

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

Chief patron: Subramanyam

A BILL to amend and reenact § 56-599 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 26 of Title 45.1 a section numbered 45.1-394.1, relating to public disclosure of electric generating facility closures; integrated resource plans.

21103066D

Summary as passed House:

Electric utilities; closure of carbon-emitting generating units. 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.

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| 01/29/21 | House: | VOTE: | Block | Vote | Passage | (99-Y | 0-N) |
| 02/01/21 | Senate: | | Constitutional | | reading | | dispensed |
| 02/01/21 | Senate: | Referred | to | Committee | on | Commerce | and Labor |
| 02/02/21 | House: | Impact | | statement | from | SCC | (HB1834H1) |
| 02/05/21 | Senate: | Continued to 2021 Sp. Sess. 1 in Commerce and Labor | | | | | |
| | | | | | | (15-Y | 0-N) |

HB 1907 Electric utilities; advanced renewable energy buyers.

Chief patron: Sullivan

A BILL to amend and reenact § 56-585.5 of the Code of Virginia, relating to electric utilities; Renewable Energy Certificates; contracts with accelerated renewable energy buyers; exemption from certain costs.

21100988D

Summary

as

introduced:

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.

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| 01/29/21 | House: | VOTE: | Passage | (73-Y | 25-N) |
| 02/01/21 | Senate: | Constitutional | reading | dispensed | |
| 02/01/21 | Senate: | Referred to | Committee on | Commerce and | Labor |
| 02/05/21 | Senate: | Continued to | 2021 Sp. Sess. 1 | in Commerce and | Labor (15-Y 0-N) |
| 02/10/21 | Senate: | Assigned C&L sub: | Energy | | |

HB 1914 Electric utilities; triennial review, period costs, rate reductions.

Chief patron: Helmer

A BILL to amend and reenact § 56-585.1 of the Code of Virginia, relating to electric utilities; triennial review; period costs; rate reductions.

21104073D

Summary as passed House:

Electric utilities; period costs. Provides that in a triennial review proceeding, certain utility generation and distribution costs that are not proposed for recovery under various cost recovery mechanisms, at the State Corporation Commission's discretion, may be attributed to the test periods under review and deemed fully recovered or, if the utility has earned below a certain threshold, may be deferred for recovery over future periods. Under current law, such attribution is required unless the utility has earned below a certain threshold, in which case deferred recovery of the costs is required. The bill also eliminates provisions that limit any rate reduction ordered by the State Corporation Commission in the first triennial review of Dominion Energy Virginia after January 1, 2021, to \$50 million in annual revenues and provides that in any triennial review,

regardless of whether the Commission has ordered bill credits, the utility earned above its authorized rate of return during the test period under review, or the utility has made a request regarding any customer credit reinvestment offsets, the Commission may order any rate reduction it deems necessary and appropriate unless it finds that the resulting rates will not provide the utility with the opportunity to (i) fully recover its costs of providing its services and (ii) earn not less than a fair combined rate of return on its generation and distribution services. The provisions of the bill apply to the first triennial review of Dominion Energy Virginia conducted after January 1, 2021. This bill incorporates HB 1835.

02/05/21 Senate: Referred to Committee on Commerce and Labor
02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)
02/10/21 Senate: Assigned C&L sub: Energy
02/11/21 House: Impact statement from SCC (HB1914H1)
02/12/21 Senate: Senate committee, floor amendments and substitutes offered

HB 1984 Electric utilities; triennial review proceeding by SCC, fair rates of return.

Chief patron: Hudson

A BILL to authorize the State Corporation Commission, in triennial review proceedings for a Phase II Utility, to determine fair rates of return on common equity for the utility's generation and distribution services and to order increases or decreases to the utility's rates for generation and distribution.

21101313D

Summary as *introduced:*

Electric utilities; triennial review; rates of return. Provides that the State Corporation Commission, in any triennial review proceeding, including the first triennial review proceeding conducted after January 1, 2021, for Dominion Energy Virginia, may use any methodology it finds consistent with the public interest to determine fair rates of return on common equity for the utility's generation and distribution services. In any such triennial review, regardless of whether the utility earned above or below its authorized rate of return during the test period under review, the Commission also may order any increases or decreases to the utility's rates for generation and distribution that it deems necessary and appropriate, as long as the resulting rates provide the utility with the opportunity to (i) fully recover its costs of providing its services and (ii) earn an authorized rate of return.

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| 02/05/21 | House: | VOTE: | Passage | (64-Y | 35-N) |
| 02/05/21 | Senate: | Constitutional | reading | dispensed | |
| 02/05/21 | Senate: | Referred to | Committee on | Commerce and | Labor |
| 02/05/21 | Senate: | Continued to | 2021 Sp. Sess. 1 | in Commerce and | Labor (15-Y 0-N) |
| 02/10/21 | Senate: | Assigned C&L sub: | Energy | | |

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

Chief patron: Heretick

A BILL to amend and reenact §§ 58.1-2600, 58.1-2628, 58.1-2636, and 58.1-3660, relating to tax exemptions for energy storage systems.

21103350D

Summary as passed House:

Tax exemptions for energy storage 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.

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| 02/01/21 | House: | VOTE: | Passage | (88-Y | 11-N | 1-A) |
| 02/02/21 | Senate: | Constitutional | reading | dispensed | | |
| 02/02/21 | Senate: | Referred to | Committee on | Finance and | Appropriations | |

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Finance and Appropriations (16-Y 0-N)
02/10/21 House: Impact statement from SCC (HB2006H1)

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

Chief patron: Hurst

A BILL to amend and reenact § 1 of the first enactment of Chapters 358 and 382 of the Acts of Assembly of 2013, as amended by Chapter 803 of the Acts of Assembly of 2017, and as amended by Chapters 1187, 1188, 1189, 1193, 1194, and 1239 of the Acts of Assembly of 2020, relating to electric utilities; nonjurisdictional customers; third party power purchase agreements.

21101254D

Summary as *introduced:*
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.

01/22/21 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)
01/22/21 House: VOTE: Block Vote Passage (99-Y 0-N)
01/25/21 Senate: Constitutional reading dispensed
01/25/21 Senate: Referred to Committee on Commerce and Labor
02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)

HB 2048 Electric utility regulation; purchasing from competitive suppliers.

Chief patron: Bourne

A BILL to amend and reenact § 56-577 of the Code of Virginia, relating to electric utility regulation; purchasing from competitive suppliers.

21101268D

Summary as *introduced:*

Electric utility regulation; purchasing from competitive suppliers. Authorizes individual retail

customers of electric energy to purchase electric energy provided 100 percent from renewable energy from any licensed competitive supplier of electric energy, including any incumbent electric utility. Currently, such customers may purchase electric power from such suppliers, other than an incumbent electric utility that is not the incumbent electric utility serving the exclusive territory in which the customer is located, only if their incumbent electric utility does not offer an approved tariff for electric energy provided 100 percent from renewable energy. The measure also provides that a cooperative utility customer eligible to take service under a tariff for electric energy provided 100 percent from renewable energy is prohibited from purchasing electric energy provided 100 percent from renewable energy from a licensed supplier, except such customer is authorized to continue purchasing renewable energy pursuant to the terms of a power purchase agreement in effect on the date the cooperative serving it filed with the Commission such tariff for electric energy provided 100 percent from renewable energy for the duration of such agreement.

The measure requires that, within three months after the enactment of this act or within three months after beginning to offer a 100 percent renewable energy product to residential customers, whichever is later, licensed competitive suppliers that offers 100 percent renewable energy to residential customers in the service territory of Dominion Energy Virginia or Appalachian Power, to submit a proposal to the State Corporation Commission for consideration and approval to offer discounted service to low-income customers. The measure requires such proposal to include a 100 percent renewable product to be offered to a minimum number of low-income customers at a rate ten percent lower than the incumbent electric utility's standard residential rate for non-renewable supply service for a minimum initial term of twelve months.

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| 02/05/21 | House: | VOTE: | Passage | (67-Y | 32-N) |
| 02/05/21 | Senate: | Constitutional | reading | dispensed | |
| 02/05/21 | Senate: | Referred to | Committee on | Commerce and | Labor |
| 02/05/21 | Senate: | Continued to | 2021 Sp. Sess. 1 | in Commerce and | Labor (15-Y 0-N) |
| 02/10/21 | Senate: | Assigned C&L sub: | Energy | | |

HB 2049 Electric utilities; eliminates customer credit reinvestment offsets.

Chief patron: Bourne

A BILL to amend and reenact § 56-585.1 of the Code of Virginia, relating to electric utilities; customer credit reinvestment offsets.

21102818D

Summary as *introduced:*

Electric utilities; customer credit reinvestment offsets. Eliminates customer credit reinvestment offsets under which a utility is allowed, upon request, to reduce or eliminate amounts of overearnings that otherwise would be required to be credited to customers by applying a customer credit reinvestment offset for expenses on new solar and wind generation facilities and electric distribution grid transformation projects.

02/05/21 House: VOTE: Passage (56-Y 44-N)
02/05/21 Senate: Constitutional reading dispensed
02/05/21 Senate: Referred to Committee on Commerce and Labor
02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)
02/10/21 Senate: Assigned C&L sub: Energy

HB 2148 Small renewable energy projects; energy storage.

Chief patron: Willett

A BILL to amend and reenact 10.1-1197.5 of the Code of Virginia, relating to small renewable energy projects; energy storage.

21102904D

Summary as *introduced:*

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.

02/01/21 House: Read third time and passed House (89-Y 9-N)
02/01/21 House: VOTE: Passage (89-Y 9-N)
02/02/21 Senate: Constitutional reading dispensed
02/02/21 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources
02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Agriculture, Conservation and Natural Resources (14-Y 0-N)

HB 2160 Electric utilities; triennial review, fair rate of return, customer bill credits.

Chief patron: Tran

A BILL to amend and reenact § 56-585.1 of the Code of Virginia, relating to electric utilities; triennial review; fair rate of return; customer bill credits.

21102815D

Summary as *introduced:*

Electric utilities; fair rate of return; customer bill credits. Provides that the State Corporation Commission may, in any triennial review, establish a range above or below the authorized rate of return such that if the combined rate of return on common equity earned by the generation and distribution services is within that range, such combined return is not to be considered either excessive or insufficient, respectively. The bill provides that during a triennial review period, if a utility's earned return on its generation and distribution services falls below that range due to certain costs, the Commission is required to authorize deferred recovery for such costs. Additionally, if during a triennial review period, if a utility's earned return on its generation and distribution services falls below that range due to revenue reductions related to energy efficiency measures or other programs, the Commission is required to order an increase to the utility's rates. The bill requires that the Commission direct 100 percent of the amount that a utility earns over its fair rate of return to customers' bills. Under current law, the Commission is required to direct 70 percent of any earnings that were more than a certain percentage above the utility's fair rate of return to customers' bills. The bill provides that if, during a triennial review period, a utility has earned above its fair combined rate of return, the Commission is required to order reductions to the utility's rates it finds appropriate. Under current law, the Commission is only required to order reductions to the utility's rates if the utility earned more than a certain percentage above its fair combined rate of return. The provisions of the bill apply to all triennial reviews, including the first triennial review of Dominion Energy Virginia conducted after January 1, 2021.

02/05/21 Senate: Constitutional reading dispensed
02/05/21 Senate: Referred to Committee on Commerce and Labor
02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)
02/10/21 Senate: Assigned C&L sub: Energy
02/12/21 Senate: Senate committee, floor amendments and substitutes offered

HB 2200 Electric utilities; triennial review.

Chief patron: Jones

A BILL to amend and reenact § 56-585.1 of the Code of Virginia, relating to electric utilities; triennial review.

21104266D

Summary as passed House:

Electric utilities; triennial review. Makes various changes to procedures under which the State Corporation Commission reviews the earnings and sets the rates of investor-owned incumbent electric utilities. The bill requires the Commission, in determining a fair rate of return on common equity for an investor-owned utility, to consider the average of either (i) the returns on common equity reported to the Securities and Exchange Commission for the three most recent annual periods for which such data is available by not less than a majority of a selected peer group of the utility or (ii) the authorized returns on common equity that are set by the applicable regulatory commissions for the same selected peer group. Under current law, the Commission is required to set such return not lower than either such average.

The bill provides that in a triennial review proceeding, certain utility generation and distribution costs that are not proposed for recovery under various cost recovery mechanisms, at the Commission's discretion, may be attributed to the test periods under review and deemed fully recovered or, if the utility has earned below a certain threshold, may be deferred for recovery over future periods. Under current law, such attribution is required unless the utility has earned below a certain threshold, in which case deferred recovery of the costs is required. The bill requires the Commission to direct that 100 percent of the amount of a utility's earnings above a certain threshold be credited to customers' bills. Under current law, the Commission is required to direct that 70 percent of such overearnings be credited to customers' bills.

The bill provides that if revenue reductions related to energy efficiency measures or other programs cause a utility to earn below a certain threshold, or if for reasons other than revenue reductions the utility earns below a certain threshold, the Commission may order increases to the utility's rates for generation and distribution services necessary to recover such revenue reductions. Under current law, the Commission is required to order such an increase. The bill eliminates provisions that limit any rate reduction ordered by the Commission in the first triennial review of Dominion Energy Virginia after January 1, 2021, to \$50 million in annual revenues. The bill provides that the Commission may determine that certain capital investment amounts by a utility may offset any customer bill credit amounts. Under current law, such the Commission is required to determine that such investments offset customer bill credit amounts. The bill provides that in any triennial review the Commission may order any rate increase or decrease to a utility's

rates for generation and distribution services it deems necessary and appropriate, so long as the resulting rates provide the utility with the opportunity to fully recover its costs and earn an authorized rate of return on its generation and distribution services. The provisions of the bill apply to all triennial reviews, including the first triennial review of Dominion Energy Virginia conducted after January 1, 2021. This bill incorporates HB 2057.

02/05/21 House: VOTE: Passage (63-Y 37-N)
02/05/21 Senate: Constitutional reading dispensed
02/05/21 Senate: Referred to Committee on Commerce and Labor
02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)
02/10/21 Senate: Assigned C&L sub: Energy

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

Chief patron: Jones

A BILL to amend and reenact §§ 15.2-2288.8 and 15.2-2316.6 through 15.2-2316.9 of the Code of Virginia, relating to solar projects and energy storage projects; siting agreements throughout the Commonwealth.

21102743D

Summary as *introduced:*
Solar and energy storage projects; siting agreements throughout the Commonwealth. Expands existing provisions related to siting agreements 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. The bill further provides that a locality may grant a special exception for an energy storage project.

01/27/21 House: VOTE: Passage (71-Y 29-N)
01/28/21 Senate: Constitutional reading dispensed
01/28/21 Senate: Referred to Committee on Local Government

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Local Government (15-Y 0-N)
02/15/21 Senate: Reported from Local Government (11-Y 3-N)

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

Chief patron: Heretick

A BILL to amend and reenact § 58.1-2636 of the Code of Virginia, relating to revenue share for solar energy projects and energy storage systems.

21103653D

Summary as passed House:

Revenue share for solar energy projects and energy storage systems. 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 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.

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| 02/01/21 | House: | VOTE: | Passage | (91-Y | 8-N) |
| 02/02/21 | Senate: | Constitutional | reading | dispensed | |
| 02/02/21 | Senate: | Referred to | Committee on | Commerce and | Labor |
| 02/05/21 | House: | Impact | statement | from | TAX (HB2269H1) |

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)

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

Chief patron: Sullivan

A BILL to direct the State Corporation Commission to recommend policy proposals to accelerate transportation electrification in the Commonwealth; report.

21102349D

State Corporation Commission; transportation electrification; utility recovery of certain costs; report. Directs the State Corporation Commission (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, (a) reduce total ratepayer rates and costs; (b) 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; (c) utilize increased generation from renewable energy resources; and (d) 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.

Additionally, the bill 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.

01/29/21 House: VOTE: Passage (76-Y 23-N)
02/01/21 Senate: Constitutional reading dispensed
02/01/21 Senate: Referred to Committee on Commerce and Labor
02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)
02/10/21 Senate: Assigned C&L sub: Energy

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

Chief patron: Petersen

A BILL to amend and reenact §§ 58.1-2600, 58.1-2628, 58.1-2636, and 58.1-3660, relating to tax exemptions for energy storage systems.

21103742D

Summary as passed Senate:

Taxation of public service corporations; electric suppliers; storage. Amends the definition of electric supplier to include certain battery storage facilities with a storage capacity greater than 25 megawatts and subjects such facilities to central assessment by the State Corporation Commission. The bill also requires battery storage facilities qualifying as electric suppliers to file an annual report to the Commission.

The bill also 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 bill provides that energy storage systems shall be considered certified pollution control equipment and facilities and shall be exempt from local property taxation. 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 provides that a locality may assess a revenue share of up to \$1,400 per megawatt of alternating current (AC) storage capacity on energy storage systems.

02/07/21 House: Referred to Committee on Finance
02/08/21 House: Continued to Special Session 1 in Finance
02/10/21 Senate: Impact statement from SCC (SB1201S1)

02/10/21 House: Reported from Finance (22-Y 0-N)
02/12/21 House: Read second time

SB 1247 Electric generating facility closures; integrated resource plan.

Chief patron: Deeds

A BILL to amend and reenact § 56-599 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 26 of Title 45.1 a section numbered 45.1-394.1, relating to public disclosure of electric generating facility closures; integrated resource plans.

21104032D

Summary as passed Senate:

Electric utilities; closure of carbon-emitting generating units. 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.

02/08/21 House: Continued to Special Session 1 in Labor and Commerce
02/10/21 Senate: Impact statement from SCC (SB1247S1)
02/11/21 House: House committee, floor amendments and substitutes offered
02/11/21 House: Reported from Labor and Commerce with substitute (22-Y 0-N)
02/11/21 House: Committee substitute printed 21200124D-H1

SB 1282 Greenhouse gas emissions inventory; regulations.

Chief patron: Morrissey

A BILL to amend the Code of Virginia by adding a section numbered 10.1-1307.04, relating to greenhouse gas emissions inventory.

21103680D

Summary as passed Senate:

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.

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| 02/07/21 | House: | Placed | on | Calendar |
| 02/07/21 | House: | Read | first | time |
| 02/07/21 | House: | Referred to Committee on Agriculture, Chesapeake and Natural Resources | | |
| 02/08/21 | House: | Continued to Special Session 1 in Agriculture, Chesapeake and Natural Resources | | |
| 02/09/21 | House: | Assigned ACNR sub: Chesapeake | | |

SB 1284 Commonwealth Clean Energy Policy; established.

Chief patron: Favola

A BILL to amend and reenact §§ 56-46.1, 56-585.1, 56-598, 56-601, 62.1-199, 67-103, 67-104, and 67-201 of the Code of Virginia; to amend the Code of Virginia by adding a section numbered 67-101.1; and to repeal §§ 67-101 and 67-102 of the Code of Virginia, relating to the Commonwealth Energy Policy.

21103831D

Summary as passed Senate:

Commonwealth Clean Energy Policy. 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.

02/07/21 House: Referred to Committee on Labor and Commerce
02/08/21 House: Continued to Special Session 1 in Labor and Commerce
02/09/21 Senate: Impact statement from DPB (SB1284S1)
02/10/21 House: Assigned L & C sub: Subcommittee #3
02/15/21 House: Subcommittee recommends reporting (6-Y 4-N)

SB 1380 Electric utilities; electric school bus projects.

Chief patron: Lucas

A BILL to amend and reenact § 58.1-3660 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 56-585.1:13, relating to electric utilities; electric school bus projects; report.

21102845D

Summary as *introduced:*

Electric utilities; electric school bus projects; report. Authorizes electric utilities to partner with school divisions to implement projects designed to encourage the proliferation of school buses that are fueled in whole or in part by electricity, along with associated charging and other infrastructure, for the purpose of transporting students and that may also serve as electric grid stabilization or peak-shaving resources. The bill provides that if an electric school bus project meets the requirements in the bill, then it is in the public interest and may constitute an energy storage resource. The bill requires an electric school bus project and its corresponding agreement to include a provision to compensate a participating school division for the use of the school bus battery by the electric utility as a grid stabilizing or peak-shaving resource and a provision that the electric school buses shall be titled under the participating school division, but the utility shall own the associated batteries and charging stations. The bill also provides a tax exemption for electric school buses and associated charging and other infrastructure that is related or incidental to an authorized electric school bus project.

02/07/21 House: Referred to Committee on Labor and Commerce
02/08/21 House: Continued to Special Session 1 in Labor and Commerce
02/11/21 House: House committee, floor amendments and substitutes offered

02/11/21 House: Reported from Labor and Commerce with substitute (15-Y 5-N)
02/11/21 House: Committee substitute printed 21200039D-H1

SB 1385 Underground utility facilities; Fairfax County.

Chief patron: Surovell

A BILL to amend and reenact § 15.2-816.1 of the Code of Virginia, relating to underground utility facilities; Fairfax County.

21104285D

Summary as passed Senate:

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.

02/04/21 Senate: Read third time and passed Senate (33-Y 6-N)
02/07/21 House: Placed on Calendar
02/07/21 House: Read first time
02/07/21 House: Referred to Committee on Counties, Cities and Towns
02/08/21 House: Continued to Special Session 1 in Counties, Cities and Towns

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

Chief patron: Edwards

A BILL to amend and reenact § 1 of the first enactment of Chapters 358 and 382 of the Acts of Assembly of 2013, as amended by Chapter 803 of the Acts of Assembly of 2017, and as amended by Chapters 1187, 1188, 1189, 1193, 1194, and 1239 of the Acts of Assembly of 2020, relating to electric utilities; nonjurisdictional customers; third party power purchase agreements.

21102297D

Summary as *introduced:*

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.

02/07/21 House: Placed on Calendar
02/07/21 House: Read first time
02/07/21 House: Referred to Committee on Labor and Commerce
02/08/21 House: Continued to Special Session 1 in Labor and Commerce
02/11/21 House: Reported from Labor and Commerce (21-Y 0-N)

Counts: HB: 14 SB: 7

Lobbyist-in-a-Box: (Transporta) created on 11/21 at 11:07

HB 2071 Transportation funding; statewide prioritization process, resiliency.

Chief patron: Convirs-Fowler

A BILL to amend and reenact §§ 33.2-214.2 and 33.2-353 of the Code of Virginia, relating to transportation projects; resiliency.

21103472D

Summary as passed House:

Transportation projects; resiliency. Requires the Commonwealth Transportation Board to determine whether a project has been designed to 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.

02/01/21 Senate: Referred to Committee on Transportation
02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Transportation (15-Y 0-N)
02/11/21 House: House committee, floor amendments and substitutes offered

02/11/21 Senate: Reported from Transportation with amendment (14-Y 0-N)

02/11/21 Senate: Senate committee, floor amendments and substitutes offered

HJ 542 Transit equity and modernization; Department of Rail and Public Transportation to study.

Chief patron: McQuinn

Requesting the Department of Rail and Public Transportation to study transit equity and modernization in the Commonwealth. Report.

21104000D

Summary as passed House:

Study; Department of Rail and Public Transportation; transit equity and modernization; report. Requests the Department of Rail and Public Transportation to conduct a two-year study of transit equity and modernization in the Commonwealth, with emphasis on transit services and engagement opportunities for underserved and underrepresented communities.

02/03/21 Senate: Reading waived

02/03/21 Senate: Referred to Committee on Rules

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Rules (15-Y 0-N)

02/12/21 Senate: Reported from Rules

02/12/21 Senate: Rereferred to Finance and Appropriations

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

Chief patron: Boysko

A BILL to amend and reenact §§ 67-102, 67-201, and 67-202 of the Code of Virginia, relating to transportation electrification; Virginia Energy Plan.

21101437D

Summary as introduced:

Transportation electrification; Virginia Energy Plan. 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.

02/02/21 House: Read first time

02/02/21 House: Referred to Committee on Labor and Commerce

02/08/21 House: Continued to Special Session 1 in Labor and Commerce

02/10/21 House: Assigned L & C sub: Subcommittee #3

02/15/21 House: Subcommittee recommends reporting (6-Y 4-N)

SB 1350 Transportation funding; statewide prioritization process, resiliency.

Chief patron: Lewis

A BILL to amend and reenact §§ 33.2-214.2 and 33.2-353 of the Code of Virginia, relating to transportation projects; resiliency.

21103492D

Summary as passed Senate:

Transportation projects; resiliency. Requires the Commonwealth Transportation Board to determine whether a project has been designed to 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.

02/07/21 House: Read first time

02/07/21 House: Referred to Committee on Transportation

02/08/21 House: Continued to Special Session 1 in Transportation

02/11/21 House: House committee, floor amendments and substitutes offered

02/11/21 House: Reported from Transportation with amendment(s) (15-Y 6-N)

Counts: HB: 1 HJ: 1 SB: 2

Lobbyist-in-a-Box: (Taxes) created on 11/21 at 11:06

SB 1197 Virginia housing opportunity; tax credit established.

Chief patron: Locke

A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 58.1 an article numbered 13.4, consisting of sections numbered 58.1-439.29 and 58.1-439.30, relating to Virginia housing opportunity tax credit.

21102520D

Summary as introduced:

Virginia housing opportunity tax credit. 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.

02/04/21 Senate: Passed Senate (39-Y 0-N)

02/07/21 House: Placed on Calendar

02/07/21 House: Read first time

02/07/21 House: Referred to Committee on Finance

02/08/21 House: Continued to Special Session 1 in Finance

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

Chief patron: Pillion

A BILL to amend the Code of Virginia by adding a section numbered 58.1-609.14, relating to sales tax; exemption for personal protective equipment; emergency.

21102778D

Summary as introduced:

Sales tax; exemption for personal protective equipment; emergency. Establishes a retail sales and use tax exemption for personal protective equipment, defined in the bill. The exemption would be 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. The exemption would sunset one day after 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. The bill contains an emergency clause.

EMERGENCY

02/05/21 House: Read first time

02/05/21 House: Referred to Committee on Finance

02/08/21 House: Continued to Special Session 1 in Finance

02/10/21 House: Reported from Finance (22-Y 0-N)

02/12/21 House: Read second time

Counts: SB: 2

Lobbyist-in-a-Box: (Priority) created on 11/29 at 09:53

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

Chief patron: Price

A BILL to repeal the second enactment of Chapter 46 of the Acts of Assembly of 2020, Special Session I, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan; removal of sunset.

21101527D

Summary as introduced:

Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan; removal of sunset. Removes the sunset date of July 1, 2021, from 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.

01/29/21 House: Read third time and passed House (54-Y 45-N)

01/29/21 House: VOTE: Passage (54-Y 45-N)

02/01/21 Senate: Constitutional reading dispensed

02/01/21 Senate: Referred to Committee on General Laws and Technology

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

HB 1897 Summons for unlawful detainer; notice to tenant, adverse employment actions prohibited.

Chief patron: Jenkins

A BILL to amend and reenact § 8.01-126 of the Code of Virginia, relating to summons for unlawful detainer; notice; adverse employment actions prohibited.

21102187D

Summary as passed House:

Summons for unlawful detainer; notice; adverse employment actions

prohibited. Requires any summons for unlawful detainer to include a notice to the tenant that it is unlawful for his employer to discharge him from employment or take any adverse personnel action against him for appearing at an initial or subsequent hearing on such summons, provided that he has given reasonable notice of such hearing to his employer.

01/25/21 House: VOTE: Block Vote Passage (100-Y 0-N)

01/26/21 Senate: Constitutional reading dispensed

01/26/21 Senate: Referred to Committee on the Judiciary

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Judiciary (14-Y 0-N)

02/10/21 Senate: Failed to report (defeated) in Judiciary (7-Y 8-N)

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

Chief patron: Price

A BILL to amend and reenact §§ 36-139 and 55.1-1250 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; landlord's acceptance of rent with reservation; tenant's right of redemption.

21104047D

Summary as passed House:

Virginia Residential Landlord and Tenant Act; landlord remedies; landlord's acceptance of rent with reservation; tenant's right of redemption. 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. The bill 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. The bill also allows tenants to exercise the right of redemption in unlawful detainer actions an unlimited number of times. 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. The bill directs the Director of the Department of Housing and Community Development (Director) to develop a sample termination notice to be maintained on the Department of Housing and Community Development'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.

02/05/21 Senate: Constitutional reading dispensed

02/05/21 Senate: Referred to Committee on General Laws and Technology

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

02/10/21 Senate: Reported from General Laws and Technology (12-Y 2-N)

02/12/21 Senate: Constitutional reading dispensed (39-Y 0-N)

HB 2048 Electric utility regulation; purchasing from competitive suppliers.

Chief patron: Bourne

A BILL to amend and reenact § 56-577 of the Code of Virginia, relating to electric utility regulation; purchasing from competitive suppliers.

21101268D

Summary as introduced:

Electric utility regulation; purchasing from competitive suppliers. Authorizes individual retail customers of electric energy to purchase electric energy provided 100 percent from renewable energy from any licensed competitive supplier of electric energy, including any incumbent electric utility. Currently, such customers may purchase electric power from such suppliers, other than an incumbent electric utility that is not the incumbent electric utility serving the exclusive territory in which the customer is located, only if their incumbent electric utility does not offer an approved tariff for electric energy provided 100 percent from renewable energy. The measure also provides that a cooperative utility customer eligible to take service under a tariff for electric energy provided 100 percent from renewable energy is prohibited from purchasing electric energy provided 100 percent from renewable energy from a licensed supplier, except such customer is authorized to continue purchasing renewable energy pursuant to the terms of a power purchase agreement in effect on the date the cooperative serving it filed with the Commission such tariff for electric energy provided 100 percent from renewable energy for the duration of such agreement.

The measure requires that, within three months after the enactment of this act or within three months after beginning to offer a 100 percent renewable energy product to residential customers, whichever is later, licensed competitive suppliers that offers 100 percent renewable energy to residential customers in the service territory of Dominion Energy Virginia or Appalachian Power, to submit a proposal to the State Corporation Commission for consideration and approval to offer discounted service to low-income customers. The measure requires such proposal to include a 100 percent renewable product to be offered to a minimum number of low-income customers at a rate ten percent lower than the incumbent electric utility's standard residential rate for non-renewable supply service for a minimum initial term of twelve months.

02/05/21 House: VOTE: Passage (67-Y 32-N)

02/05/21 Senate: Constitutional reading dispensed

02/05/21 Senate: Referred to Committee on Commerce and Labor

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)

02/10/21 Senate: Assigned C&L sub: Energy

Counts: HB: 4

Lobbyist-in-a-Box: (LocalGovt) created on 11/21 at 11:06

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

Chief patron: Kory

A BILL to amend the Code of Virginia by adding a section numbered 15.2-958.3:1, relating to local green banks.

21102092D

Summary as introduced:

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

02/04/21 Senate: Constitutional reading dispensed

02/04/21 Senate: Referred to Committee on Local Government

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Local Government (15-Y 0-N)

02/15/21 Senate: Senate committee, floor amendments and substitutes offered

02/15/21 Senate: Reported from Local Government with substitute (8-Y 5-N)

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

Chief patron: Carr

A BILL to amend and reenact §§ 58.1-3221.6 and 58.1-3970.1 of the Code of Virginia, relating to administration of blighted and derelict properties in certain localities.

21102356D

Summary as introduced:

Administration of blighted and derelict properties in certain localities. 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.

02/01/21 House: Read third time and passed House (65-Y 35-N)

02/01/21 House: VOTE: Passage (65-Y 35-N)

02/02/21 Senate: Constitutional reading dispensed

02/02/21 Senate: Referred to Committee on Finance and Appropriations

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Finance and Appropriations (16-Y 0-N)

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

Chief patron: Bulova

A BILL to amend and reenact §§ 62.1-44.15:23 and 62.1-44.15:23.1 of the Code of Virginia, relating to wetland and stream mitigation banks; proximity of impacted site.

21102632D

Summary as passed House:

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.

01/25/21 House: VOTE: Passage (84-Y 15-N 1-A)

01/26/21 Senate: Constitutional reading dispensed

01/26/21 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

02/01/21 House: Impact statement from DPB (HB1983E)

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Agriculture, Conservation and Natural Resources (14-Y 0-N)

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

Chief patron: Guy

A BILL to amend and reenact §§ 15.2-961 and 15.2-961.1 of the Code of Virginia, relating to replacement and conservation of trees during development.

21102573D

Summary as passed House:

Replacement and conservation of trees during development. 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 provisions of the bill shall become effective July 1, 2022.

01/28/21 Senate: Referred to Committee on Local Government

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Local Government (15-Y 0-N)

02/15/21 Senate: Senate committee, floor amendments and substitutes offered

02/15/21 Senate: Senate committee, floor amendments and substitutes offered

02/15/21 Senate: Reported from Local Government with amendments (11-Y 3-N)

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

Chief patron: Bourne

A BILL to amend and reenact §§ 36-96.3 and 36-96.17 of the Code of Virginia, relating to the Virginia Fair Housing Law; unlawful discriminatory housing practices.

21103489D

Summary as passed House:

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, status as a veteran, 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.

02/01/21 Senate: Referred to Committee on General Laws and Technology

02/01/21 House: Impact statement from DPB (HB2046H1)

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

02/10/21 Senate: Reported from General Laws and Technology with amendment (13-Y 0-N)

02/12/21 Senate: Constitutional reading dispensed (39-Y 0-N)

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

Chief patron: Samirah

A BILL to amend and reenact § 15.2-2223.4 of the Code of Virginia, relating to comprehensive plan; transit-oriented development.

21101042D

Summary as introduced:

Comprehensive plan; 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."

01/27/21 House: VOTE: Passage (76-Y 24-N)

01/28/21 Senate: Constitutional reading dispensed

01/28/21 Senate: Referred to Committee on Local Government

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Local Government (15-Y 0-N)

02/15/21 Senate: Reported from Local Government (7-Y 6-N)

SB 1285 Vacant buildings; registration.

Chief patron: Locke

A BILL to amend and reenact § 15.2-1127 of the Code of Virginia, relating to vacant buildings; registration.

21102279D

Summary as passed Senate:

Vacant buildings; registration. Removes the requirement that a building meet the definition of "derelict building," and instead requires that such building potentially endanger the public health, safety, or welfare in order for the Town of Clifton Forge, the Town of Pulaski, in a conservation and rehabilitation district of the town, the Town of Timberville, and any city to require, by ordinance, the owner or owners of buildings that have been vacant for a continuous period of 12 months or more to register such buildings on an annual basis and pay an annual registration fee not to exceed \$100 to defray the cost of processing such registration.

01/21/21 Senate: Read third time and passed Senate (37-Y 2-N)

02/02/21 House: Placed on Calendar

02/02/21 House: Read first time

02/02/21 House: Referred to Committee on Counties, Cities and Towns

02/08/21 House: Continued to Special Session 1 in Counties, Cities and Towns

Counts: HB: 6 SB: 1

Lobbyist-in-a-Box: (Housing) created on 11/21 at 11:05

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

Chief patron: Price

A BILL to repeal the second enactment of Chapter 46 of the Acts of Assembly of 2020, Special Session I, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan; removal of sunset.

21101527D

Summary as introduced:

Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan; removal of sunset. Removes the sunset date of July 1, 2021, from 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.

01/29/21 House: Read third time and passed House (54-Y 45-N)

01/29/21 House: VOTE: Passage (54-Y 45-N)

02/01/21 Senate: Constitutional reading dispensed

02/01/21 Senate: Referred to Committee on General Laws and Technology

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

HB 1897 Summons for unlawful detainer; notice to tenant, adverse employment actions prohibited.

Chief patron: Jenkins

A BILL to amend and reenact § 8.01-126 of the Code of Virginia, relating to summons for unlawful detainer; notice; adverse employment actions prohibited.

21102187D

Summary as passed House:

Summons for unlawful detainer; notice; adverse employment actions

prohibited. Requires any summons for unlawful detainer to include a notice to the tenant that it is unlawful for his employer to discharge him from employment or take any adverse personnel action against him for appearing at an initial or subsequent hearing on such summons, provided that he has given reasonable notice of such hearing to his employer.

01/25/21 House: VOTE: Block Vote Passage (100-Y 0-N)

01/26/21 Senate: Constitutional reading dispensed

01/26/21 Senate: Referred to Committee on the Judiciary

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Judiciary (14-Y 0-N)

02/10/21 Senate: Failed to report (defeated) in Judiciary (7-Y 8-N)

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

Chief patron: Hudson

A BILL to amend the Code of Virginia by adding a section numbered 55.1-1243.1 and to repeal § 55.1-1243 of the Code of Virginia, relating to Virginia Residential Landlord and Tenant Act; tenant remedies for exclusion from dwelling unit, interruption of services, or actions taken to make premises unsafe.

21102519D

Summary as passed House:

Virginia Residential Landlord and Tenant Act; tenant remedies for exclusion from dwelling unit, interruption of services, or actions taken to make premises

unsafe. 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, the tenant shall recover actual damages, the greater of \$5,000 or four months' rent, and reasonable attorney fees.

01/22/21 House: VOTE: Passage (54-Y 44-N)

01/25/21 Senate: Constitutional reading dispensed

01/25/21 Senate: Referred to Committee on General Laws and Technology

01/29/21 House: Impact statement from DPB (HB1900E)

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

HB 1908 Virginia Residential Landlord and Tenant Act; noncompliance with rental agreement, etc.

Chief patron: Helmer

A BILL to amend and reenact § 55.1-1245, as it is currently effective and as it shall become effective, of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; noncompliance with rental agreement; prohibition on using negative credit information that arose during a closure of the United States Government against certain applicants for tenancy; penalty.

21101428D

Summary as introduced:

Virginia Residential Landlord and Tenant Act; noncompliance with rental agreement; prohibition on using negative credit information that arose during a closure of the United States Government against certain applicants for tenancy; penalty. Prohibits a landlord who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units in the Commonwealth from taking any adverse action against an applicant for tenancy based solely on payment history or an eviction for nonpayment of rent that occurred during a closure of the United States government when such applicant was a directly affected individual, defined as an individual who was furloughed or otherwise did not receive payments as a result of a closure of the United States government and was (i) an employee of the United States government, (ii) an independent contractor of the United States government, or (iii) an employee of a company under contract with the United States government. If such a landlord denies an applicant for tenancy, the bill requires the landlord to provide the applicant written notice of the denial and of the applicant's right to assert that his failure to qualify was based solely on payment history or an eviction based on nonpayment of rent that occurred during the proscribed period when such applicant was a directly affected individual. If a landlord does receive a response from the applicant asserting such a right, and the landlord relied upon a consumer or tenant screening report, the landlord must make a good faith effort to contact the generator of the report to ascertain whether such determination was due solely to the applicant for tenancy's payment history or an eviction for nonpayment that occurred during the proscribed period and that such applicant was a directly affected individual. The bill permits an applicant for tenancy to recover damages of up to \$1,000, along with attorney fees, from landlords who do not comply with these requirements.

01/19/21 House: Read third time and passed House (57-Y 42-N)

01/19/21 House: VOTE: Passage (57-Y 42-N)

01/20/21 Senate: Constitutional reading dispensed

01/20/21 Senate: Referred to Committee on General Laws and Technology

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

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

Chief patron: Carr

A BILL to amend and reenact § 36-96.3:2 of the Code of Virginia, relating to the Virginia Fair Housing Law; reasonable accommodations; disability-related requests for parking.

21103166D

Summary as passed House:

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.

02/01/21 Senate: Constitutional reading dispensed

02/01/21 Senate: Referred to Committee on General Laws and Technology

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

02/10/21 Senate: Reported from General Laws and Technology (13-Y 0-N)

02/12/21 Senate: Constitutional reading dispensed (39-Y 0-N)

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

Chief patron: Carr

A BILL to amend and reenact § 55.1-1229 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; access to dwelling unit during certain declared states of emergency.

21102398D

Summary as passed House:

Virginia Residential Landlord and Tenant Act; access to dwelling unit during certain declared states of emergency. 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. The bill 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. The bill also

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. The bill 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.

02/04/21 House: Impact statement from DPB (HB1981E)

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

02/10/21 Senate: Senate committee, floor amendments and substitutes offered

02/10/21 Senate: Reported from General Laws and Technology with amendments (14-Y 0-N)

02/12/21 Senate: Constitutional reading dispensed (39-Y 0-N)

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

Chief patron: Price

A BILL to amend and reenact §§ 36-139 and 55.1-1250 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord remedies; landlord's acceptance of rent with reservation; tenant's right of redemption.

21104047D

Summary as passed House:

Virginia Residential Landlord and Tenant Act; landlord remedies; landlord's acceptance of rent with reservation; tenant's right of redemption. 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. The bill 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. The bill also allows tenants to exercise the right of redemption in unlawful detainer actions an unlimited number of times. 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. The bill directs the Director of the Department of Housing and Community Development (Director) to develop a sample termination notice to be maintained on the Department of Housing and Community Development'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.

02/05/21 Senate: Constitutional reading dispensed

02/05/21 Senate: Referred to Committee on General Laws and Technology

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

02/10/21 Senate: Reported from General Laws and Technology (12-Y 2-N)

02/12/21 Senate: Constitutional reading dispensed (39-Y 0-N)

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

Chief patron: Bourne

A BILL to amend and reenact §§ 36-96.3 and 36-96.17 of the Code of Virginia, relating to the Virginia Fair Housing Law; unlawful discriminatory housing practices.

21103489D

Summary as passed House:

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, status as a veteran, 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.

02/01/21 Senate: Referred to Committee on General Laws and Technology

02/01/21 House: Impact statement from DPB (HB2046H1)

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

02/10/21 Senate: Reported from General Laws and Technology with amendment (13-Y 0-N)

02/12/21 Senate: Constitutional reading dispensed (39-Y 0-N)

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

Chief patron: Samirah

A BILL to direct the Department of Housing and Community Development 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.

21104312D

Summary as passed House:

Department of Housing and Community Development; stakeholder advisory group; accessory dwelling units. 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. The bill requires the stakeholder 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.

02/05/21 House: Read third time and passed House (55-Y 45-N)

02/05/21 House: VOTE: Passage (55-Y 45-N)

02/05/21 Senate: Constitutional reading dispensed

02/05/21 Senate: Referred to Committee on General Laws and Technology

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

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

Chief patron: Convirs-Fowler

A BILL to direct the Virginia Housing Development Authority to report on recommendations for the creation of a Virginia Good Neighbor Next Door Program.

21103402D

Summary as passed House:

Virginia Housing Development Authority; work group to establish Virginia Good Neighbor Next Door 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.

01/29/21 House: VOTE: Block Vote Passage (99-Y 0-N)

02/01/21 House: Impact statement from DPB (HB2072H1)

02/01/21 Senate: Constitutional reading dispensed

02/01/21 Senate: Referred to Committee on General Laws and Technology

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

HB 2161 Active military or a military spouse; prohibits discrimination in public accommodations, etc.

Chief patron: Tran

A BILL to amend and reenact §§ 2.2-2901.1, 2.2-3004, 2.2-3900, 2.2-3901, 2.2-3902, 2.2-3904, 2.2-3905, 15.2-853, 15.2-854, 15.2-965, 15.2-1500.1, 15.2-1507, 15.2-1604, 22.1-295.2, 22.1-306, 36-96.1 through 36-96.3, 36-96.4, 36-96.6, 55.1-1208, and 55.1-1310 of the Code of Virginia, relating to public accommodations, employment, and housing; prohibited discrimination on the basis of status as active military or a military spouse.

21104006D

Summary as passed House:

Active military or a military spouse; prohibits discrimination in public accommodations, etc. Prohibits discrimination in public accommodations, employment, and housing on the basis of a person's military status, defined as a member of the uniformed services of the United States or a reserve component thereof or a spouse or other dependent of the same. The bill also prohibits terms in a rental agreement in which the tenant agrees to waive remedies or rights under the federal Servicemembers Civil Relief Act prior to the occurrence of a dispute between the landlord and the tenant.

02/04/21 Senate: Constitutional reading dispensed

02/04/21 Senate: Referred to Committee on General Laws and Technology

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

02/10/21 Senate: Reported from General Laws and Technology (14-Y 0-N)

02/12/21 Senate: Constitutional reading dispensed (39-Y 0-N)

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

Chief patron: Kory

A BILL to direct the Board of Housing and Community Development to consider adopting amendments to the Uniform Statewide Building Code relating to energy efficiency and conservation upon each publication of a new version of the International Code Council's International Energy Conservation Code.

21104318D

Summary as passed House:

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.

02/05/21 House: Read third time and passed House (55-Y 45-N)

02/05/21 House: VOTE: Passage (55-Y 45-N)

02/05/21 Senate: Constitutional reading dispensed

02/05/21 Senate: Referred to Committee on General Laws and Technology

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

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

Chief patron: Simon

A BILL to amend and reenact §§ 54.1-2108.1 and 55.1-1237 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; responsibilities of real estate brokers; foreclosure of single-family residential dwelling units.

21102538D

Summary as introduced:

Virginia Residential Landlord and Tenant Act; responsibilities of real estate brokers; foreclosure of single-family residential dwelling units. 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.

02/01/21 Senate: Constitutional reading dispensed

02/01/21 Senate: Referred to Committee on General Laws and Technology

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

02/10/21 Senate: Reported from General Laws and Technology (13-Y 0-N 1-A)

02/12/21 Senate: Constitutional reading dispensed (39-Y 0-N)

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

Chief patron: McQuinn

A BILL to amend and reenact §§ 17.1-275, 55.1-1200, 55.1-1204, 55.1-1206, 55.1-1208, 55.1-1211, 55.1-1226, 64.2-2008, and 64.2-2012 of the Code of Virginia, relating to the Virginia Residential Landlord and Tenant Act; landlord charges for security deposits, insurance premiums for damage insurance, and insurance premiums for renter's insurance; filing of information regarding resident agent appointed by nonresident property owner.

21103524D

Summary as passed House:

Virginia Residential Landlord and Tenant Act; landlord charges for security deposits, insurance premiums for damage insurance, and insurance premiums for renter's insurance; filing of information regarding resident agent appointed by nonresident property owner. 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. The bill also removes provisions allowing a landlord to permit a tenant to provide damage insurance coverage in lieu of the payment of a security deposit. 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.

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

02/10/21 Senate: Senate committee, floor amendments and substitutes offered

02/10/21 Senate: Committee substitute printed 21200050D-S1

02/10/21 Senate: Reported from General Laws and Technology with substitute (10-Y 1-N 1-A)

02/12/21 Senate: Constitutional reading dispensed (39-Y 0-N)

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

Chief patron: Ebbin

A BILL to amend the Code of Virginia by adding a section numbered 55.1-1243.1 and to repeal § 55.1-1243 of the Code of Virginia, relating to Virginia Residential Landlord and Tenant Act; tenant remedies for exclusion from dwelling unit, interruption of services, or actions taken to make premises unsafe.

21102805D

Summary as passed Senate:

Virginia Residential Landlord and Tenant Act; tenant remedies for exclusion from dwelling unit, interruption of services, or actions taken to make premises

unsafe. 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.

02/05/21 House: Read first time

02/05/21 House: Referred to Committee on General Laws

02/08/21 House: Continued to Special Session 1 in General Laws

02/11/21 House: House committee, floor amendments and substitutes offered

02/11/21 House: Reported from General Laws with amendment(s) (13-Y 9-N)

SB 1410 Active military or a military spouse; prohibits discrimination in public accommodations, etc.

Chief patron: Bell

A BILL to amend and reenact §§ 2.2-2901.1, 2.2-3004, 2.2-3900, 2.2-3901, 2.2-3902, 2.2-3904, 2.2-3905, 15.2-853, 15.2-854, 15.2-965, 15.2-1500.1, 15.2-1507, 15.2-1604, 22.1-295.2, 22.1-306, 36-96.1 through 36-96.3, 36-96.4, 36-96.6, 55.1-1226, and 55.1-1310 of the Code of Virginia, relating to public accommodations, employment, and housing; prohibited discrimination on the basis of status as active military or a military spouse.

21103422D

Summary as passed Senate:

Prohibited discrimination; status as active military or a military spouse. Prohibits discrimination in public accommodations, employment, and housing on the basis of a person's status as active military or a military spouse.

02/08/21 House: Continued to Special Session 1 in General Laws

02/10/21 Senate: Impact statement from DPB (SB1410S1)

02/11/21 House: House committee, floor amendments and substitutes offered

02/11/21 House: Committee substitute printed 21200027D-H1

02/11/21 House: Reported from General Laws with substitute (22-Y 0-N)

Counts: HB: 14 SB: 2

Lobbyist-in-a-Box: (GeneralBus) created on 11/21 at 11:05

HB 1754 Employer or other person; retaliatory discharge of employee prohibited.

Chief patron: Carter

A BILL to amend and reenact §§ 40.1-27.3 and 65.2-308 of the Code of Virginia, relating to employment; retaliatory discharge by employer; Workers' Compensation.

21100702D

Summary as introduced:

Employment; retaliatory discharge of employee; Workers' Compensation. Prohibits an

employer or other person from discharging or taking other retaliatory action against an employee if such action is motivated by the knowledge or belief that the employee has filed a claim or taken or intends to take certain actions under the Virginia Workers' Compensation Act. Currently, retaliatory discharges are prohibited only if the employer discharges an employee solely because the employee has taken or intends to take such an action.

01/26/21 House: Read third time and passed House (55-Y 45-N)

01/26/21 House: VOTE: Passage (55-Y 45-N)

01/27/21 Senate: Constitutional reading dispensed

01/27/21 Senate: Referred to Committee on Commerce and Labor

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)

HB 1862 Employee protections; medicinal use of cannabis oil.

Chief patron: Helmer

A BILL to amend the Code of Virginia by adding a section numbered 40.1-27.4, relating to employee protections; medicinal use of cannabis oil.

21101426D

Summary as passed House:

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.

02/02/21 House: VOTE: Passage (86-Y 12-N 1-A)

02/03/21 House: Impact statement from DPB (HB1862E)

02/03/21 Senate: Constitutional reading dispensed

02/03/21 Senate: Referred to Committee on Commerce and Labor

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)

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

Chief patron: Mullin

A BILL to amend and reenact §§ 40.1-29 and 40.1-29.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 40.1-29.2, relating to the Virginia Overtime Wage Act; penalties.

21103929D

Summary as passed House:

Virginia Overtime Wage Act; 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.

02/02/21 House: VOTE: Passage (55-Y 43-N)

02/03/21 Senate: Constitutional reading dispensed

02/03/21 Senate: Referred to Committee on Commerce and Labor

02/05/21 House: Impact statement from DPB (HB2063H1)

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)

HB 2134 Employee classification; provision of personal protective equipment in response to a disaster.

Chief patron: Batten

A BILL to amend and reenact §§ 40.1-28.7:7 and 60.2-212, as it is currently effective and as it shall become effective, of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 65.2-301.2, relating to employee classification: disaster; personal protective equipment.

21101448D

Summary as introduced:

Employee classification: disaster; personal protective equipment. Prohibits the consideration, in any determination regarding whether an individual is an employee or independent contractor, for the purposes of a civil action for employment misclassification, unemployment compensation, and workers' compensation, of the provision of personal protective equipment by a hiring party to the individual in response to a disaster caused by a communicable disease of public health threat for which a state of emergency has been declared.

02/02/21 House: VOTE: Block Vote Passage (99-Y 0-N)

02/03/21 Senate: Constitutional reading dispensed

02/03/21 Senate: Referred to Committee on Commerce and Labor

02/04/21 House: Impact statement from DPB (HB2134)

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)

HB 2137 Paid sick leave; employers to provide to certain employees.

Chief patron: Guzman

A BILL to amend the Code of Virginia by adding in Chapter 3 of Title 40.1 an article numbered 2.1, consisting of sections numbered 40.1-33.3 through 40.1-33.9, relating to employees; paid sick leave.

21101625D

Summary as passed House:

Paid sick leave. Requires employers to provide certain employees paid sick leave. An employee is eligible for paid sick leave under the bill if the employee is an essential worker and works on average at least 20 hours per week or 90 hours per month. The bill provides for an employee to earn at least one hour of paid sick leave benefit for every 30 hours worked. An employee shall not use more than 40 hours of earned paid sick leave in a year, unless the employer selects a higher limit. The bill provides that earned paid sick leave may be used for (i) an employee's mental or physical illness, injury, or health condition; an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care or (ii) care of a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care of

a family member who needs preventive medical care. The bill prohibits employers from taking certain retaliatory actions against employees related to leave. The bill provides for a hardship waiver for employers that demonstrate that providing paid sick leave threatens the financial viability of the employer, jeopardizes the ability of the employer to sustain operations, significantly degrades the quality of the employer's business operations, or creates a significant negative financial impact on the employer. The bill requires the Commissioner of Labor and Industry to promulgate regulations that (a) identify workers as essential based on the categories listed in the bill; (b) include reasonable requirements for recordkeeping, confidentiality, and notifying employees of their rights under provisions of the bill; (c) establish complaint, investigation, and enforcement procedures that include fines, not to exceed \$500, for violations of provisions of the bill; (d) establish requirements for compensation and accrual of paid sick leave for employees employed and compensated on a fee-for-service basis; and (e) include procedures and requirements for an employer to qualify for a hardship waiver. The provisions of the bill do not apply to a retail business with fewer than 25 employees.

02/04/21 House: VOTE: Passage (54-Y 46-N)

02/05/21 Senate: Constitutional reading dispensed

02/05/21 Senate: Referred to Committee on Commerce and Labor

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)

02/10/21 House: Impact statement from DPB (HB2137E)

HB 2207 Workers' compensation; presumption of compensability for COVID-19.

Chief patron: Jones

A BILL to amend and reenact § 65.2-402.1 of the Code of Virginia, relating to workers' compensation; presumption as to death or disability from COVID-19.

21100861D

Summary as introduced:

Workers' compensation; presumption of compensability for COVID-19. Establishes a presumption that COVID-19 causing the death or disability of firefighters, emergency medical services personnel, law-enforcement officers, and correctional officers is an occupational disease compensable under the Workers' Compensation Act. The bill provides that the COVID-19 virus is established by a positive diagnostic test for COVID-19, an incubation period consistent with COVID-19, and signs and symptoms of COVID-19 that require medical treatment. The bill provides that such presumption applies to any death or disability occurring on

or after March 12, 2020, caused by infection from the COVID-19 virus, provided that for any such death or disability that occurred on or after March 12, 2020, and prior to December 31, 2021, the claimant received a diagnosis of COVID-19 from a licensed physician, after either a presumptive positive test or a laboratory confirmed test for COVID-19, and presented with signs and symptoms of COVID-19 that required medical treatment.

02/04/21 House: Read third time and passed House (99-Y 0-N 1-A)

02/04/21 House: VOTE: Passage (99-Y 0-N 1-A)

02/05/21 Senate: Constitutional reading dispensed

02/05/21 Senate: Referred to Committee on Commerce and Labor

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)

HB 2307 Consumer Data Protection Act; establishes a framework for controlling and processing personal data.

Chief patron: Hayes

A BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 52, consisting of sections numbered 59.1-571 through 59.1-581, relating to Consumer Data Protection Act.

21103642D

Summary as passed House:

Consumer Data Protection Act. Establishes a framework for controlling and processing personal data in the Commonwealth. The bill applies to all persons that conduct business in the Commonwealth and either (i) control or process personal data of at least 100,000 consumers or (ii) derive over 50 percent of gross revenue from the sale of personal data and control or process personal data of at least 25,000 consumers. The bill outlines responsibilities and privacy protection standards for data controllers and processors. The bill does not apply to state or local governmental entities and contains exceptions for certain types of data and information governed by federal law. The bill grants consumer rights to access, correct, delete, and obtain a copy of personal data and to opt out of the processing of personal data for the purposes of targeted advertising. The bill provides that the Attorney General has exclusive authority to enforce violations of the law, and the Consumer Privacy Fund is created to support this effort. The bill has a delayed effective date of January 1, 2023.

01/29/21 House: VOTE: Passage (89-Y 9-N)

02/01/21 Senate: Constitutional reading dispensed

02/01/21 Senate: Referred to Committee on General Laws and Technology

02/02/21 House: Impact statement from DPB (HB2307H1)

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

SB 1209 Subcontractor's employees; liability of general contractor for wages.

Chief patron: Petersen

A BILL to amend and reenact § 11-4.6 of the Code of Virginia, relating to liability of contractor for wages of subcontractor's employees.

21100936D

Summary as introduced:

Liability of general contractor for wages of subcontractor's employees. Provides that there is a valid defense to a claim of nonpayment of wages by a general contractor to a subcontractor's employees if the general contractor obtains a written certification that (i) the subcontractor and each of his sub-subcontractors has paid all employees all wages due for the period during which the wages are claimed for the work performed on the project and (ii) to the subcontractor's knowledge all sub-subcontractors have also paid their employees. The bill also provides that the terms "general contractor" and "subcontractor" shall not include persons solely furnishing materials for the purposes of the liability of a contractor for wages due to a subcontractor's employees.

02/07/21 House: Placed on Calendar

02/07/21 House: Read first time

02/07/21 House: Referred to Committee for Courts of Justice

02/08/21 House: Continued to Special Session 1 in Courts of Justice

02/10/21 Senate: Impact statement from DPB (SB1209E)

SB 1362 Employers; reporting outbreaks of COVID-19, effective clause.

Chief patron: Lewis

A BILL to require employers to report outbreaks of COVID-19; emergency.

21103783D

Summary as passed Senate:

Employers; reporting outbreaks of COVID-19. Requires that, upon determination that a worksite cluster of COVID-19 has occurred at a workplace with 50 or more employees, the Department of Health (the Department) shall make a report available to the public on a website maintained by the Department that includes (i) the name of the employer at which a worksite cluster has been reported and (ii) the number of confirmed cases of COVID-19 reported by such employer. The Department shall also report when previously reported outbreaks are under control. The bill defines "worksite cluster" as five or more cases with illness onset or initial positive results within a 14-day period and a likely epidemiologic linkage between cases. The bill provides that the provisions of the act shall expire upon expiration of the Governor's declared state of emergency in response to the continued spread of the SARS-CoV-2 novel coronavirus, or COVID-19. The provisions of the bill are contingent on funding in a general appropriation act.

02/07/21 House: Read first time

02/07/21 House: Referred to Committee on Health, Welfare and Institutions

02/08/21 House: Continued to Special Session 1 in Health, Welfare and Institutions

02/09/21 House: Assigned HWI sub: Health

02/10/21 Senate: Impact statement from DPB (SB1362E2)

SB 1375 Workers' compensation; presumption of compensability for COVID-19.

Chief patron: Saslaw

A BILL to amend and reenact § 65.2-402.1 of the Code of Virginia, relating to workers' compensation; presumption as to death or disability from COVID-19.

21104340D

Summary as passed Senate:

Workers' compensation; presumption of compensability for COVID-19. Establishes a presumption that COVID-19 causing the death or disability of firefighters, emergency medical services personnel, law-enforcement officers, and correctional officers is an occupational disease compensable under the Workers' Compensation Act. The bill provides that the COVID-19 virus is established by a positive diagnostic test for COVID-19, an incubation period consistent with COVID-19, and signs and symptoms of COVID-19 that require medical treatment and only applies to a person who was diagnosed a person who was diagnosed with the COVID-19 virus on or after July 1, 2021, and whose death or disability caused by infection from the COVID-19 virus occurred on or after July 1, 2021. This bill incorporates SB 1342.

02/08/21 House: Continued to Special Session 1 in Labor and Commerce
02/11/21 House: Reported from Labor and Commerce with substitute (21-Y 0-N)
02/11/21 Senate: Impact statement from DPB (SB1375S1)
02/11/21 House: Committee substitute printed 21200130D-H1
02/12/21 Senate: Impact statement from DPB (SB1375H1)

SB 1392 Consumer Data Protection Act; establishes a framework for controlling and processing personal data.

Chief patron: Marsden

A BILL to amend the Code of Virginia by adding in Title 59.1 a chapter numbered 52, consisting of sections numbered 59.1-571 through 59.1-581, relating to Consumer Data Protection Act.

21103367D

Summary as passed Senate:

Consumer Data Protection Act. Establishes a framework for controlling and processing personal data in the Commonwealth. The bill applies to all persons that conduct business in the Commonwealth and either (i) control or process personal data of at least 100,000 consumers or (ii) derive over 50 percent of gross revenue from the sale of personal data and control or process personal data of at least 25,000 consumers. The bill outlines responsibilities and privacy protection standards for data controllers and processors. The bill does not apply to state or local governmental entities and contains exceptions for certain types of data and information governed by federal law. The bill grants consumer rights to access, correct, delete, obtain a copy of personal data, and to opt out of the processing of personal data for the purposes of targeted advertising. The bill provides that the Attorney General has exclusive authority to enforce violations of the law, and the Consumer Privacy Fund is created to support this effort. The bill has a delayed effective date of January 1, 2023.

02/07/21 House: Placed on Calendar
02/07/21 House: Read first time
02/07/21 House: Referred to Committee on Communications, Technology and Innovation
02/08/21 House: Continued to Special Session 1 in Communications, Technology and Innovation
02/15/21 House: House committee, floor amendments and substitutes offered

Counts: HB: 7 SB: 4

