and a leak detection and repair plan that comply with regulations adopted by the State Water Control Board pursuant to the provisions of the bill. The provisions of the bill shall not become effective until 30 days after the adoption by the Board of such regulations.

SB 1309 Local stormwater assistance; flood mitigation and protection.

Authorizes grants from a local Stormwater Management Fund to be used for flood mitigation and protection measures that are part of a comprehensive flood mitigation and protection plan adopted by the locality, and requires such grants, where practicable, to prioritize projects that include nature-based practices. Current law allows such funds to be used only for the construction, improvement, or repair of a stormwater management facility or for erosion and sediment control.

SB 1311 Water quality standards; modification of permits and certifications.

Requires an applicant for a natural gas transmission pipeline greater than 36 inches inside diameter to submit in the application a detailed erosion and sediment control plan and stormwater management plan subject to Department of Environmental Quality (the

Department) review and approval. After receipt of such application, the bill directs the Department to issue a request for information about how the erosion and sediment control plan and stormwater management plan will address activities in or related to upland areas, and requires the applicant to respond. Directs the Department to consider such information in developing a draft certification or denial, and to take certain additional public notice steps. Prohibits the Department and the State Water Control Board from expressly waiving certification of a natural gas transmission pipeline of greater than 36 inches inside diameter under § 401 of the federal Clean Water Act, and to act on any certification request within a reasonable period of time pursuant to federal law.

SB 1319 Waste Diversion & Recycling Task Force; Department of Environmental Quality to continue Task Force.

Requests the Department of Environmental Quality to continue and expand the scope of the Waste Diversion and Recycling Task Force.

SB 1343 Virginia Freedom of Information Act; proprietary records and trade secrets.

Excludes from the mandatory disclosure provisions of the Virginia Freedom of Information Act proprietary information, voluntarily provided by a private business under a promise of confidentiality from a public body, used by the public body for a carbon sequestration agreement. Requires the private business to specify the records for which protection is sought before submitting them to the public body and to state the reasons protection is necessary.

SB 1374 Carbon Sequestration Task Force; established.

Directs the Secretary of Natural Resources, jointly with the Secretary of Agriculture and Consumer Services, to convene a task force for the purpose of studying carbon sequestration in the Commonwealth and submit a report of its findings before the first day of the 2022 Session of the General Assembly. Directs the task force to (i) consider possible methods of increasing carbon sequestration within the natural environment through state land and marine resources use policies; agricultural, aquacultural, and silvicultural practices; and other practices to achieve restoration of natural resources and long-term conservation; (ii) recommend short-term and long-term benchmarks for increasing carbon sequestration; (iii) develop a standardized methodology to establish baseline carbon levels and account for increases in carbon sequestration over time; (iv) identify existing carbon markets and considerations relevant to potential participation by the Commonwealth; and (v) identify other potential funding mechanisms to encourage carbon sequestration practices in the Commonwealth.

SB 1396 Onsite Sewage Indemnification Fund; use of Fund for grants to certain property owners.

Authorizes the State Board of Health to use the Onsite Sewage Indemnification Fund to provide grants and loans to property owners with income at or below 200 percent of the federal

poverty guidelines to repair failing onsite sewage systems or install onsite sewage systems on properties that lack adequate sewage disposal. The bill provides that no expenses shall be paid from the Fund to support the program for training and recognition of onsite soil evaluators, or to provide grants or loans to repair failing onsite sewage systems or install onsite sewage systems on properties that lack adequate sewage disposal in lieu of payment to any owner or owners qualified to receive payment from the Fund. The bill also directs the Board to adopt regulations that include consideration of the impacts of climate change on proposed treatment works. The bill sets out the policy of the Commonwealth regarding wastewater infrastructure and establishes the four-member Wastewater Infrastructure Policy Working Group as an advisory board in the executive branch of state government to continually assess wastewater infrastructure needs and develop policy recommendations. The bill provides that the Working Group shall expire in 2030. The bill also directs the Department of Environmental Quality, in partnership with the Virginia Department of Health and in consultation with stakeholders, to estimate and report every four years the amount of wastewater infrastructure funding that is necessary to meet policy goals but is not eligible to be covered by grant funding pursuant to the Virginia Water Quality Improvement Act of 1997.

SB 1404 Stormwater Local Assistance Fund; grants awarded for projects related to Chesapeake Bay.

Authorizes grants from the Stormwater Local Assistance Fund awarded for projects related to Chesapeake Bay total maximum daily load (TMDL) requirements to take into account total phosphorus reductions or total nitrogen reductions. The bill authorizes grants awarded for eligible projects in localities with high or above average fiscal stress as reported by the Commission on Local Government to account for more than 50 percent of the costs of a project.

Building Code

HB 1969 Administration of blighted and derelict properties; modifies definition of "qualifying locality."

Modifies the definition of "qualifying locality" to include any locality with a score of 100 or higher on the fiscal stress index, as published by the Department of Housing and Community Development in July 2020. Under current law, a qualifying locality is one with a score of 107 or higher on the fiscal stress index, as published by the Department using revised data for 2017. Qualifying localities are able to (i) classify blighted and derelict properties as a separate class of taxable property and assess such property at a higher rate and (ii) sell delinquent tax lands six months after the locality has incurred abatement costs for buildings that have been condemned, constitute a nuisance, are a derelict building, or are declared to be blighted. Adds qualifying localities to the list of localities that have different requirements for having a special

commissioner appointed to convey tax-delinquent real estate to the locality in lieu of a public sale at auction.

HB 2001 State and local buildings, certain; building standards.

Requires that any executive branch agency or institution or 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 ensure that such building has sufficient electric vehicle charging infrastructure, defined in the bill, and has features that permit the agency or institution to track the building's energy efficiency and carbon emissions. The bill authorizes the Director of the Department of General Services to grant exemptions to such standards, in writing and with certain terms. The bill requires agencies to annually report to the Governor the energy efficiency and carbon emissions metrics for each such building built or renovated. The bill requires localities to design such building projects according to the same or similar standards, or more stringent standards if adopted by ordinance. The bill also requires that localities incorporate appropriate resilience and distributed energy features. The bill requires that any exemption from the standards granted by resolution of the governing body of a locality be made in writing and explain the basis for granting the exemption.

HB 2227 Uniform Statewide Building Code; amendments, energy efficiency and conservation.

Directs the Board of Housing and Community Development, upon each publication by the International Code Council of a new version of the International Energy Conservation Code (IECC), to consider adopting amendments to the Uniform Statewide Building Code to address changes in the IECC related to energy efficiency and conservation.

Housing

HB 1775 State Corporation Commission; access to local land records.

Adds the State Corporation Commission to the list of agencies that are exempt from paying fees for remote access to local land records.

HB 1816 & SB 1183 Property Owners' Association Act/Condominium Act; use of electronic means for meetings and voting.

Allows meetings of property owners' associations, boards of directors, unit owners' associations, executive boards, and committees to be held entirely or partially by electronic means, provided that the board of directors or executive board, as applicable, has adopted guidelines for the use of electronic means for such meetings. The bill requires that such

guidelines ensure that persons accessing such meetings are authorized to do so and that persons entitled to participate in such meetings have an opportunity to do so. The bill grants authority for determining whether any such meeting may be held entirely or partially by electronic means to the board of directors or executive board, as applicable. Under current law, if a meeting of a board of directors or executive board is conducted by telephone conference or video conference, at least two members of the board of directors or executive board, as applicable, are required to be physically present at the meeting place included in the meeting notice. The bill amends the definition of "electronic means" to provide that a meeting conducted by electronic means includes a meeting conducted via teleconference, videoconference, Internet exchange, or other electronic methods. The bill allows members of property owners' associations or unit owners' associations to vote at meetings of such associations by absentee ballot, and allows such members to vote in person, by proxy, or by absentee ballot by electronic means, provided that the board of directors or executive board, as applicable, has adopted guidelines for such voting. Finally, the bill provides that if a vote, consent, or approval required to be obtained by secret ballot is accomplished through electronic means, the electronic means shall protect the identity of the voter, and provides that if the electronic means cannot protect the identity of the voter, another means of voting shall be used.

HB 1824 Virginia Residential Property Disclosure Act; required disclosures for buyer to beware, mold.

Adds to the provision of the required disclosure statement directing a buyer to beware and exercise necessary due diligence with respect to determining the condition of real property or any improvements thereon a provision advising the buyer to obtain a mold assessment conducted by a business that follows the guidelines provided by the U.S. Environmental Protection Agency.

HB 1842 Property owners' associations & unit owners' associations; rulemaking authority concerning smoking.

Permits (i) except to the extent that the declaration provides otherwise, the board of directors of a property owners' association to establish reasonable rules that restrict smoking in the development, including (a) rules that prohibit smoking in the common areas and, (b) for developments that include attached private dwelling units, rules that prohibit smoking within such dwelling units, and (ii) except to the extent that the condominium instruments provide otherwise, the executive board of a condominium unit owners' association to establish reasonable rules that restrict smoking in the condominium, including rules that prohibit smoking in the common elements and within units. The bill clarifies the authority of executive boards of condominium unit owners' associations to establish, adopt, and enforce rules and regulations with respect to the use of the common elements of the condominium and with respect to such other areas of responsibility assigned to the unit owners' association by the condominium instruments, except where expressly reserved by the condominium instruments to the unit owners. The bill also permits unit owners, by a majority of votes cast at a meeting of

the unit owners' association, to repeal or amend any rule or regulation adopted by the executive board. This bill is a recommendation of the Virginia Housing Commission.

HB 1882 Deeds of trust; amendment to loan document, statement of interest rate of a refinanced mortgage.

Provides that a deed of trust that has been recorded and that states that it secures indebtedness or other obligations under a loan document and that it also secures indebtedness or other obligations under such loan document as it may be amended, modified, supplemented, or restated shall secure such loan document as amended, modified, supplemented, or restated from time to time, without the necessity of recording an amendment to such deed of trust. The bill further requires that the interest rate of a prior mortgage be stated on the first page of a refinance mortgage.

HB 1889 Va. Residential Landlord and Tenant Act; landlord remedies, noncompliance with rental agreement.

Extends the sunset date from July 1, 2021, to July 1, 2022, of certain provisions enacted during the 2020 Special Session related to the Virginia Residential Landlord and Tenant Act. Such provisions (i) changed from five to 14 days the amount of time that a landlord who owns four or fewer rental dwelling units must wait after serving 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; (ii) required a landlord who owns more than four rental dwelling units, or more than a 10 percent interest in more than four rental dwelling units, before terminating a rental agreement due to nonpayment of rent, to serve upon such tenant a written notice informing the tenant of the total amount due and owed and offer the tenant a payment plan under which the tenant must pay the total amount due and owed in equal monthly installments over a period of the lesser of six months or the time remaining under the rental agreement; (iii) outlined the remedies a landlord has if a tenant fails to pay the total amount due and owed or enter into a payment arrangement within 14 days of receiving notice or if the tenant enters into a payment arrangement but fails to pay within 14 days of the due date any rent that becomes due under the payment plan or arrangement after such plan or arrangement becomes effective; and (iv) clarified that a tenant is not precluded from participating in any other rent relief programs available to the tenant through a nonprofit organization or under the provisions of a federal, state, or local law, regulation, or action.

HB 1892 Property and casualty insurance form; approval of form by State Corporation Commission.

Permits an insurer that receives approval of an insurance policy form or endorsement from the State Corporation Commission to use the form as soon as it is approved rather than waiting 30 days after the filing date to use it as is current law.

HB 1898 Zoning appeals, board of; appointments.

Provides an exception to the general rule that an elected official cannot be appointed to a board of zoning appeals by allowing an elected official from a town to serve on the board of zoning appeals of the county in which the member also resides.

HB 1900 & SB 1215 Virginia Residential Landlord and Tenant Act; tenant remedies for exclusion from dwelling unit.

Provides that a general district court shall enter an order upon petition by a tenant that his landlord has (i) removed or excluded the tenant from the dwelling unit unlawfully, (ii) interrupted or caused the interruption of an essential service to the tenant, or (iii) taken action to make the premises unsafe for habitation. The bill allows entry of a preliminary order ex parte to require the landlord to allow the tenant to recover possession of the dwelling unit, resume any such interrupted essential service, or fix any willful actions taken by the landlord or his agent to make the premises unsafe for habitation if there is good cause to do so and the tenant made reasonable efforts to notify the landlord of the hearing. The bill requires that any ex parte order entered shall further indicate a date for a full hearing on the petition that is no later than 10 days from the initial hearing date. Finally, the bill provides that, at a full hearing on such petition and upon proper evidence presented, the tenant shall recover actual damages, the greater of \$5,000 or four months' rent, and reasonable attorney fees.

HB 1971 Virginia Fair Housing Law; reasonable accommodations, disability-related requests for parking.

Provides that for the purposes of the Virginia Fair Housing Law, when a person receives a request for accessible parking to accommodate a disability, the person receiving the request shall treat such request as a request for reasonable accommodation.

HB 1981 Virginia Residential Landlord and Tenant Act; access to dwelling unit during certain emergencies.

Provides that a tenant shall be deemed to have reasonable justification for declining to permit a landlord or managing agent to exhibit the tenant's dwelling unit for sale or lease if the tenant has reasonable concern for his own health, or the health of any authorized occupant, during a state of emergency declared by the Governor in response to a communicable disease of public health threat and the tenant has provided written notice to the landlord informing the landlord of such concern. Requires the tenant in such circumstances to provide to the landlord or managing agent a video tour of the dwelling unit or other acceptable substitute for exhibiting the dwelling unit for sale or lease. Provides that during a state of emergency declared by the Governor in response to a communicable disease of public health threat a tenant may provide written notice to the landlord requesting that one or more nonemergency property conditions in the dwelling unit not be addressed in the normal course of business of the landlord due to such communicable disease of public health threat. Provides that in such case the tenant shall

be deemed to have waived any and all claims and rights under the Virginia Residential Landlord and Tenant Act against the landlord for failure to address such nonemergency property conditions. Provides that when a tenant has provided notice that he does not want nonemergency repairs made during the state of emergency due to a communicable disease of public health threat, the landlord may nonetheless enter the dwelling unit, provided that the employees and agents sent by the landlord are wearing all appropriate personal protective equipment as required by law, (i) to do nonemergency repairs and maintenance with at least 7 days' written notice to the tenant and at a time consented to by the tenant, no more than once every six months, and (ii) if the landlord is required to conduct maintenance or an inspection pursuant to the agreement for the loan or insurance policy that covers the dwelling units.

HB 2014 Virginia Residential Landlord and Tenant Act; landlord's acceptance of rent with reservation.

Prohibits a landlord from accepting full payment of rent, as well as any damages, money judgment, award of attorney fees, and court costs, from a tenant and receiving an order of possession pursuant to an unlawful detainer action and proceeding with eviction, unless there are bases for the entry of an order of possession other than nonpayment of rent stated in the unlawful detainer action filed by the landlord. Under current law, a landlord may accept full or partial payment of all rent and receive an order of possession pursuant to an unlawful detainer action and proceed with eviction, provided that he has stated in a written notice to the tenant that any and all amounts owed to the landlord by the tenant, including payment of any rent, damages, money judgment, award of attorney fees, and court costs, would be accepted with reservation and would not constitute a waiver of the landlord's right to evict the tenant from the dwelling unit. Provides specific language that must be included within such notice, and requires a landlord who elects to seek possession of the dwelling unit to provide a copy of the notice to the court for service to the tenant along with the summons for unlawful detainer. Allows tenants to exercise the right of redemption in unlawful detainer actions an unlimited number of times except that a landlord with four or fewer rental dwelling units, or up to a 10 percent interest in four or fewer rental dwelling units, may limit a tenant's use of the right of redemption to once per lease period, provided that the landlord provides written notice of such limitation to the tenant. Under current law, tenants may only exercise the right of redemption once during any 12-month period of continuous residency in the dwelling unit, regardless of the term of the rental agreement or any renewal term of the rental agreement. Directs the Director of the Department of Housing and Community Development (Director) to develop a sample termination notice to be maintained on the DHCD's (Department) website that includes language referencing acceptance of rent with reservation by a landlord following a breach of a lease by a tenant, and requires the Department to convene a stakeholder group to provide input to the Director regarding the development of such sample termination notice.

HB 2046 Virginia Fair Housing Law; unlawful discriminatory housing practices.

Prohibits any locality, its employees, or its appointed commissions from discriminating (i) in the application of local land use ordinances or guidelines, or in the permitting of housing

developments, on the basis of race, color, religion, national origin, sex, elderliness, familial status, source of funds, sexual orientation, gender identity, military status, or disability; (ii) in the permitting of housing developments because the housing development contains or is expected to contain affordable housing units occupied or intended for occupancy by families or individuals with incomes at or below 80 percent of the median income of the area where the housing development is located or is proposed to be located; or (iii) by prohibiting or imposing conditions upon the rental or sale of dwelling units, provided that the provisions of this subsection shall not be construed to prohibit ordinances related to short-term rentals. The bill provides that it shall not be a violation of the Virginia Fair Housing Law if land use decisions or decisions relating to the permitting of housing developments are based upon considerations of limiting high concentrations of affordable housing. The bill also requires the Fair Housing Board, after determining the existence of an unlawful discriminatory housing practice and after consultation with the Attorney General, to immediately refer the matter to the Attorney General for civil action.

HB 2053 Affordable & market-rate housing; DHCD to evaluate growing demand.

Directs the Department of Housing and Community Development (Department) to convene a stakeholder advisory group to evaluate the construction of internal, attached, and detached accessory dwelling units as a strategy to address the Commonwealth's growing demand for affordable and market-rate housing. Requires the stakeholder advisory group to report its findings and recommendations, including legislative recommendations, to the Director of the Department, the Secretary of Commerce and Trade, the commissioners of the Virginia Housing Development Authority, and the Virginia Housing Commission no later than November 1, 2021.

HB 2072 Virginia Good Neighbor Next Door program; VHDA shall report recommendations for creating Program.

Requires the Virginia Housing Development Authority to report to the Governor, the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology, and the Virginia Housing Commission no later than July 1, 2022, on recommendations for the creation of a Virginia Good Neighbor Next Door program, similar to the Good Neighbor Next Door program administered by the U.S. Department of Housing and Urban Development, to provide financial incentives for law-enforcement officers, firefighters, emergency medical services personnel, and teachers to purchase homes within designated revitalization areas in the localities in which they are employed.

HB 2175 & SB 1327 Homeowners and tenants of manufactured home parks; housing protections, foreclosures, etc.

Provides for various protections for homeowners and tenants of manufactured home parks, including (i) restricting the circumstances under which a court may order a person's primary residence to be sold to enforce a judgment lien; (ii) requiring localities to incorporate into their comprehensive plans strategies to promote manufactured housing as a source of affordable

housing; (iii) requiring the Director of Housing and Community Development to develop a statement of tenant rights and responsibilities explaining in plain language the rights and responsibilities of tenants under the Virginia Manufactured Home Lot Rental Act; (iv) in the case of a deed of trust conveying owner-occupied residential real estate, prohibiting a trustee of such deed of trust from selling such property in a foreclosure sale without receiving an affidavit signed by the party that provided notice of the sale to the owner confirming that such notice was sent to the owner, with a copy of such notice attached to the affidavit; (v) in the case of a deed of trust conveying owner-occupied residential real estate, increasing the notice period for a foreclosure sale from 14 to 60 days and requiring such notice to provide the grantor with information regarding housing counseling; and (vi) requiring the landlord of a manufactured home park to provide tenants who own their manufactured home information about housing assistance and legal aid organizations. The bill also requires the Department of Housing and Community Development to convene a stakeholder group to assist in the development of the statement of tenant rights and responsibilities. The provisions of the bill related to the specifics of the notice that is required before a trustee can sell a property in a foreclosure sale have a delayed effective date of October 1, 2021.

HB 2202 Elevator mechanic or accessibility mechanic, certain; exemption from certification.

Provides that an individual is not required to be certified as an elevator mechanic or accessibility mechanic when working under the direct and immediate supervision of an elevator mechanic or certified accessibility mechanic who is certified in the specialty for which work is being performed.

HB 2229 Virginia Residential Landlord and Tenant Act; responsibilities of real estate brokers, etc.

Provides that if a dwelling unit used as a single-family residence is foreclosed upon and there is a tenant in such dwelling unit on the date of the foreclosure sale, if the successor in interest acquires the dwelling unit for the purpose of occupying such unit as his primary residence, the rental agreement terminates and the tenant is required to vacate the dwelling unit on a date not less than 90 days after receiving written notice. The bill also provides that if the successor in interest acquires the dwelling unit for any other purpose, the successor in interest acquires the dwelling unit subject to the rental agreement and is required to permit the tenant to occupy the dwelling unit for the remaining term of the lease. Under current law, the foreclosure sale acts as a termination of the rental agreement by the owner, but the tenant is permitted to remain in possession of the dwelling unit as a month-to-month tenant on the terms of the terminated rental agreement until the successor owner gives a notice of termination of the month-to-month tenancy. The bill contains technical amendments.

HB 2249 Virginia Residential Landlord and Tenant Act; landlord charges for security deposits.

Prohibits a landlord from requiring a tenant to pay a security deposit, insurance premiums for damage insurance, and insurance premiums for renter's insurance prior to the commencement

of the tenancy that exceed the amount of two months' periodic rent. The bill permits a landlord, however, to add a monthly amount as additional rent to recover additional costs of such renter's insurance premiums. Finally, the bill requires nonresident property owners to file the name and office address of the agent appointed by such nonresident property owner in the office of the clerk of the State Corporation Commission. Under current law, such information must be filed in the office of the clerk of the court in which deeds are recorded in the county or city in which the property lies.

HB 2320 & SB 1389 Real property; required disclosures for buyer to exercise due diligence, flood risk report.

Requires the Real Estate Board to make available on its website a flood risk information form, the details of which are outlined in the bill. The bill also provides that an owner of residential real property located in the Commonwealth who has actual knowledge that the dwelling unit is a repetitive risk loss structure, as defined in the bill, shall disclose such fact to the purchaser on a form provided by the Real Estate Board on its website. The bill has a delayed effective date of January 1, 2022.

HB 2330 Percentage of Income Payment Program and Fund; DHCD & DSS to adopt rules, etc., for adoption.

Requires the Department of Social Services (the Department), in consultation with, as it deems necessary, the Department of Housing and Community Development, to adopt rules or establish guidelines for the adoption, implementation, and general administration of the Percentage of Income Payment Program (PIPP) and the Percentage of Income Payment Fund (Fund). The bill requires the PIPP to commence no later than March 1, 2022. The bill establishes the Fund for the purposes of implementing and administering the PIPP and related programs. The bill requires Dominion Energy Virginia and American Electric Power to cooperate with the requests of the Department and the State Corporation Commission (the Commission) in the implementation and administration of the PIPP. The Commission is required to promulgate any rules necessary to ensure that funds collected from each utility's universal service fee are directed to the Fund. The bill requires the Commission to initiate proceedings to provide for an annual true-up of the universal service fee within 60 days of the commencement of the PIPP and on an annual or semiannual basis thereafter. The bill provides that the PIPP may utilize existing energy efficiency or related programs approved by the Commission. The bill authorizes the Department to determine what deficiencies exist in existing and available federal, state, local, or nonprofit programs to meet energy reduction obligations and to (i) make recommendations to the Commission or the utilities regarding such deficiency analysis and (ii) develop programs to address such deficiencies. The bill authorizes the Department to develop and implement non-utility energy efficiency programs and other programs for the reduction of energy use for eligible participants in the PIPP, provided that the Department engage in a stakeholder process and undertake a cost-benefit analysis in the development of any such programs. The bill requires that the Commission to make adjustments to the universal service fee as necessary to provide adequate funding for such programs. Additionally, the bill requires

the Commission to initiate any proceedings to establish new energy efficiency or low-income programs proposed by a utility as necessary to provide service to PIPP participants over a timeframe to be determined by the Commission. The bill requires the Commission to issue an order providing for the non-bypassable universal service fee as soon as practicable following the bill's effective date.

SB 1110 Real estate settlement agents; duties.

Provides that the State Corporation Commission may share information collected from a settlement agent or agency regarding any errors and omissions or malpractice insurance policy or surety bond with any party to the real estate transaction in connection with the actions of such agent or agency arising out of a settlement.

SB 1197 Virginia housing opportunity; tax credit established.

Establishes, starting in taxable year 2021, a 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 a low-income building that is eligible for the federal credit. The credit would be nonrefundable and could be carried forward for up to five years.

SB 1398 Retail sales and transient occupancy taxes; room rentals.

Provides that retail sales and hotel taxes on transient room rentals shall be computed on the basis of the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill requires the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The bill requires an amount equal to the estimated state sales tax revenue generated from the tax on accommodations fees to be appropriated to the Virginia Tourism Authority each fiscal year to be used for promoting tourism.

SJ 293 Assisted living and auxiliary grants; Joint Commission on Health Care to study available data.

Requests the Joint Commission on Health Care to study available data regarding assisted living and auxiliary grants and develop a blueprint for implementing recommendations that will allow the Commonwealth to provide a more realistic system of addressing housing and care needs.

Elections & Redistricting

HB 1810 Voter registration; failure of online voter registration system, deadline extension.

Provides that in the event that a failure of the Virginia online voter registration system occurs prior to the close of registration records, the Governor has the authority to order the online voter registration system to be available for registration activities after the date for closing the registration records for a period of time equal to the amount of time during which the online voter registration system was unavailable for registration activities, rounded up to the nearest whole day, plus an additional day to allow for voter education efforts. The extension of registration activities shall apply to in-person registration and mail voter registration applications.

HB 1888 Absentee voting; procedural and process reforms, availability and accessibility reforms, penalty.

Makes various reforms to absentee voting processes and procedures, including those related to availability and accessibility. The bill requires certain actions to be taken to process absentee ballots returned before the day of an election, including verifying the correct completion of the voter affirmation statement, and provides for an opportunity for an absentee voter to make corrections to the statement in certain circumstances. The bill requires the establishment of drop-off locations for the return of voted absentee ballots. Additionally, a central absentee voter precinct is required to be established in each locality; currently, establishment is optional. On the day of the election, officers of election are required to begin processing absentee ballots in the central absentee voter precincts prior to the close of polls, but no ballot vote counts are permitted to be transmitted outside of the central absentee voter precinct before the close of polls; a violation of such prohibition is a Class 1 misdemeanor. When reporting election results to the Department of Elections, the general registrars are required to report absentee ballots cast early in person separately from all other absentee ballots. Additionally, a voter who has applied for and received an absentee ballot may choose to instead vote at his polling place on election day, and such voter shall be entitled to cast a provisional ballot. The bill requires a ballot marking tool with screen reader assistive technology to be made available for absentee voters with a print disability. Restrictions on the availability of absentee voting for first-time voters who registered by mail are repealed. The bill contains technical amendments for organizational and readability purposes.

HB 1890 Discrimination; prohibited in voting and elections administration, etc.

Prohibits any voting qualification or any standard, practice, or procedure related to voting from being imposed or applied in a manner that results in the denial or abridgment of the right of any United States citizen to vote based on his race or color or membership in a language minority group. The bill further prohibits at-large methods of election from being imposed or applied in a locality in a manner that impairs the ability of a protected class, defined in the bill, to elect candidates of its choice or to influence the outcome of an election, by diluting or

abridging the rights of voters who are members of a protected class. Prior to enacting or administering a covered practice, defined in the bill, the governing body of a locality is required to publish the proposed covered practice and accept public comment for a minimum of 30 days on the proposed covered practice; after the public comment period, a 30-day waiting period is required. During this period, any person who will be subject to or affected by the covered practice may challenge the covered practice as (i) having the purpose or effect of denying or abridging the right to vote on the basis of race or color or membership in a language minority group or (ii) resulting in the retrogression in the position of members of a racial or ethnic group with respect to their effective exercise of the electoral franchise. The bill permits the local governing body to instead submit the proposed covered practice to the Office of the Attorney General for issuance of a certification of no objection and, once such certification is issued, to enact or administer the covered practice. Certain unlawful actions, including knowingly communicating false information to voters, that are currently subject to criminal penalties will create civil causes of action under the bill. The bill authorizes the Attorney General to commence civil actions when there is reasonable cause to believe that a violation of an election law has occurred and the rights of any voter or group of voters have been affected by the violation. Civil penalties assessed as a result of such action are payable to the Voter Education and Outreach Fund, established by the bill. Current provisions related to language minority accessibility are moved to a newly created chapter relating to the rights of voters.

HB 1921 Assistance for certain voters; curbside voting.

Clarifies that any voter with a permanent physical disability, temporary physical disability, or injury is entitled to vote outside of the polling place. The bill further provides that during a declared state of emergency related to a communicable disease of public health threat, any voter is entitled to vote outside of the polling place. The bill requires that the area designated for voting outside of the polling place be clearly marked and instructions on how the voter is to notify an officer of election of his request to vote outside of the polling place be prominently displayed. The bill makes technical amendments for clarity and organizational purposes.

HB 1968 Absentee voting; availability on Sundays in office of general registrar or voter satellite office.

Permits the electoral board or general registrar of a county or city to provide absentee voting in person in the office of the general registrar or voter satellite office on Sundays.

HB 2020 Nomination of candidates for elected offices; restrictions on nomination method selected.

Provides that a method of nomination for elected office may not be selected if such method will have the practical effect of excluding participation in the nominating process by qualified voters who are unable to attend meetings because they are (i) a member of a uniformed service on active duty, (ii) temporarily residing outside of the United States, (iii) a student attending a school or institution of higher education, (iv) a person with a disability, or (v) a

person who has a communicable disease of public health threat or who may have come in contact with a person with such disease.. However, such restriction does not apply when selecting a candidate for a special election or nominating a candidate, or in the event that no candidate files the required paperwork by the prescribed deadline. The bill has a delayed effective date of January 1, 2024.

HB 2081 Polling places; prohibited activities, unlawful possession of a firearm, penalty.

Prohibits any person from knowingly possessing a firearm within 40 feet of any building, or part thereof, used as a polling place, including one hour before and one hour after its use as a polling place, except for (i) a qualified law-enforcement officer or retired law-enforcement officer, (ii) any person occupying his own private property that falls within 40 feet of the polling place, or (iii) a licensed armed security officer whose employment or performance of his duties occurs within 40 feet of the polling place. The bill further provides that no person shall knowingly possess a firearm within 40 feet of a meeting place for the local electoral board while the electoral board meets to ascertain the results of an election or any place used as the setting for a recount. A violation of the provisions of the bill is a Class 1 misdemeanor.

HB 2125 Voter registration; preregistration for persons 16 years of age, effective date.

Permits a person who is otherwise qualified to register to vote and is 16 years of age or older, but who will not be 18 years of age on or before the day of the next general election, to preregister to vote. The preregistration does not entitle such person to vote in any election except as already permitted by law. The bill requires the Department of Elections to maintain a record of all preregistered voters in the Virginia voter registration system, which shall automatically register a person who is preregistered upon that person reaching 18 years of age or becoming eligible for advance registration as already permitted by law, whichever comes first. The bill requires the Department to provide to the general registrars voter confirmation documents for such voters. The bill has a delayed effective date of October 1, 2022.

HB 2198 Local elections for governing bodies, school boards, qualification of voters.

Provides that in a locality that imposes district-based or ward-based residency requirements for members of the governing body or school board, the member elected from each district or ward is to be elected by the qualified voters of that district or ward and not by the locality at large. The bill has a delayed effective date of January 1, 2022.

HJ 526 Comprehensive campaign finance reform; joint subcommittee to study.

Establishes a joint subcommittee to study comprehensive campaign finance reform in the Commonwealth. In conducting its study, the joint subcommittee is tasked with examining the costs of campaigning in the Commonwealth, the effectiveness of the Commonwealth's present disclosure laws and their enforcement, the constitutional options available to regulate campaign finances, and the desirability of specific revisions in the Commonwealth's laws,

including the implementation of contribution limits, all with the aim of promoting the integrity of, and public confidence in, the Commonwealth's campaign finance system.

SB 1097 Absentee voting; witness signature not required.

Provides that a voter's failure to have a witness sign the absentee ballot envelope for any election held during a declared state of emergency related to a communicable disease of public health threat shall not be considered a material omission and shall not render the ballot void. The bill directs the Department of Elections to convene a work group to consider and evaluate alternatives to the witness signature requirement for election officials to use to verify that an absentee ballot was cast by the voter identified as having requested and received such ballot.

SB 1111 Elections; preservation of order at the polls, powers of officers of election.

Removes the power of officers of election, in the event that no law-enforcement officer is in attendance, to appoint a person who is not a law-enforcement officer to have all the powers of a law-enforcement officer within the polling place and the prohibited area.

SB 1148 Elections; date of June primary election.

Changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. Changes candidate filing deadlines to reflect the change of date.

SB 1157 Municipal elections; shifting elections to November.

Shifts all municipal elections for city and town council and school board from May to November, beginning with elections held after January 1, 2022.

SB 1239 Absentee voting; third-party absentee ballot assembly and distribution.

Permits a general registrar to contract with a third party for the printing, assembly, and mailing of absentee ballots. Directs the State Board of Elections to adopt emergency regulations to implement the provisions of the bill and for those regulations to include processes to ensure secure and timely delivery of voter information to contractors and reports of mailed absentee ballots from contractors.

SB 1245 Absentee voting; establishment of drop-off locations preprocessing returned absentee ballots.

Requires certain actions to be taken to process absentee ballots returned before the day of an election, including verifying the correct completion of the voter affirmation statement, and provides for an opportunity for an absentee voter to make corrections to the statement in certain circumstances. Requires the establishment of drop-off locations. A central absentee voter precinct is required to be established in each locality; currently, establishment is optional.

On the day of the election, officers of election are required to begin processing absentee ballots in the central absentee voter precincts prior to the close of polls, but no ballot vote counts are permitted to be transmitted outside of the central absentee voter precinct prior to the close of polls; a violation of such prohibition is a Class 1 misdemeanor. Requires a ballot marking tool with screen reader assistive technology to be made available for absentee voters with a print disability. The Department of Elections is to convene a work group to consider and evaluate methods for sorting and reporting absentee ballots by precincts.

SB 1331 Absentee voting; accessibility for voters with a visual impairment or print disability.

Requires the Department of Elections to make available to all localities a tool to allow voters with a visual impairment or print disability to electronically and accessibly receive and mark absentee ballots using screen reader assistive technology. On receipt of an application for an absentee ballot from an applicant who indicates that he will require assistance due to a visual impairment or print disability, the general registrar is required to offer to provide to the applicant the ballot marking tool with screen reader assistive technology.

SB 1395 Discrimination; prohibited in voting and elections administration, etc.

Prohibits any voting qualification or any standard, practice, or procedure related to voting from being imposed or applied in a manner that results in the denial or abridgment of the right of any United States citizen to vote based on his race or color or membership in a language minority group. The bill further prohibits at-large methods of election from being imposed or applied in a locality in a manner that impairs the ability of a protected class, defined in the bill, to elect candidates of its choice or to influence the outcome of an election, by diluting or abridging the rights of voters who are members of a protected class. Prior to enacting or administering a covered practice, defined in the bill, the governing body of a locality is required to publish the proposed covered practice and accept public comment for a minimum of 30 days on the proposed covered practice; after the public comment period, a 30-day waiting period is required. During this period, any person who will be subject to or affected by the covered practice may challenge the covered practice as (i) having the purpose or effect of denying or abridging the right to vote on the basis of race or color or membership in a language minority group or (ii) resulting in the retrogression in the position of members of a racial or ethnic group with respect to their effective exercise of the electoral franchise. The bill permits the local governing body to instead submit the proposed covered practice to the Office of the Attorney General for issuance of a certification of no objection and, once such certification is issued, to enact or administer the covered practice. Certain unlawful actions, including knowingly communicating false information to voters, that are currently subject to criminal penalties will create civil causes of action under the bill. The bill authorizes the Attorney General to commence civil actions when there is reasonable cause to believe that a violation of an election law has occurred and the rights of any voter or group of voters have been affected by the violation. Civil penalties assessed as a result of such action are payable to the Voter Education and Outreach Fund, established by the bill. Current provisions related to language minority accessibility are moved to a newly created chapter relating to the rights of voters.

SJ 272 Constitutional amendment; qualifications of voters and the right to vote (first reference).

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, he shall be invested with all political rights, including the right to vote. A person who has been adjudicated to lack 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.

Eminent Domain

SB 1270 Eminent domain; notice of intent to file certificate.

Provides that the notice required to be sent to a landowner prior to an authorized condemnor recording a certificate of take or certificate of deposit shall state that (i) the certificate of take or certificate of deposit will be recorded between 30 and 45 days from the date of the notice and (ii) the property will transfer to the condemnor upon recordation and that the owner has the right to petition the court for distribution of the funds represented in the certificate.

FOIA

HB 1931 Virginia Freedom of Information Act; public body authorized to conduct electronic meetings.

Authorizes a public body to conduct through electronic communication means a meeting for which, on or before the day of the meeting, a member of the public body holding the meeting notifies the chair that such member is unable to attend the meeting due to a family member's medical condition that requires the member to provide care for such family member, thereby preventing the member's physical attendance. The bill also clarifies that participation in an electronic meeting by a member of a public body due to the inability to attend because of a personal matter is limited each calendar year to two such meetings, which is current law, or 25 percent of the meetings held that calendar year rounded up to the next whole number, whichever is greater. This bill is a recommendation of the Virginia Freedom of Information Advisory Council.

HB 2004 Virginia Freedom of Information Act; law-enforcement criminal incident information, criminal files.

Adds criminal investigative files, defined in the bill, relating to a criminal investigation or proceeding that is not ongoing, also defined in the bill, to the types of law-enforcement and criminal records required to be released in accordance with the provisions of the Virginia Freedom of Information Act. Under current law, the release of criminal investigative files is discretionary. The bill provides that the mandatory release of criminal incident information relating to felony offenses and criminal investigative files shall not be required if the release of such information would likely effect certain results, outlined in the bill. The bill also extends the amount of additional time a public body has to respond, in the case of a request for certain criminal investigative files, from an additional seven work days to an additional 60 work days as long as the public body has communicated to the requester within the initial allowable five-work-day response period that it is not practically possible to provide the requested records or to determine whether they are available within the five-work-day period. The bill contains technical amendments. As introduced, this bill was a recommendation of the Virginia Freedom of Information Advisory Council.

HB 2025 Virginia FOIA; record exclusion for personal contact information provided to a public body.

Provides that personal contact information provided to a public body or any of its members for the purpose of receiving electronic communications from the public body or any of its members is excluded from the mandatory disclosure provisions of FOIA, unless the recipient of such electronic communications indicates his approval for the public body to disclose such information. Currently, the law provides protections for personal contact information provided to a public body, not to its members; only applies to electronic mail; and requires the electronic mail recipient to request the public body not to disclose his personal contact information in order for the information to be exempt from mandatory disclosure. This bill is a recommendation of the Virginia Freedom of Information Advisory Council.

SB 1271 Virginia Freedom of Information Act; meetings held through electronic communication means.

Allows a public body, or a joint meeting thereof, to meet by electronic communication means without a quorum of the public body physically assembled at one location when a locality in which the public body is located has declared a local state of emergency, provided that (i) the catastrophic nature of the declared emergency makes it impracticable or unsafe to assemble a quorum in a single location and (ii) the purpose of the meeting is to provide for the continuity of operations of the public body or the discharge of its lawful purposes, duties, and responsibilities. Under current law, public bodies may only meet in such manner when the Governor has declared a state of emergency, and only for the purpose of addressing the emergency. Finally, the bill requires public bodies meeting through electronic communication

means during a local or state declaration of a state of emergency to (a) make arrangements for public access to such meeting through electronic communication means, including videoconferencing if already used by the public body, and (b) provide the public with the opportunity to comment at such meetings when public comment is customarily received.

SB 1343 Virginia Freedom of Information Act; proprietary records and trade secrets.

Excludes from the mandatory disclosure provisions of the Virginia Freedom of Information Act proprietary information, voluntarily provided by a private business under a promise of confidentiality from a public body, used by the public body for a carbon sequestration agreement. Requires the business to specify the records for which protection is sought before submitting them to the public body and to state the reasons why protection is necessary.

Local Authority

HB 1778 Removal of clutter from property; definition, civil penalty.

Provides that a locality may by ordinance require the removal of clutter from property, except on land zoned for or in active farming operation, or may, whenever the governing body deems it necessary, after reasonable notice, have such clutter removed by its own agents or employees, in which event the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the locality as taxes are collected. Defines "clutter" as including mechanical equipment, household furniture, containers, and similar items that may be detrimental to the well-being of a community when they are left in public view for an extended period or are allowed to accumulate. Violations subject to the existing civil penalty applicable to violations of provisions relating to the removal of trash, garbage, refuse, litter, and similar substances from property.

HB 1811 Virginia Public Procurement Act; preference for energy-efficient and water-efficient goods.

Provides that in the course of procuring goods, if a public body receives two or more bids for products that are Energy Star certified, meet Federal Energy Management Program (FEMP) designated efficiency requirements, appear on FEMP's Low Standby Power Product List, or are WaterSense certified, such public body may only select among those bids.

HB 1849 Apprenticeship training programs; DOLI, DGS, et al., shall review availability of programs.

Directs the Virginia Board of Workforce Development (the Board), the Department of Labor and Industry (DOLI), and the Department of General Services (DGS) to review the availability of registered apprenticeship programs in the Commonwealth and evaluate the capacity to build a

program that would require contractors engaged in construction contracts with public bodies to participate in apprenticeship training programs for each trade or classification of employees engaged in the construction contract. Requires the Board, DOLI, and DGS to evaluate whether a requirement to limit public procurements to bidders with registered apprenticeship programs would assist the construction industry in meeting its workforce needs. The bill permits the Board, DOLI, and DGS to convene a stakeholder advisory group as part of its review. Requires the Board, DOLI, and DGS to complete its review and complete any advisory group meetings by September 1, 2021, and to submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations no later than December 1, 2021.

HB 1862 Employee protections; medicinal use of cannabis oil.

Prohibits an employer from discharging, disciplining, or discriminating against an employee for such employee's lawful use of cannabis oil pursuant to a valid written certification issued by a practitioner for the treatment or to eliminate the symptoms of the employee's diagnosed condition or disease. The bill provides that such prohibition does not (i) restrict an employer's ability to take any adverse employment action for any work impairment caused by the use of cannabis oil or to prohibit possession during work hours or (ii) require an employer to commit any act that would cause the employer to be in violation of federal law or that would result in the loss of a federal contract or federal funding.

HB 1903 Local government; authority to reduce the speed limit in a business district or residence district.

Authorizes local governing bodies to reduce the speed limit to less than 25 miles per hour, but not less than 15 miles per hour, in a business district or residence district.

HB 1909 School board building or property, certain; establishment of gun-free zone permitted.

Permits any school board to deem any non-school zone building or property that it owns or leases where employees of such school board are regularly present for the purpose of performing their official duties as a gun-free zone and prohibit any individual from knowingly possessing, purchasing, transferring, carrying, storing, or transporting firearms, ammunition, or components or combination thereof while such individual is upon such property, except certain individuals such as law-enforcement officers and qualified retired law-enforcement officers.

HB 1919 Local green banks; authorizes a locality, by ordinance, to establish.

Authorizes a locality, by ordinance, to establish a green bank to promote the investment in clean energy technologies in its locality and provide financing for clean energy technologies, defined in the bill. The bill establishes certain powers and functions of a green bank, including developing rules and procedures, financing and providing loans for clean energy projects, and stimulating demand for renewable energy. The bill requires the green bank to be a public

entity, quasi-public entity, depository bank, or nonprofit entity and requires the locality to hold a hearing and publish notice of the hearing in a newspaper of general circulation prior to establishing the green bank.

HB 1963 Funding local health departments; cooperative local health budget, report.

Provides that funding for local health departments shall consist of such state funds as may be allocated for the operation of the local health department together with local matching funds and estimated self-generated local service revenues, the total amount of which shall constitute the cooperative local health budget available to a local department of health, and that the amount of local matching funds for which a county or city is responsible shall be based on the county's or city's revenue generation capacity factor, as defined in the bill; in no case, however, shall the amount of local matching funds required be greater than 45 percent or less than 18 percent of the total amount of the cooperative local health budget for the local health department that serves the county or city, after deducting estimated self-generated local service revenues. The bill directs the Department of Health to biennially review the local matching fund amount for each county and city, determine whether such amount should be revised as a result of changes to the county's or city's revenue generation capacity, and report the results of such review and any recommendations for changes to a county's or city's local matching fund amount to the Governor and the General Assembly.

HB 1969 Administration of blighted and derelict properties; modifies definition of "qualifying locality."

Modifies the definition of "qualifying locality" to include any locality with a score of 100 or higher on the fiscal stress index, as published by the Department of Housing and Community Development in July 2020. Under current law, a qualifying locality is one with a score of 107 or higher on the fiscal stress index, as published by the Department using revised data for 2017. Qualifying localities are able to (i) classify blighted and derelict properties as a separate class of taxable property and assess such property at a higher rate and (ii) sell delinquent tax lands six months after the locality has incurred abatement costs for buildings that have been condemned, constitute a nuisance, are a derelict building, or are declared to be blighted. The bill adds qualifying localities to the list of localities that have different requirements for having a special commissioner appointed to convey tax-delinquent real estate to the locality in lieu of a public sale at auction.

HB 2031 Facial recognition technology; authorization of use by local law-enforcement agencies, etc.

Provides that no local law-enforcement agency or campus police department shall purchase or deploy facial recognition technology, defined in the bill, unless such purchase or deployment is expressly authorized by statute. The bill prohibits a local law-enforcement agency or campus police department at a public institution of higher education currently using facial recognition

technology from continuing to use such technology without such authorization after July 1, 2021.

HB 2063 Virginia Overtime Wage Act; overtime compensation employees, definitions, penalties.

Requires an employer to compensate its employees who are entitled to overtime compensation under the federal Fair Labor Standards Act at a rate not less than one and one-half times the employee's regular rate of pay, defined in the bill, for any hours worked in excess of 40 hours in any one workweek. The bill includes provisions for calculating overtime premiums due to fire protection and law-enforcement employees by certain public sector employers. The penalties provided by the bill for an employer's failure to pay such overtime wages, including civil and criminal penalties, are the same as currently provided for failing to pay wages generally. The statute of limitations for bringing a claim for a violation of the bill is three years.

HB 2085 Emergency Services and Disaster Law; local and interjurisdictional emergency operations plans.

Requires local and interjurisdictional agencies to include provisions in their emergency operations plans to ensure that such plans are applied equitably and that the needs of minority and vulnerable communities are met during emergencies.

HB 2131 Alcoholic beverage control; license application, locality input.

Adds the chief administrative officer of a locality to the list of persons who may be sent notice of certain license applications by the Board of Directors of the Virginia Alcoholic Beverage Control Authority. The bill also expands the definition of "criminal blight" for which the locality may require a property owner to take corrective action to include a condition existing on real property that endangers public health or safety and is caused by (i) the regular presence on the property of persons in possession of controlled substances and (ii) the discharge of a firearm under certain conditions.

HB 2217 Public access authorities; granted certain liability protections.

Grants public access authorities, including the land holdings and facilities of such authorities, certain liability protections that are currently given to localities in relation to parks, recreational facilities, and playgrounds.

HB 2266 & SB 1471 Alcoholic beverage control; designated outdoor refreshment area license.

Renames the "local special events" license as the "designated outdoor refreshment area" license. The bill allows the Board of Directors of the Virginia Alcoholic Beverage Control Authority to increase the frequency and duration of events held under such license after adoption of an ordinance by a locality requesting such increase in frequency and duration.

Under current law, localities are limited to holding 16 events per year under such license, with each event lasting no more than three consecutive days, except during the effective dates of any rule, regulation, or order that is issued by the Governor or State Health Commissioner to meet a public health emergency and that effectively reduces allowable restaurant seating capacity. The bill also increases the state and local license fees for designated outdoor refreshment area licenses issued pursuant to a local ordinance.

SB 1120 County executive form of government; local budgets.

Provides that a county that has adopted the county executive form of government (Albemarle and Prince William Counties) may carry over unspent funds from year to year for multiyear capital projects and outstanding grants without having to reappropriate the funds. This bill is identical to HB 1949 (2021 Regular Session).

SB 1148 Elections; date of June primary election.

Changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. Changes candidate filing deadlines to reflect the change of date.

SB 1208 Continuity of government; extends period of time that locality may provide after disaster, etc.

Extends from six to 12 months the period of time after an enemy attack or other disaster that a locality may, by ordinance, provide for a method to assure continuity in its government and requires the ordinance to provide a method for the locality to resume normal governmental authority by the end of that 12-month period.

SB 1225 Broadband services; school boards to appropriate funds for expansion of services for education.

Authorizes school boards to appropriate funds for the purposes of promoting, facilitating, and encouraging the expansion and operation of broadband services for educational purposes. The bill authorizes school boards to partner with private broadband service providers to promote, implement, and subsidize broadband for educational purposes to the households of students who would qualify for (i) a child nutrition program or (ii) any other program recognized or adopted by the local school board as a measuring standard to identify at-risk students.

SB 1418 Commonwealth's Development Opportunity Fund; grants, waiver or reduction of capital investment.

Provides that, for grants from the Commonwealth's Development Opportunity Fund, capital investment and local match requirements may be reduced or waived based on the creation of telework jobs that pay an average wage of at least 1.2 times the Virginia minimum wage.

Local Revenues

HB 1774 Tangible personal property taxes; classification of certain motor vehicles, trailers, & semitrailers.

Provides that the separate class of property for rate purposes that includes motor vehicles, trailers, and semitrailers with a gross vehicle weight of 10,000 pounds or more used by a motor carrier engaged in interstate commerce on a for-hire basis shall also include such vehicles used to transport passengers. Under current law, this class of property only includes such vehicles if they are used to transport property.

HB 1916 & SB 1112 Research and development tax credits.

Provides that the research and development expenses tax credit and the major research and development expenses tax credit shall be available against the bank franchise tax for taxable years beginning on and after January 1, 2021. Under current law, the credits are available only against the individual and corporate income tax.

HB 1999 Tax Commissioner; waiver of accrual of interest in the event that Gov. declares state of emergency.

Authorizes the Tax Commissioner to waive interest for any class of taxpayers when he finds that imposing interest has caused, or would cause, undue hardship to such class of taxpayers because of a natural disaster or other reason. The bill allows the Tax Commissioner to grant such waiver only if the Governor declares a state of emergency in the Commonwealth with respect to such natural disaster or other reason.

HB 2006 & SB 1201 Energy storage systems; definitions, tax exemption, revenue share for systems.

Declares that energy storage systems are included in the definition of certified pollution control equipment and facilities, making energy storage systems exempt from state and local taxation. The bill defines "energy storage system" as equipment, facilities, or devices that are capable of absorbing energy, storing it for a period of time, and redelivering that energy after it has been stored. The tax exemption applies only to certain projects with alternating current (AC) storage capacity of more than five megawatts and less than 150 megawatts. The bill also allows localities to assess a revenue share of up to \$1400 per megawatt on energy storage systems. The bill provides that on July 1, 2026, and every five years thereafter, the maximum amount of the revenue share that a locality may impose on energy storage systems as well as certain solar energy projects shall be increased by 10 percent. No increase may be made to any revenue share imposed by a locality on a solar energy project or energy storage systems for which an application has been filed with the locality and such application has been approved prior to

January 1, 2021. The bill defines energy storage systems as electric suppliers whose property shall be assessed by the State Corporation Commission.

HB 2165 Tax delinquent property; sale of land for delinquent taxes.

Extends from 36 to 60 months the time period for which a local tax official may suspend an action for the sale of tax delinquent property, which under current law is authorized if the owner enters into an agreement with the official to pay delinquent taxes in installments. Authorizes an official to suspend an action if a person who is not a party to the action gives notice asserting ownership rights, by virtue of testate or intestate succession, in the property subject to the action. If a court determines such person has ownership rights in the property, such person may enter into an installment plan similar to what is authorized under current law. Provides that a final court order confirming sale of tax delinquent property shall not be entered sooner than the later of (i) 90 days after the official gives notice of the action or (ii) 90 days after the official receives notice from a person who is not a party to the action asserting ownership rights.

HB 2185 & SB 1403 Retail Sales and Use Tax; exemption for personal protective equipment.

Establishes a retail sales and use tax exemption for personal protective equipment, defined in the bill. Exemption is available to any business that has in place a COVID-19 safety protocol that complies with the Emergency Temporary Standard promulgated by the Virginia Department of Labor and Industry and that meets other criteria. Exemption sunsets on the first day following the expiration of the last executive order issued by the Governor related to the COVID-19 pandemic and the termination of the COVID-19 Emergency Temporary Standard and any permanent COVID-19 regulations adopted by the Virginia Safety and Health Codes Board.
EMERGENCY

HB 2273 Data centers; sales and use tax exemption, clarifies "distressed locality", report.

Reduces to four new jobs, for purposes of qualifying for the sales and use tax exemption for data centers, the job creation requirement for a data center in a distressed locality. Under current law, such data centers must create at least 25 new jobs. Lowers the amount of investment needed to qualify for the exemption from \$150 million to \$1.9 million for data centers that qualify for the reduced jobs requirement. Redefines what criteria are used to identify a distressed locality such that a locality qualifies as distressed if it has an unemployment rate that is greater than the statewide unemployment rate and it also has a poverty rate that exceeds the statewide poverty rate. Requires all data centers claiming the exemption to submit an annual report detailing certain information to the Virginia Economic Development Partnership Authority (the Authority). Requires the Department of Taxation (the Department), in collaboration with the Authority to publish a biennial report on the exemption. Report shall not include in any unaggregated or other information that could be used to identify a business or individual.

HB 2308 Veterans of Foreign Wars, American Legion, etc.; quantity of land certain associations may hold.

Increases from 75 to 200 the number of acres of land that any association or post of the Veterans of Foreign Wars, American Legion, Spanish War Veterans, Disabled American Veterans, or any similar association of veterans of the Armed Forces of the United States chartered by an act of Congress may hold. Provides that any such property in excess of 75 acres shall not be exempt from taxation unless an ordinance to that effect is adopted by the governing body of the locality in which the property is located.

HB 2312 & SB 1406 Marijuana; legalization of simple possession, etc.

Eliminates criminal penalties for simple possession of up to one ounce of marijuana by persons 21 years of age or older, modifies several other criminal penalties related to marijuana, and imposes limits on dissemination of criminal history record information related to certain marijuana offenses. The bill creates the Virginia Cannabis Control Authority (the Authority) and establishes a regulatory and licensing structure for the cultivation, manufacture, wholesale, and retail sale of retail marijuana and retail marijuana products, to be administered by the Authority. The bill contains social equity provisions that, among other things, provide support and resources to persons and communities that have been historically and disproportionately affected by drug enforcement. The bill has staggered effective dates and numerous provisions of the bill are subject to reenactment by the 2022 Session of the General Assembly.

HB 2322 & SB 1469 Opioid Abatement Authority; established, report.

Establishes the Opioid Abatement Authority. The Authority, with the assistance of the Attorney General, would administer the Opioid Abatement Fund, which receives moneys from settlements, judgments, verdicts, and other court orders relating to claims regarding the manufacturing, marketing, distribution, or sale of opioids and other funds received on the fund's behalf that would be used to provide grants and loans to Virginia agencies and certain localities for the purpose of treating, preventing, or reducing opioid use disorder and the misuse of opioids or otherwise abating/remediating the opioid epidemic in the Commonwealth.

SB 1119 Law-enforcement agencies; body-worn camera systems.

Creates a special nonreverting fund to be known as the Body-Worn Camera System Fund to assist state or local law-enforcement agencies with the costs of purchasing, operating, and maintaining body-worn camera systems.

SB 1130 Personal property tax; exemption for motor vehicle of a 100 percent disabled veteran.

Provides that one motor vehicle of a veteran who has a 100 percent service-connected, permanent, and total disability shall be exempt from local taxes. This bill is the enabling

legislation for a constitutional amendment ratified by the voters of the Commonwealth at the November 2020 general election.

SB 1219 Paid family and medical leave; SCC's Bureau of Insurance to review and make recommendations, report.

Directs the State Corporation Commission's Bureau of Insurance (the Bureau) to review and make policy recommendations to meet the goals identified in the "Paid Family and Medical Leave Study" published by the Offices of the Secretary of Commerce and Trade and the Chief Workforce Development Advisor in September 2020 as part of a statewide paid family and medical leave program to be administered by the Commonwealth. The bill requires the Bureau to convene a stakeholder group to participate in the process, which is required to include representatives from the insurance industry and the business community, labor organizations, advocates for paid family leave, and other interested parties. The bill requires the Bureau to report its findings and recommendations to the Senate Committees on Commerce and Labor and Finance and Appropriations and the House Committees on Labor and Commerce and Appropriations by November 30, 2021.

SB 1326 Local cigarette taxes; regional cigarette tax boards.

States that it is the policy of the Commonwealth, where practical, to encourage local cigarette stamping and tax collection to be accomplished through regional cigarette tax boards, defined in the bill. The bill directs the Department of Taxation to establish a task force to develop methods for modernizing the local cigarette tax collection system and provide assistance as appropriate to localities seeking to form new regional cigarette tax boards.

SB 1398 Retail sales and transient occupancy taxes; room rentals.

Provides that retail sales and hotel taxes on transient room rentals shall be computed on the basis of the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill requires the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The bill requires an amount equal to the estimated state sales tax revenue generated from the tax on accommodations fees to be appropriated to the Virginia Tourism Authority each fiscal year to be used for promoting tourism.

SB 1423 Data centers; sales and use tax exemption, clarifies "distressed locality", report.

Reduces the job creation requirement to qualify for the sales and use tax exemption for data centers in a distressed locality from 25 to 15 jobs. Under current law, such data centers must create at least 25 new jobs. The bill also redefines what criteria are used to identify a distressed

locality; under the bill, a locality qualifies as distressed if it has an unemployment rate that is greater than the statewide unemployment rate and a poverty rate that exceeds the statewide poverty rate. The bill requires all data centers claiming the exemption to report certain information to the Virginia Economic Development Partnership Authority (the Authority). The Department of Taxation, in collaboration with the Authority, would aggregate and publish such information biennially.

State Revenues

HB 1751 Peanuts; extends sunset date of excise tax on all peanuts grown in Virginia.

Extends from July 1, 2021, to July 1, 2026, the sunset date of the excise tax on all peanuts grown in Virginia and reduces from \$0.30 per 100 pounds to \$0.25 per 100 pounds the excise tax rate. Proceeds from this tax are used for promoting the sales and use of Virginia peanuts.

HB 1935 Income tax, state; conformity with the Internal Revenue Code.

Advances Virginia's date of conformity with the Internal Revenue Code from December 31, 2019, to December 31, 2020. The bill adds exceptions to such conformity for suspension of the overall limitation on itemized deductions and the reduction in the medical expense deduction floor for taxable year 2017 and taxable years on and after January 1, 2019, and for the provisions of the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) related to the net operating loss limitation and carryback, a loss limitation applicable to taxpayers other than corporations, and the limitation on business interest. The bill also includes an individual income tax deduction in taxable year 2020 for business expenses funded with forgiven Paycheck Protection Program loans up to \$25,000 and an individual income tax subtraction in taxable year 2020 for up to \$25,000 in Rebuild Virginia grants.

HB 2006 & SB 1201 Energy storage systems; definitions, tax exemption, revenue share for systems.

Declares that energy storage systems are included in the definition of certified pollution control equipment and facilities, making energy storage systems exempt from state and local taxation. The bill defines "energy storage system" as equipment, facilities, or devices that are capable of absorbing energy, storing it for a period of time, and redelivering that energy after it has been stored. The tax exemption applies only to certain projects with alternating current (AC) storage capacity of more than five megawatts and less than 150 megawatts. The bill also allows localities to assess a revenue share of up to \$1400 per megawatt on energy storage systems. The bill provides that on July 1, 2026, and every five years thereafter, the maximum amount of the revenue share that a locality may impose on energy storage systems as well as certain solar energy projects shall be increased by 10 percent. No increase may be made to any revenue share imposed by a locality on a solar energy project or energy storage systems for which an application has been filed with the locality and such application has been approved prior to

January 1, 2021. The bill defines energy storage systems as electric suppliers whose property shall be assessed by the State Corporation Commission.

HB 2273 Data centers; sales and use tax exemption, criteria, report.

Reduces to four new jobs, for purposes of qualifying for the sales and use tax exemption for data centers, the job creation requirement for a data center in a distressed locality. Under current law, such data centers must create at least 25 new jobs. The bill lowers the amount of investment needed to qualify for the exemption from \$150 million to \$1.9 million for data centers that qualify for the reduced jobs requirement. The bill also redefines what criteria are used to identify a distressed locality such that a locality qualifies as distressed if it has an unemployment rate that is greater than the statewide unemployment rate and it also has a poverty rate that exceeds the statewide poverty rate. The bill requires all data centers claiming the exemption to submit an annual report detailing certain information to the Virginia Economic Development Partnership Authority (the Authority). Finally, the requires the Department of Taxation (the Department), in collaboration with the Authority to publish a biennial report on the exemption. Such report by the Department shall not include any unaggregated or other information that could be used to identify a business or individual.

HB 2293 Local gas severance tax; extends sunset date.

Extends the sunset date from January 1, 2022, to January 1, 2024, for authority to impose an additional local gas severance tax that is dedicated to (i) the local Coal and Gas Road Improvement Fund; (ii) the Virginia Coalfield Economic Development Fund; and (iii) water, sewer, and natural gas systems and lines.

HJ 567 Income tax, state; JLARC to study increasing the progressivity of Virginia's system.

Directs the Joint Legislative Audit and Review Commission to study increasing the progressivity of Virginia's individual income tax system to make it more progressive and fair in response to economic dynamics.

SB 1146 Income tax, state; conformity with the Internal Revenue Code.

Advances Virginia's date of conformity with the Internal Revenue Code from December 31, 2019, to December 31, 2020. The bill deconforms from the suspension of the overall limitation on itemized deductions and the reduction in the medical expense deduction floor for taxable year 2017 and taxable years on and after January 1, 2019, and from the provisions of the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) related to the net operating loss limitation and carryback, a loss limitation applicable to taxpayers other than corporations, the limitation on business interest, and certain loan forgiveness and other business financial assistance. The bill provides an individual and corporate income tax deduction or subtraction, as applicable, of up to \$100,000 for Rebuild Virginia grants and

certain amounts related to Paycheck Protection Program loans.

SB 1163 Agricultural equipment; establishes a refundable individual and corporate income tax credit.

Establishes for taxable years 2021 through 2025 a refundable individual and corporate income tax credit for 25 percent of expenditures, up to a maximum of \$17,500, made for the purchase of conservation tillage and precision agriculture equipment certified by the Virginia Soil and Water Conservation Board as reducing soil compaction or improving precision of pesticide and fertilizer application or injection. The bill expires the existing individual and corporate income tax credits for conservation tillage equipment and purchase of advanced technology pesticide and fertilizer application equipment after taxable year 2020. Under current law, an individual or corporate taxpayer is allowed nonrefundable credits of up to \$4,000 for conservation tillage equipment purchases and up to \$3,750 for advanced technology pesticide and fertilizer application equipment purchases, which credits may be carried over for five years.

SB 1423 Data centers; sales and use tax exemption, identifying a "distressed locality."

Reduces the job creation requirement to qualify for the sales and use tax exemption for data centers in a distressed locality from 25 to 15 jobs. Under current law, such data centers must create at least 25 new jobs. Redefines what criteria are used to identify a distressed locality; under the bill, a locality qualifies as distressed if it has an unemployment rate that is greater than the statewide unemployment rate and a poverty rate that exceeds the statewide poverty rate. Requires all data centers claiming the exemption to report certain information to the Virginia Economic Development Partnership Authority (the Authority). Department of Taxation, in collaboration with the Authority, would aggregate and publish information biennially.

Land Conservation/Open Space/Parks

HB 1760 & SB 1199 Conservation easements; certain easements be liberally construed in favor of purpose which created.

Provides that an easement held pursuant to the Virginia Conservation Easement Act or the Open-Space Land Act shall be construed in favor of achieving the conservation purposes for which it was created.

HB 1833 Conservation and Recreation, Department of; leasing of land.

Changes the process by which the Department of Conservation and Recreation may lease certain lands from one that is subject to the consent and approval of the Governor and the General Assembly to one that is subject to the written recommendation of the Department of General Services to the Governor and the written approval of the Governor, and excludes the

sale of such land from such process. The bill also authorizes only certain activities for which the Department may lease land and requires that information about leasing activities be included in an annual report to the General Assembly.

HB 1837 & SB 1161 Virginia Soil and Water Conservation Board; clarifies membership.

Clarifies that each of the six nonlegislative citizen members of the Virginia Soil and Water Conservation Board (the Board) who is not an at-large member is to be appointed by the Governor from a list of two qualified nominees submitted for each vacancy by the Board and the Board of Directors of the Virginia Association of Soil and Water Conservation Districts (the Association) in consultation with other groups. The bill also requires each of the six nonlegislative citizen members to be a resident of a different one of the six geographic areas represented in the Association. The bill contains technical amendments.

HB 1928 Historic resources; acquisition and lease of land.

Authorizes the Department of Historic Resources and the Board of Historic Resources to undertake additional leasing and property acquisition activities related to battlefield properties, designated landmarks, and other properties of historic significance.

HJ 527 Invasive plant species; DCR, et al., to study the sale and use of species.

Requests the Department of Conservation and Recreation, jointly with the Department of Agriculture and Consumer Services, to establish a work group to study the sale and use of invasive plant species. The resolution requests that the departments work with several state agencies, conservation nonprofits, plant industry and agriculture groups, local government associations, and other stakeholders to develop recommendations regarding statutory and regulatory changes intended to reduce or eliminate the sale and use of invasive plant species in the Commonwealth and promote the sale and use of native plants.

SB 1274 Wildlife corridors; various agencies to consider and incorporate.

Directs various agencies to consider and incorporate, where applicable, wildlife corridors and any recommendation of the Wildlife Corridor Action Plan. The bill directs the Department of Wildlife Resources to publish the Plan and subsequent updates on its website and to assist state agencies and political subdivisions, and by request any federal agency, in considering and incorporating, where applicable, wildlife corridors and the recommendations of the Plan when developing any governmental strategic plan, map, or action.

SB 1290 ConserveVirginia program; established.

Establishes in the Department of Conservation and Recreation a data-driven Geographical Information Systems model to prioritize potential conservation areas across the Commonwealth that would provide quantifiable benefits to the citizens of Virginia, known as

ConserveVirginia. Aspects of the program include (i) the synthesis of multiple mapped data inputs, divided into categories, each representing a different overarching conservation value, and periodic revision of such values; (ii) access to the model by the public and all state and federal agencies; and (iii) incorporation of the model into acquisition or grant decisions when appropriate. The bill requires the Virginia Land Conservation Foundation to report on the success of the program and incorporate the program into needs assessments for expenditures from the Virginia Land Conservation Fund.

Land Use & Growth Management

HB 1898 Zoning appeals, board of; appointments.

Provides an exception to the general rule that an elected official cannot be appointed to a board of zoning appeals by allowing an elected official from a town to serve on the board of zoning appeals of the county in which the member also resides.

HB 2042 & SB 1393 Trees; replacement and conservation during development, effective date.

Gives a locality the ability to exceed general requirements in its tree replacement and conservation ordinances in specific circumstances, including development that impacts stormwater permit requirements, recurrent flooding, formerly redlined areas, and comprehensive plan compliance. The bill also directs the Secretary of Natural Resources and Secretary of Agriculture and Forestry to convene a stakeholder work group for the purpose of developing and providing recommendations to state and local governments related to policies that encourage the conservation of mature trees and tree cover on sites being developed, increase tree canopy cover in communities, and encourage the planting of trees. The bill will not become effective unless reenacted by the 2022 Session of the General Assembly, but the stakeholder work group is effective in due course.

HB 2053 Affordable & market-rate housing; DHCD to evaluate growing demand.

Directs the Department of Housing and Community Development (Department) to convene a stakeholder advisory group to evaluate the construction of internal, attached, and detached accessory dwelling units as a strategy to address the Commonwealth's growing demand for affordable and market-rate housing. Requires the advisory group to report its findings and recommendations, including any legislative recommendations, to the Director of the Department, the Secretary of Commerce and Trade, the commissioners of the Virginia Housing Development Authority, and the Virginia Housing Commission no later than November 1, 2021.

HB 2201 & SB 1207 Solar and energy storage projects; siting agreements throughout the Commonwealth.

Expands existing provisions related to siting agreements and zoning special exceptions for solar projects located in an opportunity zone to include energy storage projects and makes the provisions statewide. The bill provides that its provisions shall not apply to any energy storage project that has received zoning and site plan approval, preliminary or otherwise, from the host locality before January 1, 2021. Provides that its provisions shall not become effective with respect to energy storage projects unless the General Assembly approves legislation that authorizes localities to adopt an ordinance for taxation of energy storage projects such as solar projects with a local option for machinery and tools tax or solar revenue share.

HB 2266 & SB 1471 Alcoholic beverage control; local special events license, taxes and fees.

Renames the "local special events" license as the "designated outdoor refreshment area" license. The bill allows the Board of Directors of the Virginia Alcoholic Beverage Control Authority to increase the frequency and duration of events held under such license after adoption of an ordinance by a locality requesting such increase in frequency and duration. Under current law, localities are limited to holding 16 events per year under such license, with each event lasting no more than three consecutive days, except during the effective dates of any rule, regulation, or order that is issued by the Governor or State Health Commissioner to meet a public health emergency and that effectively reduces allowable restaurant seating capacity. The bill also increases the state and local license fees for designated outdoor refreshment area licenses issued pursuant to a local ordinance.

HB 2269 Solar energy projects and energy storage systems; revenue share for projects and systems.

Allows localities to assess a revenue share of up to \$1,400 per megawatt on energy storage systems. The bill provides that on July 1, 2026, and every five years thereafter, the maximum amount of the revenue share that a locality may impose on certain solar energy projects and energy storage systems shall be increased by 10 percent. No increase may be made to any revenue share imposed by a locality on a solar energy project or energy storage systems for which an application has been filed with the locality and such application has been approved prior to January 1, 2021.

HB 2320 & SB 1389 Real property; required disclosures for buyer to exercise due diligence, flood risk report.

Requires the Real Estate Board to make available on its website a flood risk information form, the details of which are outlined in the bill. The bill also provides that an owner of residential real property located in the Commonwealth who has actual knowledge that the dwelling unit is a repetitive risk loss structure, as defined in the bill, shall disclose such fact to the purchaser on

a form provided by the Real Estate Board on its website. The bill has a delayed effective date of January 1, 2022.

SB 1457 Historic sites; urban county executive form of gov't. (Fairfax County), provisions in its ordinance.

Provides that any locality utilizing the urban county executive form of government (Fairfax County) may include a provision in its historic preservation ordinance that would allow public access to an historic area, landmark, building, or structure, or land pertaining thereto, or providing that no subdivision shall occur within any historic district unless approved by the review board or, on appeal, by the governing body of the locality as being compatible with the historic nature of such area, landmarks, buildings, or structures therein with regard to any parcel or parcels that collectively are (i) adjacent to a navigable river and a national park and (ii) in part or as a whole subject to an easement granted to the National Park Service or Virginia Outdoors Foundation granted on or after January 1, 1973.

Transportation Funding

HB 1813 Highway construction by state or local employees; limit.

Increases from \$600,000 to \$700,000 the value of highway maintenance and construction projects eligible to be performed by state or local employees.

HB 1832 & SB 1259 Virginia Highway Corporation Act; alteration of certificate of authority, powers and duties of SCC.

Requires any application for a transfer, extension, or amendment of a certificate of authority issued under the Virginia Highway Corporation Act to include information demonstrating the financial fitness of the entity applying to operate the roadway. The bill requires an applicant for a toll increase to provide a forward-looking analysis return that will be reviewed by the Department of Transportation that demonstrates that the proposed rates will be reasonable to the user in relation to the benefit obtained, not likely to materially discourage use of the roadway, and provide the operator no more than a reasonable return. The bill also prohibits the State Corporation Commission from authorizing a toll increase if these criteria are not met or if the proposed increase is for more than one year. The bill requires an operator to receive approval from the Commission prior to refinancing any existing debt.

HB 2071 & SB 1350 Transportation funding; statewide prioritization process, resiliency.

Requires the Commonwealth Transportation Board to determine whether a project has been designed to be or the project sponsor has committed that the design will be resilient when

evaluating projects for the Six-Year Improvement Program and consider resiliency when establishing the Statewide Transportation Plan. The bill also requires the Commissioner of Highways to ensure resiliency is incorporated into the design standards for new construction projects.

HB 2282 State Corporation Commission; transportation electrification, utility recovery of certain costs.

Directs the State Corporation Commission (the Commission) to report on policy proposals to accelerate transportation electrification in the Commonwealth. Requires the Commission to submit, no later than May 1, 2022, a report to the General Assembly recommending policy proposals that could govern public electric utility programs to accelerate widespread transportation electrification in the Commonwealth. Requires the Commission to utilize a public process, facilitated by a third party with expertise in transportation electrification, in which the Commission, the Department of Environmental Quality, the Department of Mines, Minerals and Energy, the Department of Transportation, and appropriate stakeholders participate. Requires that the Commission, in developing its policy recommendations, evaluate (i) areas where utility or other public investment may best complement private efforts to effectively deploy charging infrastructure, with particular focus on low-income, minority, and rural communities; (ii) how smart growth policies can complement and enhance the Commonwealth's transportation electrification goals; (iii) how utility programs, investments, or incentives to customers or third parties to facilitate the deployment of charging infrastructure and related upgrades can support or enhance (a) statewide transportation electrification, including electrification of public transit; (b) the electrification of medium-duty and heavy-duty vehicles, school buses, vehicles at ports and airports, personal vehicles, and vehicle fleets; (c) increased access to electric transportation and improved air quality in low-income and medium-income communities; (d) achievement of existing energy storage targets; (e) improvements to the distribution grid or to specific sites necessary to accommodate charging infrastructure; and (f) customer education and outreach programs that increase awareness of such programs and the benefits of transportation electrification. The bill requires that the report also address whether and how transportation electrification can, under current law, (1) reduce total ratepayer rates and costs; (2) assist in grid management and more efficient use of the grid, in a manner that does not increase peak demand, through time-of-use rates, managed charging programs, vehicle-to-grid programs, or other alternative rate designs; (3) utilize increased generation from renewable energy resources; and (4) reduce fueling costs for vehicles. Requires that, to the extent that the Commission and stakeholders conclude that transportation electrification cannot currently deliver these benefits, the report include public policy recommendations. Requires, beginning July 1, 2021, that any approved costs of any investor-owned electric utility associated with investment in transportation electrification be recovered only through the utility's rates for generation and distribution, prohibits recovery of such costs through a rate adjustment clause, and provides that such costs are not eligible for a customer credit reinvestment offset.

Pedestrian Safety, Walkability & Bicycle Safety

HB 1841 Crosswalk design; Dept. of Transportation to convene work group to determine model policies.

Directs the Commissioner of Highways to convene a working group to determine whether there should be model policies for crosswalk design and installation and, if so, establish recommendations for such model policies. The bill directs the working group to monitor and provide input to the U.S. Department of Transportation and the Federal Highway Administration as updates to crosswalk designs in the Manual on Uniform Traffic Control Devices for Streets and Highways are considered. The working group shall submit to the Governor and the General Assembly a report on its findings and recommendations by November 1, 2021.

HB 2262 Bicycles; traffic regulations, report.

Requires the driver of a motor vehicle to change lanes when overtaking a bicycle or certain other vehicles when the lane of travel is not wide enough for the overtaking motor vehicle to pass at least three feet to the left of the overtaken vehicle. The bill also removes the limitations on riding bicycles and certain other vehicles two abreast. The Department of State Police is directed to convene a work group to review issues related to allowing bicyclists to treat stop signs as yield signs, and to report any recommendations to the chairmen of the House and Senate Committees on Transportation.

Vehicle Policy Issues

HB 1796 License plates, special; removes fee for issuance to Va. National Guard retirees.

Removes the fee for the issuance of a special license plate for retired members of the Virginia National Guard. Currently, such special license plates cost the same as the prescribed cost for a typical Virginia license plate.

HB 1846 License restrictions for minors; prohibition on use of handheld personal communications devices.

Eliminates the provision prohibiting a holder of a provisional driver's license to operate a vehicle while using a wireless communication device. Such provision was specific only to the holder of a provisional license. Under a different current law, all drivers, including those with a provisional driver's license, are prohibited from holding a personal communications device while operating a vehicle.

HB 1918 & SB 1169 Student driver safety; driver education program shall include dangers of speeding.

Requires (i) driver education programs to include instruction on the dangers of distracted driving and speeding and (ii) a student to submit a standard application form developed by the Department of Education by which the student provides evidence that he possesses a valid driver's license or driver privilege card before being issued a pass to park a vehicle on high school property.

HB 1960 & SB 1470 Vehicle registration; special communication needs indicator.

Expands eligibility for a special communication needs indicator on a vehicle registration to vehicle owners whose vehicle is regularly occupied by an individual who has a disability that can impair communication. Current law authorizes those vehicle owners who have a disability that can impair communication to apply for such an indicator. The bill authorizes the removal of such indicator by request in writing to the Department of Motor Vehicles.

HB 1979 Electric vehicle rebate program; creation and funding, report, sunset date.

Creates a rebate program for the purchase or lease of new and used electric vehicles, to be administered by the Department of Mines, Minerals and Energy. A purchaser or lessee of a new or used electric vehicle would receive a \$2,500 rebate applied toward payment for the purchase, and a purchaser or lessee with an annual household income that does not exceed 300 percent of the federal poverty level would be entitled to an additional \$2,000 rebate for a new electric vehicle and \$500 for a used electric vehicle beginning in taxable year 2022. The bill also establishes an Electric Vehicle Rebate Program Advisory Council to oversee the Electric Vehicle Rebate Program and to make recommendations regarding its implementation. The Director of the Department of Mines, Minerals and Energy is required to report annually to the Governor and the General Assembly regarding the Program. The program expires on January 1, 2027.

HB 2118 Virginia Electric Vehicle Grant Fund and Program; created, report.

Establishes the Electric Vehicle Grant Fund and Program for the purpose of (i) awarding grants on a competitive basis to public school divisions for (a) assisting with costs of replacing diesel school buses with electric school buses; (b) the implementation of recharging infrastructure or other infrastructure needed to charge or maintain such electric school buses; and (c) workforce development and training to support the maintenance, charging, and operation of such electric school buses and (ii) projects by public, private, and non-profit Virginia entities to assist with replacing diesel-fueled vehicles and machinery with electric vehicles. No allocation of funds shall be made to the Fund or the Program unless federal or nonstate funds are available to cover the entire cost of such allocation. The bill contains provisions relating to grant applications, priority, awards, and uses. The Department of Environmental Quality shall convene a stakeholder workgroup to develop recommendations for establishing and

administering the Fund and Program and shall report the workgroup findings to the General Assembly.

HB 2119 Student driver education program; parent/student component exemption.

Exempts students who are (i) at least 18 years old, (ii) emancipated minors, or (iii) unaccompanied minors who are not in the physical custody of their parent or guardian from the requirement to participate in the parent/student component of a school's driver education program.

HB 2138 Identification privilege cards; authorizes DMV to issue, fee, confidentiality, penalties.

Authorizes the Department of Motor Vehicles to issue identification privilege cards to applicants who hold a citizenship or legal presence status that is eligible for a special identification card or a limited-duration special identification card and have reported income from Virginia sources or been claimed as a dependent on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill provides that identification privilege cards shall be treated as special identification cards unless otherwise provided in the Code of Virginia. The bill limits the release of certain information stored by the Department. The bill has a delayed effective date of January 1, 2022.

HB 2163 Motor Vehicles, Department of; limits the release of privileged information to government entities.

Limits the release of Department of Motor Vehicles (DMV) privileged information to government entities and law-enforcement agencies for the purpose of civil immigration enforcement unless (i) the subject of the information provides consent or (ii) the requesting agency presents a lawful judicial order, judicial subpoena, or judicial warrant. Requires the DMV to notify the subject of the request that such a request was made and the identity of the entity that made the request. The bill requires any entity receiving privileged information from the DMV to enter into a written agreement with the DMV prior to such release of such information and prohibits any entity from rereleasing any such DMV information to any third party unless explicitly permitted to do so in the entity's agreement with the DMV. Contains requirements for any such written agreement between the DMV and the Department of State Police.

HB 2261 License plates, special; removes fee for issuance to a member of the Virginia National Guard.

Removes the fee for the issuance of special license plates to a member of the Virginia National Guard. Current law provides that such special license plates are issued at half the prescribed cost of state license plates. The bill does not change the fee for personalized special license plates.

HB 2294 Vehicle's odometer; disclosure exemption.

Provides that the exemption from disclosing a vehicle's odometer reading applies only to vehicles exempt from recording an odometer in another state that were manufactured (i) in or before the 2010 model year and transferred at least 10 years after January 1 of the vehicle's model year or (ii) in or after the 2011 model year and transferred at least 20 years after January 1 of the vehicle's model year. Current law exempts disclosure for vehicles exempt from disclosure in another state that were manufactured for a model year at least 10 years earlier than the vehicle transfer. This bill complies with federal regulations regarding odometer disclosure exemptions.

HB 2318 Test driving vehicles; residence districts, civil penalty.

Authorizes localities by ordinance to require motor vehicle dealers in the locality to notify a buyer or potential buyer that test driving a motor vehicle in a residence district that has been designated for increased fines is prohibited, unless the buyer or potential driver is driving to or from his residence. The bill requires the locality to notify licensed motor vehicle dealers located within the locality of the enactment of such ordinance and send a copy of such notification to the Motor Vehicle Dealer Board. The bill authorizes the locality to notify the Board if a buyer or potential buyer is convicted of a traffic infraction while conducting a test drive in a prohibited location. The bill provides that the Board may determine if the proper notice was given and impose a civil penalty if such notice was not given.

SB 1160 Removal of vehicles involved in accidents; lien of keeper of vehicles.

Modernizes and improves enforcement of mechanics' and storage liens by (i) transferring notification and auction posting requirements to the Department of Motor Vehicles (the Department); (ii) allowing for independent appraisals to establish accurate vehicle values; (iii) expanding vehicle owner searches to other states and requiring the Department to notify owners in those states; and (iv) creating a limited process for relinquishing mechanics' and storage liens. The bill permits out-of-state requesters to obtain Virginia vehicle information for mechanics' or storage lien or abandoned vehicle enforcement in their states, and clarifies disposal rights, auction requirements, and titling documentation for abandoned vehicles. The Department is authorized to collect administrative fees to cover the expenses associated with these duties. The bill also provides that an entity acting at the direction of law enforcement or the Department of Transportation to remove a vehicle or cargo after an accident shall not be liable for damages or claims resulting from exercise of authority, provided that the entity acted reasonably. The provisions of this bill related to mechanics' and storage liens have a delayed effective date of January 1, 2022.

SB 1182 Motor vehicle liability insurance; increases coverage amounts.

Increases the motor vehicle liability insurance coverage amounts from \$25,000 to \$30,000 in cases of bodily injury to or death of one person and from \$50,000 to \$60,000 in cases of bodily

injury to or death of two or more persons from any one accident, for policies effective between January 1, 2022 and January 1, 2025. For policies effective after January 1, 2025, the bill increases the motor vehicle liability insurance coverage amounts to \$50,000 in cases of bodily injury to or death of one person, \$100,000 in cases of bodily injury to or death of two or more persons from any one accident, and from \$20,000 to \$25,000 for injury to or destruction of property of others as a result of any one accident. The bill requires that self-insured operators of taxicabs maintain protection against uninsured and underinsured drivers with limits of \$25,000, \$50,000, and \$20,000, respectively, with respect to each motor vehicle. The bill has a delayed effective date of January 1, 2022.

SB 1213 Restricted licenses; DMV authorized to issue.

Authorizes the Department of Motor Vehicles to issue restricted driving credentials to individuals with driver's license suspensions resulting from drug-related offenses.

SB 1335 Learner's permits; use of personal communication devices, restrictions.

Eliminates the provision prohibiting a holder of a learner's permit to operate a vehicle while using a wireless telecommunications device. Such provision was specific only to the holder of a learner's permit. Under a different current law, all drivers, including those with a learner's permit, are prohibited from holding a personal communications device while operating a vehicle.

SB 1336 Ignition interlock systems; restricted permits to operate a motor vehicle.

Provides that in any criminal case for reckless or improper driving where a defendant's license to operate a motor vehicle, engine, or train is subject to revocation or suspension and the court orders a defendant, as a condition of probation or otherwise, to enter into and successfully complete an alcohol safety action program, the court may issue the defendant a restricted license to operate a motor vehicle where the only restriction is to prohibit the defendant from operating a motor vehicle that is not equipped with a functioning, certified ignition interlock system for a period of not less than six consecutive months without alcohol-related violations of the interlock requirements.

Other Transportation Policy

HB 1850 Motor vehicle weight limits; vehicles powered primarily by electric battery power, etc.

Authorizes motor vehicles powered primarily by means of electric battery power to exceed relevant weight limits by 2,000 pounds, provided that such weight is on the power unit and such weight does not exceed 82,000 pounds on an interstate highway. The bill also changes

the weight exemption for motor vehicles fueled primarily by natural gas on an interstate highway from the difference between the weight of the natural gas tank and fueling system and a comparable diesel tank and fueling system to up to an additional 2,000 pounds, provided that such weight is on the power unit and does not exceed 82,000 pounds.

HB 1851 & SB 1098 Unmanned aircraft; exempts an owner from the requirement to register.

Exempts an owner of an unmanned aircraft from the requirement to register aircrafts.

HB 1854 U.S. Route 29; county manager plan of government.

Authorizes the board of any locality that has adopted the county manager plan of government (Arlington County) to name any section of U.S. Route 29 located within the boundaries of the locality. The bill provides that the Department of Transportation will place and maintain appropriate signs that will be paid for by the locality.

HB 1868 Commercial driver's licenses; disqualification for life from holding license, human trafficking.

Disqualifies for life from holding a commercial driver's license persons convicted of a felony involving an act or practice of severe forms of trafficking in persons while driving a commercial motor vehicle. The bill prohibits the Department of Motor Vehicles and every district court or circuit court or the clerk thereof from reducing, dismissing, deferring, or otherwise concealing a conviction of any offense committed while operating a commercial motor vehicle or of any holder of a commercial driver's license or permit charged with any offense committed while operating a noncommercial motor vehicle and requires the Department and the courts to comply with federal laws and regulations regarding such convictions. The bill also authorizes Class A driver training schools to administer the commercial driver's license knowledge examinations.

HB 1893 & SB 1212 New River Valley Passenger Rail Station Authority; creation of authority in Planning District 4.

Authorizes the creation of a regional passenger rail station authority in Planning District 4 to assist in the creation and maintenance of passenger rail in the region. The authority would be authorized to enter into revenue sharing agreements and to issue revenue bonds. The authority would be governed by a board consisting of members of each participating locality and institution of higher education.

HB 1926 Central Virginia Transportation Authority; membership.

Adds the Executive Director of the Virginia Port Authority, or his designee, as a nonvoting ex officio member of the Central Virginia Transportation Authority.

HB 1965 State Air Pollution Control Board; low-emissions and zero-emissions vehicle program.

Directs the State Air Pollution Control Board to implement a low-emissions and zero-emissions vehicle program for motor vehicles with a model year of 2025 and later. Regulations adopted by the Board to implement the program are exempt from the Administrative Process Act and shall not become effective prior to January 1, 2024. The bill requires that the regulations adopted by the Board will allow any motor vehicle manufacturer to establish a Virginia-specific zero-emission vehicle credit account and to make a initial deposit into its account. Such credits may be traded or sold or used to meet up to 18 percent of the manufacturer's zero-emissions vehicle program credit requirements in any model year. Authorizes the State Corporation Commission to exclude sales related to such vehicles from certain energy efficiency calculations.

HB 2024 Dept. of Transportation to work w/ Patrick County in constructing replica.

Requires the Department of Transportation to work with the governing body of Patrick County and community groups interested in constructing a replica of the Bob White Covered Bridge to approve a construction plan for a replica of the Bob White Covered Bridge for tourism purposes open for pedestrian, non-motor vehicle traffic. The bill requires that such replica bridge meet certain federal design and construction specifications.

HB 2054 Comprehensive plan; provision for transit-oriented development.

Adds reducing, modifying, or waiving local parking requirements or ratios to the strategies that may be included when certain larger localities consider incorporating strategies to promote transit-oriented development in reviews of their comprehensive plans. The bill removes from the existing strategy of increasing development density in certain areas to reduce density in others the phrase "to reduce density in others."

HB 2075 Jefferson Davis Highway; renames any section of U.S. Route 1 to "Emancipation Highway."

Renames any section of U.S. Route 1 in Virginia that is designated as "Jefferson Davis Highway" to "Emancipation Highway." The bill has a delayed effective date of January 1, 2022.

HB 2282 State Corporation Commission; transportation electrification, utility recovery of certain costs.

Directs the State Corporation Commission (the Commission) to report on policy proposals to accelerate transportation electrification in the Commonwealth. The bill requires the Commission to submit, no later than May 1, 2022, a report to the General Assembly recommending policy proposals that could govern public electric utility programs to accelerate widespread transportation electrification in the Commonwealth. The bill requires the

Commission to utilize a public process, facilitated by a third party with expertise in transportation electrification, in which the Commission, the Department of Environmental Quality, the Department of Mines, Minerals and Energy, the Department of Transportation, and appropriate stakeholders participate. The bill requires that the Commission, in developing its policy recommendations, evaluate (i) areas where utility or other public investment may best complement private efforts to effectively deploy charging infrastructure, with particular focus on low-income, minority, and rural communities; (ii) how smart growth policies can complement and enhance the Commonwealth's transportation electrification goals; (iii) how utility programs, investments, or incentives to customers or third parties to facilitate the deployment of charging infrastructure and related upgrades can support or enhance (a) statewide transportation electrification, including electrification of public transit; (b) the electrification of medium-duty and heavy-duty vehicles, school buses, vehicles at ports and airports, personal vehicles, and vehicle fleets; (c) increased access to electric transportation and improved air quality in low-income and medium-income communities; (d) achievement of existing energy storage targets; (e) improvements to the distribution grid or to specific sites necessary to accommodate charging infrastructure; and (f) customer education and outreach programs that increase awareness of such programs and the benefits of transportation electrification. The bill requires that the report also address whether and how transportation electrification can, under current law, (1) reduce total ratepayer rates and costs; (2) assist in grid management and more efficient use of the grid, in a manner that does not increase peak demand, through time-of-use rates, managed charging programs, vehicle-to-grid programs, or other alternative rate designs; (3) utilize increased generation from renewable energy resources; and (4) reduce fueling costs for vehicles. The bill requires that, to the extent that the Commission and stakeholders conclude that transportation electrification cannot currently deliver these benefits, the report include public policy recommendations. requires, beginning July 1, 2021, that any approved costs of any investor-owned electric utility associated with investment in transportation electrification be recovered only through the utility's rates for generation and distribution, prohibits recovery of such costs through a rate adjustment clause, and provides that such costs are not eligible for a customer credit reinvestment offset.

SB 1126 Transportation District Commission of Hampton Roads; change in membership.

Adds a member of the House of Delegates, to be appointed by the Speaker of the House, and a member of the Senate, to be appointed by the Senate Committee on Rules, to the Transportation District Commission of Hampton Roads. Such legislative members must represent districts that include certain cities in the Hampton Roads region. The bill also requires that nonlegislative citizen members of the Commission appointed by the Governor have experience in one of the following fields: transit, transportation, or land use planning; management of transit, transportation, or other public sector operations; public budgeting or finance; corporate communications; government oversight; or state or local government. The new qualifications do not affect the appointment of any current members of the Commission until the expiration of their terms.

SB 1130 Personal property tax; exemption for motor vehicle of a 100 percent disabled veteran.

Provides that one motor vehicle of a veteran who has a 100 percent service-connected, permanent, and total disability shall be exempt from local taxes. This bill is the enabling legislation for a constitutional amendment ratified by the voters of the Commonwealth at the November 2020 general election.

SB 1214 Metropolitan Washington Airports Authority; repeals effective date for creation of Authority.

Repeals the contingent effective date for the creation of the Metropolitan Washington Airports Authority. Such contingency has been met. The bill is a recommendation of the Code Commission.

SB 1223 Virginia Energy Plan; amends Plan to include an analysis of electric vehicle charging infrastructure

Amends the Virginia Energy Plan to include an analysis of electric vehicle charging infrastructure and other infrastructure needed to support the 2045 net-zero carbon target in the transportation sector.