HB1737 Nurse practitioners; practice without a practice agreement.  
HB1747 Clinical nurse specialist; licensure of nurse practitioners as specialists, etc.  
HB1760 Conservation easements; certain easements be liberally construed in favor of purpose which created.  
HB1800 Budget Bill.  
HB1805 Aging services; economic and social needs.  
HB1807 Health maintenance organizations; insolvency.  
HB1811 Virginia Public Procurement Act; preference for energy-efficient and water-efficient goods.  
HB1814 Garnishment of wages; protected portion of disposable earnings.  
HB1817 Certified nurse midwives; practice.  
HB1818 Workers' compensation; presumption of compensability for certain diseases.  
HB1820 SNAP benefits program; eligibility for benefits, postsecondary education.  
HB1821 Overdoses; prohibits arrest and prosecution when experiencing or reporting.  
HB1829 Health insurance; credentialing, health care providers.  
HB1831 Home care organizations; personal care services by a nurse through use of audio or video technology.  
HB1834 Electric generating facility closures; public disclosure, integrated resource plans.  
HB1841 Crosswalk design; Commissioner of Highways to convene work group to determine model policies.  
HB1847 Sports betting; clarifies certain procedures.  
HB1848 Virginia Human Rights Acts; adds discrimination on the basis of disability.  
HB1849 Apprenticeship training programs; DOLI, DGS, et al., shall review availability of programs.  
HB1850 Motor vehicle weight limits; vehicles powered primarily by electric battery power, etc.  
HB1855 Mines, Minerals and Energy, Department of; renamed the Department of Energy.  
HB1862 Employee protections; medicinal use of cannabis oil.  
HB1868 Commercial driver's licenses; disqualification for life from holding license, human trafficking.  
HB1873 Brain injury; clarifies definition.  
HB1891 Annual safety and disaster awareness training; DHRM, et al., to develop an online training module.  
HB1896 Essential health benefits; abortion coverage.  
HB1899 Coal tax credits; sunset date.  
HB1902 Expanded polystyrene food service containers; prohibition, civil penalty.  
HB1904 Teachers and other licensed school board employees; cultural competency training.  
HB1913 Career fatigue and wellness in certain health care providers; programs to address, civil immunity.  
HB1928 Historic resources; acquisition and lease of land.  
HB1930 Higher educational institutions, public; admissions applications criminal history questions.  
HB1931 Virginia Freedom of Information Act; public body authorized to conduct electronic meetings.  
HB1935 Income tax, state; conformity with the Internal Revenue Code.  
HB1953 Licensed certified midwives; clarifies definition, licensure, etc.  
HB1965 State Air Pollution Control Board; low-emissions and zero-emissions vehicle program.  
HB1967 Virginia Jobs Investment Program and Fund; minimum wage requirements.  
HB1976 Virginia Health Workforce Development Authority; mission of Authority, membership.  
HB1980 Enslaved Ancestors College Access Scholarship and Memorial Program; established, report.  
HB1982 Nutrient credits; use by facility with certain stormwater discharge permit.  
HB1983 Wetland and stream mitigation banks; proximity of impacted site.  
HB1985 Workers' compensation; presumption of compensability for COVID-19.  
HB1986 George Mason University; management agreement with the Commonwealth.
HB1987  Telemedicine; coverage of telehealth services by an insurer, etc.  
HB1988  Cannabis oil; processing and dispensing by pharmaceutical processors.  
HB1989  Public health emergency; emergency medical services agencies, real-time access to information.  
HB1990  Criminal justice legislation; racial and ethnic impact statements.  
HB1993  State agencies and their appointing authorities; diversity, equity, and inclusion strategic plans.  
HB1995  Rare Disease Council and Rare Disease Council Fund; created, report.  
HB2001  State and local buildings, certain; building standards.  
HB2004  Virginia Freedom of Information Act; law-enforcement criminal incident information, criminal files.  
HB2007  Prescription drugs; price transparency, definitions.  
HB2008  Health insurance; authorization of drug prescribed for the treatment of a mental disorder.  
HB2029  Fire training activities; prohibition on the use of certain oriented strand board.  
HB2030  Neonicotinoid pesticides; communication between beekeepers and applicators.  
HB2031  Electric utilities; nonjurisdictional customers, third party power purchase agreements.  
HB2036  Virginia Employment Commission; communications with parties, use of electronic means, report.  
HB2039  Physician assistant; eliminates certain requirement for practice.  
HB2040  Unemployment compensation; continuation of benefits, repayment of overpayments.  
HB2042  Trees; replacement and conservation during development, effective clause.  
HB2053  Affordable and market-rate housing; DHCD to evaluate growing demand.  
HB2054  Comprehensive plan; provision for transit-oriented development.  
HB2058  Virginia STEM Education Advisory Board; established, report.  
HB2061  VIIS; any health care provider in the Commonwealth that administers immunizations to participate.  
HB2062  Food delivery platforms; agreements with restaurants required, penalty.  
HB2063  Virginia Overtime Wage Act; overtime compensation for employees, definitions, penalties.  
HB2065  Produce Rx Program; Dept. of Social Services, et al., to develop a plan for a 3-yr. pilot Program.  
HB2071  Transportation funding; statewide prioritization process, resiliency.  
HB2078  Industrial hemp; updates laws to address the new hemp producer license.  
HB2079  Pharmacists; initiation of treatment with and dispensing and administering of drugs and devices.  
HB2085  Emergency Services and Disaster Law; local and interjurisdictional emergency operations plans.  
HB2086  Child care providers; background checks, portability.  
HB2092  DBHDS; background checks, persons providing contractual services.  
HB2099  Judgments; limitations on enforcement, judgment liens, settlement agents, effective date.  
HB2101  GO Virginia Grants; matching funds, extends sunset provision.  
HB2111  Maternal Health Data and Quality Measures, Task Force on; established, report.  
HB2120  Higher educational institutions, public; governing boards, meetings, input, and disclosures.  
HB2123  Students; eligibility for in-state tuition.  
HB2124  COVID-19; DMAS shall deem testing, treatment, and vaccination to be emergency services.  
HB2129  Chesapeake Bay; wastewater treatment, Enhanced Nutrient Removal Certainty Program established.  
HB2130  Virginia LGBTQ+ Advisory Board; established, report.  
HB2134  Employee classification; provision of personal protective equipment in response to a disaster.  
HB2137  Paid sick leave; employers to provide to certain employees.  
HB2139  Accural of cause of action; diagnosis of latent injury.  
HB2140  Alternative application for employment for persons with a disability; DHRM to create a process.  
HB2147  Human Rights, Division of; renamed as Office of Civil Rights.  
HB2148  Small renewable energy projects; energy storage.  
HB2154  Hospitals, nursing homes, etc.; regulations, patient access to intelligent personal assistant.  
HB2159  Balloons; release of nonbiodegradable balloons outdoors prohibited, civil penalty.  
HB2161  Active military or a military spouse; prohibits discrimination in public accommodations, etc.
HB2162 Medical care facilities; designated support persons for persons with disabilities.
HB2166 Involuntary admission; provisions governing involuntary inpatient & mandatory outpatient treatment.
HB2172 Small, women-owned, and minority-owned businesses; right to appeal denial of initial certification.
HB2174 State-Facilitated IRA Savings Program; established, membership, report.
HB2177 Capital outlay plan; repeals existing six-year capital outlay for projects to be funded.
HB2179 Refunding bonds; alters the principal and interest requirements.
HB2181 Virginia Retirement System; technical amendments.
HB2194 Communicating threats of death or bodily injury to a person with intent to intimidate; penalty.
HB2197 Individuals w/ intellectual & developmental disabilities; DMAS to study use of virtual support, etc.
HB2201 Solar and energy storage projects; siting agreements throughout the Commonwealth.
HB2202 Elevator mechanic or accessibility mechanic, certain; exemption from certification.
HB2204 Get Skilled, Get a Job, Give Back (G3) Fund and Program; created and established, report.
HB2206 Child Care Subsidy Program; expanding Program to serve more families.
HB2207 Workers' compensation; presumption of compensability for COVID-19.
HB2218 Pharmaceutical processors; permits processors to produce & distribute cannabis products.
HB2219 Pharmacies; freedom of choice by covered individual.
HB2220 Surgical technologist; certification, use of title.
HB2223 Treasury and State Treasurer, Department of the; surety bonds.
HB2227 Uniform Statewide Building Code; amendments, energy efficiency and conservation.
HB2258 Substantial Risk Order Registry; maintenance by State Police.
HB2262 Bicycles; traffic regulations, report.
HB2266 Alcoholic beverage control; designated outdoor refreshment area license.
HB2282 State Corporation Commission; transportation electrification, utility recovery of certain costs.
HB2295 Firearm; carrying within Capitol Square and the surrounding area, state-owned bldgs.
HB2300 Hospitals; emergency treatment for substance use-related emergencies.
HB2307 Consumer Data Protection Act; personal data rights of consumer, etc.
HB2312 Marijuana; legalization of simple possession, etc.
HB2317 Sexual and Domestic Violence, Advisory Committee on; increases membership, duties.
HB2321 Labor, Secretary of; position created in Governor's Cabinet.
HB2322 Opioid Abatement Authority; established, Fund created, report, membership.
HB2327 Prevailing wage rate; clarifies that public works includes transportation infrastructure projects.
HB2332 Commonwealth Health Reinsurance Program; established, report.
HB2333 COVID-19; administration of vaccine.
HJ537 Racism; General Assembly to recognize as a public health crisis.
HJ542 Transit equity and modernization; Department of Rail and Public Transportation to study.
HJ562 International Overdose Awareness Day; designating Aug. 31, 2021, & each succeeding year thereafter.
HJ587 Commending Sim Ewing.
HJ596 Brain Aneurysm Awareness Month; designating as September 2021 and each succeeding year thereafter.
HJ605 Victims of COVID-19 Remembrance Day; designating as March 14, 2021 & each succeeding yr. thereafter.
HJ705 Celebrating the life of the Reverend James William Wright, Sr.
HJ706 Celebrating the life of John F. Merchant.
HJ709 Celebrating the life of Stuart Wallace Connock.
SB1102 Personal care aides; DMAS shall establish an orientation program for certain aides.
SB1112 Communicating threats of death or bodily injury to a person with intent to intimidate; penalty.
SB1119 Law-enforcement agencies; body-worn camera systems.
SB1134 Refunding bonds; alters the principal and interest requirements.
SB1138 Sexually transmitted infections; infected sexual battery, penalty.
SB1146 Income tax, state; conformity with the Internal Revenue Code.
SB1147 Nurse Loan Repayment Program; expands eligibility for Program to include certified nurse aides.

SB1155 Capital outlay plan; repeals existing six-year capital outlay for projects to be funded.

SB1156 Technology Development Grant Fund; created.

SB1164 Advanced recycling, etc.; definitions.

SB1178 Genetic counseling; repeals conscience clause.

SB1187 Physical therapy; extends time allowed for a therapist to evaluate and treat patients.

SB1189 Occupational therapists; licensure.

SB1196 Teachers and other licensed school board employees; cultural competency training.

SB1199 Conservation easements; construction.

SB1204 George Mason University; management agreement with the Commonwealth.

SB1205 Career fatigue and wellness in certain health care providers; programs to address, civil immunity.

SB1207 Solar and energy storage projects; siting agreements throughout the Commonwealth.

SB1208 Continuity of government; extends period of time that locality may provide after disaster, etc.

SB1209 Subcontractor's employees; liability of general contractor for wages.

SB1210 Permit fee schedules; DEQ to revise current schedule for nonhazardous solid waste mgmt. facilities.

SB1219 Paid family and medical leave; SCC's Bureau of Insurance to review and make recommendations, report.

SB1223 Va. Energy Plan; amends Plan to include an analysis of electric vehicle charging infrastructure.

SB1227 Hormonal contraceptives; payment of medical assistance for 12-month supply.

SB1247 Electric generating facility closures; public disclosure, integrated resource plans.

SB1251 Virginia Retirement System; technical amendments.

SB1252 Coal tax credits; sunset date.

SB1254 Sports betting; clarifies certain procedures.

SB1256 Criminal Justice Services Board and Committee on Training; membership.

SB1260 Transportation purposes; entry onto land for inspection.

SB1265 Natural gas pipelines; stop work orders.

SB1269 Health insurance; authorization of drug prescribed for the treatment of a mental disorder.

SB1271 Virginia Freedom of Information Act; meetings held through electronic communication means.

SB1273 Behavioral Health Commission; established, report.

SB1275 Workers' compensation; presumption of compensability for certain diseases.

SB1276 Essential health benefits; abortion coverage.

SB1279 Veterans Services, Department of; initiatives to reduce unemployment among veterans.

SB1282 Greenhouse gas emissions inventory; regulations.

SB1284 Commonwealth Clean Energy Policy; established.

SB1289 Health insurance; carrier business practices, provider contracts.

SB1290 ConserveVirginia program; established.

SB1291 Va. Water Protection Permit; withdrawal of surface water or ground water, plans for water auditing.

SB1295 Electric utilities; procurement of certain equipment.

SB1296 Emergency Management Equity Working Group; established.

SB1307 School-based health services; Bd. of MAS to amend state plan for services to provide for payment.

SB1309 Local stormwater assistance; flood mitigation and protection.

SB1311 Water quality standards; modification of permits and certifications.

SB1314 Education and Labor Market Alignment, Office of; established.

SB1316 Child care providers; background checks, portability.

SB1320 Licensed certified midwives; clarifies definition, licensure, etc.

SB1333 Pharmaceutical processors; permits processors to produce & distribute cannabis products.

SB1338 Telemedicine; coverage of telehealth services by an insurer, etc.

SB1350 Transportation funding; statewide prioritization process, resiliency.

SB1351 Workers' compensation; claims not barred.
SB1354   Chesapeake Bay; wastewater treatment, Enhanced Nutrient Removal Certainty Program established.
SB1356   Hospitals, nursing homes, etc.; visits by clergy.
SB1365   Data Governance and Analytics, Office of; created.
SB1366   Aging services; economic and social needs.
SB1374   Carbon Sequestration Task Force; established.
SB1375   Workers' compensation; presumption of compensability for COVID-19.
SB1381   Firearm; carrying within Capitol Square and the surrounding area, state-owned bldgs.
SB1387   Students; eligibility for in-state tuition.
SB1392   Consumer Data Protection Act; personal data rights of consumer, etc.
SB1393   Trees; replacement and conservation during development, effective clause.
SB1398   Retail sales and transient occupancy taxes; room rentals.
SB1404   Stormwater Local Assistance Fund; grants awarded for projects related to Chesapeake Bay.
SB1405   Get Skilled, Get a Job, Give Back (G3) Fund and Program; created and established, report.
SB1406   Marijuana; legalization of simple possession, etc.
SB1408   Health Care, Joint Commission on; repeals sunset provision.
SB1410   Active military or a military spouse; prohibits discrimination in public accommodations, etc.
SB1414   Henrietta Lacks Commission; extends sunset provision.
SB1417   Animal testing facilities; definitions, adoption of dogs and cats, civil penalty.
SB1420   Electric utilities; nonjurisdictional customers, third party power purchase agreements.
SB1421   Brain injury; clarifies definition.
SB1436   Eligible Health Care Provider Reserve Directory; established.
SB1445   COVID-19; facilitates vaccine administration.
SB1458   Identity Management Standards Advisory Council; transfers management of Council.
SB1464   Drug Control Act; adds certain chemicals to Schedule I of Act.
SB1469   Opioid Abatement Authority; established, Fund created, report, membership.
SB1471   Alcoholic beverage control; designated outdoor refreshment area license.
SB1472   Individuals w/ intellectual & developmental disabilities; DMAS to study use of virtual support, etc.
SB1473   Health Insurance Reform Commission; mandated health insurance benefit or provider.
SB1475   Search warrants; date and time of issuance, exceptions.
SJ276    Brain Aneurysm Awareness Month; designating as September 2021 and each succeeding year thereafter.
SJ286    Emergency Management Professionals Week; designating third week in March 2021 and each succeeding.
SR549    Celebrating the life of Michael J. Weber, Ph.D.
HB1737  Nurse practitioners; practice without a practice agreement.

*Chief Patron:* Adams, D.M.

*Summary:* Reduces from five to two the number of years of full-time clinical experience a nurse practitioner must have to be eligible to practice without a written or electronic practice agreement. The bill has an expiration date of July 1, 2022.

*Law Advice: Change in Requirement*

Expires July 1, 2022

HB1747  Clinical nurse specialist; licensure of nurse practitioners as specialists, etc.

*Chief Patron:* Adams, D.M.

*Summary:* Changes for clinical nurse specialists the requirement to register with the Board of Nursing as a clinical nurse specialist to licensure by the Boards of Medicine and Nursing to practice as a nurse practitioner in the category of clinical nurse specialist and provides that a nurse practitioner licensed as a clinical nurse specialist shall practice pursuant to a practice agreement between the clinical nurse specialist and a licensed physician and in a manner consistent with the standards of care for the profession and applicable law and regulations. For the transition of registration to licensure, the bill requires the Boards of Medicine and Nursing to jointly issue a license to practice as a nurse practitioner in the category of a clinical nurse specialist to an applicant who is an advance practice registered nurse who has completed an advanced graduate-level education program in the specialty category of clinical nurse specialist and who is registered by the Board of Nursing as a clinical nurse specialist on July 1, 2021.

*Law Advice: New Requirement*

HB1760  Conservation easements; certain easements be liberally construed in favor of purpose which created.

*Companion Bill:* SB1199

*Chief Patron:* Webert

*Summary:* Provides that an easement held pursuant to the Virginia Conservation Easement Act or the Open-Space Land Act shall be construed in favor of achieving the conservation purposes for which it was created. This bill is identical to SB 1199.

*Law Advice: FYI - No Direct Impact*
HB1800  **Budget Bill.**

**Companion Bill:** SB1100

**Chief Patron:** Torian

**Summary:**
Amends Chapter 56 of the Acts of Assembly of 2020, Special Session I.

**Law Advice:**
Amends 2020-22 biennial budget, including general fund appropriations to UVA

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HB1805  **Aging services; economic and social needs.**

**Companion Bill:** SB1366

**Chief Patron:** Adams, D.M.

**Summary:**
Requires the Department for Aging and Rehabilitative Services, in providing aging services, to use available resources to provide services to older persons with the greatest economic or social needs. The bill defines "economic need" as need resulting from an income level at or below the poverty line. The bill defines "social need" as need caused by noneconomic factors, including (i) physical and mental disabilities, which include developmental disabilities and human immunodeficiency virus; (ii) language barriers; and (iii) cultural, social, or geographic isolation, including that which is related to a history of discrimination for factors such as racial or ethnic status, gender identity, gender expression, or sexual orientation that can affect an individual's ability to perform normal daily tasks or threatens such individual's capacity to live independently. This bill is identical to [SB 1366](#).

**Law Advice:** FYI - No Direct Impact

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HB1807  **Health maintenance organizations; insolvency.**

**Chief Patron:** Kilgore

**Summary:**
Updates provisions of the Code of Virginia related to insolvency procedures for health maintenance organizations (HMOs) that were inconsistent with the method to address insolvencies provided for members of the Virginia Life, Accident and Sickness Insurance Guaranty Association. HMOs became members of the Association following legislation passed during the 2018 Session.

**Law Advice:** FYI - No Direct Impact
HB1811  **Virginia Public Procurement Act; preference for energy-efficient and water-efficient goods.**

*Chief Patron:* Helmer

**Summary:**
Provides that in the course of procuring goods, if a state agency receives two or more bids for products that are Energy Star certified, meet Federal Energy Management Program (FEMP)-designated efficiency requirements, appear on FEMP's Low Standby Power Product List, or are WaterSense certified, such state agency may only select among those bids. The bill also provides that in the course of procuring goods, if a local public body receives two or more bids for such products, such local public body may only select among those bids unless, before selecting a different bid, the local public body provides a written statement that demonstrates the cost of the products that are Energy Star certified, meet FEMP-designated efficiency requirements, appear on FEMP's Low Standby Power Product List, or are WaterSense certified was unreasonable.

**Law Advice:** FYI - No Direct Impact

Exempt under Restructuring

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HB1814  **Garnishment of wages; protected portion of disposable earnings.**

*Chief Patron:* Krizek

**Summary:**
Provides that the Virginia minimum hourly wage shall be used to calculate the amount of a person's aggregate disposable earnings protected from garnishment if it is greater than the federal minimum hourly wage.

**Law Advice:** Change in Requirement

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HB1817  **Certified nurse midwives; practice.**

*Chief Patron:* Adams, D.M.

**Summary:**
Expands the categories of practitioners with whom a certified nurse midwife may enter into a practice agreement to include other certified nurse midwives who have practiced for at least two years and allows a certified nurse midwife who has practiced at least 1,000 hours to practice without a practice agreement. The bill also provides that certified nurse midwives shall practice in accordance with regulations of the Boards of Medicine and Nursing and consistent with the Standards for the Practice of Midwifery set by the American College of Nurse-Midwives and shall consult and collaborate with and refer patients to such other health care providers as may be appropriate for the care of the patient.
HB1818  **Workers' compensation: presumption of compensability for certain diseases.**

*Companion Bill:* SB1275

*Chief Patron:* Heretick

**Summary:**
Provides that the occupational disease presumption for death caused by hypertension or heart disease will apply for salaried or volunteer emergency medical services personnel who have at least five years of service and are operating in a locality that has legally adopted a resolution declaring that it will provide one or more of such presumptions. The provisions of the bill do not apply to any individual who was diagnosed with hypertension or heart disease before July 1, 2021. This bill incorporates HB 2080 and is identical to SB 1275.

Law Advice: FYI - No Direct Impact

HB1820  **SNAP benefits program; eligibility for benefits, postsecondary education.**

*Chief Patron:* Helmer

**Summary:**
Adds participation in educational activities that lead to a post-secondary credential from an accredited institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia to the list of activities to which a participant in the Virginia Initiative for Education and Work may be enrolled and directs the Board of Social Services to amend the Supplemental Nutrition Assistance Program (SNAP) benefits program to (i) establish broad-based categorical eligibility, (ii) set the gross income eligibility standard at 200 percent of the federal poverty guidelines, (iii) not impose an asset limit for eligibility, and (iv) increase opportunities for self-sufficiency through postsecondary education by allowing SNAP benefits program participants to satisfy applicable employment and training requirements through enrollment in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia.

Law Advice: FYI - No Direct Impact

HB1821  **Overdoses: prohibits arrest and prosecution when experiencing or reporting.**

*Chief Patron:* Bulova
Summary:

Prohibits the arrest or prosecution of an individual for the unlawful purchase, possession, or consumption of alcohol, possession of a controlled substance, possession of marijuana, intoxication in public, or possession of controlled paraphernalia if (i) such individual, in good faith, renders emergency care or assistance, including cardiopulmonary resuscitation (CPR) or the administration of naloxone or other opioid antagonist for overdose reversal, to an individual experiencing an overdose while another individual seeks or obtains emergency medical attention; (ii) such individual remains at the scene of the overdose or at any location to which he or the individual requiring emergency medical attention has been transported; (iii) such individual identifies himself to the law-enforcement officer who responds; and (iv) the evidence for a prosecution of one of the enumerated offenses would have been obtained only as a result of the individual's rendering emergency care or assistance.

Current law prohibits arrest or prosecution for such offenses only to an individual who seeks or obtains emergency medical attention for himself or another individual or who is experiencing an overdose when another individual seeks or obtains emergency medical attention for him.

Law Advice: Change in Requirement

HB1829  **Health insurance; credentialing, health care providers.**

Chief Patron: Head

Summary:
Provides that provisions requiring health insurers and other carriers to establish reasonable protocols and procedures for reimbursing a health professional for services provided while such professional's credentialing application is pending also apply to certain health maintenance organizations and to corporations operating dental or optometric plans.

Law Advice: FYI - No Direct Impact

HB1831  **Home care organizations; personal care services by a nurse through use of audio or video technology.**

Chief Patron: Head

Summary:
Directs the Board of Health to include in regulations governing home care organizations a provision for supervision of home care attendants providing personal care services by a licensed nurse through use of interactive audio or video technology.

Law Advice: FYI - No Direct Impact

HB1834  **Electric generating facility closures; public disclosure, integrated resource**
**SB 1247**  
**Chief Patron:** Subramanyam  
**Summary:** 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. This bill is identical to **SB 1247**.

**Law Advice:** FYI - No Direct Impact

**HB 1841**  
**Crosswalk design; Commissioner of Highways to convene work group to determine model policies.**  
**Chief Patron:** Keam  
**Summary:** Directs the Commissioner of Highways to convene a working group to determine whether there should be model policies for crosswalk design and installation and, if so, establish recommendations for such model policies. The bill directs the working group to monitor and provide input to the U.S. Department of Transportation and the Federal Highway Administration as updates to crosswalk designs in the Manual on Uniform Traffic Control Devices for Streets and Highways are considered. The working group shall submit to the Governor and the General Assembly a report on its findings and recommendations by November 1, 2021.

**Law Advice:** FYI - No Direct Impact

**HB 1847**  
**Sports betting; clarifies certain procedures.**  
**Companion Bill:** SB 1254  
**Chief Patron:** Sickles  
**Summary:** Directs the Virginia Lottery (the Lottery) in issuing permits to operate sports betting platforms to give substantial and preferred consideration to any applicant that provides any of the following: (i) a description of any equity interest owned by minority individuals or minority-owned businesses, (ii) a detailed plan to achieve increased minority equity investment, (iii) a description of all efforts made to seek equity investment from minority individuals or minority-owned businesses, or (iv) a plan detailing...
efforts made to solicit participation of minority individuals or minority-owned businesses in the applicant's purchase of goods and services related to the sports betting platform or to provide assistance to a historically disadvantaged community or historically black colleges and universities located within the Commonwealth.

The bill clarifies the types of events on which sports betting is allowed and provides that a permit issued to a casino operator shall not count toward the maximum of 12 permits that the Director of the Lottery can issue. The bill makes technical amendments related to the interaction between sports betting law and casino gaming law. This bill is identical to SB 1254.

Law Advice: FYI - No Direct Impact

HB1848  **Virginia Human Rights Acts; adds discrimination on the basis of disability.**

*Chief Patron:* Sickles

*Summary:* Adds discrimination on the basis of disability as an unlawful discriminatory practice under the Virginia Human Rights Act. The bill also requires employers, defined in the bill, to make reasonable accommodation to the known physical and mental impairments of an otherwise qualified person with a disability, if necessary to assist such person in performing a particular job, unless the employer can demonstrate that the accommodation would impose an undue hardship on the employer. The bill also prohibits employers from taking any adverse action against an employee who requests or uses a reasonable accommodation, from denying employment or promotion opportunities to an otherwise qualified applicant or employee because such employer will be required to make reasonable accommodation to the applicant or employee, or from requiring an employee to take leave if another reasonable accommodation can be provided to the known limitations related to the disability.

Law Advice: New Requirement

New requirement consistent with existing UVA practices and policies

HB1849  **Apprenticeship training programs; DOLI, DGS, et al., shall review availability of programs.**

*Chief Patron:* Simonds

*Summary:* Directs the Virginia Board of Workforce Development (the Board), the Department of Labor and Industry (DOLI), and the Department of General Services (DGS) to review the availability of registered apprenticeship programs in the Commonwealth and evaluate the capacity to build a program that would require contractors engaged in construction contracts with public bodies to participate in apprenticeship training programs for each trade or classification of employees engaged in the construction contract. The bill also requires the Board, DOLI, and DGS to evaluate whether a requirement to limit public procurements to bidders with registered apprenticeship programs would assist the construction industry
in meeting its workforce needs. The bill permits the Board, DOLI, and DGS to convene a stakeholder advisory group as part of its review. The bill requires the Board, DOLI, and DGS to complete its review and complete any advisory group meetings by September 1, 2021, and to submit to the Governor and the General Assembly an executive summary and a report of its findings and recommendations no later than December 1, 2021.

Law Advice: FYI - No Direct Impact

Monitor advisory group meetings and findings and recommendations due December 1, 2021

HB1850  Motor vehicle weight limits; vehicles powered primarily by electric battery power, etc.

Chief Patron: Reid

Summary:
Authorizes motor vehicles powered primarily by means of electric battery power to exceed relevant weight limits by 2,000 pounds, provided that such weight is on the power unit and such weight does not exceed 82,000 pounds on an interstate highway. The bill also changes the weight exemption for motor vehicles fueled primarily by natural gas on an interstate highway from the difference between the weight of the natural gas tank and fueling system and a comparable diesel tank and fueling system to up to an additional 2,000 pounds, provided that such weight is on the power unit and does not exceed 82,000 pounds.

Law Advice: FYI - No Direct Impact

HB1855  Mines, Minerals and Energy, Department of; renamed the Department of Energy.

Chief Patron: Sullivan

Summary:
Renames the Department of Mines, Minerals and Energy as the Department of Energy. Within the Department, the bill renames the Division of Mined Land Reclamation as the Division of Mined Land Repurposing and renames the Division of Energy as the Division of Renewable Energy and Energy Efficiency.

The bill makes substantive changes, removing the requirement that the Chief of the Division of Mines be appointed by the Governor and authorizing an employee other than the Virginia Gas and Oil Inspector to serve as the principal executive of the staff of the Virginia Gas and Oil Board. The bill also provides that the Chief Clean Energy Policy Advisor shall be appointed by the Governor. The bill removes or updates outdated language. The bill has a delayed effective date of October 1, 2021.

Law Advice: FYI - No Direct Impact
HB1862  **Employee protections; medicinal use of cannabis oil.**

**Chief Patron:** Helmer

**Summary:**
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; (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; or (iii) require any defense industrial base sector employer or prospective employer to hire or retain any applicant or employee who tests positive for tetrahydrocannabinol (THC) in excess of certain amounts.

**Law Advice: FYI - No Direct Impact**

FYI only - does not apply to state agencies

HB1868  **Commercial driver's licenses; disqualification for life from holding license, human trafficking.**

**Chief Patron:** Delaney

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

**Law Advice: FYI - No Direct Impact**

HB1873  **Brain injury; clarifies definition.**

**Companion Bill:** SB1421

**Chief Patron:** Coyner

**Summary:**
Eliminates the requirement that an injury occur before the age of 65 to constitute a brain injury as that
term is used in the context of licensure of private providers of behavioral health services. This bill is identical to SB 1421.

Law Advice: FYI - No Direct Impact

HB1891  **Annual safety and disaster awareness training; DHRM, et al., to develop an online training module.**

**Chief Patron:** Ayala

**Summary:**
Requires the Department of Human Resource Management, in coordination with the Secretary of Health and Human Resources or his designee, to develop an online training module addressing safety and disaster awareness, including information on public health safety. The bill also requires that all state employees complete the training annually. The bill requires such training to be incorporated into existing mandatory training.

Law Advice: New Requirement

HB1896  **Essential health benefits; abortion coverage.**

**Companion Bill:** SB1276

**Chief Patron:** Hudson

**Summary:**
Removes the prohibition on the provision of coverage for abortions in any qualified health insurance plan that is sold or offered for sale through a health benefits exchange established or operating in Virginia. This bill is identical to SB 1276.

Law Advice: FYI - No Direct Impact

HB1899  **Coal tax credits; sunset date.**

**Companion Bill:** SB1252

**Chief Patron:** Hudson

**Summary:**
Sunsets the Coal Employment and Production Incentive Tax Credit and Coalfield Employment Enhancement Tax Credit after tax year 2021 and prohibits the allocation of such credits on and after January 1, 2022. The bill provides that if Coal Employment and Production Incentive tax credits were earned prior to January 1, 2022, the credit holder may claim the credits in subsequent tax years pursuant to the applicable carryover requirements of current law; however, such credit holders would be limited
to claiming $1 million in carryover credits per taxable year. The bill directs the Department of Mines, Minerals and Energy to convene a stakeholder process to report by December 1, 2021, on recommendations for how the Commonwealth can provide economic transition support to the coalfield region. This bill is identical to SB 1252.

Law Advice: FYI - No Direct Impact

HB1902  Expanded polystyrene food service containers; prohibition, civil penalty.

Chief Patron: Carr

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

Law Advice: New Requirement

Prohibition effective July 1, 2025 but will be in compliance based on requirements of EO77

HB1904  Teachers and other licensed school board employees; cultural competency training.

Companion Bill: SB1196

Chief Patron: Jenkins

Summary:
Requires teacher, principal, and division superintendent evaluations to include an evaluation of cultural competency. The bill requires every person seeking initial licensure or renewal of a license from the Board of Education (i) to complete instruction or training in cultural competency and (ii) with an endorsement in history and social sciences to complete instruction in African American history, as prescribed by the Board. The bill also requires each school board to adopt and implement policies that require each teacher and any other school board employee holding a license issued by the Board to complete cultural competency training, in accordance with guidance issued by the Board, at least every two years. This bill is identical to SB 1196.

Law Advice: FYI - No Direct Impact
HB1913 Career fatigue and wellness in certain health care providers; programs to address, civil immunity.

Companion Bill: SB1205

Chief Patron: Hope

Summary:
Expands civil immunity for health care professionals serving as members of or consultants to entities that function primarily to review, evaluate, or make recommendations related to health care services to include health care professionals serving as members of or consultants to entities that function primarily to address issues related to career fatigue and wellness in health care professionals licensed, registered, or certified by the Boards of Medicine, Nursing, or Pharmacy, or in students enrolled in a school of medicine, osteopathic medicine, nursing, or pharmacy located in the Commonwealth. The bill contains an emergency clause and is identical to SB 1205.

Law Advice: FYI - No Direct Impact

HB1928 Historic resources; acquisition and lease of land.

Chief Patron: Aird

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

Law Advice: FYI - No Direct Impact

HB1930 Higher educational institutions, public; admissions applications criminal history questions.

Chief Patron: Aird

Summary:
Prohibits each public institution of higher education, with the exception of the Virginia Military Institute and a law school of a public institution of higher education that is accredited by the American Bar Association, from (i) utilizing an institution-specific admissions application that contains questions about the criminal history of the applicant or (ii) denying admission to any applicant on the basis of any criminal history information provided by the applicant on any third-party admissions application accepted by the institution. The bill permits each public institution of higher education to inquire into the criminal history of any individual who has been admitted to but has yet to enroll at the institution and withdraw an offer of admission to any individual whom the institution subsequently determines to have a
criminal history that poses a threat to the institution's community. The bill has a delayed effective date of January 1, 2022.

**Law Advice: New Requirement**

Effective January 1, 2022

**HB1931 Virginia Freedom of Information Act; public body authorized to conduct electronic meetings.**

*Chief Patron:* Levine

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

**Law Advice: Change in Requirement**

**HB1935 Income tax, state; conformity with the Internal Revenue Code.**

*Companion Bill:* SB1146

*Chief Patron:* Watts

**Summary:**
Advances Virginia's date of conformity with the Internal Revenue Code from December 31, 2019, to December 31, 2020. The bill deconforms from the suspension of the overall limitation on itemized deductions and the reduction in the medical expense deduction floor for taxable year 2017 and taxable years on and after January 1, 2019, and from the provisions of the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) related to the net operating loss limitation and carryback, a loss limitation applicable to taxpayers other than corporations, the limitation on business interest, and certain loan forgiveness and other business financial assistance. The bill provides an individual and corporate income tax deduction or subtraction, as applicable, of up to $100,000 for Rebuild Virginia grants and certain amounts related to Paycheck Protection Program loans. The bill contains an emergency clause and is identical to SB 1146.

**Law Advice: FYI - No Direct Impact**

Chief Patron: Ayala

Summary:
Directs the Office of the Chief Medical Examiner of the Department of Health to convene a work group to develop a plan for the establishment of a Fetal and Infant Mortality Review Team and to report such plan to the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Appropriations and Education and Health by December 1, 2021.

Law Advice: FYI - No Direct Impact

HB1953  Licensed certified midwives; clarifies definition, licensure, etc.

Companion Bill: SB1320

Chief Patron: Gooditis

Summary:
Defines "practice of licensed certified midwifery," directs the Boards of Medicine and Nursing to establish criteria for the licensure and renewal of a license as a certified midwife, and requires licensed certified midwives to practice in consultation with a licensed physician in accordance with a practice agreement. The bill also directs the Department of Health Professions to convene a work group to study the licensure and regulation of certified nurse midwives, certified midwives, and certified professional midwives to determine the appropriate licensing entity for such professionals. The bill requires the Department to report its findings and conclusions to the Governor and the General Assembly by November 1, 2021. This bill is identical to SB 1320.

Law Advice: FYI - No Direct Impact

HB1965  State Air Pollution Control Board; low-emissions and zero-emissions vehicle program.

Chief Patron: Bagby

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

Law Advice: FYI - No Direct Impact

HB1967   **Virginia Jobs Investment Program and Fund; minimum wage requirements.**

*Chief Patron:* Bagby

*Summary:* Adjusts the minimum entry-level wage rate per hour a company is required to pay in order to be eligible for assistance under the Virginia Jobs Investment Program from at least 1.35 times the federal minimum wage to at least 1.2 times the federal minimum wage or the Virginia minimum wage, whichever is higher.

Law Advice: FYI - No Direct Impact

HB1976   **Virginia Health Workforce Development Authority; mission of Authority, membership.**

*Chief Patron:* Willett

*Summary:* Adds to the mission of the Virginia Health Workforce Development Authority (i) developing strategies to increase diversity in the health workforce by examining demographic data on race and ethnicity in training programs and health professional licensure, (ii) identifying ways to leverage technology to increase access to health workforce training and health care delivery, and (iii) developing a centralized health care careers roadmap in partnership with the Department of Health Professions that includes information on both licensed and unlicensed professions and that is disseminated to the Commonwealth's health care workforce stakeholders to raise awareness about available career pathways. The bill increases from three to five the number of members representing health professionals or employers or representatives of health professionals on the Board of Directors of the Authority and removes the requirement that the chairman and vice-chairman of the Board of Directors be legislative members. The bill adds the Chief Workforce Development Advisor to the list of officials and entities to whom the Board of Directors reports biennially on the activities and recommendations of the Authority.

Law Advice: FYI - No Direct Impact

HB1980   **Enslaved Ancestors College Access Scholarship and Memorial Program; established, report.**

*Chief Patron:* Reid
Summary:
Establishes the Enslaved Ancestors College Access Scholarship and Memorial Program, whereby
Longwood University, the University of Virginia, Virginia Commonwealth University, the Virginia
Military Institute, and The College of William and Mary in Virginia, with any source of funds other than
state funds or tuition or fee increases, are required to annually (i) identify and memorialize, to the extent
possible, all enslaved individuals who labored on former and current institutionally controlled grounds
and property and (ii) provide a tangible benefit such as a college scholarship or community-based
economic development program for individuals or specific communities with a demonstrated historic
connection to slavery that will empower families to be lifted out of the cycle of poverty. The bill requires
the State Council of Higher Education for Virginia to collaborate with such institutions to establish
guidelines for the implementation of the Program and to annually collect information on the
implementation of the Program from such institutions and report such information to the Chairmen of the
House Committee on Appropriations, the House Committee on Education, the Senate Committee on
Education and Health, the Senate Committee on Finance and Appropriations, and the Virginia African
American Advisory Board.

Law Advice: New Requirement

HB1982  Nutrient credits; use by facility with certain stormwater discharge permit.

Chief Patron: Bulova

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

Law Advice: FYI - No Direct Impact

HB1983  Wetland and stream mitigation banks; proximity of impacted site.

Chief Patron: Bulova

Summary:
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.

Law Advice: FYI - No Direct Impact
HB1985  **Workers' compensation; presumption of compensability for COVID-19.**

*Chief Patron:* Hurst

*Summary:*
Establishes a presumption that COVID-19 causing the death or disability of health care providers 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 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 July 1, 2020, either of the following criteria must be met, and on or after July 1, 2020, and prior to December 31, 2021, both of the following criteria must be met: (i) the claimant received a positive diagnosis of COVID-19 from a licensed physician, nurse practitioner, or physician assistant after either a presumptive positive test or a laboratory-confirmed test for COVID-19 and (ii) the claimant presented with signs and symptoms of COVID-19 that required medical treatment. The bill provides that such presumptions do not apply to any person offered by his employer a vaccine for the prevention of COVID-19 unless the person is immunized or the person's physician determines in writing that immunization would pose a significant risk to the person's health.

*Law Advice: New Requirement*

HB1986  **George Mason University; management agreement with the Commonwealth.**

*Companion Bill:* SB1204

*Chief Patron:* Bulova

*Summary:*
Provides a management agreement between the Commonwealth and George Mason University pursuant to the Restructured Higher Education Financial and Administrative Operations Act (§ 23.1-1000 et seq.). This bill is identical to SB 1204.

*Law Advice: FYI - No Direct Impact*

HB1987  **Telemedicine; coverage of telehealth services by an insurer, etc.**

*Companion Bill:* SB1338

*Chief Patron:* Adams, D.M.

*Summary:*
Requires the Board of Medical Assistance Services to amend the state plan for medical assistance to
provide for payment of medical assistance for remote patient monitoring services provided via telemedicine for certain high-risk patients, makes clear that nothing shall preclude health insurance carriers from providing coverage for services delivered through real-time audio-only telephone that are not telemedicine, and clarifies rules around the prescribing of Schedule II through VI drugs via telemedicine, including establishing a practitioner-patient relationship via telemedicine. This bill is identical to SB 1338.

Law Advice: Change in Requirement

HB1988  Cannabis oil; processing and dispensing by pharmaceutical processors.

Chief Patron: Adams, D.M.

Summary:
Effects numerous changes to the processing and dispensing of cannabis oil by pharmaceutical processors in the Commonwealth. The bill defines the term "designated caregiver facility" and allows any staff member or employee of a designated caregiver facility to assist with the possession, acquisition, delivery, transfer, transportation, and administration of cannabis oil for any patients residing in the designated caregiver facility. The bill allows written certifications for use of cannabis oil to include an authentic electronic practitioner signature. The bill also eliminates the requirement that a pharmacist have oversight of the cultivation and processing areas of a pharmaceutical processor, instead requiring pharmaceutical processors to designate a person to oversee cultivation and production areas; removes the requirement that a cannabis dispensing facility undergo quarterly inspections, instead requiring that inspections occur no more than once annually; and allows pharmaceutical processors to remediate cannabis oil that fails any quality testing standard. The bill requires pharmaceutical processors to maintain evidence of criminal background checks for all employees and delivery agents of the pharmaceutical processor. The bill directs the Board of Pharmacy to promulgate regulations implementing the provisions of the bill and regulations creating reasonable restrictions on advertising and promotion by pharmaceutical processors by September 1, 2021.

Law Advice: Change in Requirement

HB1989  Public health emergency; emergency medical services agencies, real-time access to information.

Chief Patron: Aird

Summary:
Directs the Department of Health to develop and implement a system for sharing information regarding confirmed cases of communicable diseases of public health threat with emergency medical services agencies in real time during a declared public health emergency related to a communicable disease of public health threat and with the Emergency Medical Services Advisory Board and regional emergency medical services councils upon request, in order to protect the health and safety of emergency medical services personnel and the public. The provisions of the bill will not become effective unless the Centers for Disease Control and Prevention approves a grant to the Commonwealth from the Epidemiology and Laboratory Capacity for Prevention and Control of Emerging Infectious Diseases program that is
sufficient to cover the costs to the Department of Health of establishing and implementing the information-sharing system created by the bill. The Department is directed to apply for such funding and report to the Governor and the General Assembly on the outcome of such application.

Law Advice: FYI - No Direct Impact

Contingent upon grant from CDC

HB1990  **Criminal justice legislation; racial and ethnic impact statements.**

*Chief Patron:* Aird

*Summary:* Provides that the Chair of the House Committee for Courts of Justice or the Chair of the Senate Committee on the Judiciary may request the Joint Legislative Audit and Review Commission (JLARC) to review and prepare a racial and ethnic impact statement for a proposed criminal justice bill to outline its potential impact on racial and ethnic disparities within the Commonwealth. The bill requires JLARC to provide copies of the impact statement to the requesting chair and the patron of the proposed bill. No more than three racial and ethnic impact statements may be requested by each chair for completion during a single regular session of the General Assembly.

Law Advice: FYI - No Direct Impact

HB1993  **State agencies and their appointing authorities; diversity, equity, and inclusion strategic plans.**

*Chief Patron:* Askew

*Summary:* Requires state agencies to establish and maintain a comprehensive diversity, equity, and inclusion strategic plan in coordination with the Governor's Director of Diversity, Equity, and Inclusion.

Law Advice: New Requirement

HB1995  **Rare Disease Council and Rare Disease Council Fund; created, report.**

*Chief Patron:* Murphy

*Summary:* Creates the Rare Disease Council for the purpose of (i) advising the Governor and the General Assembly on the needs of individuals with rare diseases in the Commonwealth; (ii) identifying challenges that such individuals face, including delays in obtaining a diagnosis or the receipt of a misdiagnosis, shortages of medical specialists who can provide treatment, and lack of access to therapies and medication used to treat rare diseases; (iii) funding research related to rare diseases and the development of new treatments
for rare diseases; and (iv) funding for supports for persons with rare diseases in the Commonwealth. The bill also creates the Rare Disease Council Fund to be used for the purpose of (a) funding research related to rare diseases and the development of new treatments for rare diseases and supports for persons with rare diseases in the Commonwealth and (b) supporting the work of the Rare Disease Council.

**Law Advice: FYI - No Direct Impact**

**HB2001  State and local buildings, certain; building standards.**

*Chief Patron:* Helmer

*Summary:*

Requires that any executive branch agency or institution or locality entering the design phase for the construction of a new building greater than 5,000 gross square feet in size or the renovation of a building where the cost of the renovation exceeds 50 percent of the value of the building ensure that such building has sufficient electric vehicle charging infrastructure, defined in the bill, and has features that permit the agency or institution to track the building’s energy efficiency and carbon emissions. The bill authorizes the Director of the Department of General Services to grant exemptions to such standards, in writing and with certain terms. The bill requires agencies to annually report to the Governor the energy efficiency and carbon emissions metrics for each such building built or renovated.

The bill requires localities to design such building projects according to the same or similar standards, or more stringent standards if adopted by ordinance. The bill also requires that localities incorporate appropriate resilience and distributed energy features. The bill requires that any exemption from the standards granted by resolution of the governing body of a locality be made in writing and explain the basis for granting the exemption. The bill contains a delayed enactment of July 1, 2023, with respect to the provisions related to any locality with a population of less than 100,000.

**Law Advice: FYI - No Direct Impact**

As passed, no direct impact - applies to state agencies with centralized fleet vehicles assigned to DGS and available for use by state agencies (UVA does not utilize central fleet vehicles)

**HB2004  Virginia Freedom of Information Act; law-enforcement criminal incident information, criminal files.**

*Chief Patron:* Hurst

*Summary:*

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

Law Advice: New Requirement

HB2007 Prescription drugs: price transparency, definitions.

Chief Patron: Sickles

Summary:
Directs the Department of Health to enter into a contract or an agreement with a nonprofit data services organization to collect, compile, and make available on its website information about prescription drug pricing and requires every health carrier, pharmacy benefits manager, and drug manufacturer to report information about prescription drug prices to the nonprofit data services organization with which the Department of Health has entered into a contract for such purpose. The bill provides that in any case in which the Department determines that the data reported by health carriers, pharmacy benefit managers, and drug manufacturers is insufficient, the Department may require wholesale distributors to report certain data about prescription drug costs. The bill has a delayed effective date of January 1, 2022, and directs the Department of Health to adopt emergency regulations to implement the provisions of the bill.

Law Advice: FYI - No Direct Impact
Effective January 1, 2022; monitor contract for potential impact

HB2008 Health insurance; authorization of drug prescribed for the treatment of a mental disorder.

Companion Bill: SB1269

Chief Patron: Heretick

Summary:
Requires that any provider contract between a carrier and a participating health care provider with prescriptive authority, or its contracting agent, contain provisions that require, when a carrier has previously approved prior authorization for any drug prescribed for the treatment of a mental disorder listed in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association, no additional prior authorization can be required if (i) the drug is a covered benefit; (ii) the prescription does not exceed the U.S. Food and Drug Administration-labeled dosages; (iii) the prescription has been continuously issued for no fewer than three months; and (iv) the prescriber performs an annual review of the patient to evaluate the drug's continued efficacy, changes in the patient's health status, and potential contraindications. The bill provides that this requirement does not prohibit a carrier from requiring prior authorization for any drug that is not listed on its prescription

Office of State Governmental Relations
Monday, July 5, 2021
drug formulary at the time the initial prescription is issued. The bill also requires that such provider contracts contain provisions requiring a carrier to honor a prior authorization issued by the carrier for a drug regardless of whether the drug is removed from the carrier's prescription drug formulary after the initial prescription for that drug is issued. Under the bill, provisions related to provider contracts and prior authorization shall apply to the state insurance health plan. This bill is identical to SB 1269.

Law Advice: FYI - No Direct Impact

HB2029  **Fire training activities; prohibition on the use of certain oriented strand board.**

*Chief Patron:* Krizek

*Summary:* Prohibits the burning by any person, local government, or agency of the Commonwealth of Class A fuel materials that contain oriented strand board, defined in the bill, during live fire training activities.

Law Advice: FYI - No Direct Impact

HB2030  **Neonicotinoid pesticides; communication between beekeepers and applicators.**

*Chief Patron:* Krizek

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

Law Advice: Monitor and Track

Monitor study for findings and recommendations due December 1, 2021

HB2031  **Facial recognition technology; authorization of use by local law-enforcement agencies, etc.**

*Chief Patron:* Aird

*Summary:* Provides that no local law-enforcement agency or campus police department shall purchase or deploy facial recognition technology, defined in the bill, unless such purchase or deployment is expressly
The bill prohibits a local law-enforcement agency or campus police department at a public institution of higher education currently using facial recognition technology from continuing to use such technology without such authorization after July 1, 2021.

HB2034  **Electric utilities; nonjurisdictional customers, third party power purchase agreements.**

*Companion Bill:* SB1420

*Chief Patron:* Hurst

*Summary:* 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. This bill is identical to **SB 1420**.

HB2036  **Virginia Employment Commission; communications with parties, use of electronic means, report.**

*Chief Patron:* Tran

*Summary:* Authorizes the Virginia Employment Commission to send notices and other communications related to claims brought under the Virginia Unemployment Compensation Act through email or other electronic means in lieu of mail if a party to the claim so elects. The bill requires the Commission, if an electronic communication fails to be transmitted successfully, to send a new notice by first-class mail to the party's alternative address on record. The bill directs the Commission to report the number of unemployment insurance claimants who elect to receive communications electronically, and the effect of this change on Commission operations, by December 31, 2022.

HB2039  **Physician assistant; eliminates certain requirement for practice.**

*Chief Patron:* Rasoul

*Summary:* Allows a physician assistant to enter into a practice agreement with more than one patient care team physician or patient care team podiatrist and provides that a patient care team physician or patient care
team podiatrist shall not be liable for the actions or inactions of a physician assistant for whom the patient care team physician or patient care team podiatrist provides collaboration and consultation. The bill also makes clear that a student physician assistant shall not be required to be licensed in order to engage in acts that otherwise constitute practice as a physician assistant, provided that the student physician assistant is enrolled in an accredited physician assistant education program.

Law Advice: Change in Authority

HB2040  **Unemployment compensation; continuation of benefits, repayment of overpayments.**

*Chief Patron:* Hudson

*Summary:*

Provides that when a claimant has had a determination of initial eligibility for unemployment benefits, as determined by the issuance of compensation or waiting-week credit, payments shall continue, subject to a presumption of continued eligibility, until a determination is made that provides the claimant notice and an opportunity to be heard.

The bill requires the Virginia Employment Commission to waive the obligation to repay any overpayment if (i) the overpayment was made without fault on the part of the individual and (ii) requiring repayment would be contrary to equity and good conscience. Overpayments shall not be considered "without fault on the part of the individual" if the overpayment was the result of (a) a reversal in the appeals process, unless the employer failed to respond timely or adequately; (b) a programming, technological, or automated system error that results in erroneous payments to a group of individuals; or (c) fraud.

The bill also provides that the Commission shall notify each person with an unpaid overpayment of benefits that he may be entitled to a waiver of repayment and provide 30 days to request such a waiver. The bill applies to outstanding overpayments established for the week commencing March 15, 2020, through the week commencing June 27, 2021. Amounts already paid or collected against such overpayments shall not be reimbursed to the claimant, except for benefits paid under the Pandemic Unemployment Assistance program. The bill allows the Commission to suspend or forgo referring any overpayment to the collections process. The bill provides that all costs to the Unemployment Compensation Fund (the Fund) resulting from the provisions of the bill for overpayments of benefits shall be reimbursed to the Fund from the general fund in the general appropriation act and that employers are not responsible for reimbursing benefits or benefits charges except when the employer failed to respond timely or adequately. The provisions of the bill expire on July 1, 2022.

Law Advice: FYI - No Direct Impact

Expires July 1, 2022

**HB2042  Trees; replacement and conservation during development, effective clause.**

*Companion Bill:* SB1393
Chief Patron: Guy

Summary:
Gives a locality the ability to exceed general requirements in its tree replacement and conservation ordinances in specific circumstances, including development that impacts stormwater permit requirements, recurrent flooding, formerly redlined areas, and comprehensive plan compliance. The bill also directs the Secretary of Natural Resources and Secretary of Agriculture and Forestry to convene a stakeholder work group for the purpose of developing and providing recommendations to state and local governments related to policies that encourage the conservation of mature trees and tree cover on sites being developed, increase tree canopy cover in communities, and encourage the planting of trees. The bill will not become effective unless reenacted by the 2022 Session of the General Assembly, but the stakeholder work group is effective in due course. This bill is identical to SB 1393.

Law Advice: FYI - No Direct Impact

Requires reenactment by the General Assembly in 2022

HB2053 Affordable and market-rate housing; DHCD to evaluate growing demand.

Chief Patron: Samirah

Summary:
Directs the Department of Housing and Community Development (the 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, 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, and allows a possible extension but to no later than November 1, 2022.

Law Advice: FYI - No Direct Impact

HB2054 Comprehensive plan; provision for transit-oriented development.

Chief Patron: Samirah

Summary:
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."

Law Advice: FYI - No Direct Impact
HB2058  **Virginia STEM Education Advisory Board; established, report.**

*Chief Patron:* Simonds

*Summary:* Creates the Virginia Science, Technology, Engineering, and Mathematics (STEM) Advisory Board to create a unified vision regarding STEM education initiatives, language, and measures of success to promote a culture of collaboration for STEM programming in the Commonwealth. The Board shall develop the infrastructure for creating STEM Regional Hubs and naming STEM Champions in communities across the Commonwealth. Additionally, the Board shall report annually to the Governor and the General Assembly on STEM challenges, goals, and successes across the Commonwealth.

*Law Advice:* FYI - No Direct Impact

HB2061  **VIIS; any health care provider in the Commonwealth that administers immunizations to participate.**

*Chief Patron:* Willett

*Summary:* Requires any health care provider in the Commonwealth that administers immunizations to participate in the Virginia Immunization Information System (VIIS) and report patient immunization history and information to VIIS. Under current law, participation in VIIS is optional for authorized health care entities. The bill has a delayed effective date of January 1, 2022.

*Law Advice:* New Requirement

Effective January 1, 2022

HB2062  **Food delivery platforms; agreements with restaurants required, penalty.**

*Chief Patron:* Willett

*Summary:* Prohibits a food delivery platform, as defined in the bill, from submitting orders on behalf of a consumer or arranging for the delivery of an order from a restaurant, as defined in the bill, without first obtaining an agreement with the restaurant expressly authorizing the food delivery platform to take orders and deliver food prepared by the restaurant. The bill provides that a violation of such agreement requirement is a prohibited practice under the Virginia Consumer Protection Act.

*Law Advice:* FYI - No Direct Impact

HB2063  **Virginia Overtime Wage Act; overtime compensation for employees.**
Definitions, penalties.

Chief Patron: Mullin

Summary:
Requires an employer to compensate certain employees 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.

Law Advice: New Requirement

HB2065  Produce Rx Program; Dept. of Social Services, et al., to develop a plan for a 3-yr. pilot Program.

Chief Patron: McQuinn

Summary:
Directs the Department of Social Services, in cooperation with the Department of Medical Assistance Services, to convene a work group to develop a plan for a three-year pilot Produce Rx Program to incentivize consumption of qualifying fruits and vegetables by eligible individuals for whom increased consumption of fruits and vegetables is recommended by a qualified care provider. The bill requires the Department of Social Services to report on the activities of the work group and the elements of the plan to the Governor and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations by October 1, 2021.

Law Advice: FYI - No Direct Impact

HB2071  Transportation funding; statewide prioritization process, resiliency.

Companion Bill: SB1350

Chief Patron: Convirs-Fowler

Summary:
Requires the Commonwealth Transportation Board to determine whether a project has been designed to be or the project sponsor has committed that the design will be resilient when evaluating projects for the Six-Year Improvement Program and consider resiliency when establishing the Statewide Transportation Plan. The bill also requires the Commissioner of Highways to ensure resiliency is incorporated into the design standards for new construction projects. This bill is identical to SB 1350.

Law Advice: FYI - No Direct Impact
HB2078  **Industrial hemp; updates laws to address the new hemp producer license.**

*Chief Patron:* Marshall

*Summary:*

Updates Virginia's industrial hemp laws to address the new hemp producer license issued by the U.S. Department of Agriculture. The bill changes drug laws to exclude the industrial hemp possessed by a federally licensed hemp producer from the definition of "marijuana" and to exclude certain amounts of tetrahydrocannabinol (THC) in such industrial hemp from the prohibition on THC. The bill exempts federally licensed hemp producers from state industrial hemp registration requirements and adds such producers to the list of those eligible to receive funds from the Tobacco Indemnification and Community Revitalization Fund.

The bill provides that no grower, agent of such grower, or federally licensed producer shall be prosecuted for possession of industrial hemp or Cannabis sativa with a THC concentration that does not exceed the concentration established in certain federal regulations and prohibits the Commissioner of Agriculture and Consumer Services from deeming a grower negligent if the grower makes reasonable efforts to grow industrial hemp but grows Cannabis sativa with a THC concentration that does not exceed the concentration established in federal regulations.

The bill makes other changes to industrial hemp laws, including (i) limiting the application fee for registration of growers, dealers, and producers to $250; (ii) excluding from the definition of "dealer" any retail establishment that sells a completed product containing industrial hemp; (iii) making optional the monitoring and random testing of industrial hemp by the Commissioner and authorizing the random sampling of such hemp; (iv) removing the requirement that the Attorney General of the United States be notified when a Virginia grower, dealer, or processor exceeds the federal THC limit; and (v) directing the Commissioner to adopt regulations establishing a fee structure for registration.

Finally, the bill exempts employees of the Virginia Department of Agriculture and Consumer Services from prosecution for possession or distribution of industrial hemp when possession is necessary in the performance of their duties. The bill contains an emergency clause.

**Law Advice: Change in Requirement**

Effective March 12, 2021

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HB2079  **Pharmacists; initiation of treatment with and dispensing and administering of drugs and devices.**

*Chief Patron:* Rasoul

*Summary:*

Expands provisions governing the initiation of treatment with and dispensing and administering of drugs and devices by pharmacists to allow the initiation of treatment with and dispensing and administering of drugs, devices, and controlled paraphernalia to persons 18 years of age or older, in accordance with
protocols developed by the Board of Pharmacy in collaboration with the Board of Medicine and the Department of Health, and of (i) vaccines included on the Immunization Schedule published by the Centers for Disease Control and Prevention; (ii) tuberculin purified protein derivative for tuberculosis testing; (iii) controlled substances for the prevention of human immunodeficiency virus, including controlled substances prescribed for pre-exposure and post-exposure prophylaxis pursuant to guidelines and recommendations of the Centers for Disease Control and Prevention; and (iv) drugs, devices, controlled paraphernalia, and other supplies and equipment available over-the-counter, covered by the patient's health carrier when the patient's out-of-pocket cost is lower than the out-of-pocket cost to purchase an over-the-counter equivalent of the same drug, device, controlled paraphernalia, or other supplies or equipment. The bill requires any pharmacist who administers a vaccination pursuant to clause (i) to report such administration to the Virginia Immunization Information System. The bill also (a) requires the Board of Pharmacy, in collaboration with the Board of Medicine and the Department of Health, to establish protocols for the initiation of treatment with and dispensing and administering of drugs, devices, and controlled paraphernalia by pharmacists in accordance with the provisions of the bill by November 1, 2021; (b) requires the Board of Pharmacy, in collaboration with the Board of Medicine, to adopt regulations within 280 days of the bill's enactment to implement the provisions of the bill; and (c) requires the Board of Pharmacy to convene a work group composed of an equal number of representatives of the Boards of Pharmacy and Medicine and other stakeholders to provide recommendations regarding the developing of protocols for the initiation of treatment with and dispensing and administering of certain drugs and devices by pharmacists to persons 18 years of age or older.

Law Advice: Change in Authority

HB2085 Emergency Services and Disaster Law; local and interjurisdictional emergency operations plans.

Chief Patron: Askew

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

Law Advice: FYI - No Direct Impact

HB2086 Child care providers; background checks, portability.

Companion Bill: SB1316

Chief Patron: McGuire

Summary:
Exempts prospective employees and volunteers of certain child care providers from statutory background check requirements where the individual completed a background check within the previous five years, provided that (i) such background check was conducted after July 1, 2017; (ii) the results of
such background check indicated that the individual had not been convicted of any barrier crime and was not the subject of a founded complaint of child abuse or neglect; and (iii) the individual is an employee or volunteer of a child care provider that is subject to background check requirements or has been separated from such employment or volunteer position for not more than 180 days. The bill requires such child care providers, prior to hiring or allowing to volunteer any individual without the completion of a background check, to obtain written certification that such individual satisfies all such requirements and is eligible to serve as an employee or volunteer. The bill also directs the Department of Education (the Department) to establish a two-year pilot program for the purpose of stabilizing and improving the quality of services provided in the Commonwealth's child care industry. The bill provides that under the pilot program a fixed sum of funds, based on the number of children served and certain other factors, will be disbursed to participating child care providers who agree to meet higher standards of quality and care, as determined by the Department. The bill requires the Department to report to the Governor and the General Assembly no later than December 1 of each year of the pilot program certain information set forth in the bill. The bill also requires the Department, in collaboration with the School Readiness Committee, to (a) identify and analyze financing strategies that can be used to support the systemic costs of high-quality child care services, ensure equitable compensation for child care staff, and better prepare children for kindergarten and (b) analyze the effectiveness of using a cost-of-quality modeling system for the child care subsidy program. The bill requires the Department to report its findings to the Governor and the General Assembly no later than December 1, 2021.

Law Advice: FYI - No Direct Impact

HB2092  DBHDS; background checks, persons providing contractual services.

Chief Patron: Willett

Summary:
Requires background checks for contract staff providing direct care services for Department of Behavioral Health and Developmental Services' licensed services. The bill also sets out the barrier crimes for any person who provides contractual services directly to an individual receiving services on behalf of a licensed provider.

Law Advice: FYI - No Direct Impact

HB2099  Judgments; limitations on enforcement, judgment liens, settlement agents, effective date.

Chief Patron: Coyner

Summary:
Reduces from 20 years to 10 years from the date of a judgment the period of time within which an execution may be issued or action may be taken on such judgment. The bill provides that the limitation of the enforcement of a judgment may be extended up to two times by a recordation of a certificate prior to the expiration period in the clerk's office in which a judgment lien is recorded. The bill provides that such recordation shall extend the limitations period for 10 years per recordation from the date of such recordation. Under current law, such limitation period may be extended on motion of the judgment.
creditor or his assignee. The bill allows a settlement agent or title insurance company to release a judgment lien, in addition to a deed of trust as provided under current law, provided that the obligation secured by such judgment lien has been satisfied by payment made by the settlement agent and whether or not the settlement agent or title insurance company is named as a trustee under such lien or received authority to release such lien. The bill has a delayed effective date of January 1, 2022, for all provisions except those related to the recordation of a certificate for the extension of a judgment, which are effective in due course.

**Law Advice: Change in Requirement**

See bill for effective dates; most provisions effective January 1, 2022

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**HB2101 **GO Virginia Grants; matching funds, extends sunset provision.

**Chief Patron:** Wampler

**Summary:**
Delays from July 1, 2021, to July 1, 2022, the sunset of the provision of the Code of Virginia allowing a locality to use grant funds awarded by the Tobacco Region Revitalization Commission as matching funds for GO Virginia grants.

**Law Advice: FYI - No Direct Impact**

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**HB2111 **Maternal Health Data and Quality Measures, Task Force on; established, report.

**Chief Patron:** Herring

**Summary:**
Directs the State Health Commissioner to establish the Task Force on Maternal Health Data and Quality Measures for the purpose of evaluating maternal health data collection processes to guide policies in the Commonwealth to improve maternal care, quality, and outcomes for all birthing people in the Commonwealth. The bill directs the Task Force to report its findings and conclusions to the Governor and General Assembly by December 1 of each year regarding its activities and states that the Task Force shall conclude its work by December 1, 2023.

**Law Advice: FYI - No Direct Impact**

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**HB2120 **Higher educational institutions, public; governing boards, meetings, input, and disclosures.

**Chief Patron:** Keam

**Summary:**
Requires the governing board of each public institution of higher education to establish and maintain on the institution's website (i) a listing of all board members, including the name of the Governor who made each appointment and the date of each appointment; (ii) a listing of all committees created by the board and the membership of each committee; (iii) a schedule of all upcoming meetings of the full board and its committees and instructions for the public to access such meetings; (iv) an archive of agendas and supporting materials for each meeting of the governing board and its committees that was held; and (v) an email address or email addresses that allow board members to receive public communications pertaining to board business. The bill requires such boards to solicit the input of representatives of the institution's faculty senate or its equivalent (a) at least twice per academic year on topics of general interest to the faculty and (b) in advance of decisions to be made on the search for the institution's new chief executive officer. The bill also requires the State Council of Higher Education for Virginia, in consultation with the Virginia Freedom of Information Advisory Council, to work with each public institution of higher education and with technology experts to develop a minimal uniform standard, to the extent practicable, for providing the public with real-time electronic access to meetings of the governing boards of public institutions of higher education.

**Law Advice: New Requirement**

UVA already complies with the law.

**HB2123  Students: eligibility for in-state tuition.**

*Companion Bill:* SB1387

*Chief Patron:* Lopez

*Summary:* Provides that students who meet the criteria to be deemed eligible for in-state tuition regardless of their citizenship or immigration status shall be afforded the same educational benefits, including financial assistance programs administered by the State Council of Higher Education for Virginia the State Board for Community Colleges, or a public institution of higher education, as any other individual who is eligible for in-state tuition. The bill directs the State Council of Higher Education for Virginia, in coordination with institutions of higher education in the Commonwealth, to promulgate regulations to implement the provisions of the bill. The bill has a delayed effective date of August 1, 2022, and is identical to SB 1387.

*Law Advice: New Authority*

Effective August 1, 2022

**HB2124  COVID-19; DMAS shall deem testing, treatment, and vaccination to be emergency services.**

*Chief Patron:* Lopez

*Summary:*
Directs the Department of Medical Assistance Services, during a public health emergency related to COVID-19 declared by the U.S. Secretary of Health and Human Services, to deem testing for, treatment of, and vaccination against COVID-19 to be emergency services for which payment may be made pursuant to federal law for certain aliens not lawfully admitted for permanent residence. The provisions of the bill will not become effective unless the federal government no longer funds reimbursement of claims covered by the provisions of the bill.

**Law Advice: FYI - No Direct Impact**

Will become effective if federal government discontinues reimbursements for COVID tests and vaccines

**HB2129  Chesapeake Bay; wastewater treatment, Enhanced Nutrient Removal Certainty Program established.**

**Companion Bill:** SB1354

**Chief Patron:** Lopez

**Summary:**

Requires the State Water Control Board to adopt regulations establishing a Phase III Watershed Implementation Plan Enhanced Nutrient Removal Certainty Program (ENRC Program), consisting of a number of total nitrogen and total phosphorous waste load allocation reductions assigned to particular water treatment facilities with schedules for compliance. The bill provides that the ENRC Program shall operate in lieu of certain Chesapeake Bay waste load regulations. The bill directs the Board to modify affected discharge permits to incorporate the provisions of the ENRC Program and requires certain compliance plans due from treatment works beginning February 1, 2023, to address the requirements of the ENRC Program.

The bill provides that the funding of certain design and installation costs for implementing nutrient upgrades pursuant to the ENRC Program shall be eligible for grants from the Water Quality Improvement Fund. The bill lists the projects and the total nitrogen or total phosphorus waste load allocation reductions that specified facilities are to complete. The bill provides that when grants to finance nutrient removal technology reach a sum sufficient to fund the completion of the ENRC Program at all publicly owned treatment works, certain General Assembly committees shall review funding needs and mechanisms.

The bill provides that the ENRC Program shall be deemed to implement through January 1, 2026, the Chesapeake Bay Phase III Watershed Implementation Plan. The bill provides that if, after July 1, 2026, Virginia has not achieved its nitrogen pollution reduction commitments in the Phase III Watershed Implementation Plan, the Secretary of Natural Resources may develop an additional watershed implementation plan. This bill is identical to **SB 1354**.

**Law Advice: FYI - No Direct Impact**

**HB2130  Virginia LGBTQ+ Advisory Board; established, report.**
Chief Patron: Lopez

Summary:
Establishes the Virginia LGBTQ+ Advisory Board to advise the Governor regarding the economic, professional, cultural, educational, and governmental links between the Commonwealth and the LGBTQ+ community in Virginia and sets out the powers and duties of the Board. The Board shall be composed of 21 nonlegislative citizen members, at least 15 of whom shall identify as LGBTQ+, to be appointed by the Governor, and the Secretaries of the Commonwealth, Commerce and Trade, Education, Health and Human Resources, and Public Safety and Homeland Security, or their designees, who shall serve as ex officio members.

Law Advice: FYI - No Direct Impact

HB2134  Employee classification; provision of personal protective equipment in response to a disaster.

Chief Patron: Batten

Summary:
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.

Law Advice: FYI - No Direct Impact

HB2137  Paid sick leave; employers to provide to certain employees.

Chief Patron: Guzman

Summary:
Requires employers to provide paid sick leave to home health workers who provide personal care, respite, or companion services to an individual who receives consumer-directed services under the state plan for medical assistance services. Such 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.
HB2139  **Accrual of cause of action; diagnosis of latent injury.**

*Chief Patron:* Guzman

*Summary:* Provides that a cause of action for a latent injury resulting from the exposure to a substance or the use of a product shall accrue when the person knew or should have known of the injury and its causal connection to an injury-causing substance or product.

Law Advice: FYI - No Direct Impact

HB2140  **Alternative application for employment for persons with a disability; DHRM to create a process.**

*Chief Patron:* Guzman

*Summary:* Directs the Department of Human Resource Management to create an alternative application process for the employment of persons with a disability. The process must be noncompetitive in nature and provide state agencies using the process an option for converting positions filled through the noncompetitive process into positions that are normally filled through a competitive process. The bill directs the Department of Human Resource Management to develop and disseminate a policy to implement the provisions of the bill.

Law Advice: FYI - No Direct Impact

HB2147  **Human Rights, Division of; renamed as Office of Civil Rights.**

*Chief Patron:* Herring

*Summary:* Renames the Division of Human Rights in the Department of Law as the Office of Civil Rights.

Law Advice: FYI - No Direct Impact

HB2148  **Small renewable energy projects; energy storage.**
Chief Patron: Willett

Summary:
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.

Law Advice: FYI - No Direct Impact

HB2154 Hospitals, nursing homes, etc.; regulations, patient access to intelligent personal assistant.

Chief Patron: Adams, L.R.

Summary:
Directs the Board of Health to amend regulations governing hospitals, nursing homes, and certified nursing facilities to require each hospital, nursing home, and certified nursing facility to establish and implement policies to ensure the permissible access to and use of an intelligent personal assistant provided by the patient while receiving inpatient services. "Intelligent personal assistant" is defined in the bill as a combination of an electronic device and a specialized software application designed to assist users with basic tasks using a combination of natural language processing and artificial intelligence, including such combinations known as "digital assistants" or "virtual assistants."

Law Advice: New Requirement

HB2159 Balloons; release of nonbiodegradable balloons outdoors prohibited, civil penalty.

Chief Patron: Guy

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

Law Advice: FYI - No Direct Impact

HB2161 Active military or a military spouse; prohibits discrimination in public
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. This bill is identical to SB 1410.

Law Advice: New Requirement

HB2162 Medical care facilities; designated support persons for persons with disabilities.

Chief Patron: Tran

Summary:
Requires every medical care facility, as defined in the bill, to allow a person with a disability who requires assistance as a result of such disability to be accompanied by a designated support person who will provide support and assistance necessary due to the specifics of the person’s disability to the person with a disability during an admission to such medical care facility. The bill (i) defines "person with a disability" and "designated support person"; (ii) provides that a designated support person shall not be subject to restrictions on visitation adopted by the medical care facility but may be required to comply with reasonable requirements of the medical care facility adopted to protect the health and safety of the person with a disability, the designated support person, and staff and other patients of and visitors to the medical care facility; and (iii) authorizes a medical care facility to restrict a designated support person's access to specified areas and movement on the premises of the medical care facility when such restrictions are determined by the medical care facility to be reasonably necessary to protect the health and safety of the person with a disability, the designated support person, and staff and other patients of and visitors to the medical care facility. The bill requires every medical care facility to adopt protocols to inform patients of their right to be accompanied by a designated support person, and to develop and make available to persons with disabilities written information regarding the right of a person with a disability to be accompanied by a designated support person and policies related thereto. The bill contains an emergency clause and directs the Board of Health to adopt emergency regulations to implement the provisions of the bill.

Law Advice: New Requirement

HB2166 Involuntary admission; provisions governing involuntary inpatient & mandatory outpatient treatment.
**Chief Patron:** Hope

**Summary:**
Amends provisions governing involuntary inpatient and mandatory outpatient treatment to (i) revise criteria for entry of a mandatory outpatient treatment order to become effective upon expiration of an order for involuntary inpatient treatment; (ii) eliminate the requirement that a person agree to abide by a mandatory outpatient treatment plan to be eligible for mandatory outpatient treatment and instead require that the judge or special justice find that the person is able to adhere to a mandatory outpatient treatment plan; (iii) eliminate the role of a treating physician in determining when a person is eligible to transition from inpatient to mandatory outpatient treatment under an order for mandatory outpatient treatment following a period of involuntary inpatient treatment; (iv) increase from 90 to 180 days the length of an order for mandatory outpatient treatment; (v) revise requirements for monitoring of a person's adherence to a mandatory outpatient treatment plan by a community services board; (vi) expand the category of persons who may file petitions for various reviews of a mandatory outpatient treatment order or plan; and (vii) add a provision for status hearings during the period of mandatory outpatient treatment. The bill has a delayed effective date of July 1, 2022.

**Law Advice:** Change in Requirement

Effective July 1, 2022

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**HB2172**  
**Small, women-owned, and minority-owned businesses: right to appeal denial of initial certification.**

**Chief Patron:** Mundon King

**Summary:**
Requires the Department of Small Business and Supplier Diversity to adopt regulations to establish a process for businesses that are denied initial certification as a small, women-owned, or minority-owned business to appeal such denial on the basis that the Department made a mistake in denying the business's application for certification. This bill is a recommendation of the Joint Legislative Audit and Review Commission.

**Law Advice:** FYI - No Direct Impact

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**HB2174**  
**State-Facilitated IRA Savings Program; established, membership, report.**

**Chief Patron:** Torian

**Summary:**
Directs the governing board of the Virginia College Savings Plan (the Board) to establish a state-facilitated individual retirement account (IRA) savings program (the Program). The Board shall administer the Program and develop requirements, procedures, and guidelines for the Program, including default contribution rates, procedures for enrollment and withdrawal, and procedures for noncompliance. Moneys in the Program shall be invested in a manner deemed appropriate by the Board.
Eligible employers shall enroll their eligible employees in the Program. Eligible employers are defined in the bill as any nongovernmental employer that employs 25 or more eligible employees and does not offer a qualified retirement plan to their employees. Eligible employees are limited to individuals who are employed at least 30 hours per week. Each eligible employee shall be enrolled in the Program unless the employee elects not to participate in the Program.

Any employer that is not an eligible employer may facilitate the participation of its eligible employees in the program. Self-employed individuals and eligible employees whose employers do not enroll in the program may participate in the program in accordance with terms and conditions prescribed by the Board.

The bill contains provisions limiting the liability of the Board, the Plan, and the Commonwealth or any of its political subdivisions for obligations associated with the Program. The Commonwealth shall have no duty or liability to any party for the payment of any retirement savings benefits accrued by any individual under the Program. Participating employers shall not (i) have any liability for an employee's decision to participate in or opt out of the Plan, (ii) be a fiduciary over the Program, or (iii) have any liability or responsibility related to the operation of the Program. The bill also adds a requirement that at least one member of the Board have expertise in the management and administration of private defined contribution retirement plans.

The Program shall be established, and enrollment shall begin, on July 1, 2023, or as soon thereafter as practicable. Finally, the bill directs the Board to establish a group of stakeholders to identify and make recommendations as to other amendments necessary and prudent to effectuate the provisions of the bill.

Law Advice: FYI - No Direct Impact

Applies to nongovernmental agencies

HB2177  **Capital outlay plan; repeals existing six-year capital outlay for projects to be funded.**

**Companion Bill:** SB1155

**Chief Patron:** Torian

**Summary:**
Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. This bill is identical to SB 1155.

**Law Advice:** FYI - No Direct Impact

Does not include any projects for UVA or the College at Wise

HB2179  **Refunding bonds; alters the principal and interest requirements.**
**Companion Bill:** SB1134

**Chief Patron:** Torian

**Summary:**
Alters the principal and interest requirements, maturity date, and allowable discount for previously issued refunding bonds. The bill contains an emergency clause and has an expiration date of June 30, 2023. This bill is identical to SB 1134.

**Law Advice:** FYI - No Direct Impact

Effective March 8, 2021

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**HB2181**  
**Virginia Retirement System; technical amendments.**

**Companion Bill:** SB1251

**Chief Patron:** Mundon King

**Summary:**
Makes technical amendments to provisions of the Code of Virginia relating to the Virginia Retirement System to reflect recent changes to federal law and conform terminology to federal law. This bill is identical to SB 1251.

**Law Advice:** FYI - No Direct Impact

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**HB2194**  
**Communicating threats of death or bodily injury to a person with intent to intimidate; penalty.**

**Companion Bill:** SB1113

**Chief Patron:** Leftwich

**Summary:**
Provides that any person 18 years of age or older who communicates a threat in writing, including an electronically transmitted communication producing a visual or electronic message, to another to kill or to do serious bodily injury to any other person and makes such threat with the intent to (i) intimidate a civilian population at large; (ii) influence the conduct or activities of a government, including the government of the United States, a state, or a locality, through intimidation; or (iii) compel the emergency evacuation, or avoidance, of any place of assembly, any building or other structure, or any means of mass transportation is guilty of a Class 5 felony. The bill provides that any person younger than 18 years of age who commits such offense is guilty of a Class 1 misdemeanor. This bill is identical to SB 1113.

**Law Advice:** FYI - No Direct Impact
HB2197  Individuals w/ intellectual & developmental disabilities; DMAS to study use of virtual support, etc.

Companion Bill: SB1472

Chief Patron: Runion

Summary:
Directs the Department of Medical Assistance Services to study and develop recommendations for the permanent use of virtual supports and increasing access to virtual supports and services for individuals with intellectual and developmental disabilities by promoting access to assistive technology and environmental modifications and to report its findings and recommendations to the Governor and the General Assembly by November 1, 2021. This bill is identical to SB 1472.

Law Advice: FYI - No Direct Impact

HB2201  Solar and energy storage projects; siting agreements throughout the Commonwealth.

Companion Bill: SB1207

Chief Patron: Jones

Summary:
Expands existing provisions related to siting agreements and zoning special exceptions for solar projects located in an opportunity zone to include energy storage projects and makes the provisions statewide. The bill provides that its provisions shall not apply to any energy storage project that has received zoning and site plan approval, preliminary or otherwise, from the host locality before January 1, 2021. The bill also provides that its provisions shall not become effective with respect to energy storage projects unless the General Assembly approves legislation that authorizes localities to adopt an ordinance for taxation of energy storage projects such as solar projects with a local option for machinery and tools tax or solar revenue share. This bill is identical to SB 1207.

Law Advice: FYI - No Direct Impact

HB2202  Elevator mechanic or accessibility mechanic, certain; exemption from certification.

Chief Patron: Jones

Summary:
Provides that an individual is not required to be certified as an elevator mechanic or accessibility mechanic when working under the direct and immediate supervision of an elevator mechanic or certified
HB2204  **Get Skilled, Get a Job, Give Back (G3) Fund and Program; created and established, report.**

*Companion Bill:* SB1405

*Chief Patron:* Filler-Corn

**Summary:**
Establishes the Get Skilled, Get a Job, Give Back (G3) Fund and requires the Virginia Community College System to establish the G3 Program for the purpose of providing financial assistance from the Fund to certain low-income and middle-income Virginia students who are enrolled in an educational program at an associate-degree-granting public institution of higher education that leads to an occupation in a high-demand field. The bill contains provisions for student eligibility, financial assistance award amounts, and data reporting. This bill is identical to **SB 1405.**

*Law Advice: FYI - No Direct Impact*

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HB2206  **Child Care Subsidy Program; expanding Program to serve more families.**

*Chief Patron:* Filler-Corn

**Summary:**
Provides that regulations governing the Child Care Subsidy Program (the Program) shall be amended to provide that (i) a family shall be eligible for assistance through the Program if the family's income does not exceed 85 percent of the state median income, the family includes at least one child who is five years of age or younger and has not yet started kindergarten, and the family meets all other income and eligibility requirements of the Program and (ii) job search activities shall be considered eligible activities for the purposes of the Program. The bill provides that a family determined to be eligible for assistance through the Program shall be eligible to receive assistance for a period of 12 months or until the family's household income exceeds 85 percent of the state median income, whichever occurs sooner. The Department of Social Services shall administer the program, as amended by the bill, in cooperation with the Department of Education. The bill contains an emergency clause and provides that the provisions of the bill shall be applicable to applications for assistance through the Program received prior to August 1, 2021.

*Law Advice: FYI - No Direct Impact*

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HB2207  **Workers' compensation; presumption of compensability for COVID-19.**

*Companion Bill:* SB1375

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Chief Patron: Jones

Summary:
Establishes a presumption that COVID-19 causing the death or disability of firefighters, emergency medical services personnel, law-enforcement officers, correctional officers, and regional jail officers is an occupational disease compensable under the Workers' Compensation Act. The bill provides that such presumption applies to any death or disability occurring on or after July 1, 2020, caused by infection from the COVID-19 virus, provided that for any such death or disability that occurred on or after July 1, 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. This bill is identical to SB 1375.

Law Advice: New Requirement

HB2218  Pharmaceutical processors; permits processors to produce & distribute cannabis products.

Companion Bill: SB1333

Chief Patron: Hayes

Summary:
Permits pharmaceutical processors to produce and distribute cannabis products other than cannabis oil and for that purpose defines the terms "botanical cannabis," "cannabis product," and "usable cannabis." The bill requires the Board of Pharmacy to establish testing standards for botanical cannabis and botanical cannabis products, establish a registration process for botanical cannabis products, and promulgate emergency regulations to implement the provisions of the bill. The bill provides that if a practitioner determines it is consistent with the standard of care to dispense botanical cannabis to a minor, the written certification shall specifically authorize such dispensing. The bill allows the Board of Pharmacy to assess and collect botanical cannabis regulatory fees to cover costs associated with the implementation of the provisions of the bill, including costs for new personnel, training, promulgation of regulations and guidance documents, and information technology. The bill exempts the Board of Pharmacy's acquisition of a commercially available cannabis-specific software product to implement the provisions of the bill from the Virginia Public Procurement Act. This bill is identical to SB 1333.

Law Advice: Change in Authority

HB2219  Pharmacies; freedom of choice by covered individual.

Chief Patron: Hodges

Summary:
Provides that no insurance carrier, corporation providing preferred provider subscription contracts, or health maintenance organization providing health care plans or its pharmacy benefits manager shall
prohibit a covered individual from selecting the pharmacy of his choice to furnish specialty pharmaceutical benefits under the covered individual's policy. The bill provides that no pharmacy that meets the terms and conditions of participation shall be precluded from obtaining a direct service agreement or participating provider agreement and that any request for such agreement by a pharmacy shall be acted upon by a carrier, corporation, or organization or its pharmacy benefits manager within 60 days of receiving the request.

Law Advice: FYI - No Direct Impact

HB2220 Surgical technologist; certification, use of title.

Chief Patron: Hayes

Summary:
Provides that no person shall hold himself out to be a surgical technologist or use or assume the title of "surgical technologist" or "certified surgical technologist" unless such person is certified by the Board of Medicine; currently, a person must be registered with the Board of Medicine to use the title "registered surgical technologist." The bill also (i) adds a requirement that an applicant whose certification is based on his holding a current credential as a certified surgical technologist from the National Board of Surgical Technology and Surgical Assisting also demonstrate that he has successfully completed an accredited surgical technologist training program and (ii) provides that the Board of Medicine may certify a person who has practiced as a surgical technologist at any time in the six months prior to July 1, 2021, provided that he registers with the Board of Medicine by December 31, 2021.

Law Advice: FYI - No Direct Impact

HB2223 Treasury and State Treasurer, Department of the; surety bonds.

Chief Patron: Hayes

Summary:
Eliminates language that directs certain officers and board members to procure individual surety bonds mandated by current law when such officers and board members are already covered under bonding provided by the Division of Risk Management. The bill directs such officers and board members to be bonded pursuant to the blanket surety bond plan for state and local employees.

Law Advice: FYI - No Direct Impact

HB2227 Uniform Statewide Building Code; amendments, energy efficiency and conservation.

Chief Patron: Kory

Summary:
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.

**Law Advice: FYI - No Direct Impact**

No immediate impact, but may result in new requirements at a later time

**HB2258  Substantial Risk Order Registry; maintenance by State Police.**

**Chief Patron:** Simonds

**Summary:**
Authorization of the Department of State Police to release Substantial Risk Order Registry information upon request to institutions of higher education and other research organizations or institutions for the purpose of monitoring and evaluating the impact of substantial risk orders on public safety. The bill requires the Department of State Police to remove the names and other personal identifying information from the data before it releases such information.

**Law Advice: FYI - No Direct Impact**

**HB2262  Bicycles; traffic regulations, report.**

**Chief Patron:** Hurst

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

**Law Advice: FYI - No Direct Impact**

**HB2266  Alcoholic beverage control; designated outdoor refreshment area license.**

**Companion Bill:** SB1471

**Chief Patron:** Ayala

**Summary:**
Renames the "local special events" license as the "designated outdoor refreshment area" license. The bill
allows the Board of Directors of the Virginia Alcoholic Beverage Control Authority to increase the frequency and duration of events held under such license after adoption of an ordinance by a locality requesting such increase in frequency and duration. Under current law, localities are limited to holding 16 events per year under such license, with each event lasting no more than three consecutive days, except during the effective dates of any rule, regulation, or order that is issued by the Governor or State Health Commissioner to meet a public health emergency and that effectively reduces allowable restaurant seating capacity. The bill also increases the state and local license fees for designated outdoor refreshment area licenses issued pursuant to a local ordinance. This bill incorporates HB 2051 and is identical to SB 1471.

Law Advice: FYI - No Direct Impact

HB2282  **State Corporation Commission; transportation electrification, utility recovery of certain costs.**

*Chief Patron:* Sullivan

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

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.

Law Advice: FYI - No Direct Impact

HB2295  **Firearm; carrying within Capitol Square and the surrounding area, state-owned bldgs.**

*Companion Bill:* SB1381

*Chief Patron:* Levine

**Summary:**
Makes it a Class 1 misdemeanor for a person to carry any firearm or explosive material within (i) the Capitol of Virginia; (ii) Capitol Square and the surrounding area; (iii) any building owned or leased by the Commonwealth or any agency thereof; or (iv) any office where employees of the Commonwealth or agency thereof are regularly present for the purpose of performing their official duties. The bill provides exceptions for the following individuals while acting in the conduct of such person's official duties: any law-enforcement officer, any authorized security personnel, any active military personnel, any fire marshal when such fire marshal has been granted police powers, or any member of a cadet corps while such member is participating in an official ceremonial event for the Commonwealth. The prohibitions of the bill that apply to any building owned or leased by the Commonwealth or any office where state employees are performing official duties do not apply to retired law-enforcement officials visiting a gun range owned or leased by the Commonwealth or any of the following while acting in the conduct of official duties: a bail bondsman, an employee of the Department of Corrections or a state juvenile correctional facility, an employee of the Department of Conservation and Recreation, or an employee of the Department of Wildlife Resources. Such prohibitions also do not apply to an individual carrying a weapon into a courthouse who is statutorily exempt, any property owned or operated by a public institution of higher education, any state park, or any magistrate acting in the conduct of the magistrate's official duties. The bill requires that notice of the provisions prohibiting the carrying of such firearms or explosive material be posted at each of the public entrances to Capitol Square and the other locations where such firearms and explosive material are prohibited in the bill. The bill provides that any firearm or explosive material carried in violation of these provisions is subject to seizure by a law-enforcement officer and forfeiture to the Commonwealth. This bill is identical to [SB 1381](#).

Law Advice: FYI - No Direct Impact

Excludes property owned or operated by public higher education institutions

HB2300  **Hospitals; emergency treatment for substance use-related emergencies.**

*Chief Patron:* Delaney

**Summary:**
Requires each hospital with an emergency department that is currently regulated by the State Board of Health (the Board) to establish a protocol for treatment and discharge of individuals experiencing a
substance use-related emergency, which shall include provisions for (i) appropriate screening and assessment of individuals experiencing substance use-related emergencies and (ii) recommendations for follow-up care, which may include dispensing of naloxone or other opioid antagonist used for overdose reversal, issuance of a prescription for naloxone, and information about accessing naloxone at a community pharmacy or organization that dispenses naloxone or other opioid antagonist to persons without a prescription. Such protocols may also include referrals to peer recovery specialists and community-based providers of behavioral health services or providers of pharmacotherapy for the treatment of drug or alcohol dependence or mental health diagnoses. The bill also directs the Department of Health Professions, together with the Department of Health, to convene a work group to develop recommendations for best practices for the treatment and discharging of patients in emergency departments experiencing opioid-related emergencies, including overdose, which shall include recommendations for best practices related to (a) performing substance use assessments and screenings for patients experiencing opioid-related overdose and other high-risk patients; (b) prescribing and dispensing naloxone or other opioid antagonists used for overdose reversal; (c) connecting patients treated for opioid-related emergencies, including overdose, and their families with community substance abuse resources, including existing harm reduction programs and other treatment providers; and (d) identifying barriers to and developing solutions to increase the availability and dispensing of naloxone or other opioid antagonist used for overdose reversal at hospitals and community pharmacies and by other community organizations. The bill also provides that hospitals in the Commonwealth may enter into agreements with the Department of Health for the provision to uninsured patients of naloxone or other opioid antagonist used for overdose reversal.

Law Advice: New Requirement

HB2307  Consumer Data Protection Act; personal data rights of consumer, etc.

Companion Bill: SB1392

Chief Patron: Hayes

Summary:
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 purposes of targeted advertising, the sale of personal data, or profiling of the consumer. 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 directs the Joint Commission on Technology and Science to establish a work group to review the provisions of this act and issues related to its implementation, and to report on its findings by November 1, 2021. The bill has a delayed effective date of January 1, 2023. This bill is identical to SB1392.

Law Advice: FYI - No Direct Impact
HB2312  **Marijuana; legalization of simple possession, etc.**

**Companion Bill:** SB1406

**Chief Patron:** Herring

**Summary:**
Eliminates criminal penalties for simple possession of up to one ounce of marijuana by persons 21 years of age or older, modifies several other criminal penalties related to marijuana, and imposes limits on dissemination of criminal history record information related to certain marijuana offenses. The bill creates the Virginia Cannabis Control Authority (the Authority), the Cannabis Oversight Commission, the Cannabis Public Health Advisory Council, the Cannabis Equity Reinvestment Board and Fund, and the Virginia Cannabis Equity Business Loan Program and Fund and establishes a regulatory and licensing structure for the cultivation, manufacture, wholesale, and retail sale of retail marijuana and retail marijuana products, to be administered by the Authority. The bill contains social equity provisions that, among other things, provide support and resources to persons and communities that have been historically and disproportionately affected by drug enforcement. The bill has staggered effective dates, and numerous provisions of the bill are subject to reenactment by the 2022 Session of the General Assembly. This bill incorporates HB 1815 and is identical to SB 1406.

**Law Advice:**
See bill for effective dates for various provisions; does not change UVA's authority to prohibit possession and use on Grounds

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HB2317  **Sexual and Domestic Violence, Advisory Committee on; increases membership, duties.**

**Chief Patron:** Robinson

**Summary:**
Increases from 15 to 19 the total number of members of the Advisory Committee on Sexual and Domestic Violence (the Advisory Committee) by adding the Executive Director of the Virginia Victim Assistance Network and by increasing from six to nine the number of nonlegislative citizen members. The bill streamlines the responsibilities and duties of the Advisory Committee to (i) promotion of appropriate and effective responses, services, and prevention for sexual assault and domestic violence across the Commonwealth and (ii) promotion of strong communication, coordination, and strategy at state, regional, and local levels.

The bill also reorganizes the Virginia Sexual and Domestic Violence Professional Standards Committee (the Professional Standards Committee) to consist of 12 nonlegislative citizen members appointed by the Governor and three nonvoting members. Under current law, the Professional Standards Committee consists of six directors of local and domestic violence programs appointed by the Advisory Committee, six directors of local sexual and domestic violence programs appointed by the Virginia sexual and
domestic violence coalition, one nonvoting member appointed by the Department of Criminal Justice Services, and one nonvoting member appointed by the Virginia sexual and domestic violence coalition. The bill further outlines the duties and responsibilities of the Professional Standards Committee and of the Department of Criminal Justice Services with regard to the Professional Standards Committee.

**Law Advice: FYI - No Direct Impact**

**HB2321 Labor, Secretary of; position created in Governor's Cabinet.**

**Chief Patron:** Simonds

**Summary:**
Creates in the Governor's Cabinet the position of Secretary of Labor. The bill transfers from the Secretary of Commerce and Trade to the Secretary of Labor responsibility for the Department of Labor and Industry, the Department of Professional and Occupational Regulation, and the Virginia Employment Commission. The bill removes the position of Chief Workforce Development Advisor and reassigns its duties to the Secretary of Labor. The bill also adds the Secretary of Labor to the Governor's comprehensive economic development policy committee.

**Law Advice: FYI - No Direct Impact**

**HB2322 Opioid Abatement Authority; established, Fund created, report, membership.**

**Companion Bill:** SB1469

**Chief Patron:** Herring

**Summary:**
Establishes the Opioid Abatement Authority. The Authority, with the assistance of the Office of the Attorney General, would administer the Opioid Abatement Fund, which would receive moneys from settlements, judgments, verdicts, and other court orders relating to claims regarding the manufacturing, marketing, distribution, or sale of opioids and any other funds received on the Fund's behalf that would be used to provide grants and loans to Virginia agencies and certain localities for the purpose of treating, preventing, or reducing opioid use disorder and the misuse of opioids or otherwise abating or remediating the opioid epidemic in the Commonwealth. This bill is identical to **SB 1469**.

**Law Advice: FYI - No Direct Impact**

**HB2327 Prevailing wage rate; clarifies that public works includes transportation infrastructure projects.**

**Chief Patron:** Krizek
Summary:
Clarifies, for purposes of the requirement under certain circumstances to pay the prevailing wage rate for work performed on public works contracts, that public works includes transportation infrastructure projects.

Law Advice: FYI - No Direct Impact
Exempt under Restructuring

HB2332  Commonwealth Health Reinsurance Program; established, report.

Chief Patron: Sickles

Summary:
Requires the State Corporation Commission (the Commission) to establish, upon approval of a state innovation waiver request pursuant to § 1332 of the Affordable Care Act, a reinsurance program, known as the Commonwealth Health Reinsurance Program (the Program). The bill provides that the Program is funded through federal funding provided under the state innovation waiver and state appropriations. The bill requires the General Assembly to appropriate a sum sufficient to ensure the operation of the program. The bill provides requirements for payment parameters, data submissions, recordkeeping, reporting, and audits of health carriers. The bill requires the Secretary of Health and Human Resources to convene a work group to develop recommendations for developing a state-based subsidy program to increase affordability of health plans to individuals and to increase enrollment in the Virginia Health Benefit Exchange. The bill requires the Commission to evaluate the program following its second year of operation. The provisions of the bill, other than the requirements that the Commission apply for the state innovation waiver, will become effective 30 days after notice of approval of the waiver request.

Law Advice: FYI - No Direct Impact

HB2333  COVID-19; administration of vaccine.

Companion Bill: SB1445

Chief Patron: Bagby

Summary:
Facilitates the administration of the COVID-19 vaccine. The bill requires the Department of Health (the Department) to establish a program to enable eligible health care providers to volunteer to administer the COVID-19 vaccine to residents of the Commonwealth during a state of emergency related to the COVID-19 pandemic declared by the Governor. The bill defines "eligible health care provider" and provides that the program shall include (i) a process by which an eligible health care provider may register to participate in the program and (ii) the training requirements for participating eligible health care providers related to the administration of the COVID-19 vaccine, including training on the intramuscular injection of the COVID-19 vaccine and contraindications and side effects of the COVID-19 vaccine. The bill specifies requirements that the Department shall ensure that each site at which COVID-19 vaccinations are administered by eligible health care providers satisfies. The bill also requires
the Department to establish a process by which entities, including medical care facilities, hospitals, hospital systems, corporations, businesses, pharmacies, public and private institutions of higher education, localities, and any other professional or community entity operating in the Commonwealth, may volunteer their facilities as sites at which the COVID-19 vaccine may be administered to residents of the Commonwealth. The bill permits a public institution of higher education or a private institution of higher education in the Commonwealth to volunteer to provide assistance to the Department and local health departments for data processing, analytics, and program development related to the COVID-19 vaccine through the use of its employees, students, technology, and facilities. The bill also permits localities with fire departments, emergency medical services departments, and volunteer rescue squads to establish and staff vaccine administration clinics. The bill provides civil and criminal immunity to individuals and professional entities acting pursuant to the bill and contains an emergency clause. This bill is identical to SB 1445 and incorporates HB 2328.

Law Advice: New Authority

HJ537  
**Racism; General Assembly to recognize as a public health crisis.**

*Chief Patron:* Aird

*Summary:* Recognizes that racism is a public health crisis in Virginia.

*Law Advice: FYI - No Direct Impact*

HJ542  
**Transit equity and modernization; Department of Rail and Public Transportation to study.**

*Chief Patron:* McQuinn

*Summary:* 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.

*Law Advice: FYI - No Direct Impact*

HJ562  
**International Overdose Awareness Day; designating Aug. 31, 2021, & each succeeding year thereafter.**

*Chief Patron:* Miyares

*Summary:* Designates August 31, in 2021 and in each succeeding year, as International Overdose Awareness Day in Virginia and directs that flags be lowered to half-mast on August 31 in memory of those who have lost
their lives to addiction.

Law Advice: FYI - No Direct Impact

**HJ587**  [Commending Sim Ewing.](#)

**Chief Patron:** Kilgore

**Summary:**
Commending Sim Ewing.

Law Advice: FYI - No Direct Impact

**HJ596**  [Brain Aneurysm Awareness Month; designating as September 2021 and each succeeding year thereafter.](#)

**Companion Bill:** SJ276

**Chief Patron:** Gooditis

**Summary:**
Designates September, in 2021 and in each succeeding year, as Brain Aneurysm Awareness Month in Virginia. This resolution is identical to **SJ 276**.

Law Advice: FYI - No Direct Impact

**HJ605**  [Victims of COVID-19 Remembrance Day; designating as March 14, 2021 & each succeeding yr. thereafter.](#)

**Chief Patron:** McQuinn

**Summary:**
Designating March 14, in 2021 and in each succeeding year, as Victims of COVID-19 Remembrance Day in Virginia.

Law Advice: FYI - No Direct Impact

**HJ705**  [Celebrating the life of the Reverend James William Wright, Sr.](#)

**Chief Patron:** Hudson
Summary:
Celebrating the life of the Reverend James William Wright, Sr.

Law Advice: FYI - No Direct Impact

HJ706 Celebrating the life of John F. Merchant.

Chief Patron: Hudson

Summary:
Celebrating the life of John F. Merchant.

Law Advice: FYI - No Direct Impact

HJ709 Celebrating the life of Stuart Wallace Connock.

Chief Patron: Hudson

Summary:
Celebrating the life of Stuart Wallace Connock.

Law Advice: FYI - No Direct Impact

SB1102 Personal care aides; DMAS shall establish an orientation program for certain aides.

Chief Patron: Locke

Summary:
Requires the Department of Medical Assistance Services to establish an orientation program for all personal care aides who provide self-directed services through the Medicaid program. The bill lays out the topics to be covered by such orientations, requires orientations to be held in-person or online at least quarterly, and specifies that personal care aides shall be invited and encouraged to attend at least one such orientation per calendar year.

Law Advice: FYI - No Direct Impact
SB1113  Communicating threats of death or bodily injury to a person with intent to intimidate; penalty.

*Companion Bill:* HB2194

*Chief Patron:* Spruill

*Summary:* Provides that any person 18 years of age or older who communicates a threat in writing, including an electronically transmitted communication producing a visual or electronic message, to another to kill or to do serious bodily injury to any other person and makes such threat with the intent to (i) intimidate a civilian population at large; (ii) influence the conduct or activities of a government, including the government of the United States, a state, or a locality, through intimidation; or (iii) compel the emergency evacuation, or avoidance, of any place of assembly, any building or other structure, or any means of mass transportation is guilty of a Class 5 felony. The bill provides that any person younger than 18 years of age who commits such offense is guilty of a Class 1 misdemeanor. This bill is identical to HB 2194.

*Law Advice: FYI - No Direct Impact*

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SB1119  Law-enforcement agencies; body-worn camera systems.

*Chief Patron:* Reeves

*Summary:* Creates a special nonreverting fund to be known as the Body-Worn Camera System Fund to assist state or local law-enforcement agencies with the costs of purchasing, operating, and maintaining body-worn camera systems. The bill has an expiration date of July 1, 2023.

*Law Advice: FYI - No Direct Impact*

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SB1134  Refunding bonds; alters the principal and interest requirements.

*Companion Bill:* HB2179

*Chief Patron:* Howell

*Summary:* Alters the principal and interest requirements, maturity date, and allowable discount for previously issued refunding bonds. The bill contains an emergency clause and has an expiration date of June 30, 2023. This bill is identical to HB 2179.

*Law Advice: FYI - No Direct Impact*

Effective March 8, 2021
SB1138  **Sexually transmitted infections; infected sexual battery, penalty.**

*Chief Patron:* Locke

*Summary:* Provides that any person who is diagnosed with a sexually transmitted infection and engages in sexual behavior that poses a substantial risk of transmission to another person with the intent to transmit the infection to that person and transmits such infection to that person is guilty of infected sexual battery, punishable as a Class 6 felony. The bill also repeals the crime of donating or selling blood, body fluids, organs, and tissues by persons infected with human immunodeficiency virus and the provisions regarding the testing of certain persons for human immunodeficiency virus or hepatitis B or C viruses. The bill contains technical amendments.

*Law Advice: FYI - No Direct Impact*

SB1146  **Income tax, state; conformity with the Internal Revenue Code.**

*Companion Bill:* HB1935

*Chief Patron:* Howell

*Summary:* Advances Virginia's date of conformity with the Internal Revenue Code from December 31, 2019, to December 31, 2020. The bill deforms from the suspension of the overall limitation on itemized deductions and the reduction in the medical expense deduction floor for taxable year 2017 and taxable years on and after January 1, 2019, and from the provisions of the federal Coronavirus Aid, Relief, and Economic Security Act (CARES Act) related to the net operating loss limitation and carryback, a loss limitation applicable to taxpayers other than corporations, the limitation on business interest, and certain loan forgiveness and other business financial assistance. The bill provides an individual and corporate income tax deduction or subtraction, as applicable, of up to $100,000 for Rebuild Virginia grants and certain amounts related to Paycheck Protection Program loans. The bill contains an emergency clause and is identical to HB1935.

*Law Advice: FYI - No Direct Impact*

SB1147  **Nurse Loan Repayment Program; expands eligibility for Program to include certified nurse aides.**

*Chief Patron:* Kiggans

*Summary:* Expands eligibility for the Nurse Loan Repayment Program to include certified nurse aides who meet criteria determined by the State Board of Health. Under current law, only licensed practical nurses and
registered nurses are eligible for the Nurse Loan Repayment Program.

Law Advice: FYI - No Direct Impact

SB1155  **Capital outlay plan; repeals existing six-year capital outlay for projects to be funded.**

*Companion Bill:* HB2177

*Chief Patron:* Howell

*Summary:* Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. This bill is identical to HB 2177.

Law Advice: FYI - No Direct Impact

Does not include any projects for UVA or the College at Wise

SB1156  **Technology Development Grant Fund; created.**

*Chief Patron:* Howell

*Summary:* Creates the Technology Development Grant Fund to make grant payments to a qualified technology company that makes a capital investment of at least $64 million at a facility in Fairfax County and creates at least 1,500 new full-time jobs at the facility. A qualified technology company would be eligible for an aggregate of $22.5 million in grants paid over four years if it meets performance parameters and complies with the terms of a memorandum of understanding agreed upon by the company, the Commonwealth, and the Virginia Economic Development Partnership Authority.

Law Advice: FYI - No Direct Impact

SB1164  **Advanced recycling, etc.; definitions.**

*Chief Patron:* Hanger

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

Law Advice: FYI - No Direct Impact
SB1178  Genetic counseling; repeals conscience clause.

Chief Patron: Ebbin

Summary:
Repeals the conscience clause for genetic counselors who forgo participating in counseling that conflicts with their deeply held moral or religious beliefs, provided that they inform the patient and offer to direct the patient to the online directory of licensed genetic counselors maintained by the Board of Medicine. The law being repealed also prohibits the licensing of any genetic counselor from being contingent upon participating in such counseling.

Law Advice: FYI - No Direct Impact

SB1187  Physical therapy; extends time allowed for a therapist to evaluate and treat patients.

Chief Patron: Hashmi

Summary:
Extends from 30 days to 60 days the time allowed for a physical therapist who has completed a doctor of physical therapy program approved by the Commission on Accreditation of Physical Therapy Education or who has obtained a certificate of authorization to evaluate and treat patients after an initial evaluation without a referral under certain circumstances. The bill also provides that after discharging a patient a physical therapist shall not perform an initial evaluation of a patient without a referral if the physical therapist has performed an initial evaluation of the patient for the same condition within the immediately preceding 60 days.

Law Advice: Change in Requirement

SB1189  Occupational therapists; licensure.

Chief Patron: Hashmi

Summary:
Authorizes Virginia to become a signatory to the Occupational Therapy Interjurisdictional Licensure Compact. The Compact permits eligible licensed occupational therapists and occupational therapy assistants to practice in Compact member states, provided that they are licensed in at least one member state. The bill has a delayed effective date of January 1, 2022, and directs the Board of Medicine to adopt emergency regulations to implement the provisions of the bill. The Compact takes effect when it is enacted by a tenth member state.

Law Advice: FYI - No Direct Impact
Effective January 1, 2022

**SB1196 Teachers and other licensed school board employees; cultural competency training.**

*Companion Bill:* HB1904

*Chief Patron:* Locke

*Summary:* Requires teacher, principal, and division superintendent evaluations to include an evaluation of cultural competency. The bill requires every person seeking initial licensure or renewal of a license from the Board of Education (i) to complete instruction or training in cultural competency and (ii) with an endorsement in history and social sciences to complete instruction in African American history, as prescribed by the Board. The bill also requires each school board to adopt and implement policies that require each teacher and any other school board employee holding a license issued by the Board to complete cultural competency training, in accordance with guidance issued by the Board, at least every two years. This bill is identical to HB 1904.

*Law Advice:* FYI - No Direct Impact

**SB1199 Conservation easements; construction.**

*Companion Bill:* HB1760

*Chief Patron:* Petersen

*Summary:* Provides that an easement held pursuant to the Virginia Conservation Easement Act or the Open-Space Land Act be construed in favor of achieving the conservation purposes for which it was created. This bill is identical to HB 1760.

*Law Advice:* FYI - No Direct Impact

**SB1204 George Mason University; management agreement with the Commonwealth.**

*Companion Bill:* HB1986

*Chief Patron:* Barker

*Summary:* Provides a management agreement between the Commonwealth and George Mason University pursuant to the Restructured Higher Education Financial and Administrative Operations Act (§ 23.1-1000 et seq.).
This bill is identical to **HB 1986**.

**Law Advice: FYI - No Direct Impact**

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**SB1205**  
**Career fatigue and wellness in certain health care providers; programs to address, civil immunity.**

*Companion Bill:* HB1913

*Chief Patron:* Barker

**Summary:**
Expands civil immunity for health care professionals serving as members of or consultants to entities that function primarily to review, evaluate, or make recommendations related to health care services to include health care professionals serving as members of or consultants to entities that function primarily to address issues related to career fatigue and wellness in health care professionals licensed, registered, or certified by the Boards of Medicine, Nursing, or Pharmacy, or in students enrolled in a school of medicine, osteopathic medicine, nursing, or pharmacy located in the Commonwealth. The bill contains an emergency clause and is identical to **HB 1913**.

**Law Advice: FYI - No Direct Impact**

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**SB1207**  
**Solar and energy storage projects; siting agreements throughout the Commonwealth.**

*Companion Bill:* HB2201

*Chief Patron:* Barker

**Summary:**
Expands existing provisions related to siting agreements and zoning special exceptions for solar projects located in an opportunity zone to include energy storage projects and makes the provisions statewide. The bill provides that its provisions shall not apply to any energy storage project that has received zoning and site plan approval, preliminary or otherwise, from the host locality before January 1, 2021. The bill also provides that its provisions shall not become effective with respect to energy storage projects unless the General Assembly approves legislation that authorizes localities to adopt an ordinance for taxation of energy storage projects such as solar projects with a local option for machinery and tools tax or solar revenue share. This bill is identical to **HB 2201**.

**Law Advice: FYI - No Direct Impact**

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**SB1208**  
**Continuity of government; extends period of time that locality may provide after disaster, etc.**
Summary:
Extends from six to 12 months the period of time after an enemy attack or other disaster that a locality may, by ordinance, provide for a method to assure continuity in its government and requires the ordinance to provide a method for the locality to resume normal governmental authority by the end of that 12-month period.

Law Advice: FYI - No Direct Impact

SB1209  **Subcontractor's employees; liability of general contractor for wages.**

Chief Patron: Petersen

Summary:
Provides that in an action against a general contractor for nonpayment of wages to a subcontractor's employees, the general contract may offer as evidence 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.

Law Advice: FYI - No Direct Impact

SB1210  **Permit fee schedules; DEQ to revise current schedule for nonhazardous solid waste mgmt. facilities.**

Chief Patron: Petersen

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

Law Advice: FYI - No Direct Impact

SB1219  **Paid family and medical leave; SCC's Bureau of Insurance to review and make recommendations, report.**

Chief Patron: Favola

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

Law Advice: FYI - No Direct Impact

**SB1223  Va. Energy Plan; amends Plan to include an analysis of electric vehicle charging infrastructure.**

*Chief Patron:* Boysko

*Summary:* 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.

Law Advice: Change in Requirement

**SB1227  Hormonal contraceptives; payment of medical assistance for 12-month supply.**

*Chief Patron:* Boysko

*Summary:* Directs the Board of Medical Assistance Services to include in the state plan for medical assistance a provision for the payment of medical assistance for the dispensing or furnishing of up to a 12-month supply of hormonal contraceptives at one time for Medicaid and Family Access to Medical Insurance Security (FAMIS) enrollees. The bill prohibits the Department of Medical Assistance Services from imposing any utilization controls or other forms of medical management limiting the supply of hormonal contraceptives that may be dispensed or furnished to an amount less than a 12-month supply. The bill provides that the bill shall not be construed to (i) require a provider to prescribe, dispense, or furnish a 12-month supply of self-administered hormonal contraceptives at one time or (ii) exclude coverage for hormonal contraceptives as prescribed by a prescriber, acting within his scope of practice, for reasons other than contraceptive purposes.

Law Advice: FYI - No Direct Impact
SB1247  Electric generating facility closures; public disclosure, integrated resource plans.

*Companion Bill:* HB1834

*Chief Patron:* Deeds

*Summary:* 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. This bill is identical to HB 1834.

*Law Advice:* FYI - No Direct Impact

SB1251  Virginia Retirement System; technical amendments.

*Companion Bill:* HB2181

*Chief Patron:* Newman

*Summary:* Makes technical amendments to provisions of the Code of Virginia relating to the Virginia Retirement System to reflect recent changes to federal law and conform terminology to federal law. This bill is identical to HB 2181.

*Law Advice:* FYI - No Direct Impact

SB1252  Coal tax credits; sunset date.

*Companion Bill:* HB1899

*Chief Patron:* McPike

*Summary:* Sunsets the Coal Employment and Production Incentive Tax Credit and Coalfield Employment Enhancement Tax Credit after tax year 2021 and prohibits the allocation of such credits on and after January 1, 2022. The bill provides that if Coal Employment and Production Incentive tax credits were earned prior to January 1, 2022, the credit holder may claim the credits in subsequent tax years pursuant to the applicable carryover requirements of current law; however, such credit holders would be limited to claiming $1 million in carryover credits per taxable year. The bill directs the Department of Mines, Minerals and Energy to convene a stakeholder process to report by December 1, 2021, on
recommendations for how the Commonwealth can provide economic transition support to the coalfield region. This bill is identical to HB 1899.

Law Advice: FYI - No Direct Impact

SB1254  **Sports betting; clarifies certain procedures.**

**Companion Bill:** HB1847

**Chief Patron:** McPike

**Summary:**
Directs the Virginia Lottery (the Lottery) in issuing permits to operate sports betting platforms to give substantial and preferred consideration to any applicant that provides any of the following: (i) a description of any equity interest owned by minority individuals or minority-owned businesses, (ii) a detailed plan to achieve increased minority equity investment, (iii) a description of all efforts made to seek equity investment from minority individuals or minority-owned businesses, or (iv) a plan detailing efforts made to solicit participation of minority individuals or minority-owned businesses in the applicant's purchase of goods and services related to the sports betting platform or to provide assistance to a historically disadvantaged community or historically black colleges and universities located within the Commonwealth.

The bill clarifies the types of events on which sports betting is allowed and provides that a permit issued to a casino operator shall not count toward the maximum of 12 permits that the Director of the Lottery can issue. The bill makes technical amendments related to the interaction between sports betting law and casino gaming law. This bill is identical to HB 1847.

Law Advice: FYI - No Direct Impact

SB1256  **Criminal Justice Services Board and Committee on Training: membership.**

**Chief Patron:** Marsden

**Summary:**
Requires the social justice organization represented by a member of the Criminal Justice Services Board and a member of the Committee on Training be engaged in advancing inclusion and human rights. The bill contains a technical amendment to compulsory in-service training for law-enforcement officers.

Law Advice: FYI - No Direct Impact

No immediate impact; frequency of in-service retraining requirements may change as a result of the law

SB1260  **Transportation purposes; entry onto land for inspection.**
**Chief Patron:** Bell

**Summary:**
Requires that for any project wherein the power of eminent domain may be exercised, any locality or the Commissioner of Highways shall provide a landowner with a request to enter and inspect property at least 30 days in advance. The request must be on official letterhead and shall notify the landowner that even if permission is withheld, the locality or the Commissioner of Highways will be permitted to enter the property on the proposed date. Current law requires the locality or the Commissioner of Highways to send a request to enter and inspect the property and, if written permission is not received within 15 days, a subsequent notice of intent to enter with the date on which the locality or the Commissioner of Highways will be entering the property.

**Law Advice:** FYI - No Direct Impact

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**SB1265  Natural gas pipelines; stop work orders.**

**Chief Patron:** Deeds

**Summary:**
Authorizes the Department of Environmental Quality to conduct inspections of the land-disturbing activities related to construction of any natural gas transmission pipeline equal to or greater than 24 inches inside diameter. Current law authorizes such inspections only if such inside diameter is greater than 36 inches. The bill also specifies certain instances that may give rise to such inspection and authorizes the Department to issue a stop work instruction for every work area in Virginia in the event that substantial adverse impacts or likely adverse impacts are found on a repeated, frequent, and widespread basis.

**Law Advice:** FYI - No Direct Impact

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**SB1269  Health insurance; authorization of drug prescribed for the treatment of a mental disorder.**

**Companion Bill:** HB2008

**Chief Patron:** McPike

**Summary:**
Requires that any provider contract between a carrier and a participating health care provider with prescriptive authority, or its contracting agent, contain provisions that require, when a carrier has previously approved prior authorization for any drug prescribed for the treatment of a mental disorder listed in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders published by the American Psychiatric Association, no additional prior authorization can be required if (i) the drug is a covered benefit; (ii) the prescription does not exceed the U.S. Food and Drug Administration-labeled dosages; (iii) the prescription has been continuously issued for no fewer than three months; and (iv) the prescriber performs an annual review of the patient to evaluate the drug's continued efficacy, changes in the patient's health status, and potential contraindications. The bill provides that this requirement does...
not prohibit a carrier from requiring prior authorization for any drug that is not listed on its prescription drug formulary at the time the initial prescription is issued. The bill also requires that such provider contracts contain provisions requiring a carrier to honor a prior authorization issued by the carrier for a drug regardless of whether the drug is removed from the carrier's prescription drug formulary after the initial prescription for that drug is issued. Under the bill, provisions related to provider contracts and prior authorization shall apply to the state insurance health plan. This bill is identical to HB 2008.

Law Advice: FYI - No Direct Impact

SB1271  Virginia Freedom of Information Act; meetings held through electronic communication means.

Chief Patron: McPike

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

Law Advice: Change in Requirement

SB1273  Behavioral Health Commission; established, report.

Chief Patron: Deeds

Summary:
Creates the Behavioral Health Commission in the legislative branch of state government for the purpose of (i) studying and making recommendations for the improvement of behavioral health services and the behavioral health service system in the Commonwealth to encourage the adoption of policies to increase the quality and availability of and ensure access to the full continuum of high-quality, effective, and efficient behavioral health services for all persons in the Commonwealth and (ii) providing ongoing oversight of behavioral health services and the behavioral health service system in the Commonwealth, including monitoring and evaluation of established programs, services, and delivery and payment structures and implementation of new services and initiatives in the Commonwealth and development of recommendations for improving such programs, services, structures, and implementation.

Law Advice: FYI - No Direct Impact
SB1275  **Workers' compensation; presumption of compensability for certain diseases.**

*Companion Bill:* HB1818

*Chief Patron:* Marsden

*Summary:* Provides that the occupational disease presumption for death caused by hypertension or heart disease will apply for salaried or volunteer emergency medical services personnel who have at least five years of service and are operating in a locality that has legally adopted a resolution declaring that it will provide one or more of such presumptions. The provisions of the bill do not apply to any individual who was diagnosed with hypertension or heart disease before July 1, 2021. This bill is identical to HB 1818.

*Law Advice:* FYI - No Direct Impact

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SB1276  **Essential health benefits; abortion coverage.**

*Companion Bill:* HB1896

*Chief Patron:* McClellan

*Summary:* Removes the prohibition on the provision of coverage for abortions in any qualified health insurance plan that is sold or offered for sale through a health benefits exchange established or operating in Virginia. This bill is identical to HB 1896.

*Law Advice:* FYI - No Direct Impact

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SB1279  **Veterans Services, Department of; initiatives to reduce unemployment among veterans.**

*Chief Patron:* Bell

*Summary:* Requires the Department of Veterans Services to develop a comprehensive program to assist military service members, veterans, and their spouses in making a successful transition from military to civilian life in Virginia. The program promotes strategies and services for connecting transitioning service members, veterans, and spouses to local, regional, state, and federal employment resources in Virginia, including (i) skills and workforce assessments and (ii) internship and apprenticeship programs. The bill also requires that the program prioritize assistance to military service members, veterans, and their spouses who have not sought services from or do not qualify for services under certain federal programs administered by the Commonwealth.
SB1282  **Greenhouse gas emissions inventory; regulations.**

*Chief Patron:* Morrissey

**Summary:**
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.

Law Advice: FYI - No Direct Impact

SB1284  **Commonwealth Clean Energy Policy; established.**

*Chief Patron:* Favola

**Summary:**
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 competiveness and workforce development in an equitable manner.

Law Advice: New Requirement

SB1289  **Health insurance; carrier business practices, provider contracts.**

*Chief Patron:* Surovell

**Summary:**
Requires that each provider contract include a provision prohibiting a provider from discriminating against any enrollee solely due to the enrollee's status as a litigant in pending litigation or a potential litigant due to being involved in a motor vehicle accident. The bill provides that the State Corporation Office of State Governmental Relations Monday, July 5, 2021
Commission, if it has cause to believe that a provider has engaged in a pattern of such discrimination, may submit information to the Board of Medicine or the Commissioner of Health for action.

**Law Advice: FYI - No Direct Impact**

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**SB1290  ConserveVirginia program; established.**

**Chief Patron:** Mason

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

**Law Advice: FYI - No Direct Impact**

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**SB1291  Va. Water Protection Permit; withdrawal of surface water or ground water, plans for water auditing.**

**Chief Patron:** Mason

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

**Law Advice: New Requirement**

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**SB1295  Electric utilities; procurement of certain equipment.**

**Chief Patron:** DeSteph

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

**Law Advice: FYI - No Direct Impact**

**SB1296  Emergency Management Equity Working Group; established.**

*Chief Patron:* Spruill

*Summary:*
Provides for the State Coordinator of Emergency Management to establish an Emergency Management Equity Working Group to ensure that emergency management programs and plans provide support to at-risk individuals and populations disproportionately impacted by disasters.

**Law Advice: FYI - No Direct Impact**

No immediate impact; recommendations of working group may result in additional future requirements

**SB1307  School-based health services; Bd. of MAS to amend state plan for services to provide for payment.**

*Chief Patron:* Dunnavant

*Summary:*
Directs the Board of Medical Assistance Services to amend the state plan for medical assistance services to provide for payment of medical assistance services delivered to Medicaid-eligible students when such services qualify for reimbursement by the Virginia Medicaid program and may be provided by school divisions, regardless of whether the student receiving care has an individualized education program or whether the health care service is included in a student's individualized education program. The bill specifies that such services shall include those covered under the state plan for medical assistance services or by the Early and Periodic Screening, Diagnostic, and Treatment benefit as specified in § 1905(r) of the federal Social Security Act, and shall include a provision for payment of medical assistance for health care services provided through telemedicine services. The bill also requires the Department of Medical Assistance Services to provide technical assistance to the Department of Education and local school divisions to facilitate their understanding of and compliance with federal ordering, referring, and prescribing provider screening and enrollment requirements.

**Law Advice: FYI - No Direct Impact**

**SB1309  Local stormwater assistance; flood mitigation and protection.**

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

Law Advice: FYI - No Direct Impact

SB1311  Water quality standards; modification of permits and certifications.

Chief Patron: McClellan

Summary:
Requires an applicant for a natural gas transmission pipeline greater than 36 inches inside diameter to submit in the application a detailed erosion and sediment control plan and stormwater management plan subject to Department of Environmental Quality (the Department) review and approval. After receipt of such application, the bill directs the Department to issue a request for information about how the erosion and sediment control plan and stormwater management plan will address activities in or related to upland areas, and requires the applicant to respond. The bill directs the Department to consider such information in developing a draft certification or denial, and to take certain additional public notice steps.

The bill prohibits the Department and the State Water Control Board from expressly waiving certification of a natural gas transmission pipeline of greater than 36 inches inside diameter under § 401 of the federal Clean Water Act and requires the Department or Board to act on any certification request within a reasonable period of time pursuant to federal law.

Law Advice: FYI - No Direct Impact

SB1314  Education and Labor Market Alignment, Office of; established.

Chief Patron: Hashmi

Summary:
Directs the Virginia Economic Development Partnership Authority to establish an Office of Education and Labor Market Alignment (the Office) to coordinate data analysis on workforce and higher education alignment and translate data to partners. The Office shall provide a unified, consistent source of information or analysis for policy development and implementation related to talent development and shall partner with the State Council of Higher Education for Virginia, institutions of higher education, the Virginia Department of Education, the Virginia Employment Commission, GO Virginia, and other relevant entities to offer resources and expertise related to education and labor market alignment.

Law Advice: FYI - No Direct Impact

No immediate impact; may lead to new or modified requirements at a later time
SB1316  Child care providers; background checks, portability.

Companion Bill: HB2086

Chief Patron: McClellan

Summary:
Exempts prospective employees and volunteers of certain child care providers from statutory background check requirements where the individual completed a background check within the previous five years, provided that (i) such background check was conducted after July 1, 2017; (ii) the results of such background check indicated that the individual had not been convicted of any barrier crime and was not the subject of a founded complaint of child abuse or neglect; and (iii) the individual is an employee or volunteer of a child care provider that is subject to background check requirements or has been separated from such employment or volunteer position for not more than 180 days. The bill requires such child care providers, prior to hiring or allowing to volunteer any individual without the completion of a background check, to obtain written certification that such individual satisfies all such requirements and is eligible to serve as an employee or volunteer. The bill also directs the Department of Education (the Department) to establish a two-year pilot program for the purpose of stabilizing and improving the quality of services provided in the Commonwealth's child care industry. The bill provides that under the pilot program a fixed sum of funds, based on the number of children served and certain other factors, will be disbursed to participating child care providers who agree to meet higher standards of quality and care, as determined by the Department. The bill requires the Department to report to the Governor and the General Assembly no later than December 1 of each year of the pilot program certain information set forth in the bill. The bill also requires the Department, in collaboration with the School Readiness Committee, to (a) identify and analyze financing strategies that can be used to support the systemic costs of high-quality child care services, ensure equitable compensation for child care staff, and better prepare children for kindergarten and (b) analyze the effectiveness of using a cost-of-quality modeling system for the child care subsidy program. The bill requires the Department to report its findings to the Governor and the General Assembly no later than December 1, 2021.

Law Advice: FYI - No Direct Impact

SB1320  Licensed certified midwives; clarifies definition, licensure, etc.

Companion Bill: HB1953

Chief Patron: Lucas

Summary:
Defines "practice of licensed certified midwifery," directs the Boards of Medicine and Nursing to establish criteria for the licensure and renewal of a license as a certified midwife, and requires licensed certified midwives to practice in consultation with a licensed physician in accordance with a practice agreement. The bill also directs the Department of Health Professions to convene a work group to study the licensure and regulation of certified nurse midwives, certified midwives, and certified professional midwives to determine the appropriate licensing entity for such professionals. The bill requires the
Department to report its findings and conclusions to the Governor and the General Assembly by November 1, 2021. This bill is identical to HB 1953.

Law Advice: FYI - No Direct Impact

**SB1333  Pharmaceutical processors; permits processors to produce & distribute cannabis products.**

*Companion Bill:* HB2218

*Chief Patron:* Lucas

*Summary:* Permits pharmaceutical processors to produce and distribute cannabis products other than cannabis oil and for that purpose defines the terms "botanical cannabis," "cannabis product," and "usable cannabis." The bill requires the Board of Pharmacy to establish testing standards for botanical cannabis and botanical cannabis products, establish a registration process for botanical cannabis products, and promulgate emergency regulations to implement the provisions of the bill. The bill provides that if a practitioner determines it is consistent with the standard of care to dispense botanical cannabis to a minor, the written certification shall specifically authorize such dispensing. The bill allows the Board of Pharmacy to assess and collect botanical cannabis regulatory fees to cover costs associated with the implementation of the provisions of the bill, including costs for new personnel, training, promulgation of regulations and guidance documents, and information technology. The bill exempts the Board of Pharmacy's acquisition of a commercially available cannabis-specific software product to implement the provisions of the bill from the Virginia Public Procurement Act. This bill is identical to HB 2218.

Law Advice: Change in Authority

**SB1338  Telemedicine; coverage of telehealth services by an insurer, etc.**

*Companion Bill:* HB1987

*Chief Patron:* Barker

*Summary:* Requires the Board of Medical Assistance Services to amend the state plan for medical assistance to provide for payment of medical assistance for remote patient monitoring services provided via telemedicine for certain high-risk patients, makes clear that nothing shall preclude health insurance carriers from providing coverage for services delivered through real-time audio-only telephone that are not telemedicine, and clarifies rules around the prescribing of Schedule II through VI drugs via telemedicine, including establishing a practitioner-patient relationship via telemedicine. This bill is identical to HB 1987.

Law Advice: Change in Requirement
SB1350  **Transportation funding; statewide prioritization process, resiliency.**

*Companion Bill:* HB2071

*Chief Patron:* Lewis

*Summary:*
Requires the Commonwealth Transportation Board to determine whether a project has been designed to be or the project sponsor has committed that the design will be resilient when evaluating projects for the Six-Year Improvement Program and consider resiliency when establishing the Statewide Transportation Plan. The bill also requires the Commissioner of Highways to ensure resiliency is incorporated into the design standards for new construction projects. This bill is identical to HB 2071.

*Law Advice:* FYI - No Direct Impact

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SB1351  **Workers' compensation; claims not barred.**

*Chief Patron:* Lewis

*Summary:*
Provides that an order issued by the Workers' Compensation Commission awarding or denying benefits shall not bar by res judicata any claim by an employee or cause a waiver, abandonment, or dismissal of any claim by an employee if the order does not expressly adjudicate such claim.

*Law Advice:* FYI - No Direct Impact

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SB1354  **Chesapeake Bay; wastewater treatment, Enhanced Nutrient Removal Certainty Program established.**

*Companion Bill:* HB2129

*Chief Patron:* Hanger

*Summary:*
Requires the State Water Control Board to adopt regulations establishing a Phase III Watershed Implementation Plan Enhanced Nutrient Removal Certainty Program (ENRC Program), consisting of a number of total nitrogen and total phosphorous waste load allocation reductions assigned to particular water treatment facilities with schedules for compliance. The bill provides that the ENRC Program shall operate in lieu of certain Chesapeake Bay waste load regulations. The bill directs the Board to modify affected discharge permits to incorporate the provisions of the ENRC Program and requires certain compliance plans due from treatment works beginning February 1, 2023, to address the requirements of the ENRC Program.

The bill provides that the funding of certain design and installation costs for implementing nutrient upgrades pursuant to the ENRC Program shall be eligible for grants from the Water Quality Office of State Governmental Relations   Monday, July 5, 2021
Improvement Fund. The bill lists the projects and the total nitrogen or total phosphorus waste load allocation reductions that specified facilities are to complete. The bill provides that when grants to finance nutrient removal technology reach a sum sufficient to fund the completion of the ENRC Program at all publicly owned treatment works, certain General Assembly committees shall review funding needs and mechanisms.

The bill provides that the ENRC Program shall be deemed to implement through January 1, 2026, the Chesapeake Bay Phase III Watershed Implementation Plan. The bill provides that if, after July 1, 2026, Virginia has not achieved its nitrogen pollution reduction commitments in the Phase III Watershed Implementation Plan, the Secretary of Natural Resources may develop an additional watershed implementation plan. This bill is identical to HB 2129.

Law Advice: FYI - No Direct Impact

SB1356 Hospitals, nursing homes, etc.; visits by clergy.

Chief Patron: Kiggans

Summary:
Requires the Board of Health to include in regulations governing hospitals, nursing homes, certified nursing facilities, and hospices and the Board of Social Services to include in regulations governing assisted living facilities a requirement that, during a public health emergency related to a communicable disease of public health threat, each hospital, nursing home, certified nursing facility, hospice, and assisted living facility establish a protocol to allow patients to receive visits from a rabbi, priest, minister, or clergy of any religious denomination or sect consistent with guidance from the Centers for Disease Control and Prevention and the Centers for Medicare and Medicaid Services and subject to compliance with any executive order, order of public health, Department of Health guidance, or any other applicable federal or state guidance having the effect of limiting visitation. The bill provides that such protocol may restrict the frequency and duration of visits and may require visits to be conducted virtually using interactive audio or video technology when use of interactive audio or video technology is determined to be necessary to comply with any applicable federal or state guidance or to protect the health and safety of the person, patients, or staff. Additionally, the protocol may require the person visiting a patient to comply with all reasonable requirements of the facility adopted to protect the health and safety of the person, patients, and staff.

Law Advice: New Requirement

New regulations to be determined by Board of Health

SB1365 Data Governance and Analytics, Office of; created.

Chief Patron: Barker

Summary:
Creates the Office of Data Governance (the Office) in the Office of the Secretary of Administration, to be directed by the existing Chief Data Officer of the Commonwealth. The Office is charged with
overseeing general data governance in the Commonwealth, as well as developing and managing the Commonwealth Data Trust, a multi-stakeholder data exchange and analytics platform. A multi-level governance structure is established to govern the Trust. The provisions of the bill establishing the Office expire on July 1, 2023. The bill also establishes the Virginia Data Commission to advise the Office on issues relating to data sharing. The Commission is directed to review and evaluate the Office and provide recommendations regarding its permanent structure and long-term funding options. The provisions related to the Commission expire on July 1, 2024.

Law Advice: FYI - No Direct Impact

No immediate impact; may lead to new or modified requirements at a later time

SB1366  Aging services: economic and social needs.

Companion Bill: HB1805

Chief Patron: Barker

Summary:
Requires the Department for Aging and Rehabilitative Services, in providing aging services, to use available resources to provide services to older persons with the greatest economic or social needs. The bill defines "economic need" as need resulting from an income level at or below the poverty line. The bill defines "social need" as need caused by noneconomic factors, including (i) physical and mental disabilities, which include developmental disabilities and human immunodeficiency virus; (ii) language barriers; and (iii) cultural, social, or geographic isolation, including that which is related to a history of discrimination for factors such as racial or ethnic status, gender identity, gender expression, or sexual orientation that can affect an individual's ability to perform normal daily tasks or threatens such individual's capacity to live independently. This bill is identical to HB 1805.

Law Advice: FYI - No Direct Impact

SB1374  Carbon Sequestration Task Force; established.

Chief Patron: Lewis

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

Law Advice: FYI - No Direct Impact

SB1375  Workers' compensation; presumption of compensability for COVID-19.

**Companion Bill:** HB2207

**Chief Patron:** Saslaw

**Summary:**
Establishes a presumption that COVID-19 causing the death or disability of firefighters, emergency medical services personnel, law-enforcement officers, correctional officers, and regional jail officers is an occupational disease compensable under the Workers' Compensation Act. The bill provides that such presumption applies to any death or disability occurring on or after July 1, 2020, caused by infection from the COVID-19 virus, provided that for any such death or disability that occurred on or after July 1, 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. This bill incorporates SB 1342 and is identical to HB 2207.

Law Advice: New Requirement

SB1381  Firearm; carrying within Capitol Square and the surrounding area, state-owned bldgs.

**Companion Bill:** HB2295

**Chief Patron:** Ebbin

**Summary:**
Makes it a Class 1 misdemeanor for a person to carry any firearm or explosive material within (i) the Capitol of Virginia; (ii) Capitol Square and the surrounding area; (iii) any building owned or leased by the Commonwealth or any agency thereof; or (iv) any office where employees of the Commonwealth or agency thereof are regularly present for the purpose of performing their official duties. The bill provides exceptions for the following individuals while acting in the conduct of such person's official duties: any law-enforcement officer, any authorized security personnel, any active military personnel, any fire marshal when such fire marshal has been granted police powers, or any member of a cadet corps while such member is participating in an official ceremonial event for the Commonwealth. The prohibitions of the bill that apply to any building owned or leased by the Commonwealth or any office where state employees are performing official duties do not apply to retired law-enforcement officials visiting a gun range owned or leased by the Commonwealth or any of the following while acting in the conduct of official duties: a bail bondsman, an employee of the Department of Corrections or a state juvenile correctional facility, an employee of the Department of Conservation and Recreation, or an employee of the Department of Wildlife Resources. Such prohibitions also do not apply to an individual carrying a weapon into a courthouse who is statutorily exempt, any property owned or operated by a public
institution of higher education, any state park, or any magistrate acting in the conduct of the magistrate's official duties. The bill requires that notice of the provisions prohibiting the carrying of such firearms or explosive material be posted at each of the public entrances to Capitol Square and the other locations where such firearms and explosive material are prohibited in the bill. The bill provides that any firearm or explosive material carried in violation of these provisions is subject to seizure by a law-enforcement officer and forfeiture to the Commonwealth. This bill is identical to HB 2295.

Law Advice: FYI - No Direct Impact

Excludes property owned or operated by public higher education institutions

SB1387 Students; eligibility for in-state tuition.

Companion Bill: HB2123

Chief Patron: Boysko

Summary:
Provides that students who meet the criteria to be deemed eligible for in-state tuition regardless of their citizenship or immigration status shall be afforded the same educational benefits, including financial assistance programs administered by the State Council of Higher Education for Virginia, the State Board for Community Colleges, or a public institution of higher education, as any other individual who is eligible for in-state tuition. The bill directs the State Council of Higher Education for Virginia, in coordination with institutions of higher education in the Commonwealth, to promulgate regulations to implement the provisions of the bill. The bill has a delayed effective date of August 1, 2022, and is identical to HB 2123.

Law Advice: New Authority

Effective August 1, 2022

SB1392 Consumer Data Protection Act; personal data rights of consumer, etc.

Companion Bill: HB2307

Chief Patron: Marsden

Summary:
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 purposes of targeted
advertising, the sale of personal data, or profiling of the consumer. 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 directs the Joint Commission on Technology and Science to establish a work group to review the provisions of this act and issues related to its implementation, and to report on its findings by November 1, 2021. The bill has a delayed effective date of January 1, 2023. This bill is identical to HB 2307.

Law Advice: FYI - No Direct Impact
Not applicable to state agencies; effective January 1, 2023

SB1393 **Trees; replacement and conservation during development, effective clause.**

*Companion Bill:* HB2042

*Chief Patron:* Marsden

*Summary:* Gives a locality the ability to exceed general requirements in its tree replacement and conservation ordinances in specific circumstances, including development that impacts stormwater permit requirements, recurrent flooding, formerly redlined areas, and comprehensive plan compliance. The bill also directs the Secretary of Natural Resources and Secretary of Agriculture and Forestry to convene a stakeholder work group for the purpose of developing and providing recommendations to state and local governments related to policies that encourage the conservation of mature trees and tree cover on sites being developed, increase tree canopy cover in communities, and encourage the planting of trees. The bill will not become effective unless reenacted by the 2022 Session of the General Assembly, but the stakeholder work group is effective in due course. This bill is identical to HB 2042.

Law Advice: FYI - No Direct Impact
Requires reenactment by the General Assembly in 2022

SB1398 **Retail sales and transient occupancy taxes; room rentals.**

*Chief Patron:* Norment

*Summary:* Provides that retail sales and hotel taxes on transient room rentals shall be computed on the basis of the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill requires the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The bill requires an amount equal to the estimated state sales tax revenue generated from the tax on accommodations fees to be appropriated to the Virginia Tourism Authority each fiscal year to be used for promoting tourism.
SB1404  **Stormwater Local Assistance Fund; grants awarded for projects related to Chesapeake Bay.**

*Chief Patron:* Lewis

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

Law Advice: FYI - No Direct Impact

SB1405  **Get Skilled, Get a Job, Give Back (G3) Fund and Program; created and established, report.**

*Companion Bill:* HB2204

*Chief Patron:* Saslaw

*Summary:*
Establishes the Get Skilled, Get a Job, Give Back (G3) Fund and requires the Virginia Community College System to establish the G3 Program for the purpose of providing financial assistance from the Fund to certain low-income and middle-income Virginia students who are enrolled in an educational program at an associate-degree-granting public institution of higher education that leads to an occupation in a high-demand field. The bill contains provisions for student eligibility, financial assistance award amounts, and data reporting. This bill is identical to HB 2204.

Law Advice: FYI - No Direct Impact

SB1406  **Marijuana; legalization of simple possession, etc.**

*Companion Bill:* HB2312

*Chief Patron:* Ebbin

*Summary:*
Eliminates criminal penalties for simple possession of up to one ounce of marijuana by persons 21 years of age or older, modifies several other criminal penalties related to marijuana, and imposes limits on dissemination of criminal history record information related to certain marijuana offenses. The bill
creates the Virginia Cannabis Control Authority (the Authority), the Cannabis Oversight Commission, the Cannabis Public Health Advisory Council, the Cannabis Equity Reinvestment Board and Fund, and the Virginia Cannabis Equity Business Loan Program and Fund and establishes a regulatory and licensing structure for the cultivation, manufacture, wholesale, and retail sale of retail marijuana and retail marijuana products, to be administered by the Authority. The bill contains social equity provisions that, among other things, provide support and resources to persons and communities that have been historically and disproportionately affected by drug enforcement. The bill has staggered effective dates, and numerous provisions of the bill are subject to reenactment by the 2022 Session of the General Assembly. This bill incorporates SB 1243 and is identical to HB 2312.

Law Advice:

See bill for effective dates for various provisions; does not change UVA's authority to prohibit possession and use on Grounds

SB1408  **Health Care, Joint Commission on: repeals sunset provision.**

*Chief Patron:* Barker

*Summary:*  
Repeals the sunset provision for the Joint Commission on Health Care.

*Law Advice:* FYI - No Direct Impact

SB1410  **Active military or a military spouse; prohibits discrimination in public accommodations, etc.**

*Companion Bill:* HB2161

*Chief Patron:* Bell

*Summary:*  
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. This bill is identical to HB 2161.

*Law Advice:* New Requirement

SB1414  **Henrietta Lacks Commission; extends sunset provision.**

*Chief Patron:* Stanley
Summary:
Extends the expiration of the Henrietta Lacks Commission from July 1, 2021, to July 1, 2026.

Law Advice: FYI - No Direct Impact

SB1417  Animal testing facilities; definitions, adoption of dogs and cats, civil penalty.

Chief Patron: Stanley

Summary:
Requires any animal testing facility, defined in the bill, that no longer has need for a dog or cat in its possession that does not pose a health or safety risk to the public or itself to offer, for a reasonable period of time prior to euthanasia, such dog or cat for adoption to a releasing agency or through a private placement or in the case of a testing facility operated by an agency or institution of higher education, develop its own adoption program. The bill authorizes an animal testing facility to enter into an agreement with a releasing agency for the implementation of the adoption. Violation is subject to a civil penalty of not more than $5,000 and any court costs and attorney fees.

Law Advice: New Requirement

SB1420  Electric utilities; nonjurisdictional customers, third party power purchase agreements.

Companion Bill: HB2034

Chief Patron: Edwards

Summary:
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. This bill is identical to HB 2034.

Law Advice: FYI - No Direct Impact

SB1421  Brain injury; clarifies definition.

Companion Bill: HB1873

Chief Patron: Edwards

Summary:
Eliminates the requirement that an injury occur before the age of 65 to constitute a brain injury as that term is used in the context of licensure of private providers of behavioral health services. This bill is identical to HB 1873.

Law Advice: FYI - No Direct Impact

SB1436  Eligible Health Care Provider Reserve Directory: established.

Chief Patron: Hanger

Summary:
Directs the Department of Health to establish an Eligible Health Care Provider Reserve Directory (the Directory) to collect information regarding eligible health care providers in the Commonwealth who are qualified and who may be available to assist in the response to a public health emergency. The Directory shall include the name, contact information, and licensure, certification, or registration type and status of the eligible health care provider or, if the eligible health care provider is a fourth-year medical student, academic standing and anticipated graduation date of the fourth-year medical student if the student registers for inclusion in the Directory. Every health regulatory board of the Department of Health Professions, the Office of Emergency Medical Services of the Department of Health, and each medical school located in the Commonwealth, upon the request of a fourth-year medical student, shall provide such information to the Department of Health for inclusion in the Directory. However, a health regulatory board shall not report information for any such person who has notified the health regulatory board in writing that he does not want his information included in the Directory.

Law Advice: New Requirement

SB1445  COVID-19; facilitates vaccine administration.

Companion Bill: HB2333

Chief Patron: Dunnavant

Summary:
Facilitates the administration of the COVID-19 vaccine. The bill requires the Department of Health (the Department) to establish a program to enable eligible health care providers to volunteer to administer the COVID-19 vaccine to residents of the Commonwealth during a state of emergency related to the COVID-19 pandemic declared by the Governor. The bill defines "eligible health care provider" and provides that the program shall include (i) a process by which an eligible health care provider may register to participate in the program and (ii) the training requirements for participating eligible health care providers related to the administration of the COVID-19 vaccine, including training on the intramuscular injection of the COVID-19 vaccine and contraindications and side effects of the COVID-19 vaccine. The bill specifies requirements that the Department shall ensure that each site at which COVID-19 vaccinations are administered by eligible health care providers satisfies. The bill also requires the Department to establish a process by which entities, including medical care facilities, hospitals, hospital systems, corporations, businesses, pharmacies, public and private institutions of higher education, localities, and any other professional or community entity operating in the Commonwealth,
may volunteer their facilities as sites at which the COVID-19 vaccine may be administered to residents of the Commonwealth. The bill permits a public institution of higher education or a private institution of higher education in the Commonwealth to volunteer to provide assistance to the Department and local health departments for data processing, analytics, and program development related to the COVID-19 vaccine through the use of its employees, students, technology, and facilities. The bill also permits localities with fire departments, emergency medical services departments, and volunteer rescue squads to establish and staff vaccine administration clinics. The bill provides civil and criminal immunity to individuals and professional entities acting pursuant to the bill and contains an emergency clause. This bill is identical to HB 2333.

Law Advice: New Authority

SB1458  **Identity Management Standards Advisory Council; transfers management of Council.**

*Chief Patron:* Boysko

*Summary:* Transfers the management of the Identity Management Standards Advisory Council from the Secretary of Administration to the Secretary of Commerce and Trade. The bill also adds to the membership of the Advisory Council a representative from the Commonwealth of Virginia Innovation Partnership Authority and a representative of Virginia consumers. The bill also allows the Commissioner of the Department of Motor Vehicles to serve ex officio with voting privileges.

Law Advice: FYI - No Direct Impact

SB1464  **Drug Control Act; adds certain chemicals to Schedule I of Act.**

*Chief Patron:* Newman

*Summary:* Adds certain chemicals to Schedule I of the Drug Control Act. The Board of Pharmacy has added these substances to Schedule I in an expedited regulatory process. A substance added via this process is removed from the schedule after 18 months unless a general law is enacted adding the substance to the schedule.

Law Advice: FYI - No Direct Impact

SB1469  **Opioid Abatement Authority; established, Fund created, report, membership.**

*Companion Bill:* HB2322

*Chief Patron:* Barker
Summary:
Establishes the Opioid Abatement Authority. The Authority, with the assistance of the Office of the Attorney General, would administer the Opioid Abatement Fund, which would receive moneys from settlements, judgments, verdicts, and other court orders relating to claims regarding the manufacturing, marketing, distribution, or sale of opioids and any other funds received on the Fund's behalf that would be used to provide grants and loans to Virginia agencies and certain localities for the purpose of treating, preventing, or reducing opioid use disorder and the misuse of opioids or otherwise abating or remediating the opioid epidemic in the Commonwealth. This bill is identical to HB 2322.

Law Advice: FYI - No Direct Impact

SB1471  Alcoholic beverage control; designated outdoor refreshment area license.

Companion Bill: HB2266

Chief Patron: Dunnavant

Summary:
Renames the "local special events" license as the "designated outdoor refreshment area" license. The bill allows the Board of Directors of the Virginia Alcoholic Beverage Control Authority to increase the frequency and duration of events held under such license after adoption of an ordinance by a locality requesting such increase in frequency and duration. Under current law, localities are limited to holding 16 events per year under such license, with each event lasting no more than three consecutive days, except during the effective dates of any rule, regulation, or order that is issued by the Governor or State Health Commissioner to meet a public health emergency and that effectively reduces allowable restaurant seating capacity. The bill also increases the state and local license fees for designated outdoor refreshment area licenses issued pursuant to a local ordinance. This bill is identical to HB 2266.

Law Advice: FYI - No Direct Impact

SB1472  Individuals w/ intellectual & developmental disabilities; DMAS to study use of virtual support, etc.

Companion Bill: HB2197

Chief Patron: Suetterlein

Summary:
Directs the Department of Medical Assistance Services to study and develop recommendations for the permanent use of virtual supports and increasing access to virtual supports and services for individuals with intellectual and developmental disabilities by promoting access to assistive technology and environmental modifications and to report its findings and recommendations to the Governor and the General Assembly by November 1, 2021. This bill is identical to HB 2197.

Law Advice: FYI - No Direct Impact
SB1473  Health Insurance Reform Commission; mandated health insurance benefit or provider.

Chief Patron: Saslaw

Summary:
Provides that, for the purposes of the requirement that the Chair of the House Committee on Labor and Commerce or Senate Committee on Commerce and Labor refer certain legislation regarding a mandated health insurance benefit or provider to the Health Insurance Reform Commission for review, "mandated health insurance benefit or provider" means coverage required under the laws of the Commonwealth to be provided in a policy of accident and sickness insurance or a contract for a health-related condition that (i) includes coverage for specific health care services or benefits; (ii) places limitations or restrictions on deductibles, coinsurance, copayments, or any annual or lifetime maximum benefit amounts; or (iii) includes a specific category of licensed health care practitioners from whom an insured is entitled to receive care.

Law Advice: FYI - No Direct Impact

SB1475  Search warrants; date and time of issuance, exceptions.

Chief Patron: Stuart

Summary:
Provides that a search warrant for the search of any place of abode shall be executed by initial entry of the abode only in the daytime hours between 8:00 a.m. and 5:00 p.m. unless (i) a judge or a magistrate, if a judge is not available, authorizes the execution of such search warrant at another time for good cause shown by particularized facts in an affidavit or (ii) prior to the issuance of the search warrant, law-enforcement officers lawfully entered and secured the place to be searched and remained at such place continuously. The bill also provides that a law-enforcement officer shall make reasonable efforts to locate a judge before seeking authorization to execute the warrant at another time, unless circumstances require the issuance of the warrant after 5 p.m., in which case the law-enforcement officer may seek such authorization from a magistrate without first making reasonable efforts to locate a judge. The bill contains an emergency clause.

Law Advice: Change in Requirement

Effective March 1, 2021

SJ276  Brain Aneurysm Awareness Month; designating as September 2021 and each succeeding year thereafter.

Companion Bill: HJ596
Chief Patron: Favola

Summary:
Designates September, in 2021 and in each succeeding year, as Brain Aneurysm Awareness Month in Virginia. This resolution is identical to HJ 596.

Law Advice: FYI - No Direct Impact

SJ286  Emergency Management Professionals Week; designating third week in March 2021 and each succeeding.

Chief Patron: McPike

Summary:
Designates the third week in March, in 2021 and in each succeeding year, as Emergency Management Professionals Week in Virginia.

Law Advice: FYI - No Direct Impact

SR549  Celebrating the life of Michael J. Weber, Ph.D.

Chief Patron: Deeds

Summary:
Celebrating the life of Michael J. Weber, Ph.D.

Law Advice: FYI - No Direct Impact