

**BOARD OF SUPERVISORS
BUSINESS MEETING
ACTION ITEM**

SUBJECT: Legislative Report- 2021 Special Session I

ELECTION DISTRICTS: Countywide

CRITICAL ACTION DATE: At the pleasure of the Board

STAFF CONTACTS: Gwen Kennedy, County Administration
Charles Yudd, County Administration

PURPOSE: This item updates the Board of Supervisors (Board) on state legislative issues associated with the 2021 Special Session I for information.

RECOMMENDATION: Staff does not have any recommendations as of the date of this packet. Any subsequent motions for the Board's consideration may be provided in a supplemental item dependent on the outcome of the budget and session adjournment which is scheduled on March 1, 2021.

BACKGROUND: The 2021 Virginia General Assembly Session began on January 13, 2021 and officially adjourned on Monday, February 8, 2021. The Governor called a special session to finish the work of the 2021 regular session of the General Assembly, which began on February 10, 2021. Although the work of the General Assembly may finish as early as Saturday, February 27, 2021, the 2021 Special Session I will officially adjourn on Monday, March 1, 2021. This will ensure that all legislation passed during the special session that does not contain an emergency clause will be effective on July 1, 2021.

This item provides an update on the Board's legislative initiatives, bills of significance moving through the General Assembly, and bills being tracked by staff. Staff does not have any recommendations for action as of the date of this packet on February 25, 2021. The Conference Report for the 2020-2022 biennium budget and conference reports for legislation being tracked by staff are expected to be released and voted on prior to the March 2, 2021 Board Business Meeting. Based on the outcome of the budget and legislation, the County may need to ask for specific amendments from the Governor. If needed, staff will bring any action items to the Board for consideration in a supplemental item for the March 2, 2021 Board Business Meeting.

The item contains the following for Board action and information.

Section 1 provides an update on legislative initiatives as outlined in the Board's 2021 Legislative Program (Information Only)

Section 2 updated the Board on legislation of significance. (Information Only)

Section 3 provides a list of bills that have been voted on by the Board, meet the current policy statements adopted as part of the Board's 20201 Legislative Program, and are being tracked by staff.

Throughout this item, the actual bill language may be found using the embedded links to the [Virginia Legislation Information System: 2021 Special Session I](#)

SECTION 1: STATUS OF LEGISLATIVE INITIATIVES (INFORMATION ONLY)

This section provides the status of the Board's legislative initiative as of the date of this packet, February 25, 2021. All bills introduced in support of the Board's legislative initiatives have passed both the House and Senate and are on their way to the Governor for signature.

HB 1832 (Subramanyam) and SB 1259 (Bell) Virginia Highway Corporation Act; alteration of certificate of authority; powers and duties of the State Corporation Commission. 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 1832 Status: Passed Senate (33-Y 5-N)

SB 1259 Status: Communicated to Governor; Governor's Deadline is March 31, 2021

HB 2025 (Gooditis) Virginia Freedom of Information Act; 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.

HB2025 Status: Passed Senate (39-Y 0-N)

SB 1221 (Favola) Operation of the Loudoun County local health department. Allows Loudoun County to enter into a contract with the Department of Health for the local administration of local health services. Currently, the local department of health is operated as a joint venture between the state and local governments.

SB 1221 Status: Communicated to the Governor; Governor's Deadline is March 31, 2021

SECTION 2: STATUS OF BILLS OF INTEREST

This section provides a status of bills of interest as of the date of this packet on February 25, 2021. The legislative team will provide updates to the Board on this legislation at the March 2, 2021 Board Business Meeting.

Election Bills

Table 1 provides an overview of elections bills that have passed both the House and Senate and are on their way to the Governor (except [HB 1890](#) which is on the Senate Floor). [Senate Bill 1153](#) (Suetterlein), which would have required that absentee ballots processed at a central absentee precinct be sorted and report separately for each voter precinct died in a House Privileges and Election subcommittee. However, it is important to note that [SB 1245](#) (Deeds) includes an enactment clause that directs the Department of Elections to convene a work group to consider and evaluate methods for sorting absentee ballots by precinct and reporting absentee ballot totals by precinct, with a report due no later than November 15, 2021. Although the Board opposed [SB 1153](#) (Suetterlein), the Board did note the issues should be studied further. Staff also notes that [HB 1890](#) (Price) and [SB 1395](#) (McClellan), known as the Voting Rights Act, will have an impact on the redistricting process at the local level. Redistricting, included as a covered practice in the bill, will require the Board to complete a public comment period and hearing on the covered practice or submit the covered practice to the Attorney General for issuance of a certification of no objection. Other bills passed by the General Assembly permanently codified legislation during the special session that required drop boxes, prepaid postage, and processing of absentee ballots.

Table 1: Election Bills that have Passed the General Assembly

Bills	Subject
HB 1810	Voter registration; failure of online voter registration system, deadline extension.
HB 1888	Absentee voting; procedural and process reforms, availability and accessibility reforms, penalty.
HB 1890 SB 1395	Discrimination; prohibited in voting and elections administration.
HB 1921	Assistance for certain voters; curbside voting.
HB 1968	Absentee voting; early in person; availability on Sundays.
HB 2081	Polling places; prohibited activities; unlawful possession of a firearm; penalty.

HB 2125	Voter registration; preregistration for persons 16 years of age or older.
SB 1148	Elections; date of June primary election.
SB 1157	Shifting municipal elections to November.
SB 1239	Absentee voting; third-party absentee ballot assembly and distribution.
SB 1245	Absentee voting; establishment of drop-off locations, ballot defects, cure process.
SB 1331	Absentee voting; accessibility for voters with a visual impairment or print disability.

Expungement Bills

The House and Senate have reached a compromise on records expungement. [Senate Bill 1339](#) (Surovell) and [HB 2113](#) (Herring) are now identical. The bills if signed into law would become effective on July 1, 2025. Highlights from the bills include:

- [Changes to §19.2-389.3](#): Records relating to the arrest, criminal charge, or conviction of a person in violation of possession of marijuana, including any violation that was deferred and dismissed, shall not be open for public inspection or otherwise disclosed unless they meet certain provisions in which the records may be disseminated. This section includes provisions that prohibit public or private employers to require an applicant in any application, interview or otherwise to disclose such information if the record is not public, and provides exemptions to this requirement. Also states information cannot be required in any application for the sale or rental of a dwelling unit as well as an application for insurance.
- [Changes to §19.2-390](#): Adds language that states law-enforcement agencies and clerks of court shall only submit reports to the Central Criminal Records Exchange if enumerated in the section.
- [Adds new §19.2-392.5](#): Defines what “sealing” means in the Chapter and states what the effect of sealing is in the code. Sealing means to (i) restrict dissemination of criminal history record information contained in the Central Criminal Records Exchange, including any records relating to an arrest, charge, or conviction, in accordance with the purposes set forth in §19.2-392.13 and pursuant to the rules and regulations adopted pursuant to [§9.1-128](#) and the procedures adopted pursuant to [§9.1-134](#) and (ii) prohibiting dissemination of court records related to an arrest, charge, or conviction, unless such dissemination is authorized by a court order for one or more of the purposes set forth in §19.2-392.13. "Sealing" may be required either by the issuance of a court order following the filing of a petition or automatically by operation of law under the processes set forth in this chapter.
- [Adds new §19.2-392.6](#): Allows for underage drinking and possession of marijuana offenses that were deferred and dismissed to be automatically sealed if 7 years has passed since the date of dismissal and the person charged of such offense has not been convicted of violating any reportable law in the Commonwealth or another state (includes D.C.). A person convicted of a violation of the following shall have records automatically sealed if 7 years has passed since the date of conviction and the person charged of such offense has not been convicted of violating any reportable law in the Commonwealth or another state (includes D.C.): underage drinking; petit larceny; concealing or taking of merchandise or altering price tags; trespass after forbidden to do so; instigating trespass by others; trespass

on posted property; misdemeanor offense of intent to distribute marijuana; possession of marijuana; and disorderly conduct in public places.

- Adds new §19.2-392.7: Provides process for automatically sealing records, on at least a monthly basis, for those items found in §19.2-392.6. Allows for records only to be disseminated pursuant to §19.2-392.13 and pursuant to rules and regulations adopted pursuant to [§ 9.1-128](#) and procedures adopted pursuant to [§ 9.1-134](#).
- Adds new §19.2-392.8: Provides for automatically sealing of offenses resulting in acquittal, nolle prosequi, or dismissal. Allows for records only to be disseminated in pursuant to §19.2-392.13 and pursuant to rules and regulations adopted pursuant to [§ 9.1-128](#) and procedures adopted pursuant to [§ 9.1-134](#).
- Adds new §19.2-392.9: Provides for automatic sealing in cases of nolle prosequi or dismissals related to mistaken identity or unauthorized use of identifying information. Allows for records only to be disseminated in pursuant to §19.2-392.13 and pursuant to rules and regulations adopted pursuant to [§ 9.1-128](#) and procedures adopted pursuant to [§ 9.1-134](#).
- Adds new §19.2-392.10: Requires, on a monthly basis, a process for those items to be automatically sealed under §19.2-392.8 and §19.2-392.9 and requirements for the State Police under §19.2-392.13.
- Adds new §19.2-392.11: Provides an annual process to automatically seal misdemeanor offenses resulting in acquittal, nolle prosequi, or dismissal for persons with no convictions or deferred and dismissed offenses on their criminal history record. Allows for records only to be disseminated in pursuant to §19.2-392.13 and pursuant to rules and regulations adopted pursuant to [§ 9.1-128](#) and procedures adopted pursuant to [§ 9.1-134](#).
- Adds new §19.2-392.12: This section allows for sealing of records by petition and establishes the process through the courts to do so. The section states that except for a conviction or deferral and dismissal of a violation of §§ [18.2-36.1](#), [18.2-36.2](#), [18.2-51.4](#), [18.2-51.5](#), [18.2-57.2](#), [18.2-266](#), or [46.2-341.24](#) (these include DUI related offenses and assault and battery of a family member), a person who has been convicted of or had a charge deferred and dismissed for a (i) misdemeanor offense, (ii) Class 5 or 6 felony, or (iii) violation of [§18.2-95](#) (grand larceny) or any other felony offense in which the defendant is deemed guilty of larceny and punished as provided in [§18.2-95](#) may file a petition setting forth the relevant facts and requesting sealing of the criminal history record information and court records relating to the charge or conviction, provided that such person has (a) never been convicted of a Class 1 or 2 felony or any other felony punishable by imprisonment for life, (b) not been convicted of a Class 3 or 4 felony within the past 20 years, or (c) not been convicted of any other felony within the past 10 years of his petition. Provides certain criteria by which the court can determine that the record to be sealed to include not being convicted of violating any reportable law for 7 years for any misdemeanor offense or 10 years for any felony offense.
- Adds new §19.2-392.13: This section states that sealed records shall not be disseminated and shall not be open for public inspection unless it is for specific purposes outlined in the section.
- Adds new §19.2-392.14: Makes it unlawful for a person to disclose records that have been sealed. Those who willfully violate the section are guilty of a Class I misdemeanor. Any

person who maliciously or intentionally violates section is guilty of Class 6 felony. A clerk of the circuit court shall not be in violation if such clerk informs a person requesting access to a sealed court record that such record has been sealed and can only be accessed pursuant to a court order.

- Adds new §19.2-392.15: This section prohibits certain practices by employers, educational institutions, agencies and state and local governments in relation to requiring disclosure of sealed record as part of applications, interviews or otherwise unless specially listed as an exemption in the section. Also states information related to a sealed record cannot be required in any application for the sale or rental of a dwelling units as well an application for insurance.
- Adds new §19.2-392.16: This section states that a business sealing service that knows that a criminal history record or a traffic history record has been sealed shall delete the record. The section lists specific requirements for business screening services.
- Adds new §19.2-392.17: This section states that a traffic infraction under [Title 46.2](#) that is not punishable as a criminal offense shall be deemed sealed after 11 years from the date of final disposition of the offense, unless such sealing is prohibited under federal or state law.

FOIA Electronic Meeting Bills

[House Bill 1931](#) (Levine), which addresses electronic communication by a member to provide care for such family member and extends electronic meeting participation up to 25% in a calendar year, passed the General Assembly and has been sent to the Governor for signature. The Governor's Action deadline for the bill is February 26, 2021. [Senate Bill 1271](#) (McPike), which speaks to meetings held through electronic communication during a state of emergency, was amended on the House floor to remove provisions in [§2.2-3707.1 of the Code of Virginia](#) that excludes the General Assembly from meeting by electronic means. The House substitute has been rejected by the Senate. The House has requested a committee of conference.

Greenway Bill- HB 2104

During the February 2, 2021 Board Business Meeting, the Board voted (9-0) to oppose this legislation as written. The bill was passed by indefinitely in the Senate Committee on Transportation (9-Y 6-N).

Law-Enforcement Civilian Oversight Bodies

[House Bill 2291](#) (Williams Graves) was passed by indefinitely in Senate Judiciary. This legislation would have added a sheriff's office to those law-enforcement agencies that may be overseen by a law-enforcement civilian oversight body authorized by a locality. As noted in the February 2, 2021 Board Business Meeting the Action Item, the staff noted an issue with the bill which would only allow a civilian oversight body to be given duties specific to law-enforcement agencies "serving under the authority of the locality." Although the patron agreed to address this issue by amending the definition of "law-enforcement agency serving under the authority of the locality," it was not formally presented or accepted during the committee discussion. It is important to note, members of the Senate Judiciary made clear that they expected stakeholders to come up with a compromise on this issue for next session.

Marijuana Legislation

The House and Senate marijuana bills ([HB 2313](#) and [SB 1406](#)) are currently in conference. The February 2, 2021 Supplemental Board Business Meeting Action Item provided an overview of particular items in the House and Senate legislation to include appropriations of state profits, regulating marijuana retail stores within the locality, license provisions, license application notifications to the localities, taxing provisions, prohibited practices in relation to possession of retail marijuana and retail marijuana products, and establishment of a testing program for marijuana and marijuana products. In addition, the February 16 Board Business Meeting Action Item notes several differences between the bills. The legislative team will provide an update regarding this legislation at the March 2, 2021 Board Business Meeting, and recommended action based on the outcome of the conference report.

Opioid Abatement Authority Bills

[House Bill 2322](#) (Herring) passed the Senate with an amended substitute. However, the House bill is expected to be sent to conference like the [SB 1469](#) (Barker). The legislation states that the Opioid Abatement Authority is governed by a board of directors consisting of eleven members, which includes ex-officio from the state. The County has advocated for the Board of Directors membership to include a majority of representatives from local government in comparison to state government.

School Reopening Legislation

[Senate Bill 1303](#) (Dunnivant) as introduced would have required each local school division in the Commonwealth to make virtual and in-person learning available to all students by choice of the student's parent or guardian. Currently, whether or not a school division continues to hold in-person, virtual, or hybrid learning is under the purview and authority of each local school board. Although the bill originally contained an emergency clause that would have allowed the provisions of the bill to take effect immediately if enacted, it was stripped from the bill prior to passage by the Senate. The House Education Committee passed a substitute that would require local school boards to offer either fully in-person instruction or a combination of in-person and remote virtual instruction to enrolled students for the duration of the 2021-2022 school year, among other provisions. The substitute requires local school divisions to provide in-person instruction and defines in-person instruction to mean any form of instructional interaction between teachers and students that occurs in real time and does not include the act of proctoring remote online learning in a classroom. School divisions would be required to offer in-person instruction for at least the minimal required instructional hours and to adopt in the maximum extent practicable, COVID-19 mitigation strategies as recommended by the U.S. Centers for Disease Control (CDC). The bill retains the requirement that local school divisions offer virtual instruction at the request of a parent, that teachers and school staff be permitted reasonable virtual accommodations in accordance with the Americans with Disabilities Act, that all teachers and staff be offered access to a COVID-19 vaccine, and that the provisions of the legislation will expire on August 1, 2022. The bill also allows that if the school board determines that COVID-19 transmission in a school building is at a high level in accordance with Department of Health guidance documents, the local school board may provide fully remote virtual instruction or a combination of in-person instruction and remote virtual instruction to the at-risk groups of students indicated as the result of such collaboration or,

if needed, the whole student population in the school building, but in each instance only for as long as it is necessary to address and ameliorate the level of transmission of COVID-19 in the school building. The legislation would be effective July 1, 2021 if passed. The House substitute passed (88-Y 9-N) on February 24, 2021. The Senate agreed to the House substitute.

SECTION 3: BILLS OF FOR THE BOARD'S INFORMATION ONLY

The following bills as of the date of this packet (February 25, 2021) are being actively followed by the legislative team. This section also outlines bills that fit a policy found in the legislative program or have been supported/opposed by the Board. Bills that have been greyed out are no longer active. Most of the bills that have been opposed by the County have been amended to address most concerns except [HB 2004](#). No action is requested of the Board at this time.

Bills Matching Adopted Board Legislative Positions

Support

- [HB 1744](#) (R. Campbell) Animal care; zoos and petting zoos, seizure of animals.
- [HB 1778](#) (Ward) Removal of clutter from property; definition, civil penalty.
- [HB 1810](#) (VanValkenburg) Voter registration; failure of online voter registration system, deadline extension.
- [HB 1832](#) (Subramanyam) and [SB 1259](#) (Bell) Virginia Highway Corporation Act; alteration of certificate of authority; powers and duties of the State Corporation Commission.
- [HB 1857](#) (Subramanyam) Virginia Public Procurement Act; architectural and professional engineering term contracting.
- [HB 1909](#) (Subramanyam) Certain school board property; establishment of gun-free zone permitted.
- [HB 1917](#) (Mugler) Local planning and zoning; publication of certain notices on locality's website.
- [HB 1923](#) (Ayala) Electric utilities; expands existing broadband capacity pilot program.
- [HB 1931](#) (Levine) Virginia Freedom of Information Act; public body authorized to conduct electronic meetings.
- [HB 1938](#) (Wyatt) Firefighting, emerg. medical services, or law-enforcement equipment & vehicles; destroying, penalty.
- [HB 1989](#) (Aird) Public health emergency; emergency medical services agencies, real-time access to information.
- [HB 2042](#) (Guy) Trees; replacement and conservation during development, effective date.
- [HB 2050](#) (Bourne) Virginia housing opportunity; tax credit established starting in taxable year 2021.
- [HB 2078](#) (Marshall) Industrial hemp; updates laws to address the new hemp producer license.
- [HB 2291](#) (Williams Graves) Law-enforcement civilian oversight bodies; deputy sheriffs.
- [HB 2322](#) (Herring) and [SB 1469](#) (Barker) Opioid Abatement Authority; established, report.
- [HJ 546](#) (Jones) Constitutional amendment (first reference); franchise and officers; felon disenfranchisement; automatic restoration of political rights.
- [HJ 555](#) (Herring) Constitutional amendment; felon disenfranchisement.
- [HB 2025](#) (Gooditis) Virginia Freedom of Information Act; record exclusion for personal contact information provided.

- [SB 1197](#) (Locke) Virginia housing opportunity; tax credit established.
- [SB 1206](#) (Barker) Confidentiality of juvenile court records; exceptions.
- [SB 1208](#) (Barker) Continuity of government; extends period of time that locality may provide after disaster, etc.
- [SB 1221](#) (Favola) Operation of the Loudoun County local health department.
- [SB 1271](#) (McPike) Virginia Freedom of Information Act; meetings held through electronic communication means.
- [SB 1279](#) (Bell) Veterans Services, Department of; initiatives to reduce unemployment among veterans.
- [SB 1391](#) (Lucas) Pretrial data collection; VCSC to collect and disseminate on an annual basis.
- [SB 1396](#) (Hashmi) Sewage; Onsite Sewage Indemnification Fund; Wastewater Infrastructure Policy Working Group; report.
- [SB 1404](#) (Lewis) Stormwater Local Assistance Fund; grant requirements.
- [SJ 272](#) (Locke) Constitutional amendment; qualifications of voters and the right to vote (first reference)

Oppose

- [HB 1811](#) (Helmer) Virginia Public Procurement Act; preference for energy-efficient and water-efficient goods.
- [HB 1849](#) (Simonds) Virginia Public Procurement Act; participation in apprenticeship training programs, etc.
- [HB 1933](#) (Levine) Presidential electors; National Popular Vote Compact.
- [HB 2004](#) (Hurst) Virginia Freedom of Information Act; law-enforcement criminal incident information, criminal files.
- [HB 2015](#) (Ayala) Essential workers; hazard pay, employer to provide personal protective equipment, civil penalty.
- [HB 2016](#) (Ayala) Paid family and medical leave program; Virginia Employment Commission required to establish.
- [HB 2038](#) (Scott) Probation, revocation, and suspension of sentence; limitations.
- [HB 2045](#) (Bourne) Civil action for deprivation of rights; duties and liabilities of certain employers.
- [HB 2104](#) (Reid) Virginia Highway Corporation Act of 1988; repeals Act.
- [HB 2227](#) (Kory) Uniform Statewide Building Code; amendments, energy efficiency and conservation.
- [SB 1101](#) (Ebbin, Lucas) Presidential electors; National Popular Vote Compact.
- [SB 1153](#) (Suetterlein) Absentee voting; ballots to be sorted and results to be reported by precinct.
- [SB 1224](#) (Boysko) Uniform Statewide Building Code; amendments, energy efficiency and conservation.
- [SB 1304](#) (McPike) Community services boards; discharge planning.
- [SB 1440](#) (Surovell) Law-enforcement officer, etc.; civil action for unlawful acts of force or failure to intervene.
- [SB 1249](#) (Stuart) Local planning commissions; review deadlines.

Bills Being Tracked by Staff

Administration of Government/Public Procurement/FOIA

- [HB 1741](#) Va. Public Procurement Act; contract clause requiring subcontractor reporting of certain payments.
- [HB 1792](#) Contractors, Board for; exemption from licensure for work on state-owned emergency power generators.
- [HB 1857](#) Virginia Public Procurement Act; architectural and professional engineering term contracting.
- [HB 1996](#) Va Public Procurement Act; determination of responsibility; local option to include criteria in bid.
- [HB 2000](#) Virginia Freedom of Information Act; charges for production of public records.
- [HB 2064](#) Recording an electronic document; electronic notarial certificate; emergency.
- [HB 2237](#) Virginia Public Procurement Act; project labor agreements, transportation projects.
- [HB 2288](#) Va. Public Procurement Act; construction contracts, requirement to submit list of subcontractors.
- [HB 2306](#) Va. Public Procurement Act; contract clause requiring subcontractor reporting of certain payments.
- [HJ 564](#) Public records; FOIA Council to study whether FOIA should be amended to allow easier access.
- [SB 1171](#) State and Local Government Conflict of Interests Act; disclosure requirements.
- [SB 1305](#) Virginia Public Procurement Act; public works contracts, subcontractor workforce requirements.
- [SB 1343](#) Virginia Freedom of Information Act; proprietary records and trade secrets.
- [SB 1384](#) Virginia Public Procurement Act; local arbitration agreements.
- [SB 1419](#) Project labor agreements; public interest.

Animal Welfare

- [HB 1744](#) Animal care; zoos and petting zoos, seizure of animals.
- [SB 1135](#) Dangerous dogs; restructures procedure for adjudication, penalty.
- [SB 1390](#) Cats; trap, neuter, and return programs, civil penalty.

Broadband

- [HB 1923](#) Electric utilities; expands existing broadband capacity pilot program.
- [SB 1225](#) Broadband services; education.
- [SB 1334](#) Broadband capacity; expands existing pilot program, municipal broadband authorities.
- [SB 1413](#) Phase I or Phase II electric utilities; provision of broadband capacity.

Child Abuse/Child Welfare

- [HB 1962](#) Foster care; termination of parental rights; relatives and fictive kin.
- [HB 2086](#) Child care providers; background checks; portability.
- [SB 1316](#) Child care providers; background check portability, subsidy pilot program, report.

Courts/Community Corrections/Juvenile Corrections

- [HB 1775](#) State Corporation Commission; access to local land records.

- [HB 1777](#) Serious or Habitual Offender Comprehensive Action Program; def. of serious juvenile offender, etc.
- [HB 1878](#) Juvenile intake and petition; appeal to a magistrate on a finding of no probable cause.
- [HB 1894](#) Naloxone or other opioid antagonist; certain employees of DJJ authorized to administer.
- [HB 1895](#) Fines and costs; accrual of interest, deferral or installment payment agreements.
- [HB 2010](#) Earned sentence credits; revocation of suspended sentence.
- [HB 2017](#) Juvenile offenders; youth court programs.
- [HB 2056](#) Status offenders; willful and material violation of court order or terms of probation.
- [HB 2110](#) Pretrial data collection; VCSC to collect and disseminate on an annual basis.
- [HB 2112](#) Court of Appeals; expands jurisdiction, increases from 11 to 15 number of judges on Court.
- [HB 2113](#) Criminal records; establishes a process for automatic expungement, etc., report.
- [HB 2114](#) Public hearings; notice submitted by localities to newspapers.
- [HB 2133](#) Commercial sex trafficking; issuance of writ of vacatur for victims.
- [HB 2143](#) COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus.
- [HB 2151](#) Search warrants; daytime execution, exceptions.
- [HB 2303](#) Controlled substances; reduces penalty for possession of a Schedule I or II substance, penalties.
- [HB 2331](#) Elimination of mandatory minimum sentences; modification of sentence to mandatory minimum terms.
- [HJ 578](#) Criminal justice, behavioral health, & other records; DBHDS to study feasibility of secure database.
- [SB 1108](#) General district courts; jurisdictional limits.
- [SB 1248](#) Juveniles; competency evaluation, receipt of court order.
- [SB 1270](#) Eminent domain; notice of intent to file certificate.
- [SB 1283](#) Criminal records, certain; establishes a process for the automatic expungement, report.
- [SB 1300](#) Inmates; Board of Local and Regional Jails to review services provided during pregnancy, etc.
- [SB 1301](#) Correctional facilities; use of isolated confinement.
- [SB 1306](#) Assault and battery; penalty.
- [SB 1339](#) Police and court records; expungement and sealing of records, Expungement Fee Fund created.
- [SB 1344](#) Overdoses; arrest and prosecution when experiencing or reporting.
- [SB 1363](#) Local and Regional Jails, Board of; powers and duties.
- [SB 1372](#) Criminal records; establishes a process for automatic expungement for certain convictions, report.
- [SB 1415](#) Protective orders; violations of preliminary child protective order, changes punishment, etc.
- [SB 1443](#) Mandatory minimum sentences; elimination, modification of sentence to mandatory minimum term.
- [SB 1456](#) Juveniles; eligibility for commitment to the Department of Juvenile Justice.

Economic Development

- [HB 1851](#) Unmanned aircraft; exempts an owner from the requirement to register.
- [HB 1876](#) Workforce development; expands type of data sharing.

- [HB 1916](#) Research and development expenses; tax credit available against the bank franchise tax.
- [HB 1967](#) Virginia Jobs Investment Program and Fund; minimum wage requirements.
- [HB 2068](#) Local Food and Farming Infrastructure Grant Program.
- [HB 2078](#) Industrial hemp; federal hemp producer license; emergency.
- [HB 2253](#) Economic Development Access Program, bonded projects.
- [SB 1098](#) Unmanned aircraft; exempts an owner from the requirement to register.
- [SB 1112](#) Research & development tax credits; availability against bank franchise tax on & after Jan.1, 2021.
- [SB 1115](#) Industrial hemp; increases maximum THC concentration
- [SB 1298](#) Tourism improvement districts; authorizes any locality to create.

Education/Schools

- [HB 1736](#) School nurses; excludes positions from certain requirements, school board to employ in each school.
- [HB 1742](#) In-person instruction; education vouchers, etc.
- [HB 1770](#) Public education; student education accounts.
- [HB 1776](#) Education, Board of; temporary extension of certain teachers' licenses.
- [HB 1777](#) Serious or Habitual Offender Comprehensive Action Program; def. of serious juvenile offender, etc.
- [HB 1780](#) Public employees; prohibition on striking, exception.
- [HB 1790](#) Public schools; severe weather conditions and other emergency situations.
- [HB 1838](#) Loudoun County school board; staggered terms of its members.
- [HB 1865](#) Kindergarten through grade 3; reading intervention services for certain students.
- [HB 1885](#) Comprehensive review of computer science standards, etc., in public schools; DOE to perform, report.
- [HB 1904](#) Teachers and other licensed school board employees; cultural competency.
- [HB 1905](#) Economic education and financial literacy required in middle and high school grades; employment.
- [HB 1909](#) School board property, certain; establishment of gun-free zone permitted.
- [HB 1915](#) Teachers; required to be compensated at or above national average.
- [HB 1918](#) Student driver safety; adopts measures aimed at improving safety.
- [HB 1929](#) Standards of Quality; work-based learning and principal mentorship, teacher leaders and mentors.
- [HB 1940](#) Students; guidelines on excused student absences, civic or political engagement.
- [HB 1947](#) High school graduation requirements; certain substitutions.
- [HB 1998](#) Public schools; lock-down drills; annual requirement.
- [HB 2013](#) School board policies; school meal debt; enforcement.
- [HB 2019](#) Public elementary and secondary schools; possession and administration of undesignated stock.
- [HB 2027](#) Standards of Learning assessments; reading and mathematics; grades three through eight.
- [HB 2058](#) Virginia STEM Education Advisory Board; established; report.
- [HB 2061](#) Virginia Immunization Information System; health care entities; required participation.
- [HB 2063](#) Virginia Overtime Wage Act; penalties.
- [HB 2064](#) Recording an electronic document; electronic notarial certificate; emergency.
- [HB 2067](#) Solar facilities; permit by rule.

- [HB 2090](#) School boards; establishment of the READ Fund and READ programs.
- [HB 2105](#) Early childhood education; quality rating and improvement system participation.
- [HB 2299](#) Special education; training for school divisions on developing IEPs for children w/ disabilities.
- [HJ 515](#) Constitutional amendment; right of parents (first reference).
- [HJ 548](#) Constitutional amendment (first reference); education; public schools; standards of quality.
- [HJ 549](#) Study; JLARC; impact of COVID-19 on Virginia's public schools, students, and school employees.
- [SB 1106](#) Public School Assistance Fund and Program; created.
- [SB 1109](#) Voter referendum; issuance of state general obligation bonds for school facility modernization.
- [SB 1114](#) Children's Services Act; expands eligibility for state pool of funds.
- [SB 1118](#) Voter registration; verification of social security numbers, provisional registration status.
- [SB 1132](#) Public schools; severe weather conditions and other emergency situations.
- [SB 1190](#) Board of Education; Health Standards of Learning; advanced directive education.
- [SB 1191](#) School personnel; school nurses.
- [SB 1307](#) School-based health services; Bd. of MAS to amend state plan for services to provide for payment.

Elections/Redistricting

- [HB 1746](#) Conduct of elections; vote counting, required live video recording.
- [HB 1810](#) Voter registration; failure of online voter registration system, deadline extension.
- [HB 1883](#) Elections; preclearance of certain covered practices required.
- [HB 1888](#) Absentee voting; procedural and process reforms, availability and accessibility reforms, penalty.
- [HB 1890](#) Discrimination; prohibited in voting and elections administration, etc.
- [HB 1921](#) Assistance for certain voters; curbside voting.
- [HB 1933](#) Presidential electors; National Popular Vote Compact.
- [HB 1968](#) Absentee voting; early in person; availability on Sundays.
- [HB 2081](#) Polling places; prohibited activities; unlawful possession of a firearm; penalty.
- [HB 2082](#) Redistricting; Virginia Redistricting Commission; transparency in redistricting process; reallocate
- [HB 2115](#) Absentee voting; definition of postmark, legibility requirement.
- [HB 2125](#) Voter registration; preregistration for persons 16 years of age or older.
- [HB 2153](#) Curbside voting; right to observe ballot deposited into ballot scanner machine or ballot container.
- [HB 2267](#) Local electoral boards and general registrar; disclosure of certain gifts and funding.
- [SB 1101](#) Presidential electors; National Popular Vote Compact.
- [SB 1111](#) Elections; preservation of order at the polls, powers of officers of election.
- [SB 1153](#) Elections; absentee voting; ballots to be sorted and results to be reported by precinct.
- [SB 1157](#) Shifting municipal elections to November.
- [SB 1239](#) Absentee voting; third-party absentee ballot assembly and distribution.
- [SB 1245](#) Absentee voting; establishment of drop-off locations, ballot defects, cure process.
- [SB 1246](#) Absentee voting; mandatory processing of returned absentee ballots before election day.

- [SB 1281](#) General registrar; qualifications, residency.
- [SB 1331](#) Absentee voting; accessibility for voters with a visual impairment or print disability.
- [SB 1376](#) Absentee voting; processing of absentee ballots before election day.
- [SB 1395](#) Discrimination; prohibited in voting and elections administration, etc.
- [SB 1455](#) Absentee ballots; witness requirement, printed name and residence address.
- [SB 1459](#) Elections; voter identification & absentee voting process for applying for absentee ballots.
- [SJ 289](#) Constitutional amendment; authority to grant perpetual easements to units of government.

Employment/Retirement/Benefits

- [HB 1754](#) Employer or other person; retaliatory discharge of employee prohibited.
- [HB 1755](#) Right to work; repeals provisions of Code that refers to denial or abridgement.
- [HB 1780](#) Public employees; prohibition on striking, exception.
- [HB 1794](#) Collective bargaining; prohibited considerations during negotiations.
- [HB 1818](#) Workers' compensation; presumption of compensability for certain diseases.
- [HB 1848](#) Virginia Human Rights Acts; adds discrimination on the basis of disability.
- [HB 1862](#) (Helmer) Employee Protections; medicinal use of cannabis oil.
- [HB 1954](#) Minimum wage; exception.
- [HB 1985](#) Workers' compensation; presumption of compensability for COVID-19.
- [HB 2015](#) Essential workers; hazard pay; personal protective equipment; civil penalty.
- [HB 2040](#) Unemployment compensation; failure to respond; continuation of benefits; repayment of overpayments.
- [HB 2063](#) Virginia Overtime Wage Act; penalties.
- [HB 2080](#) Workers' compensation; presumption of compensability for certain diseases.
- [HB 2103](#) Certain public & private employers to provide earned paid sick time.
- [HB 2137](#) Paid sick leave; employers to provide to certain employees.
- [HB 2155](#) Virginia Human Rights Act; nondiscrimination in employment, sexual and workplace harassment.
- [HB 2327](#) Prevailing wage rate; public contractors.
- [SB 1159](#) Use sick leave for the care of immediate family members.
- [SB 1228](#) Virginia Equal Pay Act; civil penalties.
- [SB 1251](#) Virginia Retirement System; technical amendments.
- [SB 1275](#) Workers' compensation; presumption of compensability for certain diseases.
- [SB 1279](#) Veterans Services, Department of; initiatives to reduce unemployment among veterans.
- [SB 1330](#) Paid family and medical leave program; Virginia Employment Commission to establish.
- [SB 1342](#) Workers' compensation; presumption of compensability for COVID-19.
- [SB 1358](#) Employment health and safety standards; heat illness prevention.
- [SB 1360](#) Virginia Human Rights Act; nondiscrimination in employment, sexual harassment.
- [SB 1362](#) Employers; reporting outbreaks of COVID-19.
- [SB 1375](#) Workers' compensation; presumption of compensability for COVID-19.

Energy

- [HB 1859](#) Clean energy and other programs; local financing when owner costs are incurred.
- [HB 1937](#) Green New Deal Act; establishes a moratorium, effective January 1, 2022, etc.
- [HB 1979](#) Electric vehicle rebate program; creation and funding; report.
- [HB 1994](#) Small agricultural generators; definition.

- [HB 2001](#) Building standards for certain state and local buildings.
- [HB 2006](#) Tax exemptions for energy storage systems.
- [HB 2023](#) Solar and wind farms; reporting of acreage by locality.
- [HB 2048](#) Electric utility regulation; purchasing from competitive suppliers.
- [HB 2067](#) Solar facilities; permit by rule.
- [HB 2118](#) Electric Vehicle Grant Fund and Program; creation, report.
- [HB 2148](#) Small renewable energy projects; energy storage.
- [HB 2269](#) Solar energy; revenue share for projects.
- [HB 2292](#) Fossil fuel projects; establishes a moratorium, effective January 1, 2022, etc.
- [HB 2330](#) Electric utilities; Percentage of Income Payment Program.
- [SB 1223](#) Transportation electrification; Virginia Energy Plan.
- [SB 1224](#) Uniform Statewide Building Code; amendments; energy efficiency and conservation.
- [SB 1258](#) Solar projects; erosion and sediment control.
- [SB 1284](#) Commonwealth Clean Energy Policy; established.

Environment/Land Use/Agriculture/Zoning and Property Maintenance

- [HB 1735](#) Alcoholic beverage control; privileges of farm winery licensees and limited brewery licensees.
- [HB 1738](#) Alcoholic beverage control; local outdoor refreshment areas.
- [HB 1763](#) Tax credit; agricultural best management practices.
- [HB 1778](#) Removal of clutter from property; definition, civil penalty.
- [HB 1833](#) Conservation and Recreation, Department of; leasing of land.
- [HB 1844](#) Zoning; special exceptions.
- [HB 1898](#) Zoning appeals, board of; appointments.
- [HB 1917](#) Local planning and zoning; publication of certain notices on locality's website.
- [HB 1919](#) Local green banks; authorizes a locality, by ordinance, to establish.
- [HB 1982](#) Nutrient credits; use by facility with certain stormwater discharge permit.
- [HB 1983](#) Wetland and stream mitigation banks; proximity of impacted site.
- [HB 2030](#) Neonicotinoid pesticides; local regulation and notice; penalty.
- [HB 2042](#) Replacement and conservation of trees during development.
- [HB 2051](#) Alcoholic beverage control; local outdoor refreshment areas.
- [HB 2052](#) Land banks; right of first refusal for tax delinquent parcels.
- [HB 2053](#) Department of Housing and Community Development; stakeholder advisory group; accessory dwelling.
- [HB 2054](#) Comprehensive plan; transit-oriented development.
- [HB 2068](#) Local Food and Farming Infrastructure Grant Program.
- [HB 2074](#) Environmental justice; interagency working group.
- [HB 2129](#) Chesapeake Bay; wastewater treatment, Enhanced Nutrient Removal Certainty Program established.
- [HB 2131](#) Alcoholic beverage control; license application, locality input.
- [HB 2136](#) Alcoholic beverage control; mobile retailer license created.
- [HB 2173](#) Advanced recycling, etc.; definitions.
- [HB 2203](#) Virginia Agriculture Food Assistance Program and Fund; established and created.
- [HB 2275](#) Food and drink permit; Commissioner of Agriculture and Consumer Services to issue.
- [HJ 552](#) Study: joint subcommittee to study recurrent inland and urban flooding in the Commonwealth.

- [HJ 569](#) Trees; Dept. of Forestry to study & evaluate enabling statutes for ordinances related to planting.
- [SB 1143](#) Wetlands; extension of certain permits through 2021.
- [SB 1162](#) Tax credit; agricultural best management practices.
- [SB 1186](#) Landfill siting; historic preservation.
- [SB 1188](#) Virginia Agriculture Food Assistance Program and Fund; established.
- [SB 1199](#) Conservation easements; construction.
- [SB 1200](#) Waste disposal; local approval.
- [SB 1210](#) Environmental permit fees.
- [SB 1274](#) Wildlife corridors; various agencies to consider and incorporate.
- [SB 1290](#) Conserve Virginia program; established.
- [SB 1291](#) Va. Water Protection Permit; withdrawal of surface water or ground water, plans for water auditing.
- [SB 1309](#) Local stormwater assistance; flood mitigation and protection.
- [SB 1319](#) Waste control and recycling; permits.
- [SB 1249](#) Local planning commissions; review deadlines.
- [SB 1373](#) Environmental permits; community and environmental justice outreach.
- [SB 1393](#) Trees; replacement and conservation during development.

Health/Human/Social Services

- [HB 1823](#) Public schools, child day programs, and certain other programs; carbon monoxide detectors required.
- [HB 1873](#) Brain injury; clarifies.
- [HB 1874](#) Behavioral health; assessments in local correctional facilities.
- [HB 1963](#) Cooperative local health budget; report.
- [HB 1974](#) Professional regulation; exemptions from license requirements for architects and engineers.
- [HB 1989](#) Public health emergency; emergency medical services agencies; real-time access to information.
- [HB 2001](#) Building standards for certain state and local buildings.
- [HB 2008](#) Health insurance; authorization of drug prescribed for the treatment of a mental disorder.
- [HB 2018](#) Emergency order for adult protective services; acts of violence, force, or threat.
- [HB 2061](#) Virginia Immunization Information System; health care entities; required participation.
- [HB 2070](#) Community services boards; contracts with private providers.
- [HB 2084](#) Department of Health; certain communication prohibited.
- [HB 2092](#) Department of Behavioral Health and Developmental Services; background checks.
- [HB 2117](#) Children's Services Act; funds expended special education programs.
- [HB 2236](#) Behavioral health docket; transfer of supervision.
- [HB 2289](#) Children's Services Act; eligibility for state pool of funds, any child or youth.
- [HB 2300](#) Hospitals; emergency treatment for substance use-related emergencies.
- [HB 2301](#) Therapeutic day treatment; DMAS to develop a plan regarding authorization, etc.
- [HB 2329](#) Involuntary commitment; release of person before expiration of order.
- [HB 2333](#) COVID-19; administration of vaccine.
- [SB 1133](#) Children's Services Act; eligibility for state pool of funds, pilot program.

- [SB 1154](#) Behavioral Health and Developmental Services, Commissioner of; reports to designated protection.
- [SB 1176](#) Department of Behavioral Health and Developmental Services; barrier crimes.
- [SB 1235](#) Department of Health; certain communication prohibited.
- [SB 1273](#) Behavioral Health Commission; created.
- [SB 1297](#) Emergency order for adult protective services; acts of violence, etc., or financial exploitation.
- [SB 1302](#) Crisis Call Center Fund; established, consistency with federal guidelines.
- [SB 1313](#) Children's Services Act; funds expended special education programs.
- [SB 1366](#) Aging services; social need.
- [SB 1367](#) Line of Duty Act; Virginia licensed health practitioners required to conduct medical reviews.
- [SB 1421](#) Brain injury; clarifies definition.
- [SB 1445](#) COVID-19; facilitates vaccine administration.
- [SB 1449](#) COVID-19 immunization; prohibition on requirement, employment discrimination prohibited.
- [SB 1450](#) COVID-19 vaccination; discrimination in employment prohibited.
- [SB 1462](#) Virginia Digital Equity Pilot Program and Fund; established, report, sunset date.

Housing

- [HB 1889](#) Va. Residential Landlord and Tenant Act; landlord remedies, noncompliance with rental agreement.
- [HB 1908](#) Virginia Residential Landlord and Tenant Act; noncompliance with rental agreement, etc.
- [HB 2014](#) Virginia Residential Landlord and Tenant Act; landlord remedies; landlord's acceptance of rent.
- [HB 2046](#) Virginia Fair Housing Law; unlawful discriminatory housing practices.
- [HB 2050](#) Virginia housing opportunity tax credit.
- [HB 2072](#) Virginia Housing Development Authority; work group to establish Virginia Good Neighbor Next Door.
- [SB 1197](#) Virginia housing opportunity tax credit.

Marijuana Legislation

- [HB 1815](#) Marijuana; legalization of cultivation, manufacture, sale, possession, and testing, penalties.
- [HB 2312](#) Marijuana; legalization of simple possession, etc.
- [HB 2315](#) Local referendum on the legalization of marijuana.
- [HJ 530](#) Study; Virginia State Crime Commission; alternative approaches to the Commonwealth's enforcement.
- [SB 1243](#) Marijuana; legalization of cultivation, manufacture, sale, possession, and testing, penalties.
- [SB 1406](#) Marijuana; legalization of simple possession, penalties.

Public Safety

- [HB 1757](#) Firearm-free zones designated by the Commonwealth or a locality; waiver of sovereign immunity.

- [HB 1793](#) Concealed handgun permit; local control of firearms.
- [HB 1874](#) Behavioral health; assessments in local correctional facilities.
- [HB 1920](#) Suspension or modification of sentence; transfer to the Department of Corrections.
- [HB 1938](#) Firefighting, emerg. medical services, or law-enforcement equipment & vehicles; destroying, penalty.
- [HB 1948](#) Law-enforcement officer; duty to render aid, duty to report wrongdoing by another officer.
- [HB 1989](#) Public health emergency; emergency medical services agencies; real-time access to information.
- [HB 2029](#) Department of Fire Programs; prohibition on the use of certain oriented strand board.
- [HB 2031](#) Facial recognition technology; authorization of use by local law enforcement agencies.
- [HB 2045](#) Civil action for deprivation of rights; duties and liabilities of certain employers.
- [HB 2073](#) Wrongful death statute of limitations; criminal investigations by law enforcement.
- [HB 2085](#) Emergency Services and Disaster Law; local and interjurisdictional emergency operations plans.
- [HB 2291](#) Law-enforcement civilian oversight bodies; deputy sheriffs.
- [HJ 530](#) Study; Virginia State Crime Commission; alternative approaches to the Commonwealth's enforcement.
- [SB 1119](#) Law-enforcement agencies; body-worn camera systems.
- [SB 1440](#) Law-enforcement officer, etc.; civil action for unlawful acts of force or failure to intervene.

Taxation and Revenue/Finance

- [HB 1763](#) Tax credit; agricultural best management practices.
- [HB 1774](#) Tangible personal property taxes; classification of certain motor vehicles, trailers, & semitrailers.
- [HB 1803](#) Approved local volunteer activities; enables localities to provide credit against taxes & fees.
- [HB 1880](#) Illegal gambling; skill games, temporary exemption for truck stops.
- [HB 2006](#) Tax exemptions for energy storage systems.
- [HB 2076](#) Motor vehicle sales and use tax; definition of sale price.
- [HB 2158](#) Retail sales and transient occupancy taxes; tax on room rentals, Destination Marketing Fund created.
- [HB 2177](#) Capital outlay plan; repeals existing six-year capital outlay for projects to be funded.
- [HB 2273](#) Data centers; sales and use tax exemption.
- [HJ 536](#) Study; JLARC; remote sales and use tax distribution to localities; report.
- [HJ 614](#) Constitutional amendment (first reference); real property tax exemption; surviving spouses.
- [HJ 616](#) Constitutional amendment (first reference); real property tax exemption; affordable housing.
- [SB 1130](#) Personal property tax; exemption for motor vehicle of a disabled veteran.
- [SB 1134](#) Refunding bonds; alters the principal and interest requirements.
- [SB 1144](#) Aircraft civil; registration and licensing.
- [SB 1163](#) Tax credits of agricultural equipment.
- [SB 1326](#) Local cigarette taxes; regional cigarette tax boards.
- [SB 1398](#) Retail sales and transient occupancy taxes; room rentals.

- [SB 1403](#) Retail Sales and Use Tax; exemption for personal protective equipment.
- [SB 1423](#) Data centers; sales and use tax exemption.
- [SB 1425](#) Data centers; expands sales and use tax exemption, report.

Transportation

- [HB 1813](#) Highway construction by state or local employees; limit.
- [HB 1903](#) Local government; authority to reduce the speed limit in a business district or residence district.
- [HB 1910](#) Regional transportation authorities; creation.
- [HB 2071](#) Transportation funding; statewide prioritization process; resiliency.
- [HB 2256](#) Parking; localities authority to regulate.
- [HB 2262](#) Bicycles; permits operators to treat a stop sign as a yield sign in certain situations.
- [HB 2318](#) Test driving vehicles; residence districts, civil penalty.
- [HJ 542](#) Study; Department of Rail and Public Transportation; transit equity and modernization; report.
- [SB 1199](#) Conservation easements; construction.
- [SB 1223](#) Transportation electrification; Virginia Energy Plan.
- [SB 1253](#) Access roads to economic development sites; criteria for use of funds.

FISCAL IMPACT: Staff will continue to evaluate fiscal impact to the County of legislation and the final 2020-2022 biennium budget and will provide an update to the Board on impacts.

DRAFT MOTIONS:

Note: Draft Motions will be distributed in a supplemental prior to the March 2, 2021 Business Meeting, as needed.