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SR549    Celebrating the life of Michael J. Weber, Ph.D.
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
11/23/20 House: Referred to Committee on General Laws
01/20/21 House: Impact statement from DPB (HB1741)
02/05/21 House: Left in General Laws

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: Referred to Committee on Labor and Commerce
01/29/21 House: Impact statement from DPB (HB1755)
02/03/21 House: Motion to pass by to discharge from Labor and Commerce by Delegate Simon agreed to (83-Y 13-N)
02/03/21 House: VOTE: Pass By (83-Y 13-N)
02/05/21 House: Left in Labor and Commerce

HB1772  **Higher educational institutions, public; per student enrollment-based funding, noncredit workforce.**
Chief Patron: Freitas

Summary:
Requires the per student enrollment-based funding provided to public institutions of higher education to include funding for each Virginia student enrolled in a noncredit workforce training program. Under current law, per student enrollment-based funding follows each Virginia undergraduate student.

Status:
12/28/20 House: Prefiled and ordered printed; offered 01/13/21 21100646D
12/28/20 House: Referred to Committee on Education
01/15/21 House: Assigned Education sub: Post-Secondary and Higher Ed
01/20/21 House: Subcommittee failed to recommend reporting (3-Y 5-N)
02/05/21 House: Left in Education

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
02/01/21 House: Impact statement from DPB (HB1784)
02/05/21 House: Left in General Laws

HB1800  Budget Bill.

Companion Bill: SB1100

Chief Patron: Torian

Summary:
Amends Chapter 56 of the 2020 Special Session I Acts of Assembly.
HB1815  **Marijuana; legalization of cultivation, manufacture, sale, possession, and testing, penalties.**

**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. This bill was incorporated into **HB 2312.**

**Status:**

02/27/21 House: Conference report agreed to by House (67-Y 32-N)

02/27/21 House: VOTE: Agree To (67-Y 32-N)

HB1870  **Victims of human trafficking; eligibility for in-state tuition.**

**Chief Patron:** Batten

**Summary:** Provides that a non-Virginia student who is currently present in the Commonwealth as a result of being a victim of human trafficking, as defined in the bill, is eligible for in-state tuition. The bill provides that a person may be a victim of human trafficking regardless of whether any person has been charged with or convicted of any offense and that eligibility for in-state tuition may be proved by a certification of such status as a victim of human trafficking by a federal, state, or local agency or not-for-profit agency, one of whose primary missions is to provide services to victims of human trafficking. The bill also requires institutions of higher education to automatically record such a student as opting out of making any
directory or educational information available to the public unless the student voluntarily and affirmatively chooses to opt in to allowing such directory or educational information to be made available.

**Status:**

01/08/21 House: Referred to Committee on Education  
01/15/21 House: Assigned Education sub: Post-Secondary and Higher Ed  
01/20/21 House: Subcommittee failed to recommend reporting (4-Y 4-N)  
01/20/21 House: Impact statement from DPB (HB1870)  
02/05/21 House: Left in Education

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

**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 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.

**Status:**

02/22/21 Senate: Signed by President  
02/24/21 House: Impact statement from TAX (HB1899ER)  
02/24/21 House: Signed by Speaker  
02/25/21 House: Enrolled Bill communicated to Governor on February 25, 2021  
02/25/21 Governor: Governor's Action Deadline 11:59 p.m., March 31, 2021

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

**Companion Bill:** SB1196  
**Chief Patron:** Jenkins

**Summary:**
The bill 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.

Status:
02/17/21 Senate: Signed by President
02/18/21 House: Signed by Speaker
02/19/21 House: Enrolled Bill communicated to Governor on February 19, 2021
02/19/21 Governor: Governor's Action Deadline 11:59 p.m., February 26, 2021
02/25/21 Governor: Approved by Governor–Chapter 23 (effective 7/1/21)

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:
02/23/21 House: VOTE: Adoption (55-Y 42-N)
02/25/21 House: Enrolled
02/25/21 House: Bill text as passed House and Senate (HB1930ER)
02/25/21 Senate: Signed by President
02/26/21 House: Signed by Speaker

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:

01/14/21 House: Assigned Education sub: SOL and SOQ
01/14/21 House: Impact statement from DPB (HB1947)
01/25/21 House: House subcommittee amendments and substitutes offered
02/01/21 House: Subcommittee failed to recommend reporting (3-Y 5-N)
02/05/21 House: Left in Education

HB1975  Higher educational institutions, public; tuition and mandatory fee waivers, survivors of sex crimes.

Chief Patron: Rush

Summary:
Declares eligible for counseling at no cost and a waiver of tuition and mandatory fees at any public institution of higher education any individual who, when he was under the age of 18 and a resident of the Commonwealth, became the victim of criminal sexual assault, sex trafficking, or child pornography, as evidenced by the conviction of the perpetrator of such crime. The bill provides that any individual who receives such waiver and counseling shall remain eligible if he maintains a cumulative grade point average of at least 2.5 on a scale of 4.0 or its equivalent.

Status:

01/28/21 House: Read first time
01/29/21 House: Passed by for the day
02/01/21 House: Motion to rerefer to committee agreed to
02/01/21 House: Rereferred to Appropriations
02/05/21 House: Left in Appropriations

HB1979  Electric vehicle rebate program; creation and funding, report, sunset date.

Chief Patron: Reid

Summary:
Creates a rebate program for the purchase or lease of new and used electric vehicles, to be administered by the Department of Mines, Minerals and Energy. A purchaser or lessee of a new or used electric vehicle would receive a $2,500 rebate at the time of purchase, and a purchaser or lessee with an annual household income that does not exceed 300 percent of the federal poverty level would be entitled to an additional $2,000 rebate for a new electric vehicle and $500 for a used electric vehicle beginning in taxable year 2022. The bill also establishes an Electric Vehicle Rebate Advisory Council to oversee the Electric Vehicle Rebate Program and to make recommendations regarding its implementation. The Director of the Department of Mines, Minerals and Energy is required to report annually to the Governor and the General Assembly regarding the Program. The program expires on January 1, 2027.
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, starting in the 2022-2023 academic year and 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.

Status:
02/22/21 Senate: Passed Senate (22-Y 17-N)
02/25/21 House: Enrolled
02/25/21 House: Bill text as passed House and Senate (HB1980ER)
02/25/21 Senate: Signed by President
02/26/21 House: Signed by Speaker

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, 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 positive 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. 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's physician determines in writing that immunization would pose a significant risk to the person's health.

**Status:**

02/25/21 House: Conference substitute printed 21200647D-H2  
02/25/21 House: Conference report agreed to by House (95-Y 0-N 2-A)  
02/25/21 House: VOTE: Agreed To (95-Y 0-N 2-A)  
02/27/21 Senate: Conference report agreed to by Senate (38-Y 0-N)  
02/27/21 House: Impact statement from DPB (HB1985H2)

**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.).

**Status:**

02/19/21 House: Impact statement from DPB (HB1986ER)  
02/22/21 House: Signed by Speaker  
02/22/21 Senate: Signed by President  
02/24/21 House: Enrolled Bill communicated to Governor on February 24, 2021  
02/24/21 Governor: Governor's Action Deadline 11:59 p.m., March 31, 2021

**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.

**Status:**

02/22/21 House: Impact statement from DPB (HB1993ER)  
02/22/21 Senate: Signed by President  
02/24/21 House: Signed by Speaker
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:**
01/12/21 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)
02/05/21 House: Left in General Laws

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.

**Status:**
02/25/21 Senate: Engrossed by Senate as amended
02/25/21 Senate: Passed Senate with amendment (22-Y 17-N)
02/25/21 House: Placed on Calendar
02/25/21 House: Senate amendment agreed to by House (52-Y 45-N)
02/25/21 House: VOTE: Adoption (52-Y 45-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:
01/28/21 House: Committee substitute printed 21103600D-H1
01/28/21 House: Referred to Committee on Appropriations
01/29/21 House: Assigned App. sub: Health & Human Resources
02/01/21 House: Impact statement from DPB (HB2015)
02/01/21 House: Passed by indefinitely in Appropriations (21-Y 0-N)

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

Chief Patron: Aird

Summary:
Allows a locality or a public institution of higher education to authorize a local law-enforcement agency or campus police department to purchase or deploy facial recognition technology, which is defined in the bill. The bill prohibits a local law-enforcement agency or public institution of higher education currently using facial recognition technology from continuing to use such technology without such authorization after July 1, 2021.

Status:
02/22/21 House: Impact statement from DPB (HB2031ER)
02/22/21 Senate: Signed by President
02/24/21 House: Signed by Speaker
02/25/21 House: Enrolled Bill communicated to Governor on February 25, 2021
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 (i) the individual presents satisfactory evidence that such individual (a) has tested positive for COVID-19, (b) has been otherwise directed by a physician to quarantine due to COVID-19, or (c) is providing care for an immediate family member who has tested positive for COVID-19; or (ii) the individual has a reasonable belief, based on satisfactory evidence, that the workplace is unsafe because it does not meet governmental-mandated COVID-19 health and safety standards for the workplace, including standards issued by the U.S. Occupational Safety and Health Administration, the Department of Labor and Industry, or the Department of Health, or through an executive order or directive issued by the Governor. 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:**
02/03/21 Senate: Constitutional reading dispensed
02/03/21 Senate: Referred to Committee on Commerce and Labor
02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Commerce and Labor (15-Y 0-N)
02/15/21 Senate: Senate committee, floor amendments and substitutes offered
02/15/21 Senate: Passed by indefinitely in Commerce and Labor (9-Y 6-N)

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:
01/28/21 House: Referred to Committee on Appropriations
01/28/21 House: Impact statement from DPB (HB2103)
01/29/21 House: Assigned App. sub: Compensation & General Government
02/01/21 House: Subcommittee recommends laying on the table (8-Y 0-N)
02/05/21 House: Left in Appropriations

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 were 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.

Status:
02/22/21 Senate: Passed Senate (39-Y 0-N)
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 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:**

02/22/21 House: Impact statement from DPB (HB2123ER)
02/22/21 Senate: Signed by President
02/24/21 House: Signed by Speaker
02/25/21 House: Enrolled Bill communicated to Governor on February 25, 2021
02/25/21 Governor: Governor's Action Deadline 11:59 p.m., March 31, 2021

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. The provisions of the bill do not apply to a retail business with fewer than 25 employees.

Status:
02/25/21 House: Senate substitute agreed to by House 21200620D-S2 (52-Y 44-N)
02/25/21 House: VOTE: Adoption (52-Y 44-N)
02/25/21 House: Reconsideration of Senate substitute agreed to by House
02/25/21 House: Senate substitute agreed to by House 21200620D-S2 (54-Y 44-N)
02/25/21 House: VOTE: Adoption #2 (54-Y 44-N)

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
01/25/21 House: Impact statement from DPB (HB2143)
02/05/21 House: Left in 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
01/27/21 House: Subcommittee recommends laying on the table (5-Y 2-N)
02/05/21 House: Left in Education

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

Chief Patron: Torian

Summary:
Updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources.

Status:
02/19/21 House: Senate amendment rejected by House (0-Y 100-N)
02/19/21 House: VOTE: REJECTED (0-Y 100-N)
02/23/21 Senate: Senate receded from amendment (39-Y 0-N)
02/23/21 Senate: Reconsideration of receding from amendment agreed to by Senate (39-Y 0-N)
02/23/21 Senate: Senate receded from amendment (39-Y 0-N)

HB2204  Get Skilled, Get a Job, Give Back (G3) Fund and Program; established.

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 certain high-demand field. The bill contains provisions for student eligibility, financial assistance award amounts, and data reporting.

Status:
02/22/21 House: Impact statement from DPB (HB2204ER)
HB2207  **Workers' compensation: presumption of compensability for COVID-19.**

**Companion Bill:** SB1375

**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:**
02/25/21 Senate: Senators: Saslaw, Newman, Barker
02/27/21 C Amended by conference committee
02/27/21 House: Conference report agreed to by House (97-Y 0-N 1-A)
02/27/21 House: VOTE: Agreed To (97-Y 0-N 1-A)
02/27/21 Senate: Conference report agreed to by Senate (39-Y 0-N)

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:**
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.

Status:

01/13/21 House: Prefiled and ordered printed; offered 01/13/21 21102203D
01/13/21 House: Referred to Committee on Health, Welfare and Institutions
01/28/21 House: Tabled in Health, Welfare and Institutions (18-Y 3-N)

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 21101994D
01/13/21 House: Referred to Committee on General Laws
01/15/21 House: Impact statement from DPB (HB2246)
02/05/21 House: Left in General Laws
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: Referred to Committee on Health, Welfare and Institutions
01/25/21 House: Impact statement from DPB (HB2268)
01/28/21 House: Tabled in Health, Welfare and Institutions (13-Y 9-N)

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:**

- 01/19/21 House: Impact statement from SCC (HB2274)
- 01/20/21 House: Assigned L & C sub: Subcommittee #2
- 01/28/21 House: House subcommittee amendments and substitutes offered
- 01/28/21 House: Subcommittee recommends laying on the table (8-Y 0-N)
- 02/05/21 House: Left in 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:**
HB2288  **Va. Public Procurement Act; construction contracts, requirement to submit list of subcontractors.**

**Companion Bill:** SB1305

**Chief Patron:** Williams Graves

**Summary:**
Requires bidders or offerors on contracts for construction of $250,000 or more to submit along with their bid or proposal a list of all subcontractors, regardless of tier, that the bidder or offeror intends at the time of submitting the bid or proposal to use on the contract to perform work valued at $50,000 or more, including labor and materials. The bill requires such list to include certain information about each contractor. The bill also requires the bidder or offer to submit (i) a statement declaring that the bidder or offeror has reviewed the qualifications and performance history of each subcontractor and found such qualifications and performance history to be sufficient to qualify the subcontractor to perform the subcontract work and (ii) a statement indicating that the bidder or offeror has received a written statement from each subcontractor verifying that such subcontractor (a) has not defaulted on any projects within the last three years, (b) is not currently suspended or disbarred by any public body, and (c) is not currently in bankruptcy. The bill allows the public body to disqualify any listed subcontractors, but requires the public body to notify the bidder or offeror of such disqualification and allow the bidder or offeror reasonable time to find a qualified replacement. The bill provides that any bidder or offeror that does not submit the required list and statements may have its bid or proposal disqualified, and any bidder or offeror that is found to have knowingly provided false information pursuant to this section shall be debarred from contracting with any public body for a period of up to one year. The bill requires compliance with its provisions for bids or offers on contracts for construction of $250,000 or more with localities with a population in excess of 50,000, but provides that compliance is optional for bids or offers on contracts for construction of $250,000 or more with any other locality. The provisions of this bill do not become effective unless reenacted by the 2022 Session of the General Assembly.

**Status:**
02/25/21 House: House acceded to request
02/25/21 House: Conferees appointed by House
02/25/21 House: Delegates: Williams-Graves, Krizek, Morefield
02/25/21 Senate: Conferees appointed by Senate
02/25/21 Senate: Senators: McPike, Stuart, Lewis

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 within (i) the Capitol of Virginia; (ii) Capitol Square and the surrounding area, as described in the bill; (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; any retired law-enforcement officer who is visiting a gun range owned or leased by the Commonwealth; and any state employee of a state or juvenile correctional facility who is authorized to carry a firearm while in the conduct of such employee's official duties. The bill provides that an individual who lawfully possesses a firearm may keep such firearm in his locked vehicle in a parking lot or parking structure described in clause (iii) so long as the firearm is (a) secured, (b) not visible, and (c) in a container or compartment inside of the vehicle. The bill requires that notice of the provisions prohibiting the carrying of such firearms 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 carried in violation of these provisions is subject to seizure by a law-enforcement officer and forfeiture to the Commonwealth.

**Status:**
02/27/21 House: Conference substitute printed 21200676D-H4
02/27/21 House: Pending question ordered
02/27/21 House: Conference report agreed to by House (51-Y 46-N)
02/27/21 House: VOTE: Agreed To (51-Y 46-N)
02/27/21 Senate: Conference report agreed to by Senate (22-Y 17-N)

**HB2296  Worker classification; independent contractors.**

**Companion Bill:** SB1323

**Chief Patron:** Robinson

**Summary:**
Provides that in a proceeding involving allegations of worker misclassification an individual or business is not considered an employee with respect to a hiring party if the person qualifies as an independent contractor relative to the hiring party under the common law right-of-control test as established by the Internal Revenue Service Revenue Ruling 87-41, by an applicable determination of the Internal Revenue Service, or if (i) the individual or business signs a written contract with the hiring party stating that the individual or business is self-employed or is being engaged as an independent contractor and containing certain acknowledgments, (ii) the individual or business has the right to control the manner and means by which the final result of the work is to be accomplished, and (iii) four or more additional criteria provided for in the bill are satisfied. The bill also provides that a hiring party alleging that a worker misclassification claim is frivolous or improper may file a motion to dismiss such claim. The bill provides
that a contract or written agreement expressly stating that a claimant is not considered an employee is considered as prima facie evidence of a violation of frivolous pleading provisions.

**Status:**

01/18/21 House: Presented and ordered printed 21102960D
01/18/21 House: Referred to Committee on Labor and Commerce
02/05/21 House: Left in Labor and Commerce

**HB2306  Va. Public Procurement Act; contract clause requiring subcontractor reporting of certain payments.**

**Chief Patron:** Van Valkenburg

**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:**

01/28/21 House: Committee substitute printed 21103970D-H1
01/28/21 House: Referred to Committee on Appropriations
01/29/21 House: Assigned App. sub: Compensation & General Government
02/01/21 House: Subcommittee recommends laying on the table (7-Y 0-N)
02/05/21 House: Left in Appropriations

**HB2312  Marijuana; legalization of simple possession, etc.**

**Companion Bill:** SB1406

**Chief Patron:** Herring

**Summary:**
Eliminates criminal penalties for simple possession of marijuana, modifies several other criminal penalties related to marijuana, and provides for an automatic expungement process for those convicted of certain marijuana-related crimes to have such crimes automatically expunged by July 1, 2026. The bill creates the Virginia Cannabis Control Authority (the Authority) and establishes a regulatory 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 allows retail
HB2315  Marijuana; local referendum on the legalization, report.

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
01/21/21 House: Referred to Committee for Courts of Justice
02/05/21 House: Left in Courts of Justice
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.

**Status:**
- 02/22/21 Senate: Passed Senate (21-Y 18-N)
- 02/25/21 House: Enrolled
- 02/25/21 House: Bill text as passed House and Senate (HB2327ER)
- 02/25/21 Senate: Signed by President
- 02/26/21 House: Signed by Speaker

HB2328  **COVID-19; administration of vaccine.**

**Chief Patron:** Byron

**Summary:**
Administration of COVID-19 vaccine.

**Status:**
- 01/22/21 House: Presented and ordered printed with emergency clause 21103579D
- 01/22/21 House: Referred to Committee on Health, Welfare and Institutions
- 01/26/21 House: Incorporated by Health, Welfare and Institutions (HB2333-Bagby)

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.

Status:

02/04/21 House: Reconsideration of Senate substitute with amendments agreed to by House
02/04/21 House: Senate substitute with amendments agreed to by House (99-Y 0-N)
02/04/21 House: VOTE: Adoption #2 (99-Y 0-N)
02/08/21 House: Enrolled
02/08/21 House: Bill text as passed House and Senate (HB2333ER)

HB2335  Medical mandates; each adult has a fundamental right to be free from 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: Referred to Committee on Health, Welfare and Institutions
HB2336  **Non-FDA-vaccines; preventing public and private imposition of vaccines.**

**Chief Patron:** Wiley

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

**Status:**
01/22/21 House: Presented and ordered printed 21103584D
01/22/21 House: Referred to Committee on Health, Welfare and Institutions
01/28/21 House: Tabled in Health, Welfare and Institutions (15-Y 6-N)

HB5002  **Small Business & Women-owned & Minority-owned Business Procurement Enhancement Programs; establish.**

**Chief Patron:** Ward

**Summary:**
Establishes the Small Business Procurement Enhancement Program with a statewide goal of 42 percent of certified small business utilization in all discretionary spending by state agencies and covered institutions in procurement orders, prime contracts, and subcontracts, as well as a target goal of 50 percent subcontracting to certified small businesses in instances where the prime contractor is not a small business for all new capital outlay construction solicitations that are issued. In addition, the bill provides for a small business set-aside for state agency and covered institution purchases of goods, services, and construction, requiring that purchases up to $100,000 be set aside for award to certified small businesses and that purchases up to $10,000 be set aside for award to microbusinesses. The bill also establishes the Women-owned and Minority-owned Business Procurement Enhancement Program with a statewide goal of 23.1 percent of certified women-owned and minority-owned business utilization in all discretionary spending by state agencies and covered institutions in procurement orders, prime contracts, and subcontracts. The bill creates the Division of Procurement Enhancement within the Department of Small Business and Supplier Diversity for purposes of collaborating with the Department of General Services, the Virginia Information Technologies Agency, the Department of Transportation, and covered institutions to further the Commonwealth's efforts to meet the goals established under the Small Business Procurement Enhancement Program and the Women-owned and Minority-owned Business Procurement Enhancement Program, as well as implementing initiatives to enhance the development of small businesses, microbusinesses, women-owned businesses, and minority-owned businesses in the Commonwealth. Finally, the bill amends the Virginia Public Procurement Act to permit public bodies to establish purchase procedures, if adopted in writing, not requiring competitive sealed bids or competitive negotiation for single or term contracts for the purchase or lease of goods, or for the purchase of services, insurance, or construction, if the aggregate or the sum of all phases is not expected to exceed $200,000. Under current law, such purchase procedures may only be established for (i) goods and
services other than professional services and non-transportation-related construction, if the aggregate or the sum of all phases is not expected to exceed $200,000; (ii) transportation-related construction, if the aggregate or sum of all phases is not expected to exceed $25,000; and (iii) professional services, provided the aggregate or the sum of all phases is not expected to exceed $80,000. The bill has a delayed effective date of July 1, 2023 for certain university hospitals and medical centers. The provisions of the bill creating the Women-owned and Minority-owned Business Procurement Enhancement Program sunset on July 1, 2028.

**Status:**
02/25/21 Senate: Reported from General Laws and Technology with amendments (9-Y 6-N)
02/26/21 Senate: Senate committee, floor amendments and substitutes offered
02/27/21 Senate: Read second time
02/27/21 Senate: Passed by temporarily
02/27/21 Senate: Constitutional reading dispensed (24-Y 15-N)

**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
02/05/21 House: Left in Rules

**HJ587 Commending Sim Ewing.**

*Chief Patron:* Kilgore

*Summary:* Commending Sim Ewing.

**Status:**
01/25/21 House: Engrossed by House
01/25/21 House: Agreed to by House by voice vote
01/26/21 Senate: Received
01/26/21 Senate: Laid on Clerk's Desk
01/28/21 Senate: Agreed to by Senate by voice vote

HJ709 Celebrating the life of Stuart Wallace Connock.

Chief Patron: Hudson

Summary: Celebrating the life of Stuart Wallace Connock.

Status:

02/05/21 Senate: Continued to 2021 Sp. Sess. 1 in Rules
02/11/21 Senate: Rules suspended (39-Y 0-N)
02/11/21 Senate: Discharged from Rules
02/11/21 Senate: Taken up for immediate consideration
02/11/21 Senate: Agreed to by Senate

SB1100 Budget Bill.

Companion Bill: HB1800

Chief Patron: Howell

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

Status:

02/12/21 Senate: Constitutional reading dispensed (39-Y 0-N)
02/12/21 Senate: Passed Senate (31-Y 8-N)
02/13/21 House: Placed on Calendar
02/13/21 House: Read first time
02/13/21 House: Referred to Committee on Appropriations

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:
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 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:*

- 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
SB1134  **Refunding bonds; alters the principal and interest requirements.**

*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 an expiration date of June 30, 2023.

**Status:**
02/17/21 Senate: Signed by President
02/18/21 Senate: Impact statement from DPB (SB1134ER)
02/18/21 House: Signed by Speaker
02/22/21 Senate: Enrolled Bill Communicated to Governor on February 22, 2021
02/22/21 Governor: Governor's Action Deadline 11:59 p.m., March 31, 2021

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

**Companion Bill:** HB1904

*Chief Patron:* Locke

**Summary:**
The bill 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.

**Status:**
02/17/21 Senate: Signed by President
02/18/21 House: Signed by Speaker
02/22/21 Senate: Enrolled Bill Communicated to Governor on February 22, 2021
02/22/21 Governor: Governor's Action Deadline 11:59 p.m., March 31, 2021
02/25/21 Governor: Approved by Governor—Chapter 24 (effective 7/1/21)
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.).

**Status:**
- 02/19/21 Senate: Impact statement from DPB (SB1204ER)
- 02/22/21 Senate: Signed by President
- 02/22/21 House: Signed by Speaker
- 02/24/21 Senate: Enrolled Bill Communicated to Governor on February 24, 2021
- 02/24/21 Governor: Governor's Action Deadline 11:59 p.m., March 31, 2021

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. This bill was incorporated into SB 1406.

**Status:**

Office of State Governmental Relations  Monday, March 1, 2021
SB1252  **Coal tax credits; sunset dates.**

**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 Credit 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.

**Status:**
02/17/21 Senate: Signed by President
02/18/21 House: Signed by Speaker
02/22/21 Senate: Enrolled Bill Communicated to Governor on February 22, 2021
02/22/21 Governor: Governor's Action Deadline 11:59 p.m., March 31, 2021
02/24/21 Senate: Impact statement from TAX (SB1252ER)

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

**Companion Bill:** HB2274

**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 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.

**Status:**
SB1305  **Virginia Public Procurement Act; construction contracts, subcontractor workforce requirements.**

**Companion Bill:** HB2288

**Chief Patron:** McPike

**Summary:**
Requires all public bodies in a locality with a population in excess of 25,000 and covered institutions, defined in the bill, to include in every construction contract of more than $500,000 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.

**Status:**
02/16/21 House: Subcommittee recommends referring to Committee on Appropriations
02/16/21 House: Reported from General Laws (12-Y 9-N)
02/16/21 House: Referred to Committee on Appropriations
02/17/21 House: Assigned App. sub: Commerce Agriculture & Natural Resources
02/19/21 House: Passed by for the day in Appropriations Commerce, Agriculture and Natural Resources subcommittee

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:**
02/23/21 Senate: House amendment agreed to by Senate (27-Y 12-N)
SB1323  **Worker classification; qualification of independent contractors.**

**Companion Bill:** HB2296

**Chief Patron:** Dunnavant

**Summary:**
Provides that in a proceeding involving allegations of worker misclassification an individual or business is not considered an employee with respect to a hiring party if the person qualifies as an independent contractor relative to the hiring party under the common law right-of-control test as established by the Internal Revenue Service Revenue Ruling 87-41, by an applicable determination of the Internal Revenue Service, or if (i) the individual or business signs a written contract with the hiring party stating that the individual or business is self-employed or is being engaged as an independent contractor and containing certain acknowledgments, (ii) the individual or business has the right to control the manner and means by which the final result of the work is to be accomplished, and (iii) four or more additional criteria provided for in the bill are satisfied. The bill also provides that a hiring party alleging that a worker misclassification claim is frivolous or improper may file a motion to dismiss such claim. The bill provides that a contract or written agreement expressly stating that a claimant is not considered an employee is considered as prima facie evidence of a violation of frivolous pleading provisions.

**Status:**

01/12/21 Senate: Referred to Committee on Commerce and Labor
01/25/21 Senate: Rereferred from Commerce and Labor (14-Y 1-N)
01/25/21 Senate: Rereferred to Judiciary
02/01/21 Senate: Committee amendments
02/01/21 Senate: Passed by indefinitely in Judiciary with letter (10-Y 5-N)

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
02/01/21 Senate: Stricken at the request of Patron in Judiciary (14-Y 0-N)
SB1342  **Workers' compensation; presumption of compensability for COVID-19.**

*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. This bill was incorporated into SB1375.

**Status:**
01/12/21 Senate: Referred to Committee on Commerce and Labor
01/22/21 Senate: Impact statement from DPB (SB1342)
01/25/21 Senate: Reported from Commerce and Labor (15-Y 0-N)
01/25/21 Senate: Rereferred to Finance and Appropriations
02/02/21 Senate: Incorporated by Finance and Appropriations (SB1375-Saslaw) (16-Y 0-N)

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

*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:
Provides that 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)

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 bill also establishes the advisory Virginia Data Commission to advise the Office on issues relating to data sharing.

Status:
02/24/21 House: Engrossed by House - committee substitute SB1365H1
02/24/21 House: Passed House with substitute (56-Y 41-N)
02/24/21 House: VOTE: Passage (56-Y 41-N)
02/25/21 Senate: House substitute agreed to by Senate (39-Y 0-N)
02/25/21 Senate: Title replaced 21200308D-H1

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.

Status:

02/22/21 Senate: Impact statement from DPB (SB1374ER)
02/22/21 Senate: Signed by President
02/24/21 House: Signed by Speaker
02/25/21 Senate: Enrolled Bill Communicated to Governor on February 25, 2021
02/25/21 Governor: Governor's Action Deadline 11:59 p.m., March 31, 2021

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

Status:

02/24/21 House: Delegates: Hurst, Jones, Kilgore
02/25/21 C Amended by conference committee
02/27/21 Senate: Conference report agreed to by Senate (39-Y 0-N)
02/27/21 House: Conference report agreed to by House (98-Y 0-N 1-A)
02/27/21 House: VOTE: Agreed To (98-Y 0-N 1-A)

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, retired state police 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:
02/27/21 C Amended by conference committee
02/27/21 Senate: Conference substitute printed 21200678D-S2
02/27/21 House: Conference report agreed to by House (51-Y 46-N)
02/27/21 House: VOTE: Agreed To (51-Y 46-N)
02/27/21 Senate: Conference report agreed to by Senate (21-Y 18-N)

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 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:
02/17/21 Senate: Impact statement from DPB (SB1387ER)
02/17/21 Senate: Signed by President
02/18/21 House: Signed by Speaker
02/22/21 Senate: Enrolled Bill Communicated to Governor on February 22, 2021
02/22/21 Governor: Governor's Action Deadline 11:59 p.m., March 31, 2021
SB1405  Get Skilled, Get a Job, Give Back (G3) Fund and Program; established.

**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 certain high-demand field. The bill contains provisions for student eligibility, financial assistance award amounts, and data reporting.

**Status:**
- 02/17/21 Senate: Impact statement from DPB (SB1405ER)
- 02/17/21 Senate: Signed by President
- 02/18/21 House: Signed by Speaker
- 02/22/21 Senate: Enrolled Bill Communicated to Governor on February 22, 2021
- 02/22/21 Governor: Governor's Action Deadline 11:59 p.m., March 31, 2021

SB1406  Marijuana; legalization of simple possession, penalties.

**Companion Bill:** HB2312

**Chief Patron:** Ebbin

**Summary:**
Eliminates criminal penalties for simple possession of marijuana, 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 creates the Virginia Cannabis Control Authority (the Authority) and establishes a regulatory 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 allows retail marijuana sales to begin on January 1, 2024. Certain provisions of the bill do not become effective unless reenacted by the 2022 Session of the General Assembly. This bill incorporates SB1243. [See SB1406 engrossed bill: https://lis.virginia.gov/000/CannabisBillEngrossed.pdf; SB1406 House General Laws substitute: https://lis.virginia.gov/000/cannabisbillH1sub.pdf; SB1406 Conference substitute: https://lis.virginia.gov/000/cannabisconferenceS3sub.pdf]

**Status:**
- 02/27/21 Senate: Passed by temporarily
- 02/27/21 House: Pending question ordered
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.

**Status:**
02/01/21 House: VOTE: Passage (94-Y 0-N)
02/04/21 Senate: House substitute with amendment agreed to by Senate (38-Y 0-N)
02/04/21 Senate: Title replaced 21103925D-H1
02/08/21 Senate: Enrolled
02/08/21 Senate: Bill text as passed Senate and House (SB1445ER)

SB1449  **COVID-19 immunization; prohibition on requirement, employment discrimination prohibited.**
**Chief Patron:** Chase

**Summary:**
Prohibits discrimination based on a person's vaccination status with respect to any COVID-19 vaccine in numerous employment contexts.

**Status:**
01/19/21 Senate: Presented and ordered printed 21102911D
01/19/21 Senate: Referred to Committee on General Laws and Technology
01/27/21 Senate: Passed by indefinitely in General Laws and Technology (11-Y 1-N 1-A)

**SB1450 COVID-19 vaccination; discrimination in employment prohibited.**

**Chief Patron:** Chase

**Summary:**
Prohibits discrimination in employment based on a person's vaccination status with respect to any COVID-19 vaccine.

**Status:**
01/19/21 Senate: Presented and ordered printed 21102912D
01/19/21 Senate: Referred to Committee on General Laws and Technology
01/27/21 Senate: Passed by indefinitely in General Laws and Technology (10-Y 4-N)

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

**Chief Patron:** Deeds

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

**Status:**
02/25/21 Senate: Presented 21200611D
02/25/21 Senate: Laid on Clerk's Desk
02/27/21 Senate: Engrossed by Senate
02/27/21 Senate: Agreed to by Senate
02/27/21 Senate: Bill text as passed Senate (SR549ER)