HB1741  Va. Public Procurement Act; contract clause requiring subcontractor reporting of certain payments.  
HB1755  Right to work; repeals provisions of Code that refers to denial or abridgement. 
HB1784  Small Business Procurement Enhancement Program; established, report. 
HB1800  Budget Bill. 
HB1815  Marijuana; legalization of cultivation, manufacture, sale, possession, and testing, penalties. 
HB1930  Higher educational institutions, public; admissions applications criminal history questions. 
HB1947  High school graduation requirements; certain substitutions. 
HB1980  Enslaved Ancestors College Access Scholarship Program; established, report. 
HB1985  Workers' compensation; presumption of compensability for COVID-19. 
HB1997  Virginia Freedom of Information Act; definition of 'meeting.' 
HB2015  Essential workers; hazard pay, employer to provide personal protective equipment, civil penalty. 
HB2021  Health insurance; provider contracts, report. 
HB2037  Unemployment compensation; benefits, suitable work, benefits charges. 
HB2103  Certain public & private employers to provide earned paid sick time. 
HB2120  Higher educational institutions, public; governing boards, disclosure of budget. 
HB2123  Students; eligibility for in-state tuition. 
HB2137  Paid sick leave; employers to provide to certain employees. 
HB2143  COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus. 
HB2145  Higher educational institutions, public; virtual instruction, tuition cap. 
HB2207  Workers' compensation; presumption of compensability for COVID-19. 
HB2228  Workers' compensation; injuries caused by repetitive and sustained physical stressors. 
HB2242  COVID-19 immunization; prohibition on requirement, discrimination prohibited. 
HB2246  State agencies; automatic workforce management verification software. 
HB2268  State Health Commissioner; powers during an epidemic, vaccinations, religious tenets or practices. 
HB2274  Health insurance; carrier business practices, provider contracts. 
HB2280  Higher educational institutions, public, and State Bd. for Community Colleges; governing boards. 
HB2295  Firearm or stun weapon; carrying within Capitol Square and the surrounding area, state-owned bldgs. 
HB2312  Marijuana; legalization of simple possession; penalties. 
HB2315  Local referendum on the legalization of marijuana. 
HB2327  Prevailing wage rate; public contractors. 
HB2328  Facilitate the administration of the COVID-19 vaccine; emergency. 
HB2333  Facilitate the administration of the COVID-19 vaccine; emergency. 
HB2335  Fundamental right to be free from medical mandates. 
HB2336  Preventing public and private imposition of non-FDA-vaccines; creates new code subsection. 
HJ558  Student meal donation programs; baccalaureate public institution of higher education to establish. 
HJ587  Commending Sim Ewing. 
SB1100  Budget Bill. 
SB1107  Medical malpractice; limitation on recovery. 
SB1116  State Health Commissioner; powers during an epidemic, vaccinations, religious tenets or practices. 
SB1117  Immunizations; religious tenets or practices. 
SB1243  Marijuana; legalization of cultivation, manufacture, sale, possession, and testing, penalties. 
SB1289  Health insurance; carrier business practices, provider contracts.
SB1305  Virginia Public Procurement Act; public works contracts, subcontractor workforce requirements.
SB1314  Education and Labor Market Alignment, Office of; established.
SB1340  Medical debt; statute of limitations to collect.
SB1342  Workers' compensation; presumption of compensability for COVID-19.
SB1344  Overdoses; arrest and prosecution when experiencing or reporting.
SB1359  Higher educational institutions, public; fees levied for collegiate athletics optional for students.
SB1375  Workers' compensation; presumption of compensability for COVID-19.
SB1381  Weapons; possessing or transporting within Capitol Square, etc.
SB1387  Students; eligibility for in-state tuition.
SB1406  Marijuana; legalization of simple possession, penalties.
SB1445  COVID-19; facilitates vaccine administration.
HB1741  Va. Public Procurement Act; contract clause requiring subcontractor reporting of certain payments.

Chief Patron: Campbell, R.R.

Summary:
Requires any contract awarded by a state agency or an agency of local government to require the contractor to include in each of its subcontracts a provision requiring the subcontractor to report to the contractor on a monthly basis (i) payroll records for all of the subcontractor's employees; (ii) records of all payments made by the subcontractor to individuals classified as independent contractors; and (iii) the total number of individuals on the jobsite, including the number classified as employees and the number classified as independent contractors. The bill requires the contractor to compile such information and submit it in a monthly report to the Department of Labor and Industry.

Status:
11/23/20 House: Prefiled and ordered printed; offered 01/13/21 21100797D
01/20/21 House: Impact statement from DPB (HB1741)

HB1755  Right to work; repeals provisions of Code that refers to denial or abridgement.

Chief Patron: Carter

Summary:
Repeals the provisions of the Code of Virginia that, among other things, prohibit any agreement or combination between an employer and a labor union or labor organization whereby (i) nonmembers of the union or organization are denied the right to work for the employer, (ii) membership in the union or organization is made a condition of employment or continuation of employment by such employer, or (iii) the union or organization acquires an employment monopoly in any such enterprise.

Status:
12/16/20 House: Prefiled and ordered printed; offered 01/13/21 21100706D
12/16/20 House: Committee

HB1784  Small Business Procurement Enhancement Program; established, report.

Chief Patron: Ward

Summary:
Establishes the Small Business Procurement Enhancement Program (the Program) with a statewide goal of 42 percent of small business utilization in all discretionary spending by state agencies in procurement orders, prime contracts, and subcontracts. In addition, the bill (i) provides for a small business set-aside
for competition among all small businesses for state agency purchases of up to $100,000 for goods, nonprofessional services, and construction and up to $80,000 for professional services and (ii) establishes certification criteria for participation in the Program by business operations on the basis of the total number of employees or annual gross receipts, averaged over the previous three years.

**Status:**

12/31/20 House: Prefiled and ordered printed; offered 01/13/21 21101344D
12/31/20 House: Referred to Committee on General Laws

**HB1800  Budget Bill.**

**Companion Bill:** SB1100

**Chief Patron:** Torian

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

**Status:**

12/16/20 House: Prefiled and ordered printed; offered 01/13/21 21102289D
12/16/20 House: Referred to Committee on Appropriations
12/16/20 House: Referred to Committee on Appropriations
01/14/21 House: Member Budget amendments available

**HB1815  Marijuana; legalization of cultivation, manufacture, sale, possession, and testing, penalties.**

**Companion Bill:** SB1406

**Chief Patron:** Heretick

**Summary:**
Establishes a regulatory scheme for the regulation of marijuana cultivation facilities, marijuana manufacturing facilities, marijuana testing facilities, and retail marijuana stores by the Board of Agriculture and Consumer Services. The bill also grants localities the authority to enact ordinances establishing additional licensing requirements for marijuana establishments located within such locality and allows the home cultivation of marijuana for personal use under certain circumstances. The bill imposes a tax on retail marijuana and retail marijuana products sold by a retail marijuana store at a rate of 9.7 percent (for a total sales tax of 15 percent) and provides that 67 percent of the revenues collected from the tax be deposited into the general fund and 33 percent of the revenues be deposited into a "Retail Marijuana Education Support Fund" to be used solely for purposes of public education. Finally, the bill establishes several new criminal penalties related to marijuana, as well as modifies some existing criminal penalties.
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, 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.

**Status:**
01/10/21 House: Prefiled and ordered printed; offered 01/13/21 21100825D
01/15/21 House: Assigned Education sub: Post-Secondary and Higher Ed
01/20/21 House: Subcommittee recommends reporting (5-Y 3-N)
01/20/21 House: Impact statement from DPB (HB1930)

HB1947  **High school graduation requirements; certain substitutions.**

*Chief Patron:* Davis

**Summary:**
Requires the Board of Education, in establishing high school graduation requirements, to provide for the substitution of computer coding course credit for any foreign language course credit required to graduate with a standard or advanced diploma for children with disabilities. Such requirement replaces a narrower provision in current law that requires the Board to permit a student who is pursuing an advanced diploma and whose individualized education program specifies a credit accommodation for world language to substitute two standard units of credit in computer science for two standard units of credit in a world language.

**Status:**
01/11/21 House: Prefiled and ordered printed; offered 01/13/21 21101837D
HB1980  **Enslaved Ancestors College Access Scholarship Program; established, report.**

**Chief Patron:** Reid

**Summary:**
Establishes the Enslaved Ancestors College Access Scholarship Program, whereby Longwood University, the University of Virginia, Virginia Commonwealth University, the Virginia Military Institute, and The College of William and Mary in Virginia are required to annually provide, starting in the 2022-2023 academic year and with any source of funds other than state funds or tuition or fee increases, to at least one African American Virginia student who was born in the Commonwealth and has a total household income that is not more than 400 percent of the federal poverty guidelines a renewable scholarship in an amount sufficient to cover tuition, mandatory fees, room and board, books and other educational supplies, and tutoring at the institution. 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.

**Status:**
01/11/21 House: Prefiled and ordered printed; offered 01/13/21 21102391D
01/11/21 House: Referred to Committee on Education
01/14/21 House: Assigned Education sub: SOL and SOQ
01/15/21 House: Assigned Education sub: Post-Secondary and Higher Ed

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 who as part of the provider's employment are directly involved in diagnosing or treating persons known or suspected to have COVID-19 is an occupational disease compensable under the Workers' Compensation Act. The provisions of the bill will be effective retroactive to January 1, 2020.

**Status:**
01/19/21 House: Subcommittee recommends reporting with substitute (6-Y 2-N)
01/21/21 House: Reported from Labor and Commerce with substitute (21-Y 0-N)
01/21/21 House: Committee substitute printed 21103301D-H1
01/21/21 House: Referred to Committee on Appropriations
HB1997  **Virginia Freedom of Information Act; definition of 'meeting.'**

*Chief Patron:* Murphy

*Summary:* Increases from three to four the number of members of a public body meeting as an informal assemblage that constitutes a meeting under the Virginia Freedom of Information Act.

*Status:*
- 01/11/21 House: Referred to Committee on General Laws
- 01/12/21 House: Impact statement from DPB (HB1997)
- 01/18/21 House: Assigned GL sub: Open Government/Procurement
- 01/19/21 House: House subcommittee amendments and substitutes offered
- 01/19/21 House: Subcommittee recommends laying on the table (7-Y 1-N)

HB2015  **Essential workers; hazard pay, employer to provide personal protective equipment, civil penalty.**

*Chief Patron:* Ayala

*Summary:* Requires, that following the declaration by the Governor of a state of emergency that includes or is followed by any additional executive order in furtherance of such declaration that includes a stay-at-home or shelter-in-place order, employers shall (i) compensate each of their essential workers at a rate not less than one and one-half times the essential worker's regular rate of pay for any hours worked during the closure order and (ii) provide their essential workers with personal protective equipment related to the state of emergency and recommended for the relevant work site or job task by the Virginia Department of Labor and Industry, the State Department of Health, the U.S. Centers for Disease Control and Prevention, or the federal Occupational Safety and Health Administration. The bill defines "essential worker" as an individual employed as a health care provider, home care provider, or airport worker or by an essential retail business, as specified in the bill. The bill subjects violators to the same civil penalties, and provides the same cause of action for an employer's failure to pay the required hazard pay, as are currently imposed for failing to pay wages generally.

*Status:*
- 01/12/21 House: Prefiled and ordered printed; offered 01/13/21 21102823D
- 01/12/21 House: Referred to Committee on Labor and Commerce
- 01/14/21 House: Assigned L & C sub: Subcommittee #1

HB2021  **Health insurance; provider contracts, report.**
**Chief Patron:** Gooditis

**Summary:**
Prohibits a carrier from unilaterally amending any material provision of a provider contract or adding any new material provision to any provider contract within 12 months of execution of the provider contract or the date of last amendment to the provider contract. The measure requires such an amendment to be agreed to by the provider in a signed written amendment to the provider contract. The measure defines a material provision of a provider contract as the fee schedule and any provision contained in the body of the provider contract including definitions, any provision required to be included in a provider contract, and any provision related to the term or duration of the provider contract, the method by which the provider contract can be amended or terminated, obligations of the parties, notices and reporting, coordination of benefits, the period of time required for submission or payment of claims, retroactive denial of a previously paid claim, dispute resolution, or arbitration procedures.

The measure requires that carriers supply fee schedules in writing, make fee schedules available in machine-readable electronic format, and provide the complete fee schedule applicable to the provider for each health plan in which the provider participates or is proposed to participate. The measure requires that amendments to a provider contract be presented in a manner so as to allow the provider to easily identify the specific terms being proposed for amendment and that proposed amendments be formatted to clearly identify the changes to the language of the agreement.

The measure requires provider contracts to permit a provider a minimum of 180 days from the date a health care service is rendered to submit a claim for payment. The measure also (i) requires the State Corporation Commission to promulgate regulations to establish a procedure for accepting and resolving complaints relating to an alleged or suspected failure to comply with the minimum fair business standards as it relates to any provider or carrier, (ii) authorizes the Commission is to investigate complaints, (iii) subjects a person that refuses or fails to provide information in a timely manner to the Commission to enforced and penalty provisions, and (iv) requires the Commission to report annually on the complaints received and the results of any investigation made to the House Committees on Labor and Commerce and Health, Welfare and Institutions and the Senate Committees on Commerce and Labor and Education and Health and to the Joint Commission on Health Care.

**Status:**
01/12/21 House: Prefiled and ordered printed; offered 01/13/21 21101847D
01/12/21 House: Referred to Committee on Labor and Commerce
01/14/21 House: Assigned L & C sub: Subcommittee #2
01/19/21 House: Impact statement from SCC (HB2021)

**HB2037 Unemployment compensation; benefits, suitable work, benefits charges.**

**Chief Patron:** Tran

**Summary:**
Provides that, under specific conditions related to the COVID-19 virus, work will not be deemed suitable and benefits will not be denied to any otherwise eligible individual for refusing to accept new work if the
individual (i) has been diagnosed with COVID-19 or is experiencing symptoms of COVID-19 and is seeking a medical diagnosis, (ii) is providing care for a family member or a member of the individual's household who has been diagnosed with COVID-19, or (iii) has a reasonable belief that his workplace is not in compliance with the Department of Labor and Industry's standards for the prevention of COVID-19. The bill provides, that for individuals who refuse to accept an offer of work based on such conditions, no benefits charges will be deemed to be the responsibility of the previous employer, unless the individual has refused an offer to return to work to his previous employer because the individual has a reasonable belief that the workplace is not in compliance with the Department of Labor and Industry's standards for the prevention of COVID-19. The provisions of the bill expire 30 days after the expiration or revocation of all states of emergency declared by the Governor related to the COVID-19 pandemic.

Status:

01/12/21 House: Prefiled and ordered printed; offered 01/13/21 21100605D
01/12/21 House: Referred to Committee on Labor and Commerce
01/14/21 House: Assigned L & C sub: Subcommittee #1

HB2103  Certain public & private employers to provide earned paid sick time.

Chief Patron: Reid

Summary:
Requires public and private employers with 35 or more full-time equivalent employees to provide eligible employees, defined in the bill, with earned paid sick time and paid sick time. The bill provides for an eligible employee to earn up to 40 hours of earned paid sick time depending on the amount of hours the eligible employee has averaged over the previous year or, for a new employee, is projected to work. An eligible employee shall not earn or use more than 40 hours of earned paid sick time in a year, unless the employer selects a higher limit. The bill provides that earned paid sick time may be used (i) for an eligible employee's mental or physical illness, injury, or health condition; an eligible employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an eligible employee's need for preventive medical care; or (ii) to provide care to an eligible employee's family member, defined in the bill, under similar circumstances.

The bill prohibits employers from taking certain retaliatory actions against employees related to earned paid sick leave and authorizes the Commissioner of Labor and Industry, in the case of a knowing violation, to subject an employer to a civil penalty not to exceed $150 for the first violation, $300 for the second violation, and $500 for each successive violation, if the second or successive violation occurs within two years of the previous violation. The Commissioner of Labor and Industry may institute proceedings on behalf of an employee to enforce compliance with this bill and to collect specified amounts from the employer, which shall be awarded to the employee. Alternatively, an aggrieved employee is authorized to bring a civil action against the employer in which he may recover double the amount of any unpaid earned sick time and the amount of any actual damages suffered as the result of the employer's violation. However, an aggrieved employee is required to seek redress through the employer's human resources department prior to filing an administrative complaint or civil action. The bill has a delayed effective date of January 1, 2023.

Status:
HB2120 **Higher educational institutions, public; governing boards, disclosure of budget.**

*Chief Patron:* Keam

**Summary:**
Requires the governing board of each public institution of higher education to disclose budgets, meeting minutes, and other governing board communications. The bill also requires each governing board to establish and maintain on the institution's website by way of a tab or link on the website's home page a webpage that includes or has links to information regarding board members and board activities. The bill requires the governing board to solicit the input of the institution's faculty senate or its equivalent (i) at least twice per academic year at a public venue and (ii) regarding the search for candidates for the position of chief executive officer of the institution at a public or private venue. The bill also requires the governing board to solicit public comment, and each board member to confirm in writing that he has reviewed such comment, prior to casting any vote that establishes or amends a new university policy, capital improvement project, budget, or contract with a public or private entity that will have an impact on the rights of students, faculty, and staff.

**Status:**

01/12/21 House: Prefiled and ordered printed; offered 01/13/21 21101392D
01/12/21 House: Referred to Committee on Education
01/15/21 House: Assigned Education sub: Post-Secondary and Higher Ed
01/20/21 House: Impact statement from DPB (HB2120)

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

*Companion Bill:* SB1387

*Chief Patron:* Lopez

**Summary:**
Provides that students who meet the criteria in the Code of Virginia that determines eligibility for in-state tuition regardless of their citizenship or immigration status shall also be deemed to be domiciled in the Commonwealth. The bill also provides that all such students shall be afforded the same educational benefits, including access to state financial assistance programs, as any other individual who is eligible for in-state tuition. The bill has a delayed effective date of August 1, 2022, and 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.

**Status:**
HB2137  Paid sick leave; employers to provide to certain employees.

Chief Patron: Guzman

Summary:
Requires employers to provide certain employees paid sick leave. An employee is eligible for paid sick leave under the bill if the employee is an essential worker and works on average at least 20 hours per week or 90 hours per month. The bill provides for an employee to earn at least one hour of paid sick leave benefit for every 30 hours worked. An employee shall not use more than 40 hours of earned paid sick leave in a year, unless the employer selects a higher limit. The bill provides that earned paid sick leave may be used for (i) an employee's mental or physical illness, injury, or health condition; an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care or (ii) care of a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or care of a family member who needs preventive medical care. The bill prohibits employers from taking certain retaliatory actions against employees related to leave. The bill provides for a hardship waiver for employers that demonstrate that providing paid sick leave threatens the financial viability of the employer, jeopardizes the ability of the employer to sustain operations, significantly degrades the quality of the employer's business operations, or creates a significant negative financial impact on the employer. The bill requires the Commissioner of Labor and Industry to promulgate regulations that (a) identify workers as essential based on the categories listed in the bill; (b) include reasonable requirements for recordkeeping, confidentiality, and notifying employees of their rights under provisions of the bill; (c) establish complaint, investigation, and enforcement procedures that include fines, not to exceed $500, for violations of provisions of the bill; (d) establish requirements for compensation and accrual of paid sick leave for employees employed and compensated on a fee-for-service basis; and (e) include procedures and requirements for an employer to qualify for a hardship waiver.

Status:
01/12/21 House: Prefiled and ordered printed; offered 01/13/21 21101625D
01/12/21 House: Referred to Committee on Labor and Commerce
01/19/21 House: Assigned L & C sub: Subcommittee #1

HB2143  COVID-19 virus; immunity from civil claims related to the transmission of or exposure to the virus.

Chief Patron: Miyares
Summary:
Provides immunity to persons, as defined in the bill, from civil causes of action arising from any act or omission alleged to have resulted in the contraction of or exposure to the COVID-19 virus, provided such person has complied with applicable federal, state, and local policies, procedures, and guidance regarding COVID-19. The bill further provides immunity to persons who design, manufacture, label, or distribute any personal protective equipment in response to the COVID-19 virus from any civil cause of action arising out of the use of such equipment. The bill contains an emergency clause, and the immunities provided by such bill expire two years after the expiration or revocation of all states of emergency declared by the Governor related to the COVID-19 pandemic.

Status:
01/12/21 House: Prefiled and ordered printed with emergency clause; offered 01/13/21 21100670D
01/12/21 House: Referred to Committee for Courts of Justice

HB2145  Higher educational institutions, public; virtual instruction, tuition cap.

Chief Patron: Miyares

Summary:
Prohibits the governing board of any public institution of higher education from fixing tuition at a rate that exceeds $2,500 per semester or its equivalent in any case in which instruction is provided solely in a virtual format and from a remote location.

Status:
01/12/21 House: Prefiled and ordered printed; offered 01/13/21 21100765D
01/12/21 House: Referred to Committee on Education
01/15/21 House: Assigned Education sub: Post-Secondary and Higher Ed

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

Companion Bill: SB1342

Chief Patron: Jones

Summary:
Establishes a presumption that COVID-19 causing the death or disability of firefighters, emergency medical services personnel, law-enforcement officers, and correctional officers is an occupational disease compensable under the Workers' Compensation Act. The bill provides that the COVID-19 virus is established by a positive diagnostic test for COVID-19, an incubation period consistent with COVID-19, and signs and symptoms of COVID-19 that require medical treatment. The bill provides that such presumption applies to any death or disability occurring on or after March 12, 2020, caused by infection from the COVID-19 virus, provided that for any such death or disability that occurred on or after March 12, 2020, and prior to December 31, 2021, the claimant received a diagnosis of COVID-19 from a licensed physician, after either a presumptive positive test or a laboratory confirmed test for COVID-19,
and presented with signs and symptoms of COVID-19 that required medical treatment.

**Status:**

- 01/19/21 House: Subcommittee recommends reporting (6-Y 2-N)
- 01/21/21 House: Reported from Labor and Commerce (21-Y 1-N)
- 01/21/21 House: Referred to Committee on Appropriations
- 01/22/21 House: Assigned App. sub: Compensation & General Government
- 01/22/21 House: Impact statement from DPB (HB2207)

**HB2228  Workers' compensation; injuries caused by repetitive and sustained physical stressors.**

**Chief Patron:** Guzman

**Summary:**

Provides that, for the purposes of the Virginia Workers' Compensation Act, "occupational disease" includes injuries from conditions resulting from repetitive and sustained physical stressors, including repetitive and sustained motions, exertions, posture stress, contact stresses, vibration, or noise. The bill provides that such injuries are covered under the Act. Such coverage does not require that the injuries occurred over a particular period, provided that such a period can be reasonably identified and documented and further provided that the employment is shown to have primarily caused the injury, considering all causes.

**Status:**

- 01/13/21 House: Prefiled and ordered printed; offered 01/13/21 21102834D
- 01/13/21 House: Referred to Committee on Labor and Commerce
- 01/18/21 House: Assigned L & C sub: Subcommittee #1
- 01/22/21 House: Impact statement from DPB (HB2228)

**HB2242  COVID-19 immunization; prohibition on requirement, discrimination prohibited.**

**Chief Patron:** LaRock

**Summary:**

Prohibits the State Health Commissioner and the Board of Health, the Board of Behavioral Health and Developmental Services, the Department of Health Professions and any regulatory board therein, and the Department of Social Services from requiring any person to undergo vaccination for COVID-19 and prohibits discrimination based on a person's vaccination status with respect to any COVID-19 vaccine (i) with regard to education, employment, insurance, or issuance of a driver's license or other state identification or (ii) in numerous other contexts. The bill also prohibits the inclusion of any patient immunization information in the Virginia Immunization Information System (VIIS) unless the patient has consented, in writing, to inclusion of his information in the VIIS.
HB2246  State agencies; automatic workforce management verification software.

Chief Patron: LaRock

Summary:
Requires all state agencies with more than 20 full-time teleworking employees to use automatic workforce management verification software to verify the hours employees worked while teleworking by counting and reporting to the agency all keystroke, mouse event, and screenshot data. The bill requires all such data collected by the software to be considered personnel records belonging to the agency; however, agencies are prohibited from selling or transferring such data or using it for any purpose or in any manner other than to verify hours worked for the agency.

Status:
01/13/21 House: Prefiled and ordered printed; offered 01/13/21 21102203D
01/13/21 House: Committee

HB2268  State Health Commissioner; powers during an epidemic, vaccinations, religious tenets or practices.

Chief Patron: Cole, M.L.

Summary:
Allows a parent or guardian to object to the vaccination or immunization of a child on the grounds that the administration of immunizing agents conflicts with his religious tenets or practices, even if an emergency or epidemic of disease has been declared by the State Board of Health, which is not allowed under current law. The bill also provides that nothing shall preclude the State Health Commissioner from requiring immediate immunization of all persons in the case of an epidemic of any disease of public health importance for which a vaccine exists other than a person, including a parent or guardian on behalf of a child, who objects on the grounds that the administration of the vaccine conflicts with his religious tenets or practices. Under current law, the only exception to the Commissioner's power to require immediate immunization of all persons in case of an epidemic of any disease of public health importance for which a vaccine exists is for a person to whose health the administration of a vaccine would be detrimental as certified in writing by a physician licensed to practice medicine in the Commonwealth.

Status:
01/13/21 House: Presented and ordered printed 21100555D
01/13/21 House: Committee
HB2274  Health insurance; carrier business practices, provider contracts.

Companion Bill: SB1289

Chief Patron: Webert

Summary:
Requires that each provider contract include provisions (i) requiring providers to provide health care services to enrollees in a manner similar to and within the same time availability in which the provider provides health care services to any other individual and (ii) prohibiting a provider from discriminating against any enrollee as a result of the enrollee's enrollment in a health plan or on the basis of the enrollee's race, color, creed, national origin, ancestry, religion, sex, marital status, age, disability, payment source, state of health, need for health care services, status as a litigant except in cases where the enrollee claims medical malpractice by the provider, status as a Medicare enrollee, status as a medical assistance recipient, sexual orientation, or gender identity, or on any other basis prohibited by law. The bill prohibits a provider contract from requiring a provider to provide any type or kind of health care service to enrollees that it does not customarily provide to others. The bill provides that a provider that violates the anti-discrimination provisions may be subject to fines and other discipline from the provider's licensing authority and an enrollee injured as result of any discrimination is entitled initiate a civil action against the provider.

The bill also prohibits a provider contract from (a) directly or indirectly restricting the carrier from directing or steering enrollees to other health care providers or offering incentives to encourage enrollees to utilize specific providers; (b) requiring the carrier to enter into any additional contract with an affiliate of the provider as a condition of entering into a contract with such provider or to agree to payment rates or other terms for any affiliate not party to the contract of the provider involved; or (c) restricting other carriers not party to the contract from paying a lower rate for items or services than the contracting plan or issuer pays for such items or services.

The bill prohibits a provider from terminating or failing to renew the contractual relationship with a carrier, or any provider contract, or otherwise penalize any carrier, for invoking any of the carrier’s rights. The bill also provides that a provider or carrier injured as a result of a violation or threatened violation of any provision governing carrier business practices is entitled to injunctive relief against any and all violators or persons threatening violation.

The bill requires a provider contract to permit a provider a maximum of 90 days from the date a health care service is rendered to submit a claim for payment. The bill requires carriers to supply fee schedules in writing and in machine-readable electronic format and to provide the complete fee schedule applicable to the provider for each health plan in which the provider participates or is proposed to participate. The bill requires that amendments to a provider contract be presented in a manner so as to allow the provider to easily identify the specific terms being proposed for amendment and that proposed amendments be formatted to clearly identify the changes to the language of the agreement.

Status:
01/14/21 House: Presented and ordered printed 21102292D
01/14/21 House: Referred to Committee on Labor and Commerce
HB2280  Higher educational institutions, public, and State Bd. for Community Colleges; governing boards.

Chief Patron: Davis

Summary:
Requires the governing board of each public institution of higher education and the State Board for Community Colleges to provide on their websites publicly available contact information for each board member, including each board member's email address, to ensure access by the public and for the timely sharing of comprehensive information between the public and board members. The bill directs the State Council of Higher Education for Virginia to conduct a review of compliance with the bill and issue a report of its findings to the General Assembly by November 1, 2021.

Status:
01/15/21 House: Presented and ordered printed 21103089D
01/15/21 House: Referred to Committee on Education
01/19/21 House: Impact statement from DPB (HB2280)
01/19/21 House: Assigned Education sub: Post-Secondary and Higher Ed

HB2295  Firearm or stun weapon; 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 stun weapon within (i) the Capitol of Virginia; (ii) Capitol Square and the surrounding area; (iii) any building, parking lot, or parking structure owned or leased by the Commonwealth or any agency thereof; (iv) any building owned or leased by the Commonwealth where employees of the Commonwealth perform their official duties; or (v) any building where the General Assembly meets or conducts its business. The bill provides exceptions for law-enforcement officers, court officers, authorized security personnel, and active military personnel while in the conduct of such person's official duties. The bill requires that notice of the provisions prohibiting the carrying of such weapons be posted at each of the public entrances to Capitol Square and such buildings, parking lots, and parking structures. The bill also provides that any firearm or stun weapon carried in violation of these provisions is subject to seizure by a law-enforcement officer and forfeiture to the Commonwealth.

Status:
01/19/21 House: Subcommittee recommends reporting with substitute (5-Y 3-N)
HB2312  **Marijuana; legalization of simple possession; penalties.**

*Chief Patron:* Herring

**Summary:**
Eliminates criminal penalties for possession of marijuana for persons who are 21 years of age or older. The bill also modifies several other criminal penalties related to marijuana and provides for an automatic expungement process for those convicted of certain marijuana-related crimes. The bill establishes a regulatory scheme for the regulation of marijuana cultivation facilities, marijuana manufacturing facilities, marijuana testing facilities, marijuana wholesalers, and retail marijuana stores by the Virginia Alcoholic Beverage Control Authority, renamed as the Virginia Alcoholic Beverage and Cannabis Control Authority. The bill imposes a tax on retail marijuana, retail marijuana products, and marijuana paraphernalia sold by a retail marijuana store, as well as non-retail marijuana and non-retail marijuana products at a rate of 21 percent and provides that localities may by ordinance levy a three percent tax on any such marijuana or marijuana products. The bill provides that net profits attributable to regulatory activities of the Authority's Board of Directors pursuant to this bill shall be appropriated as follows: (i) 40 percent to pre-kindergarten programs for at-risk three and four year olds, (ii) 30 percent to the Cannabis Equity Reinvestment Fund, established in the bill, (iii) 25 percent to substance use disorder prevention and treatment programs, and (iv) five percent to public health programs. The bill creates the Cannabis Control Advisory Board, the Cannabis Equity Reinvestment Board, and the Cannabis Public Health Advisory Council. The bill has a delayed effective date of January 1, 2023, with provisions for the Authority's Board of Directors to promulgate regulations for the implementation of the bill and for implementation of the automatic expungement process to begin in due course. In addition, the bill establishes three work groups to begin their efforts in due course: one focused on public health and safety issues, one focused on providing resources for teachers in elementary and secondary schools, and one focused on college-aged individuals.

**Status:**
01/20/21 House: Presented and ordered printed 21101659D
01/20/21 House: Referred to Committee on General Laws
01/21/21 House: Impact statement from VCSC (HB2312)

HB2315  **Local referendum on the legalization of marijuana.**

*Chief Patron:* Marshall

**Summary:**
Provides that the qualified voters of a locality or supervisor's election district of a county may file a petition with the circuit court of the county or city asking that a referendum be held on the question of whether the legalization of marijuana should be prohibited within that jurisdiction. The petition shall be
signed by qualified voters equal in number to at least 10 percent of the number registered in the locality or supervisor's election district on January 1 preceding its filing or at least 100 qualified voters, whichever is greater. The question on the ballot shall be:

"Shall the legalization of marijuana be prohibited in __________ (name of locality or supervisor's election district of county)?"

The referendum shall be ordered and held and the results certified, and thereupon the court shall enter of record an order certified by the clerk of the court to be transmitted to the governing body of the locality. Notwithstanding any other provision of law, the legalization of marijuana shall be prohibited within the locality or supervisor's election district of a county on or after 30 days following the entry of the order if a majority of the voters voting in the referendum have voted "Yes." The bill shall become effective on July 1, 2023.

The bill also directs the Department of Housing and Community Development (DHCD) to evaluate the potential retail sale of marijuana products in localities that have not prohibited the legalization of marijuana. DHCD specifically shall study the details of who should be allowed to establish such retail operations, the procedure to be followed by localities, and where the retail establishments shall be permitted. The study shall be conducted between July 1, 2022, and November 30, 2022, with the goal of making recommendations and proposing legislation to the 2023 Session of the General Assembly.

Status:

01/21/21 House: Presented and ordered printed 21102387D

HB2327  **Prevailing wage rate; public contractors.**

*Chief Patron:* Krizek

*Summary:* Clarifies that public works include state-owned institutions of higher education and transportation infrastructure projects when paid for in whole or in part by state funds or procured through a contract for public works and must adhere to the prevailing wage rate.

Status:

01/22/21 House: Presented and ordered printed 21103463D

HB2328  **Facilitate the administration of the COVID-19 vaccine; emergency.**

*Companion Bill:* SB1445

*Chief Patron:* Byron

*Summary:*  

Status:
HB2333  Facilitate the administration of the COVID-19 vaccine; emergency.

Chief Patron: Bagby

Summary:

Status:

01/22/21 House: Presented and ordered printed with emergency clause 21103594D
01/22/21 House: Referred to Committee on Health, Welfare and Institutions

HB2335  Fundamental right to be free from medical mandates.

Chief Patron: Walker

Summary:

Declares that, except as otherwise provided by law, each adult has a fundamental right to be free from medical mandates of the Commonwealth or any locality, private employer, health care entity or provider, or provider of public accommodations. The bill defines "medical mandate" as any affirmative requirement by the Commonwealth or any locality, private employer, health care entity or provider, or provider of public accommodations for an individual to undergo or participate in a health-related test, procedure, tracking or monitoring program, or bodily insertion or injection of any drug or the wearing of any medical equipment or apparel. The bill provides that it shall be no less a medical mandate for such entities to condition an individual's receipt of otherwise ordinary services, benefits, or employment upon the performance or acquiescence of undergoing or participating in a health-related test, procedure, tracking or monitoring program, or bodily insertion or injection of any drug or the wearing of any medical equipment or apparel. The bill sets out exceptions, including protocols in health care facilities and food handling operations and valid orders of quarantine or isolation.

Status:

01/22/21 House: Presented and ordered printed 21102206D
01/22/21 House: Committee

HB2336  Preventing public and private imposition of non-FDA-vaccines; creates new code subsection.

Chief Patron: Wiley

Summary:
HJ558  Student meal donation programs; baccalaureate public institution of higher education to establish.

Chief Patron: Roem

Summary:
Requests that each baccalaureate public institution of higher education in the Commonwealth establish a student meal donation program by which any enrolled student who has purchased a meal plan may donate any meal on such plan to the program and any enrolled student with demonstrated food insecurity may apply to the program to redeem a donated meal at a meal plan-eligible on-campus dining location or food bank located on campus in accordance with applicable state health regulations.

Status:
01/12/21 House: Prefiled and ordered printed; offered 01/13/21 21102524D
01/12/21 House: Referred to Committee on Rules

HJ587  Commending Sim Ewing.

Chief Patron: Kilgore

Summary:
Commending Sim Ewing.

Status:
01/14/21 House: Presented and laid on Speaker's table 21100446D

SB1100  Budget Bill.

Companion Bill: HB1800

Chief Patron: Howell

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

Status:
SB1107  **Medical malpractice; limitation on recovery.**

**Chief Patron:** Stanley

**Summary:**
Eliminates the cap on the recovery in actions against health care providers for medical malpractice where the act or acts of malpractice occurred on or after July 1, 2021.

**Status:**
12/02/20 Senate: Prefiled and ordered printed; offered 01/13/21 21100841D
12/02/20 Senate: Referred to Committee on the Judiciary

SB1116  **State Health Commissioner; powers during an epidemic, vaccinations, religious tenets or practices.**

**Chief Patron:** Peake

**Summary:**
Allows a parent or guardian to object to the vaccination or immunization of a child on the grounds that the administration of immunizing agents conflicts with his religious tenets or practices, even if an emergency or epidemic of disease has been declared by the State Board of Health, which is not allowed under current law. The bill also provides that nothing shall preclude the State Health Commissioner from requiring immediate immunization of all persons in the case of an epidemic of any disease of public health importance for which a vaccine exists other than a person, including a parent or guardian, who objects on the grounds that the administration of the vaccine conflicts with his religious tenets or practices. Under current law, the only exception to the Commissioner's power to require immediate immunization of all persons in case of an epidemic of any disease of public health importance for which a vaccine exists is for a person to whose health the administration of a vaccine would be detrimental as certified in writing by a physician licensed to practice medicine in the Commonwealth.

**Status:**
12/21/20 Senate: Prefiled and ordered printed; offered 01/13/21 21101449D
12/21/20 Senate: Referred to Committee on Education and Health
01/11/21 Senate: Impact statement from DPB (SB1116)
01/18/21 Senate: Assigned Education sub: Health
01/21/21 Senate: Passed by indefinitely in Education and Health (9-Y 5-N)

SB1117  **Immunizations; religious tenets or practices.**
Chief Patron: Peake

Summary:
Allows a parent or guardian to object to the vaccination or immunization of a child on the grounds that the administration of immunizing agents conflicts with his religious tenets or practices, even if an emergency or epidemic of disease has been declared by the State Board of Health, which is not allowed under current law.

Status:
12/21/20 Senate: Prefiled and ordered printed; offered 01/13/21 21101451D
12/21/20 Senate: Referred to Committee on Education and Health
01/11/21 Senate: Impact statement from DPB (SB1117)
01/18/21 Senate: Assigned Education sub: Health
01/21/21 Senate: Passed by indefinitely in Education and Health (9-Y 5-N)

SB1243 Marijuana; legalization of cultivation, manufacture, sale, possession, and testing, penalties.

Chief Patron: Morrissey

Summary:
Establishes a regulatory scheme for the regulation of marijuana cultivation facilities, marijuana manufacturing facilities, marijuana testing facilities, and retail marijuana stores by the Board of Agriculture and Consumer Services. The bill also grants localities the authority to enact ordinances establishing additional licensing requirements for marijuana establishments located within such locality and allows the home cultivation of marijuana for personal use under certain circumstances. The bill imposes a tax on retail marijuana and retail marijuana products sold by a retail marijuana store at a rate of 9.7 percent (for a total sales tax of 15 percent) and provides that 67 percent of the revenues collected from the tax be deposited into the general fund and 33 percent of the revenues be deposited into a "Retail Marijuana Education Support Fund" to be used solely for purposes of public education. The bill establishes several new criminal penalties related to marijuana as well as modifies some existing criminal penalties. The bill requires the automatic expungement of records relating to the arrest, charge, conviction, adjudication or civil offense of a person for a misdemeanor violation of distribution or possession with intent to distribute marijuana and for a violation of possession of marijuana by July 1, 2022, or if, on July 1, 2022, the person who is the subject of the arrest, charge, conviction, adjudication, or civil offense has not completed all terms of sentencing and probation, including satisfaction of all court costs and fines and all orders of restitution, by three months after the date of completion of all terms of sentencing and probation. Finally, the bill permits any person who is convicted or adjudicated delinquent of a felony violation of distribution or possession with intent to distribute marijuana or charged with such violation which charge is deferred and dismissed, to petition for expungement of such charge, conviction, or adjudication under certain circumstances.

Status:
01/11/21 Senate: Prefiled and ordered printed; offered 01/13/21 21100854D
SB1289  **Health insurance; carrier business practices, provider contracts.**

**Companion Bill:** HB2274

**Chief Patron:** Surovell

**Summary:**
Requires that each provider contract include provisions (i) requiring providers to provide health care services to enrollees in a manner similar to and within the same time availability in which the provider provides health care services to any other individual and (ii) prohibiting a provider from discriminating against any enrollee as a result of the enrollee's enrollment in a health plan or on the basis of the enrollee's race, color, creed, national origin, ancestry, religion, sex, marital status, age, disability, payment source, state of health, need for health care services, status as a litigant except in cases where the enrollee claims medical malpractice by the provider, status as a Medicare enrollee, status as a medical assistance recipient, sexual orientation, or gender identity, or on any other basis prohibited by law. The bill prohibits a provider contract from requiring a provider to provide any type or kind of health care service to enrollees that it does not customarily provide to others. The bill provides that a provider that violates the anti-discrimination provisions may be subject to fines and other discipline from the provider's licensing authority and an enrollee injured as result of any discrimination is entitled initiate a civil action against the provider.

The bill also prohibits a provider contract from (a) directly or indirectly restricting the carrier from directing or steering enrollees to other health care providers or offering incentives to encourage enrollees to utilize specific providers; (b) requiring the carrier to enter into any additional contract with an affiliate of the provider as a condition of entering into a contract with such provider or to agree to payment rates or other terms for any affiliate not party to the contract of the provider involved; or (c) restricting other carriers not party to the contract from paying a lower rate for items or services than the contracting plan or issuer pays for such items or services.

The bill prohibits a provider from terminating or failing to renew the contractual relationship with a carrier, or any provider contract, or otherwise penalize any carrier, for invoking any of the carrier’s rights. The bill also provides that a provider or carrier injured as a result of a violation or threatened violation of any provision governing carrier business practices is entitled to injunctive relief against any and all violators or persons threatening violation.

The bill requires a provider contract to permit a provider a maximum of 90 days from the date a health care service is rendered to submit a claim for payment. The bill requires carriers to supply fee schedules in writing and in machine-readable electronic format and to provide the complete fee schedule applicable to the provider for each health plan in which the provider participates or is proposed to participate. The bill requires that amendments to a provider contract be presented in a manner so as to allow the provider to easily identify the specific terms being proposed for amendment and that proposed amendments be formatted to clearly identify the changes to the language of the agreement.
SB1305  **Virginia Public Procurement Act; public works contracts, subcontractor workforce requirements.**

*Chief Patron:* McPike

**Summary:**
Requires all public bodies and covered institutions, defined in the bill, to include in every public works contract of more than $250,000 certain provisions related to the outsourcing of subcontracted work, which a contractor shall agree to during the performance of such contract. Such provisions mandate that a contractor shall only utilize subcontractors that certify in writing to the contract that they will outsource no more than 10 percent of the cost of the work subcontracted for, excluding the provision of materials, with specified exceptions. The bill provides that any contractor that violates the provisions of the bill may be debarred for up to one year or disqualified from the project and may be responsible for liquidated damages for any related delays in the project.

**Status:**
01/12/21 Senate: Referred to Committee on General Laws and Technology
01/19/21 Senate: Impact statement from DPB (SB1305)
01/20/21 Senate: Reported from General Laws and Technology with amendments (9-Y 6-N)
01/20/21 Senate: Rereferred to Finance and Appropriations
01/21/21 Senate: Senate committee, floor amendments and substitutes offered

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 Employment Commission, GO Virginia, and other relevant entities to offer resources and expertise related to education and labor market alignment.

**Status:**
SB1340  **Medical debt; statute of limitations to collect.**

*Chief Patron:* Hashmi

*Summary:* Provides that the statute of limitations for an action on any contract, written or unwritten, to collect medical debt, including actions brought by the Commonwealth, is three years.

*Status:*  
01/12/21 Senate: Prefiled and ordered printed; offered 01/13/21 21101308D  
01/12/21 Senate: Referred to Committee on the Judiciary

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SB1342  **Workers' compensation; presumption of compensability for COVID-19.**

*Companion Bill:* HB2207

*Chief Patron:* Vogel

*Summary:* Establishes a presumption that COVID-19 causing the death or disability of firefighters, emergency medical services personnel, law-enforcement officers, and correctional officers is an occupational disease compensable under the Workers' Compensation Act. The bill provides that the COVID-19 virus is established by a positive diagnostic test for COVID-19, an incubation period consistent with COVID-19, and signs and symptoms of COVID-19 that require medical treatment. The bill provides that such presumption applies to any death or disability occurring on or after March 12, 2020, caused by infection from the COVID-19 virus, provided that for any such death or disability that occurred on or after March 12, 2020, and prior to December 31, 2021, the claimant received a diagnosis of COVID-19 from a licensed physician, after either a presumptive positive test or a laboratory confirmed test for COVID-19, and presented with signs and symptoms of COVID-19 that required medical treatment.

*Status:*  
01/12/21 Senate: Prefiled and ordered printed; offered 01/13/21 21101518D  
01/12/21 Senate: Referred to Committee on Commerce and Labor  
01/22/21 Senate: Impact statement from DPB (SB1342)

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SB1344  **Overdoses; arrest and prosecution when experiencing or reporting.**

*Status:*  
01/12/21 Senate: Prefiled and ordered printed; offered 01/13/21 21101518D  
01/12/21 Senate: Referred to Committee on Commerce and Labor  
01/22/21 Senate: Impact statement from DPB (SB1342)
**Chief Patron:** Vogel

**Summary:**
Provides that an individual who is subject to arrest or prosecution 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 may be offered a first offender deferred disposition program or drug treatment court docket program if such person is reporting an overdose and seeking emergency medical attention. Under current law, such person would be immune from arrest and prosecution.

**Status:**
01/12/21 Senate: Prefiled and ordered printed; offered 01/13/21 21101519D
01/12/21 Senate: Referred to Committee on the Judiciary
01/20/21 Senate: Passed by indefinitely in Judiciary (11-Y 4-N)

**SB1359  Higher educational institutions, public; fees levied for collegiate athletics optional for students.**

**Chief Patron:** DeSteph

**Summary:**
any fees levied for the purpose of collegiate athletics shall be made optional for students. Each board of visitors of each baccalaureate public institution of higher education or its designee shall actively disclose to student and parent consumers a process to opt out of paying athletic fees, including by electronic or written notice within the billing process and online payment accounts.

**Status:**
01/12/21 Senate: Prefiled and ordered printed; offered 01/13/21 21102073D
01/12/21 Senate: Referred to Committee on Education and Health
01/15/21 Senate: Assigned Education sub: Higher Education
01/21/21 Senate: Passed by indefinitely in Education and Health (11-Y 2-N)

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

**Chief Patron:** Saslaw

**Summary:**
Establishes a presumption that COVID-19 causing the death or disability of firefighters and emergency medical services personnel is an occupational disease compensable under the Workers' Compensation Act. The provisions of the bill will be effective retroactive to March 1, 2020.

**Status:**
01/13/21 Senate: Prefiled and ordered printed; offered 01/13/21 21101733D
SB1381  Weapons; possessing or transporting within Capitol Square, etc.

Companion Bill: HB2295

Chief Patron: Ebbin

Summary:
Makes it a Class 1 misdemeanor for a person to possess or transport any (i) firearm or other weapon designed or intended to propel a missile or projectile of any kind; (ii) frame, receiver, muffler, silencer, missile, projectile, or ammunition designed for use with a dangerous weapon; or (iii) other dangerous weapon within Capitol Square or into any building owned or leased by the Commonwealth. A dangerous weapon includes a bowie knife, switchblade knife, ballistic knife, machete, razor, slingshot, spring stick, fighting chain, throwing star, and oriental dart or any weapon of like kind. The bill provides exceptions for law-enforcement officers, conservators of the peace, magistrates, court officers, judges, county or city treasurers, commissioners or deputy commissioners of the Virginia Workers' Compensation Commission, authorized security personnel, bail bondsmen, bail enforcement agents, and active military personnel while in the conduct of such persons' official duties. The bill requires that notice of the provisions prohibiting the possessing or transporting of such weapons be posted at each public entrance to Capitol Square or such building owned or leased by the Commonwealth. The bill also provides that any weapon or item possessed or transported in violation of these provisions is subject to seizure by a law-enforcement officer and forfeiture to the Commonwealth.

Status:
01/12/21 Senate: Prefiled and ordered printed; offered 01/13/21 21102656D
01/12/21 Senate: Referred to Committee on the Judiciary
01/14/21 Senate: Impact statement from VCSC (SB1381)
01/19/21 Senate: Impact statement from DPB (SB1381)

SB1387  Students; eligibility for in-state tuition.

Companion Bill: HB2123

Chief Patron: Boysko

Summary:
Provides that students who meet the criteria in the Code of Virginia that determines eligibility for in-state tuition regardless of their citizenship or immigration status shall also be deemed to be domiciled in the Commonwealth. The bill also provides that all such students shall be afforded the same educational benefits, including access to state financial assistance programs, as any other individual who is eligible for in-state tuition. The bill has a delayed effective date of August 1, 2022, and 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.
**SB1406**  *Marijuana; legalization of simple possession, penalties.*

**Companion Bill:** HB1815

**Chief Patron:** Ebbin

**Summary:**
Eliminates criminal penalties for possession of marijuana for persons who are 21 years of age or older. The bill also modifies several other criminal penalties related to marijuana and provides for an automatic expungement process for those convicted of certain marijuana-related crimes. The bill establishes a regulatory scheme for the regulation of marijuana cultivation facilities, marijuana manufacturing facilities, marijuana testing facilities, marijuana wholesalers, and retail marijuana stores by the Virginia Alcoholic Beverage Control Authority, renamed as the Virginia Alcoholic Beverage and Cannabis Control Authority. The bill imposes a tax on retail marijuana, retail marijuana products, and marijuana paraphernalia sold by a retail marijuana store, as well as non-retail marijuana and non-retail marijuana products at a rate of 21 percent and provides that localities may by ordinance levy a three percent tax on any such marijuana or marijuana products. The bill provides that net profits attributable to regulatory activities of the Authority's Board of Directors pursuant to this bill shall be appropriated as follows: (i) 40 percent to pre-kindergarten programs for at-risk three and four year olds, (ii) 30 percent to the Cannabis Equity Reinvestment Fund, established in the bill, (iii) 25 percent to substance use disorder prevention and treatment programs, and (iv) five percent to public health programs. The bill creates the Cannabis Control Advisory Board, the Cannabis Equity Reinvestment Board, and the Cannabis Public Health Advisory Council. The bill has a delayed effective date of January 1, 2023, with provisions for the Authority's Board of Directors to promulgate regulations for the implementation of the bill and for implementation of the automatic expungement process to begin in due course. In addition, the bill establishes three work groups to begin their efforts in due course: one focused on public health and safety issues, one focused on providing resources for teachers in elementary and secondary schools, and one focused on college-aged individuals. To view S. B. 1406 Rehabilitation and Social Services Substitute PDF text: [https://lis.virginia.gov/000/cannabisbillsub.pdf](https://lis.virginia.gov/000/cannabisbillsub.pdf)

**Status:**
01/18/21 Senate: Assigned Rehab sub: Marijuana
01/19/21 Senate: Impact statement from VCSC (SB1406)
01/22/21 Senate: Senate committee, floor amendments and substitutes offered
01/22/21 Senate: Reported from Rehabilitation and Social Services with substitute (8-Y 7-N)
01/22/21 Senate: Rereferred to Judiciary
SB1445  COVID-19; facilitates vaccine administration.

Companion Bill: HB2328

Chief Patron: Dunnavant

Summary:
Facilitates the administration of the COVID-19 vaccine. The bill requires the Department of Health (the Department) to establish a process whereby any health care provider in the Commonwealth who is qualified and available to administer the COVID-19 vaccine may volunteer to administer the vaccine to citizens of the Commonwealth and sets out which health care providers are eligible to volunteer. The bill also requires the Department to establish a process on its website whereby medical care facilities, hospitals, hospital systems, corporations, businesses, pharmacies, public and private institutions of higher education, and any other professional or community entities operating in the Commonwealth may register such entity's facilities as sites that the Commissioner of Health and the Department may jointly approve as sites where administration of the COVID-19 vaccine may occur. 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 provides civil and criminal immunity to individuals and professional entities acting pursuant to the bill.

Status:
01/22/21 Senate: Amendment by Senator Mason agreed to
01/22/21 Senate: Engrossed by Senate - committee substitute with amendment SB1445ES1
01/22/21 Senate: Printed as engrossed 21103452D-ES1
01/22/21 Senate: Constitutional reading dispensed (36-Y 0-N 1-A)
01/22/21 Senate: Passed Senate (38-Y 0-N)