




# County of Fairfax, Virginia

## MEMORANDUM

**DATE:** February 21, 2022  
**TO:** Board of Supervisors  
**FROM:** Bryan J. Hill, County Executive   
**SUBJECT:** 2022 Legislative Report No. 3 – Board Legislative Committee Meeting of February 11, 2022

With less than three weeks remaining in the 2022 General Assembly session, negotiations on the state budget are now a top priority for both chambers, although additional legislation is still under consideration ahead of the scheduled March 12 adjournment. The House Appropriations and Senate Finance Committees reported their respective budgets on February 20. As in years past, we anticipate that each chamber will reject the other's budget and appoint members to a conference committee to resolve these differences.

The Legislative Committee met on February 11 to consider several issues of importance to the County. The Committee offers the following report and recommendations for action to the Board.

### Legislative Committee Actions of February 11, 2022:

Members Present: Legislative Chairman Walkinshaw  
Chairman McKay  
Supervisor Alcorn  
Supervisor Foust  
Supervisor Gross  
Supervisor Lusk  
Supervisor Smith

## **Priority Principles for Reviewing Legislation**

- 1. Adequately fund K-12 education.**
- 2. Fully restore funding to the Northern Virginia Transportation Authority (NVTA) in an amount equal to what was diverted, to ensure that transportation projects continue to advance in Northern Virginia after decades of state underfunding.**
- 3. Build upon the successful enactment of significant transportation revenues by the 2013 and 2020 GAs to ensure sufficient funding for transportation needs.**
- 4. Restore the funding partnership between the state and localities through adequate state funding.**
- 5. Preserve local government authority, particularly in taxation and land use; allow greater flexibility in the administration of government.**

## **Specific Legislation**

Fairfax County Legislative Summary: The Committee discussed the status of legislation on which the Committee had previously taken positions and discussed changing the positions on several bills. The Committee's positions on these bills are noted in the attached tracking chart (see "Supplementary Documents" on pages 1-80).

## **Historical Positions of the Board**

### **SUPPORT**

**HB 843** (Bloxom) (HAPP) provides that for award cycles, defined in the bill as the 12-month period during which the Virginia Housing and Development Authority (the Authority) awards tax credits to eligible projects, beginning on and after January 1, 2021, but before July 1, 2025, and upon approving a federal low-income housing tax credit for a qualified project pursuant to the Authority's qualified allocation plan, the Authority shall award a housing opportunity tax credit for the owner of the qualified project so long as doing so will not result in exceeding the award cycle cap, defined as the sum of (i) \$150 million, (ii) the amount, if any, by which the award cycle cap for the preceding award cycle exceeds the tax credits awarded by the Authority in that award cycle, and (iii) the amount of tax credits recaptured or otherwise disallowed in the preceding fiscal year. The bill provides that the housing opportunity tax credit award shall not be less than one-half of the aggregate amount of the federal low-income housing tax credit approved for the qualified project under the Authority's qualified allocation plan for all years of the project's credit period. The bill requires the Authority to send written notice of the award to the owner of the qualified project and provides that a housing opportunity tax credit shall be allowed for such qualified project for each year of the credit period, in an amount equal to the lesser of (a) the amount of federal low-income housing tax credit allocated or allowed by the Authority to such qualified project, except that there shall be no reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2), or (b) one-tenth of the tax credit amount stated in the award notice. Support; Board has historically supported. (22103943D)

**SB 47** (Locke) (Reported from SFIN) increases the aggregate annual limit on housing opportunity tax credits from \$15 million to the sum of (i) \$150 million, (ii) the amount by which the allocation for the previous year exceeds credits actually reserved in that year, and (iii) the amount of credits recaptured or disallowed for the previous year. The bill removes the credit's sunset, which under current law is January 1, 2026; however, the Virginia Housing Development Authority (the Authority), which administers the credit, would be authorized to reserve credits only for fiscal years beginning in January 1, 2021, but before January 1, 2026. The bill directs the Authority, which is the agency charged with administering the federal low-income housing tax credit (the federal credit), to reserve a housing opportunity tax credit (the state credit) for a taxpayer whenever it allocates a federal credit. The reserved state credit must be at least one-half of all federal credits allocated to the taxpayer over the 10-year period for the federal credit. However, the bill limits the amount of credits a taxpayer may claim in a single taxable year to the lesser of (a) the amount of the federal credit allocated to the taxpayer or (b) one-tenth of the reserved amount. The bill removes the Authority's power to allow credit applicants to sell credits to other taxpayers. Support; Board has historically supported. (22101688D)

## **OPPOSE**

### **COVID-19 Vaccines**

**HB 27** (Anderson) (HHWI) 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 COVID-19 vaccination status with regard to education or public employment and in numerous other contexts. Oppose; Board has historically opposed. (22100819D)

**HB 934** (LaRock) (HCE) prohibits an employer from requiring its employees to receive a vaccine for the prevention of COVID-19 unless such employer provides individual exemptions that allow an employee to opt out from such requirement on the basis of (i) medical reasons, including pregnancy or anticipated pregnancy; (ii) religious reasons; (iii) immunity from COVID-19; (iv) periodic testing; or (v) the use of employer-provided personal protective equipment. The bill provides requirements for an employee to claim such exemptions. The bill prohibits an employer from discrimination against an employee who claims such an exemption. The bill also provides for civil penalties not to exceed \$10,000 by an employer with fewer than 100 employees or \$50,000 by an employer with 100 or more employees for violations of the bill's requirements. Oppose; Board has historically opposed. (22102764D)

### **Environment/Energy**

**HB 118** (Freitas) (HCE) repeals provisions (i) requiring the State Air Pollution Control Board to adopt regulations to reduce carbon dioxide emissions from any electricity generating unit in the Commonwealth and authorizing the Board to establish an auction program for energy allowances; (ii) prohibiting the State Corporation Commission from approving any new utility-owned generation facilities that emit carbon dioxide as a by-product of energy generation, in certain

circumstances; (iii) declaring that statutory allowances for energy derived from sunlight, onshore wind, offshore wind, and storage facilities are in the public interest; and (iv) relating to the development of solar and wind generation and energy storage capacity, development of offshore wind capacity, and generation of electricity from renewable and zero carbon sources. The bill provides that planning and development activities for new nuclear generation facilities are in the public interest. Oppose; Board has historically opposed. (22100091D)

**HB 1267** (Wilt) (Reported from HAG) extends by five years the deadline by which the State Air Pollution Control Board implement low-emissions and zero-emissions vehicle standards and makes the requirement permissive instead of mandatory. Oppose; Board has historically opposed. (22106153D-H1)

**HB 1301** (Kilgore) (HAPP) repeals the Clean Energy and Community Flood Preparedness Act. Oppose; Board has historically opposed. (22104929D)

### **Firearms**

**HB 26** (Anderson) (HPS) removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit. The bill provides that any firearm received by the locality pursuant to a buy-back program shall be offered for sale by public auction or sealed bids to a person licensed as a dealer. Current law provides that any such firearm shall be destroyed by the locality unless the person surrendering the firearm requests in writing that the firearm be offered for sale. The bill also limits the authority of localities and state governmental entities to bring lawsuits against certain firearms manufacturers and others. Oppose; Board has historically opposed. (22100806D)

**HB 133** (Cherry) (HRUL) removes preschools and licensed child day centers that are not operated at the residence of the provider or of any of the children from the list of schools where possessing a firearm or other weapon on school property or on a school bus is prohibited. Oppose; Board has historically opposed. (22102275D)

**HB 509** (March) (HPS) repeals the procedure by which any attorney for the Commonwealth or law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. The bill also removes the substantial risk order registry for the entry of orders issued. Oppose; Board has historically opposed. (22101051D)

**HB 1051** (Scott) (HRUL) allows a person subject to a protective order to continue to possess any firearm while in his place of residence that was possessed by such person at the time of service,

provided that he is not otherwise prohibited by law from possessing a firearm. The bill removes the requirement that any person subject to a protective order must surrender his firearms within 24 hours of being served with a protective order. Oppose; Board has historically opposed. (22102583D)

### **School Resource Officers**

**HB 37** (Anderson) (HED) requires each school board to enter into a collaborative agreement with the local law-enforcement agency to employ at least one school resource officer in each public middle and high school in the local school division and at least one school resource officer per five public elementary schools in the local school division, who is required to serve in each such elementary school on a rotating basis. The bill also requires each division superintendent to include on the threat assessment team established for each public elementary and secondary school in the local school division at least one school resource officer employed in the school. Oppose; Board has historically opposed. (22103455D)

**HB 873** (Greenhalgh) (Reported from HAPP) requires each school board to enter into a collaborative agreement with the local law-enforcement agency to employ at least one school resource officer in each public elementary and secondary school in the local school division. The bill provides that no school board shall be granted any full or partial waiver from such staffing requirements and that no school board that fails to fully comply with such staffing requirements is eligible for any grant or waiver from the Commonwealth, Board of Education, or Department of Education. The bill also requires each division superintendent to include on the threat assessment team established for each public elementary and secondary school in the local school division at least one school resource officer employed in the school. Oppose; Board has historically opposed. (22106167D-H1)

### **AMEND**

**HJ 79** (Reid) (HPE) provides that the General Assembly may by general law exempt from taxation the real property of a surviving spouse of a member of the armed forces of the United States who died in the attack on the Pentagon on September 11, 2001. Under a current constitutional provision, only the surviving spouse of a member of the armed forces who was killed in action is eligible for the real property tax exemption. Amend. Amend to support as a state tax credit; Board has historically recommended amendment. (22103332D)

**HJ 96** (Wyatt) (HPE) authorizes the General Assembly to exempt from tax the real property of a surviving spouse of a member of the armed forces who died in the line of duty while performing official military activities. The amendment provides that such exemption is only available when the death of such member of the armed forces did not result from criminal conduct. The current Constitution exempts the real property of a surviving spouse of a member of the armed forces who was killed in action, a disabled veteran, and the surviving spouse of a disabled veteran. Amend. Amend to support as a state tax credit; Board has historically recommended amendment. Cost to the County is likely to exceed \$7 million annually. (22103608D)

## **New Bills – 2022 GA**

**HB 1290** (Hayes) (Passed House; SRUL)/**SB 764** (Barker) (Passed Senate) requires every public body to report to the Chief Information Officer (CIO) all known incidents that threaten the security of the Commonwealth's data or communications or result in exposure of data protected by federal or state laws and all other incidents compromising the security of the public body's information technology systems with the potential to cause major disruption to normal activities of the public body or other public bodies. The bill requires such reports to be made to the CIO within 24 hours from when the incident was discovered. Monitor. (22106070D-H1, 22104425D-E)

**HB 1325** (Reid) (HCCT) changes the existing authorization for local governments to finance, by ordinance, clean energy, resiliency, and stormwater management programs to authorize the financing of eligible improvements to eligible properties, as defined in the bill, under C-PACE loan programs. The bill allows localities to delegate billing, collection, and remittance of C-PACE loan payments to a third party. The bill exempts localities that have enacted C-PACE ordinances before July 1, 2022, from enforcement. Support. (22105767D)

## **Courts/Public Safety**

**HB 1279** (Anderson) (HCT) provides that a person against whom an emergency or preliminary protective order has been issued may petition to have police and court records relating to such order expunged if the order expires or is dissolved by the issuing court or if a hearing for the issuance of a permanent protective order is scheduled or held and such permanent protective order is subsequently not issued. Oppose. (22104750D)

**HJ 59** (Wampler) (Reported from HRUL) requests the Office of the Executive Secretary of the Supreme Court of Virginia to (i) determine the cost of the creation and implementation of a uniform filing system for all state circuit, general district, and juvenile and domestic relations district courts; (ii) identify any potential challenges of and concerns relating to establishing a statewide electronic filing system, such as Internet availability in certain parts of the state, balancing accessibility and transparency while maintaining confidentiality as required for certain cases, security concerns, system failure or outages, and training for users of the system, and determine possible solutions for identified concerns; (iii) analyze the current federal electronic filing system and plans implemented in other states to determine best practices for developing and implementing a statewide system for all circuit and district courts in the Commonwealth; and (iv) develop a plan for the establishment of a uniform electronic filing system in all circuit and district courts in the Commonwealth. Monitor. (22101187D)

**SB 443** (Boysko) (Senate Floor) provides that a defendant with a disorder or disability, as defined in the bill, may file a petition that requests the sealing of the criminal history record information and court records of a Class 4 felony conviction or deferred and dismissed disposition. Under current law, Class 4 felony convictions or deferred and dismissed dispositions are ineligible to be sealed. Support with amendment. Support concept of expungement for certain crimes; sufficient state funding for implementation is essential. (22103094D)

**SB 730** (Lewis) (Senate Floor) increases the daily compensation for jurors from \$30 to \$100. Monitor. (22104517D)

**SB 669** (Surovell) (SJUD) requires that all law-enforcement agencies that employ at least two law-enforcement officers, reduced from at least 10 under current law, ensure that, in the case of all written citizen complaints or complaints submitted in an electronic format, the agency (i) allows for the submission of citizen complaints through the agency's website or other electronic format; (ii) provides a receipt or written acknowledgment confirming the submission of the complaint to the individual filing such complaint; (iii) provides a written response to any individual who has filed a complaint within 30 days of the filing of such complaint indicating the status of such complaint; (iv) provides a written response to any individual who has filed a complaint within 60 days of the filing of such complaint indicating the final disposition of such complaint and if any action, including disciplinary action, was taken as a result of such complaint or, if after 60 days a resolution of the complaint has not occurred, the law-enforcement agency provides a written response indicating the reason for the delay in reaching a final disposition and an anticipated date of completion; (v) for any complaint that is not resolved within 60 days, provides a written response to any individual who has filed a complaint upon the resolution of such complaint indicating the final disposition of such complaint and if any action, including disciplinary action, was taken as a result of such complaint; and (vi) provides notice to any individual who has filed a complaint if an investigation into a previously filed complaint has been reopened upon the submission of new materials after a final resolution for the previously filed complaint has been reached. The bill also provides that all complaints, investigative materials associated with such complaints, and any dispositional information may be disclosed to the attorney for the Commonwealth when such materials are requested by the attorney for the Commonwealth and relate to a law-enforcement officer's credibility, integrity, or honesty or may constitute exculpatory or impeachment evidence. Amend. Amend to add exemptions for cases when complainants want to remain anonymous or do not provide the necessary contact information. (22104590D)

### *Firearms*

**HB 325** (Freitas) (Passed House) repeals the requirement that, if a firearm is lost or stolen from a person who lawfully possessed it, such person shall report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 48 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. Under current law, a violation is punishable by a civil penalty of not more than \$250. Oppose. (22102189D)

### **Health and Human Services**

**HB 95** (Head) (Passed House; SCL) requires financial institutions to cooperate in any investigation of alleged adult abuse, neglect, or exploitation conducted by a local department of social services and to make any financial records or information relevant to such investigation available to the local department upon request. Support. (22105038D-H1)

**HB 156** (Byron) (House Floor) prohibits any person employed by or who has entered into a contract to provide services on behalf of the Department of Health or a local department of health from initiating communication regarding health-related matters with a minor on behalf of the Department or local department of health without the consent of the minor's parent, except as otherwise required by law. Oppose. (22102263D)

**HB 389** (Bulova) (Reported from HAPP) requires the Board of Education to establish a system of regional entities that will be responsible for coordinating early childhood care and education services, guiding quality improvement of such services and coordinated access to such services for families, and implementing the uniform measurement and improvement system. The bill establishes the Child Care Subsidy Program Overpayment Fund, consisting of all overpayment moneys collected or recovered by the Department of Education or any state or local agency contracted to administer the Child Care Subsidy Program, net of any refunds due to the federal government, to be used solely for the purpose of covering the cost of providing training and supports to early childhood care and education entities. Support. (22104067D)

### Land Use

**HB 1088** (Leftwich) (HCCT) changes the definition of "subdivision" to provide that it does not preclude valid and enforceable boundary line agreements between owners of adjacent parcels and that divisions of land subject to a partition suit by virtue of order or decree by a court of competent jurisdiction shall take precedence over certain development and zoning requirements. The bill requires a subdivision ordinance to allow a locality to make agricultural subdivisions within an agricultural zoning district. Oppose. (22103287D)

## **Legislation Provided for Discussion**

### Masks

**SB 739** (Dunnavant) (Passed Senate; HED) requires, except in the case of the 10 unscheduled remote learning days otherwise permitted by law or in certain cases of student discipline, each school board to offer in-person instruction, as defined in the bill, to each student enrolled in the local school division in a public elementary or secondary school for at least the minimum number of required annual instructional hours and to each student enrolled in the local school division in a public school-based early childhood care and education program for the entirety of the instructional time provided pursuant to such program. The bill permits, notwithstanding any other provision of law or any regulation, rule, or policy implemented by a school board, school division, school official, or other state or local authority, the parent of any child enrolled in a public elementary or secondary school, or in any school-based early childhood care and education program, to elect for such child to not wear a mask while on school property. The bill provides that no parent making such an election shall be required to provide a reason or any certification of the child's health or education status and no student shall suffer any adverse disciplinary or academic consequences as a result of this parental election. Oppose. (22106287D-S1)



**HB 514** (March) (HHWI) prohibits the Board of Health, Commissioner of Health, and Governor from issuing any rule, regulation, or order that requires (i) individuals to wear masks or other face coverings or (ii) businesses to require customers to wear masks or other face coverings while on the premises of such business and prohibits any local school board from requiring any student enrolled at a public elementary or secondary school in the local school division to wear a mask, face covering, or other covering of the student's nose and mouth at school, on a school bus, or at a school-sponsored activity. (22101551D)

**HB 1036** (LaRock) (HED) prohibits any local school board from requiring any student enrolled at a public elementary or secondary school in the local school division to wear a mask, face covering, or other covering of the student's nose and mouth at school, on a school bus, or at a school-sponsored activity unless the local school board substantiates such requirement with evidence that (i) such requirement is necessary to suppress a nuisance dangerous to the public health or a communicable, contagious, or infectious disease or other danger to the public life and health; (ii) no reasonable alternatives to such requirement exist in light of the impact on quality of life and economic well-being; and (iii) such requirement is narrowly tailored to address the nuisance dangerous to the public health or the communicable, contagious, or infectious disease or other danger to the public life and health. (22103001D)

**HB 1038** (Scott, P) (HHWI) prohibits the Board of Health, Commissioner of Health, or Governor from issuing any rule, regulation, or order that requires (i) individuals to wear masks or other face coverings or (ii) businesses to require customers to wear masks or other face coverings while on the premises of such business. (22101291D)

**HB 1272** (Batten) (Reported from HED) requires, except in the case of the 10 unscheduled remote learning days otherwise permitted by law, each school board to offer in-person instruction, as defined in the bill, to each student enrolled in the local school division in a public elementary or secondary school for at least the minimum number of required annual instructional hours and to each student enrolled in the local school division in a public school-based early childhood care and education program for the entirety of the instructional time provided pursuant to such program. (22106116D-H1)

### **Taxation**

**HJ 58** (Carr) (HPE) directs the General Assembly to implement a tax relief program by which longtime owner-occupants of real property are granted a total or partial exemption from local real property taxation of real estate the market value of which has increased as a consequence of the refurbishment or renovation of other residences or the construction of new residences in long-established residential areas or areas of deteriorated, vacant, or abandoned homes and properties. Amend. Amend to support as a state tax credit. (22103333D)

**HB 90** (McNamara) (HAPP) exempts food purchased for human consumption and essential personal hygiene products (the grocery tax) from all state, regional, and local sales taxes. The bill dedicates state sales tax revenue to provide a supplemental school payment to counties and cities. For fiscal year 2023, the payment is the county or city's fiscal year 2022 distribution of revenue

from the grocery tax. For fiscal year 2024 and after, the payment is the previous year's payment multiplied by the county or city's local sales tax index, defined in the bill as the ratio by which sales tax revenues in a county or city for the current year exceed the previous year's revenues. (22100681D)

**HB 1008** (Durant) (HFIN) exempts food purchased for human consumption and essential personal hygiene products (the grocery tax) from all state, regional, and local sales taxes. (22100737D)

**SB 451** (Boysko) (Reported from SFIN) eliminates the state's 1.5 percent tax on food for human consumption. Provides a replacement for school funding based on school-aged population, but does not provide a replacement for transportation revenues. Does not repeal the one percent local option tax. (22105822D-S1)

### **Transportation**

**SB 722** (Marsden) (Passed Senate) prohibits, in Planning District 8, the parking of a vehicle with its wheels partially or fully on the curb, or with its wheels straddling the curb. The bill provides that any vehicle parked on a curb may be removed by or under the direction of a law-enforcement officer. (22105977D-S1)

**HB 632** (Carr) (House Floor) removes provisions that prohibit a law enforcement officer from (i) stopping a motorcycle, moped, motorized skateboard, or scooter for a noise violation, (ii) stopping a motor vehicle for not having an exhaust system in good working order, and stopping a motor vehicle for violating a local ordinance relating to the ownership or maintenance of a motor vehicle such the offense is jailable. The bill also removes provisions providing that for each type of offense, no evidence discovered or obtained as a result of such a stop shall be admissible in court. (22105730D-H1)

### **Administration of Government**

**SB 172** (Peake) (Passed Senate) requires county boards of supervisors, prior to July 1 of each year, to set a maximum annual compensation, which will become effective as of January 1 of the next year. Monitor. (22102602D-E)

### **Food Inspections**

**HB 837** (Wilt) (Passed House) requires any food manufacturer, food storage warehouse, and retail food establishment to obtain a permit from the Commissioner of the Department of Agriculture and Consumer Services prior to operating. Any such entity issued a permit would be exempt from any other license, permit, or inspection required for the sale, preparation, or handling of food. The bill requires the Commissioner to notify such entities of the reason for denial of a permit and requires that any denial, suspension, or revocation of a permit be carried out in accordance with the Administrative Process Act. Amend. Amend to exempt localities that have adopted a local food code based on the U.S. Food and Drug Administration food code. (22104157D-E)

### **Recovery Residences**

**SB 622** (Favola) (Passed Senate) requires every person who operates a recovery residence to disclose to potential residents whether the recovery residence is a certified recovery residence and that no health care provider or behavioral health service provider who receives public funds or state agency shall refer a person with substance abuse disorder to a recovery residence unless the recovery residence has been certified by the Department of Behavioral Health and Developmental Services (the Department) in accordance with regulations adopted by the Board of Behavioral Health and Developmental Services (the Board). The bill also provides that credentialing agencies by which the Board may require accreditation or in which the Board may require membership shall administer credentialing and certification programs in accordance with standards of the National Alliance for Recovery Residences; requires the Board to adopt regulations requiring each certified recovery residence include one or more resident or nonresident staff persons who is employed by the provider for compensation and who is responsible for oversight or management of the recovery residence; and requires the Department to provide, for each certified recovery residence included on the list maintained on the Department's website the level of support provided by the certified recovery residence. The bill also provides that certified recovery residences shall constitute residential occupancy by a single family for zoning purposes, regardless of the number of persons residing in the certified recovery residence, and exempts certified recovery residences from the provisions of the Virginia Landlord and Tenant Act. Support. (22105949D-S1)

**HB 277** (Coyner) (Passed House) requires every person who operates a recovery residence to disclose to potential residents whether the recovery residence is a certified recovery residence and that no health care provider or behavioral health service provider who receives public funds or state agency shall refer a person with substance abuse disorder to a recovery residence unless the recovery residence has been certified by the Department of Behavioral Health and Developmental Services (the Department) in accordance with regulations adopted by the Board of Behavioral Health and Developmental Services (the Board). The bill also provides that credentialing agencies by which the Board may require accreditation or in which the Board may require membership shall administer credentialing and certification programs in accordance with standards of the National Alliance for Recovery Residences; requires the Board to adopt regulations requiring each certified recovery residence include one or more resident or nonresident staff persons who is employed by the provider for compensation and who is responsible for oversight or management of the recovery residence; and requires the Department to provide, for each certified recovery residence included on the list maintained on the Department's website the level of support provided by the certified recovery residence. The bill also provides that certified recovery residences shall constitute residential occupancy by a single family for zoning purposes, regardless of the number of persons residing in the certified recovery residence, and exempts certified recovery residences from the provisions of the Virginia Landlord and Tenant Act. Amend. Amend to conform to SB 622 (Favola). (22105975D-H1)

## **Legislation Requiring Further Review**

**HB 702** (Keam) (HGL) requires an owner of a single-family detached residential property to disclose in writing to any prospective purchaser or lessee of the property the existing lot coverage and the maximum lot coverage for the property as permitted by zoning ordinance in the locality in which the property is located. (22102215D)

**HB 1055** (Cordoza) (HCCT) requires all counties and cities to employ a grant writer to assist individuals and organizations with (i) researching and identifying public and private grant opportunities; (ii) developing, writing, and submitting proposals to federal, state, and private funding agencies; and (iii) satisfying eligibility requirements for grant funds sought or received. (22101782D)

**SB 46** (Petersen) (Reported from SFIN) provides that any person who is affected by an order of quarantine may file an appeal in the circuit court for the city or county in which he resides or is located or the circuit court for the jurisdiction or jurisdictions for any affected area; currently, only a person who is subject to an order of quarantine may appeal the order. The bill also provides that, in any case in which the Governor has issued an emergency order that includes any measure that closes schools or businesses or restricts the movement of healthy persons within the area to which the order applies, all of the rights, protections, and procedures applicable in the case of an order of quarantine issued by the Commissioner of Health shall apply. (22100560D)

**SB 250** (Surovell) (Passed Senate) increases the annual fees for nonhazardous solid waste management facilities and indexes the fees annually based on the change in the Consumer Price Index. (22103053D-E)

## **Administration of Government**

**SB 224** (McPike) (SGL) requires any individual who is compensated to influence or attempt to influence a local government action through oral or written communication with a local government officer or employee to provide written notice of his status and a \$25 fee to the clerk of the governing body of the officer's or employee's locality. The bill exempts from this requirement (i) certain executive and legislative officials and employees, (ii) local government employees or officers acting in their official capacity, (iii) contractors or employees of a contractor performing services for the local government, and (iv) an attorney clearly identified on a land use application. Failure to provide notice is a Class 1 misdemeanor. (22103252D)

## **Courts**

**HB 794** (Ballard) (HCT) repeals provisions permitting the admission of evidence by the defendant concerning a defendant's mental condition at the time of an alleged offense, including expert testimony, if such evidence is relevant, is not evidence concerning an ultimate issue of fact, and (i) tends to show the defendant did or did not have the intent required for the offense charged and (ii) is otherwise admissible pursuant to the general rules of evidence. The bill also

removes provisions permitting a court to issue an emergency custody order in cases where such evidence was admitted and repeals provisions requiring the Office of the Executive Secretary of the Supreme Court to collect data regarding the cases that use such evidence. (22102321D)

**SB 138** (Edwards) (Passed Senate) provides that for any discovery materials or evidence that the accused is permitted to inspect and review, the accused may request the Commonwealth to copy or photograph such discovery materials or evidence, and the Commonwealth shall provide such copies or photographs, electronically or otherwise, to the accused or his counsel. (22100389D-E)

### **Education and Schools**

**HB 293** (Freitas) (HED) establishes the Education Savings Account Program (the Program), to be administered by the Department of Education (the Department) with assistance from each local school board, whereby the parent of any elementary or secondary school student who (i) is a member of a household whose annual income does not exceed two times the annual household income that would qualify the student for free or reduced-price lunch and (ii) was eligible to attend a public school in the Commonwealth in the preceding semester or is starting elementary or secondary school in the Commonwealth for the first time is eligible to receive an education savings account, for as long as the student is of school age and the amount of which is determined pursuant to a calculation set forth in the bill, to cover certain enumerated educational expenses for his child. The bill requires the Department to establish rules and regulations for the Program and contains conditions, limitations, and other requirements for the Program, including provisions relating to the accountability and educational autonomy of individuals and entities receiving account funds to cover qualified expenses. (22102132D)

**HB 356** (Tata) (HAPP) authorizes the Board of Education (the Board) to establish regional charter school divisions consisting of at least two but not more than three existing school divisions in regions in which each underlying school division has (i) an enrollment of more than 3,000 students and (ii) one or more schools that have accreditation denied status for two out of the past three years. The bill requires such regional charter school divisions to be supervised by a school board that consists of eight members appointed by the Board and one member appointed by the localities of each of the underlying divisions. The bill authorizes the school board, after a review by the Board, to review and approve public charter school applications in the regional charter school divisions and to contract with the applicant. The bill requires that the state share of Standards of Quality per pupil funding of the underlying school district in which the student resides be transferred to such school. (22106049D-H1)

**SB 156** (Hashmi) (SFIN) requires state funding to be provided to support new division-wide ratios of English learner students in average daily membership to full-time equivalent teaching positions, as follows: (i) for each English language learner identified as proficiency level one, one position per 25 students; (ii) for each English language learner identified as proficiency level two, one position per 30 students; (iii) for each English language learner identified as proficiency level three, one position per 40 students; and (iv) for all other English language learners, one position per 50 students. Under the bill, in order to provide additional support for instruction of

English language learners, \$150 shall be appropriated in year one to divisions for each English learner student to support professional development of instructional and support staff, purchase resources developed for students learning English, and offer grants to community-based organizations that offer support services to English language learners in school settings. (22102237D)

**SB 157** (Hashmi) (SFIN) declares it the goal of the Commonwealth that its public school teachers and all other individuals employed in Standards of Quality-funded positions be compensated at a rate that is competitive, defined as at or above the national average salary for the position, in order to attract and keep highly qualified individuals in such positions. The bill requires state funding to be provided pursuant to the general appropriation act in a sum sufficient to fund a five percent annual pay increase for each such position, effective from the 2023-2024 school year through the 2027-2028 school year, provided that such five percent annual pay increase (i) is subject to a local matching requirement in accordance with each local school board's composite index of local ability-to-pay and (ii) shall be adjusted annually as necessary to account for rebenchmarking and to yield a rate of compensation percentage increase for all Standards of Quality-funded positions that is pegged to providing a competitive average teacher salary in the Commonwealth. The bill has a delayed effective date of July 1, 2023. (22103846D)

**SB 608** (Suetterlein) (SEH) permits the Board of Education (the Board) to receive, review, and rule upon applications for public charter schools and enter into agreements for the establishment of public charter schools. Under current law, the power to grant or deny a public charter school application and enter into an agreement for the establishment of a public charter school rests solely with local school boards. The bill also provides that the decision of the Board or a local school board to grant or deny a public charter school application or to revoke or fail to renew a public charter school agreement is final and is not subject to appeal. Current law contains an appeal process for such decisions. (22101743D)

### **Emergency Operations and Services**

**SB 166** (Peake) (SGL) limits the duration of any executive order issued by the Governor pursuant to his powers under the Emergency Services and Disaster Law to no more than 30 days from the date of issuance. The bill provides that if the General Assembly does not take any action on the rule, regulation, or order within the 30 days during which the rule, regulation, or order is effective, the Governor may once again issue the same rule, regulation, or order but shall thereafter be prohibited from issuing the same or a similar rule, regulation, or order relating to the same emergency. Under current law, once issued, such executive orders are effective until June 30 following the next adjournment of the regular session of the General Assembly. The bill contains technical amendments. (22102274D)

### **Employment Issues**

**HB 883** (Byron) (Reported from HCE) repeals certain provisions of the Code that (i) require contractors and subcontractors under any public contract with a state agency or certain localities to pay the prevailing wage rate; (ii) authorize any public body, when engaged in procuring

products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, to require bidders to enter into or adhere to project labor agreements on the public works projects; and (iii) authorize a locality to recognize any labor union or other employee association as a bargaining agent of any public officers or employees or to collectively bargain or enter into any collective bargaining contract with any such union or association or its agents. (22106252D-H1)

**HB 932** (Robinson) (House Floor) extends from December 31, 2021, to December 31, 2022, the date by which COVID-19 causing the death or disability of a health care provider is presumed to be an occupational disease compensable under the Workers' Compensation Act. (22102394D)

**HB 1201** (Byron) (Passed House; SCL) provides that for the purposes of the Virginia Employment Commission determining if an individual was separated or partially separated from employment for misconduct and would be disqualified for unemployment benefits, the term "misconduct" does not include an employee's refusal to receive or receive in part any primary series or booster shot of a vaccine for the prevention of COVID-19. (22103654D)

**SB 289** (DeSteph) (Passed Senate) provides that an anxiety disorder or depressive disorder, as both are defined in the bill, incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers' Compensation Act on the same basis as post-traumatic stress disorder. The bill provides that a mental health professional must diagnose the law-enforcement officer or firefighter as suffering from anxiety disorder or depressive disorder as a result of a qualifying event, as defined in the Code, and includes other conditions for compensability. (22101635D)

### **Environment/Energy**

**HB 73** (Ware) (House Floor) amends certain provisions related to the Air Pollution Control Board's regulation of carbon dioxide emissions. The bill removes certain requirements for energy efficiency pilot programs to be considered in the public interest. The bill removes aggregate capacity requirements for renewable energy generating facilities, including facilities utilizing energy derived from sunlight, onshore wind, and offshore wind. The bill further removes requirements for the State Corporation Commission's methodology in determining the reasonableness and prudence of costs related to a request for cost recovery for an offshore wind facility by a Phase II Utility. The bill removes the requirement that the State Corporation Commission must wait until a certain report is received by the General Assembly prior to issuing a certificate of public convenience and necessity for any investor-owned utility to own, operate, or construct any electric generating unit that emits carbon as a by-product of combusting fuel to generate electricity. (22101104D)

**HB 706** (Keam) (HCCT) changes the time for minimum canopy coverage for all localities from 20 years to 10 years and removes special provisions that had allowed for 10 years for the City of Williamsburg and local ordinances adopted pursuant to § 15.2-961 prior to July 1, 1990. The bill provides an additional one-quarter times the canopy area credit for preservation of trees that are

taller than 30 feet, thereby increasing the canopy area credit from one and one-quarter to one and one-half. (22102708D)

**HB 1224** (Bulova) (Passed House; SACNR) directs the State Water Control Board to update its regulations providing for the use of a proprietary best management practice (BMP) if another state, regional, or national certification program has verified or certified its nutrient or sediment removal effectiveness. Currently, the BMP may only be used if another state, regional, or national certification program has verified and certified its nutrient or sediment removal effectiveness. The bill also provides that any BMP that provides appropriate documentation, as required by the bill, to the Department of Environmental Quality shall be listed on the Virginia Stormwater BMP Clearinghouse website as quickly as reasonably possible and approved for use in stormwater management plans. (22105648D-H1)

**HB 558** (O'Quinn) (HCE)/**SB 565** (Surovell) (Senate Floor) permits natural gas utilities to include in their fuel portfolios, submitted to the State Corporation Commission to monitor fuel prices and purchases, supplemental or substitute forms of gas sources, defined in the bill, that meet certain standards and that reduce emissions intensity. The bill amends provisions of the Code related to conservation and energy efficiency programs, removes certain cost-effectiveness requirements for conservation and energy efficiency programs, and adds appliance rebates to the types of programs the Commission may consider. The bill expands conservation and ratemaking efficiency provisions of the Code that currently apply to natural gas consumption specifically to instead apply generally to energy consumption. The bill also removes calculation requirements for how the Commission should grant cost recovery of performance-based incentives for delivering conservation and energy efficiency benefits that are included in the utility's purchased gas adjustment mechanism. The bill introduces enhanced leak detection and repair programs, defined in the bill, as a type of eligible infrastructure replacement for a natural gas utility facility. Costs of detecting and repairing leaks may be added to a natural gas utility's plan to identify proposed eligible infrastructure replacement projects and related cost recovery mechanisms, known as the utility's Steps to Advance Virginia's Energy (SAVE) Plan. The bill adds provisions to the Code related to biogas supply infrastructure projects. Eligible infrastructure costs for these projects include (i) the investment in eligible biogas supply infrastructure projects, (ii) the return on the investment, (iii) a revenue conversion factor, (iv) operating and maintenance expenses, (v) depreciation, (vi) property tax and other taxes or government fees, and (vii) carrying costs on the over-recovery or under-recovery of the eligible biogas supply infrastructure costs. Under the bill, natural gas utilities can recover these eligible infrastructure costs on an ongoing basis through the gas component of the utility's rate structure or other recovery mechanism approved by the Commission. The plan submitted by the utility may include an option to receive the biogas or sell the biogas at market prices. The timeline for the Commission to approve such plan is included in the bill. The bill further states that a natural gas utility with an approved biogas supply infrastructure plan must file a report of the investments made, the eligible infrastructure costs incurred and the amount of such costs recovered, the volume of biogas delivered to customers or sold to third parties during the 12-month reporting period, and an analysis of the price of biogas delivered to customers and the market cost of biogas during the reporting period. (22102047D, 22106179D-S2)



## **FOIA**

**HB 50** (March) (Passed House; SGL) requires, with certain exceptions outlined in the bill, any local public body subject to the provisions of the Freedom of Information Act to post meeting minutes on its official public government website, if any, within seven working days of final approval of the minutes. The bill provides that if a local public body does not own or maintain an official public government website, it shall make copies of all meeting minutes available no later than seven working days after the conclusion of a meeting at a prominent public location in which meeting notices are regularly posted, at the office of the clerk of the public body, or, in the case of a public body that has no clerk, at the office of the chief administrator. (22101402D-E)

**HB 970** (O'Quinn) (Reported from HGL) provides that public agencies shall not request personal information, defined in the bill. The bill amends the Virginia Freedom of Information Act definition of "public record" to exclude personal information. The bill also exempts the Campaign Finance Disclosure Act of 2006 from the requirements that public agencies protect personal information and refrain from requesting personal information. (22102746D)

**SB 324** (Vogel) (SFIN) provides that public agencies shall not request personal information, defined in the bill. The bill amends the Virginia Freedom of Information Act definition of "public record" to exclude personal information. The bill also exempts the Campaign Finance Disclosure Act of 2006 from the requirements that public agencies protect personal information and refrain from requesting personal information. (22105884D-S1)

## **Health and Human Services**

**HB 669** (Hope) (HHWI) directs the Board of Health to adopt regulations governing swimming pools and other water recreational facilities operated in conjunction with a tourist facility or health spa, and provides that localities may adopt ordinances governing swimming pools that are more stringent than regulations adopted by the Board. The bill directs the Board to convene a stakeholder work group to provide recommendations related to regulations required to be adopted pursuant to the bill. Such work group is required by the bill to report its findings and recommendations to the Board by November 1, 2023. (22103720D)

**SB 317** (Favola) (Passed Senate) allows a health care practitioner licensed in another state or the District of Columbia who has submitted an application for licensure to the appropriate health regulatory board to temporarily practice for a period of 90 days pending licensure, provided that certain conditions are met. The bill directs the Department of Health Professions to pursue reciprocity agreements with jurisdictions that surround the Commonwealth to streamline the application process in order to facilitate the practice of medicine. The bill requires the Department of Health Professions to annually report to the Chairmen of the Senate Committee on Education and Health and the House Committee on Health, Welfare and Institutions the number of out-of-state health care practitioners who have utilized the temporary authorization to practice pending licensure and have not subsequently been issued full licensure. The bill contains an emergency clause. (22103982D-E)

**SB 293** (Barker) (SEH) requires the Commissioner of Health (the Commissioner) to impose conditions related to the provision of care to individuals who are the subject of a temporary detention order on certificates of public need for projects involving inpatient psychiatric services and facilities and provides that when determining the public need for a proposed project involving an inpatient psychiatric service or facility, the Commissioner shall not take into consideration existing inpatient psychiatric services or facilities or the impact of approving the application and issuing the certificate of public need for the proposed project on an existing inpatient psychiatric service or facility if the existing inpatient psychiatric service or facility does not provide an adequate amount of service to individuals who are subject to a temporary detention order, as determined by the Commissioner in accordance with regulations of the Board of Health (the Board). The bill directs the Board to adopt regulations establishing a process by which the Commissioner shall annually establish the amount of services for individuals who are subject to a temporary detention order that an existing inpatient psychiatric service or facility must provide. (22101329D)

**SB 448** (Boysko) (Passed Senate) requires hospitals to develop and implement written policies and procedures related to the screening and treatment of victims of domestic violence and sexual assault. (22105717D-S1)

### **Land Use**

**HB 961** (Roem) (HCCT) requires every locality to adopt an ordinance setting forth a register of identified cemeteries, graveyards, or other places of burial located on private property not belonging to any memorial or monumental association. The bill provides that the official local register shall include an official map and that both the register and map shall be available on the locality's website, if one exists. The bill also provides that the governing body shall publish a notice in a newspaper having general circulation in the locality at least two weeks prior to the sale of any property on such registry, or as soon thereafter as possible, and shall also publish the notice on the locality's website, if one exists. (22100951D)

**SB 694** (Obenshain) (Senate Floor) makes various changes to the laws pertaining to condemnation procedures, including (i) providing that localities shall not condition or delay the timely advancement or approval of any application for or grant of any permit or other approval for real property for the purpose of allowing the condemnation or acquisition of the property; (ii) requiring a condemnor to provide the property owner with a copy of its title report and all recorded instruments found in the title examination; (iii) requiring the clerk of court, when funds are paid into the court during a condemnation proceeding, to deposit such funds into an interest-bearing account; (iv) requiring the court to order the condemnor to reimburse the property owner for the reasonable costs and fees for a survey (under current law, this amount is capped at \$1,000); (v) requiring temporary construction easements to have an expiration date included in the recorded certificate and requiring condemnors to record a certificate of completion within 90 days upon completion of construction of any public use project for which a portion of private property was taken; (vi) requiring that a condemnor who has been sued for just compensation pursuant to a "quick-take" condemnation procedure to reimburse the property owner for his fees and costs incurred in filing the petition; (vii) permitting the owner of property that the

Commissioner of Highways has taken to petition the circuit court for the appointment of commissioners or the empanelment of a jury to determine just compensation under certain circumstances and requiring the Commission of Highways to reimburse the owner for his fees and costs incurred in filing the petition; and (viii) requiring a condemner who has taken property for purposes of a public use project to pay for the costs incurred by the property owner for a written appraisal report or experts engaged to (a) review the plans for the public use project to determine the limits of the taking of the property, (b) determine the impact of the public use project on any remaining property, or (c) determine the uses to which the property could be put in the before and after project scenarios. (22105602D-S1)

### **Marijuana**

**HB 176** (Marshall) (HGL) requires the Board of Directors of the Virginia Cannabis Control Authority (the Board) to promulgate regulations that allow to qualify as a social equity applicant, and therefore receive certain licensing preferences and advantages, any applicant that has lived or been domiciled for at least 12 months in the Commonwealth and whose principal place of business is, and was prior to July 1, 2021, located in a jurisdiction determined by the Board to be economically distressed. The bill also provides that, if an act of assembly is passed by the 2022 Session of the General Assembly that creates licenses to allow for the cultivation, manufacture, wholesale, and retail sale of retail marijuana and retail marijuana products in the Commonwealth, any industrial hemp processor that meets certain registration, program, and production requirements set forth in the bill shall be permitted to possess one or any combination of such licenses upon payment of a \$1 million fee to the Board and submission of and compliance with a diversity, equity, and inclusion plan. (22102314D)

**SB 391** (Ebbin) (Reported from SFIN) establishes a framework for the creation of a retail marijuana market in the Commonwealth. The bill creates a regulatory and licensing structure for such retail market and for the cultivation, manufacture, and wholesale of marijuana and marijuana products to be administered by the Virginia Cannabis Control Authority. The bill also relocates and modifies numerous criminal provisions regarding marijuana offenses. The bill has staggered effective dates. The bill satisfies the reenactment requirement of Chapters 550 and 551 of the Acts of Assembly of 2021, Special Session I, but makes numerous modifications to the provisions of the 2021 legislation related to licensure, criminal penalties, expungement, regulation of certain hemp products, local regulation, and diversity, equity, and inclusion. (22106443D-S2)

### **Public Safety/Criminal Justice**

**HB 11** (Anderson) (House Floor) changes the penalty for a first violation of carrying a concealed weapon without a permit from a Class 1 misdemeanor to a civil penalty of not more than \$100, a second violation from a Class 6 felony to a Class 2 misdemeanor, and a third or subsequent violation from a Class 5 felony to a Class 1 misdemeanor. The bill also provides that a person, unless otherwise disqualified, shall not be precluded from applying for a concealed handgun permit during the pendency of the proceedings for a violation. If such person is issued a valid

concealed handgun permit while a charge for a violation is pending, he may offer such permit to the court, and the court may dismiss the charge. (22100800D)

**HB 122** (Wyatt) (HCT) removes the provisions stating that no law-enforcement officer may lawfully stop a motor vehicle for operating (i) with an expired registration sticker prior to the first day of the fourth month after the original expiration date; (ii) with defective and unsafe equipment; (iii) without tail lights or brake lights; (iv) without an exhaust system in good working order; (v) with certain signs, posters, stickers or decals; (vi) with objects or other equipment suspended so as to obstruct the driver's view; or (vii) with an expired inspection prior to the first day of the fourth month after the original expiration date, as well as the accompanying exclusionary provisions. (22101544D)

**HB 147** (Wiley) (HCT) requires the State Board of Local and Regional Jails (the Board) to establish minimum standards for identification and care of individuals with developmental disabilities in local correctional facilities and procedures for enforcing such minimum standards, including requirements for (i) screening of individuals committed to local correctional facilities for developmental disabilities, (ii) referral of individuals committed to local correctional facilities for whom a screening indicates reason to believe the person may have a developmental disability to an appropriate provider for an assessment to determine whether the individual has a developmental disability and is in need of developmental services, and (iii) transfer of an individual determined to have a developmental disability and to be in need of developmental services from a local correctional facility to a facility at which appropriate developmental services are provided within 72 hours of completion of the assessment. The bill also requires the Board to amend standards governing the delivery of behavioral health services in local correctional facilities and lock-ups to provide that if an individual is assessed as being in need of behavioral health services, such individual shall be transferred from the local correctional facility or lock-up to a behavioral health facility within 72 hours of the assessment. Currently, standards governing behavioral health services in local correctional facilities and lock-ups require that if a person is assessed as being in need of behavioral health services, the local correctional facility or lock-up shall provide such services. (22103164D)

**HB 475** (Murphy) (HCT) adds to the definitions of "family abuse" and "act of violence, force, or threat" used in the protective order provisions that acts of violence, force, or threat include acts in furtherance of human trafficking or commercial sex trafficking. The bill also allows a minor to petition for a protective order on his own behalf without the consent of a parent or guardian and without doing so by next friend. (22101278D)

**HB 749** (Bell) (Reported from HAPP) provides that the Department of Criminal Justice Services shall adopt guidelines to make funds from the Virginia Sexual and Domestic Violence Victim Fund, which is used to support the prosecution of domestic violence cases and victim services, available to sexual assault service providers and hospitals for the purpose of funding the cost of salaries and equipment for sexual assault forensic examiners, sexual assault nurse examiners, and pediatric sexual assault nurse examiners, with priority for funding such costs given to such forensic examiners and nurse examiners serving rural or underserved areas of the

Commonwealth. The bill also increases the amount apportioned to the Fund from the fixed fees for misdemeanors and traffic infractions tried in district court. (22106155D-H1)

**HB 1000** (Runion) (HPS) requires every member appointed to a locality's law-enforcement civilian oversight body to observe a law-enforcement officer employed with such locality's law-enforcement agency while such law-enforcement officer is engaged in his official duties. The bill also provides that any disciplinary determination recommended by a law-enforcement civilian oversight body shall be advisory and that if any law-enforcement agency declines to implement such recommendation, such agency shall create and make available to the public within 30 days from the date such recommendation is reported to such agency a written public record of its rationale for declining to implement such recommendation. The bill requires that such observation take place within 90 days of the member's appointment to the civilian oversight body and total no fewer than 24 hours, a portion of which includes a ride-along with a law-enforcement officer. The bill also requires each law-enforcement civilian oversight body to include at least one retired law-enforcement officer as a voting member; under current law, a retired law-enforcement officer may serve on such body as an advisory, nonvoting ex officio member. (22100522D)

**HB 1053** (Shin) (Reported from HAPP) eliminates certain fees charged to inmates within a local correctional facility, including a fee to defray the costs associated with an inmate's keep, travel and other expenses associated with an inmate's work release employment or participation in an educational or rehabilitative program, and telephone systems. The bill also reduces certain fees charged to inmates within a local correctional facility, including that the cost of items within a correctional facility's store or commissary shall not exceed 10 percent of the typical market rate for the same goods or services, and that the fee associated with electronic visitation and messaging systems shall not exceed the actual costs of establishing and operating such systems. The bill removes provisions that if an inmate is unable to pay in full such fees, the inmate must enter into a deferred or installment payment agreement with the local correctional facility, or that such facility may enter into a contract for collection of such fees with a private entity, a local governing body, or the county or city treasurer. The bill also provides that, upon discharge from a local correctional facility, an inmate shall receive, in the form of a check, electronic transfer, or a debit or other account card, the balance of all accounts maintained by the facility for an inmate's use. (22105668D-H1)

**HB 1335** (Wilt) (HRUL) exempts child day centers that do not require licensure from restrictions related to possession of firearms. (22104973D)

**SB 102** (Hanger) (Passed Senate) provides that if a law-enforcement officer makes an arrest without a warrant when in close pursuit and such arrest is made beyond the boundary of the county or city from which the arrestee fled, then the law-enforcement officer shall procure a warrant from the magistrate serving the county or city wherein the arrest was made, charging the accused with the offense committed, and any criminal act committed during the close pursuit, in the county or city from which he fled. Under current law, such officer would not be able to obtain a warrant for a criminal act committed during the close pursuit beyond the boundary of the county or city from which the arrestee fled. (22102857D)

**SB 639** (Morrissey) (Senate Floor) clarifies that the immunity afforded to the seeking of emergency help for an overdose also applies to a show cause, a probation revocation, or a parole violation. (22103752D)

### **Procurement**

**HB 1287** (Runion) (Reported from HGL) requires the Department of General Services (DGS), in determining the award of any contract for materials to be purchased for use by agencies of the Commonwealth, to procure using competitive sealed bidding and give preference to bidders that supply materials containing recycled content, so long as such materials offer a cost competitive advantage over materials that do not contain recycled content. The bill directs DGS to promulgate regulations to implement such provision and establish a system that requires an incremental increase in the percentage of recycled content included in materials in order for a bidder to be given preference in the procurement process, as follows: (i) 10 percent recycled content by January 1, 2025; (ii) 20 percent recycled content by January 1, 2028; and (iii) 30 percent recycled content by January 1, 2030. (22106525D-H1)

### **Retirement**

**SB 213** (McPike) (SFIN) requires the Virginia Retirement System and local retirement systems to divest from fossil fuel companies by January 1, 2027. (22100517D)

### **Taxation**

**HB 1168** (Watts) (SFIN) provides that a person who is eligible for the real property tax exemption for certain disabled veterans and surviving spouses is entitled to a refund, retroactive to his date of eligibility, of taxes paid during the period of exemption, excluding interest or penalties. Under the bill, the refund is exempt from the statute of limitations for applications for correction of an assessment. (22103495D)

**HB 1185** (Bourne) (House Floor) creates a separate class of property for local taxation for any solar facility installed on the roof of a residential dwelling unit to serve the electricity or thermal needs of that dwelling, provided the installation follows all applicable local zoning rules. Such facilities would be exempt from local property taxation. (22106192D-H1)

**SB 25** (Ruff) (Passed Senate) requires any locality that increases its cigarette tax rate to allow, for one calendar year after the increase, a person with unsold inventory to pay the tax increase on the unsold inventory by filing a return, rather than requiring the use of a stamp or meter impression. The bill imposes a duty on regional cigarette tax boards to effectuate the policy. (22101773D)

**SB 360** (Stuart) (SFIN) requires the Commonwealth to subsidize local real estate tax relief for disabled veterans and surviving spouses of members of the United States Armed Forces killed in action when more than one percent of a locality's real estate tax base is lost due to such state-mandated tax relief programs. The Commonwealth would subsidize only that portion of tax-

exempt real estate that exceeds the one percent threshold. The bill requires the Auditor of Public Accounts to establish an application process whereby a locality would demonstrate that more than one percent of its real estate tax base was lost. The Auditor would certify to the Governor and the General Assembly those localities that would be eligible for a subsidy, and the Governor would include in the Budget Bill a proposed appropriation of the amount of the state subsidy to be provided to localities certified as eligible localities. (22102164D)

**SB 432** (Dunnavant) (SFIN) provides that only accommodations furnished to transients for overnight sleeping are subject to sales tax. The provisions of the bill are retroactive to January 1, 2018. (22104077D)

**SB 686** (Mason) (Passed Senate) provides that any solar facility installed pursuant to existing local regulation of solar facilities laws is declared a separate class of property and shall be classified for local taxation separately from other classifications of real or personal property. Such facilities shall be wholly exempt from state and local taxation under the Constitution of Virginia. (22103937D)

### **“Watch List”/May Have State Revenue/Policy Implications**

**HB 216** (Simonds) (Passed House; SGL) exempts from the definition of gift tickets and registration or admission fees to an event that are provided by an agency to its own officers or employees for the purposes of performing official duties related to the officer's or employee's public service. (22101936D)

**HB 429** (Bulova) (Passed House; SGL) provides that the sum of all projects performed in an architectural and professional engineering contract term shall not exceed \$10 million, and the fee for any single project shall not exceed \$2.5 million. The bill allows a contract for multiple architectural or professional engineering projects to be renewable for up to three additional terms at the option of the public body. Current law limits the sum of all projects performed in a one-year contract term to \$750,000, with up to four additional one-year terms at the option of the public body, and limits the fee for any single project to \$150,000, with specific exceptions to those limits, including a limit for total projects for rail projects of \$5 million and for highway projects, \$8 million. The bill also removes specific agency and locality exceptions to such current limits. (22105823D-H1)

**HB 705** (Keam) (HGL) allows a public body to participate in cooperative procurement for construction contracts purchased by localities if the contract is valued at no greater than \$200,000. (22102313D)

**HB 1353** (Knight) (Reported from HAPP) establishes the Virginia Football Stadium Authority as a political subdivision charged with financing the construction of a football stadium and related facilities. The Authority is authorized to hire independent contractors, enter contracts, acquire property, borrow money, and exercise other similar powers. The Authority is exempt from the Personnel Act and the Public Procurement Act. The Authority may issue bonds with a

maximum maturity date of 20 years. The bill provides that at least 50 percent of any revenues received from selling the naming rights to the stadium shall be dedicated to the principal and financing costs of any bonds issued under the bill, and provides that if the football team that will primarily use the stadium (the primary team) relocates, it shall be required to repay any outstanding principal and financing costs. The bill entitles the Authority to sales tax revenues from transactions at the stadium but excludes certain revenues that current law dedicates to transportation and education. The entitlement begins on the stadium's operational date. The bill enables localities to appropriate tax revenues to the Authority. The Authority is made up of nine members appointed by the Governor and subject to confirmation by the General Assembly. Four of the nine members are appointed from a list chosen by the primary team. The provisions of the bill expire if the Authority has not entered into a development and lease agreement with the primary team before July 1, 2025. (22104733D)

**HJ 77** (Lopez) (HPE) establishes that it is the policy of the Commonwealth to follow the principles of environmental justice in the development, implementation, and enforcement of environmental laws, regulations, and policies and to ensure that no population, especially minority, low-income, or historically economically disadvantaged communities, faces higher levels or greater impacts of pollution and climate change than other populations. (22102847D)

**SB 153** (Locke) (Passed Senate) eliminates the position of Director of Diversity, Equity, and Inclusion in the Office of the Governor and establishes the position of Secretary of Diversity, Equity, and Inclusion, to be appointed by the Governor and to assist the Governor and Governor's Secretaries in promoting diversity, equity, and inclusion at the state level. The bill outlines the responsibilities of the Secretary. The bill makes several changes in Code to reflect the new position by eliminating references to the Office of Diversity, Equity, and Inclusion and replacing these references with the Secretary of Diversity, Equity, and Inclusion. (22104752D-S1)

**SB 270** (Hashmi) (Passed Senate) establishes the Interagency Language Access Working Group in the Office of the Director of Diversity, Equity, and Inclusion with the following membership: the Director of Diversity, Equity, and Inclusion, the Director of the Office of the Children's Ombudsman, the Governor's Secretaries, and six non-legislative citizen members representing organizations that represent individuals with language access needs. The Working Group is established for the purpose of maximizing state policies, resources, technical assistance, and procurement practices to further language access and equity in the Commonwealth and its state government agencies. The bill also requires each state agency to designate a language access coordinator who will be responsible for the agency's annual language access report, the requirements of which are set out in the bill. The Secretary of Administration is directed to establish criteria for state agencies to procure language interpretation and translation services and to establish a policy for compensating multilingual state employees who are required as part of their job to provide interpretation, translation, or other bilingual skills at least once a month. (22104256D)

**SB 343** (Barker) (SFIN) allows low-income individuals and married persons to claim either (i) a nonrefundable income tax credit equal to \$300 for each individual, his spouse, and any dependents or (ii) a refundable income tax credit equal to 20 percent of the federal earned income



tax credit claimed that year by the individual or married persons for the same taxable year. Under current law, low-income individuals and married persons may elect either of these amounts; however, both options for claiming the credit are nonrefundable. The provisions of the bill apply to taxable years 2022 through 2028. (22102700D)

### **Courts/Public Safety**

**HB 497** (Mullin) (Reported from HCT) makes it a Class 1 misdemeanor for any person granted authority to act for a principal under a power of attorney to knowingly or intentionally engage in financial exploitation of an incapacitated adult. The bill also provides that the power of attorney terminates upon such conviction. This bill is a recommendation of the Virginia Criminal Justice Conference. (22105097D-H1)

**HB 661** (Wampler) (HCT) authorizes punishment by death for the willful, deliberate, and premeditated killing of a law-enforcement officer. (22101175D)

**HB 761** (Krizek) (Reported from HAPP) requires that any standard complaint form utilized by the Judicial Inquiry and Review Commission shall be made available in paper form at every clerk's office in all courts across the Commonwealth. The bill also requires that a sign be posted in all state courts of the Commonwealth, in a location accessible to the public, detailing the availability and location of such form. Such sign shall also include information on how to access a downloadable electronic version of the form, which shall be made available on the official website of the judicial system of the Commonwealth, every individual appellate, circuit, general district, and juvenile and domestic relations district court website, if such website exists, and the website for the Division of Legislative Services. (22106113D-H1)

**HB 812** (Williams) (Reported from HCT) creates a rebuttable presumption against bail for certain criminal offenses enumerated in the bill and for persons identified as being illegally present in the United States by U.S. Immigration and Customs Enforcement who are charged with certain offenses. The bill also requires the court to consider specified factors when determining whether the presumption against bail has been rebutted and whether there are appropriate conditions of release. (22100870D)

**HB 1015** (Durant) (HCT) provides that an employer may petition the court for a preliminary protective order or a protective order to protect the health and safety of its employees. The bill provides that the venue for a workplace violence protective order is the jurisdiction where the workplace is located from which the petitioner seeks to have the respondent prohibited. (22103928D)

**SB 486** (McClellan) (SFIN) provides that an employer may petition the court for a preliminary protective order or a protective order to protect the health and safety of its employees. The bill provides that the venue for a workplace violence protective order is the jurisdiction where the workplace is located from which the petitioner seeks to have the respondent prohibited. (22103935D)

**HB 1198** (Bell) (House Floor) authorizes the Attorney General to institute or conduct criminal prosecutions in cases involving a violation of the criminal laws for certain acts of violence when such prosecution is requested by the sheriff or chief of police investigating the violation. The bill also provides that prior to instituting or conducting a criminal prosecution for such cases, the Attorney General shall give notice to the local attorney for the Commonwealth where such violation occurred of his intent to institute or conduct such criminal prosecution. (22104934D-H1)

**HJ 60** (Wampler) (HPE) establishes the right of government officials to qualified immunity. The amendment provides that a government official may not be found liable for the deprivation of any person's rights, privileges, or immunities secured by the Constitution of Virginia and the laws of Virginia if such official establishes that (i) the right, privilege, or immunity alleged to be violated was not clearly established at the time of the person's deprivation by the official, or that at such time, the state of the law was not sufficiently clear that every reasonable official would have understood that the conduct alleged constituted a violation of the Constitution or the laws of Virginia or (ii) a court of competent jurisdiction had issued a final decision on the merits holding that the specific conduct alleged to be unlawful was consistent with the Constitution and the laws of Virginia. (22101161D)

**SB 98** (Hanger) (SJUD) provides that if any person refuses to give a written promise to appear, the arresting officer shall give such person notice of the time and place of the hearing, note such person's refusal to give his written promise to appear on the summons, and forthwith release him from custody. Under current law, any person refusing to give such written promise to appear is required to be taken immediately by the arresting officer before a magistrate or other issuing officer having jurisdiction. (22100053D)

**SB 104** (Morrissey) (Senate Floor) except for aggravated murder of a law-enforcement officer, eliminates all mandatory minimum sentences of confinement from the Code of Virginia. The bill directs the Secretary of Public Safety and Homeland Security to establish a work group to evaluate the feasibility of resentencing persons previously convicted of a felony offense that was punishable by a mandatory minimum term of confinement and to report its findings by November 1, 2022. (22104619D-ES1)

**SB 105** (Morrissey) (Passed Senate) provides that the provisions of Chapters 45 and 51 of the Acts of Assembly of 2020, Special Session I, shall be given retroactive and prospective effect. The bill also provides that its provisions shall not create any cause of action for damages against the Commonwealth or any of its political subdivisions, nor shall it form the basis for relief in any habeas corpus proceeding or appellate proceeding. (22102985D-E)

**SB 134** (Edwards) (SFIN) raises the maximum age for delinquency matters in juvenile and domestic relations district courts from persons under 18 years of age to persons under 21 years of age. The bill defines "underage person" as an individual who is 18 years of age or older but less than 21 years of age. The bill adds underage persons to all provisions regarding delinquency proceedings in juvenile and domestic relations district courts, the transfer of delinquency matters to circuit courts, and criminal procedure as currently applies to juveniles only. The bill

differentiates between juveniles and underage persons in specific circumstances, including consent for medical or mental health records or procedures, mental health screenings in secure detention facilities, and provisions regarding release on bail or recognizance. (22100118D)

**SB 411** (Morrissey) (Senate Floor) reduces the penalty for possession of a Schedule I or II controlled substance from a Class 5 felony to a Class 1 misdemeanor and the penalty for possession of a Schedule IV or V controlled substance from a Class 2 misdemeanor and a Class 3 misdemeanor, respectively, to a Class 4 misdemeanor. Consequently, the bill removes felony violations of possession of a controlled substance from the definition of barrier crime related to criminal history checks for eligibility for various types of employment, to volunteer or provide certain services, or to establish or operate certain types of regulated businesses. The bill also limits the previous convictions that make a person ineligible for disposition under the first offender statute to a previous conviction for possession of a controlled substance or manufacturing, selling, giving, distributing, or possessing with intent to manufacture, sell, give, or distribute a controlled substance or an imitation controlled substance. Under current law, a previous conviction for any drug-related criminal offense, or under any statute of the United States or of any state relating to narcotic drugs, marijuana, or stimulant, depressant, or hallucinogenic drugs makes a person ineligible for such disposition. The bill also amends the required conditions of probation under the first offender statute. The bill changes the penalty for an attempt to commit a felony drug offense from imprisonment for not less than one nor more than 10 years to a Class 6 felony and removes the felony offenses for a prisoner to secrete or have in his possession any chemical compound that he has not lawfully received, any Schedule III controlled substance, or marijuana. The bill makes secreting or possessing a controlled substance or marijuana by a prisoner punishable the same as possession of such controlled substances or marijuana by a person who is not in prison. Lastly, the bill provides that the definition of "controlled substance" for purposes of the Drug Control Act shall not include mere residue of any drug, substance, or immediate precursor in Schedules I through VI that is not a countable dosage unit. The bill contains technical amendments. (22101679D)

#### *Firearms*

**HB 292** (Freitas) (HRUL) removes the requirement that concealed handgun permit applicants demonstrate competence with a handgun by completing an in-person course and adds the option for applicants to demonstrate competence by completing an electronic, video, or online course conducted by a state-certified or National Rifle Association-certified firearms instructor. (22102063D)

**HB 417** (Ballard) (HPS) provides that current members of the United States Armed Forces are not required to obtain a concealed handgun permit in order to carry a concealed weapon. (22101877D)

#### *Guardianships*

**HB 623** (Hudson) (Reported from HCT) adds to the duty of a guardian ad litem appointed to represent the interests of a respondent in a guardianship or conservatorship case the requirement

to recommend that counsel be appointed to represent such respondent upon the respondent's request. Under current law, the guardian ad litem is required to recommend counsel be appointed only when he believes appointment is necessary. The bill further directs the guardian ad litem to include in his report to the court an explanation by the guardian ad litem as to any (i) decision not to recommend the appointment of counsel for the respondent, (ii) determination that a less restrictive alternative to guardianship or conservatorship is not available, and (iii) determination that appointment of a limited guardian or conservator is not appropriate. (22105239D-H1)

**HB 634** (Roem) (Reported from HCT) requires a guardian to visit an incapacitated person at least once every 90 days and make certain observations and assessments during each visit. The bill provides that a guardian may utilize a person who is directly employed and supervised by the guardian, or contract the services of a care manager who is a trained professional who specializes in the field of life-care management, geriatrics, older adults and aging or adults with disabilities and who provides written reports to the guardian regarding any such visits to satisfy the duties imposed upon such a guardian. (22105845D-H1)

**HB 1212** (Glass) (Reported from HCT) requires the notice of hearing on a guardianship or conservatorship petition to include notice that any adult individual required to receive a copy of such notice may file a motion to intervene in the action to become a party and request to be appointed as guardian or conservator or offer an alternative to the guardian or conservator selected. (22105682D-H1)

**SB 514** (McPike) (Reported from SFIN) makes several changes to the provisions of adult guardianships and conservatorships, including (i) adding certain powers and duties to the Department for Aging and Rehabilitative Services to provide support, oversight, and guidance with respect to such guardianships; (ii) requiring the notice of hearing on a guardianship or conservatorship petition to include notice that any adult individual required to receive a copy of such notice may file a motion to intervene in the action to become a party and request to be appointed as guardian or conservator or offer an alternative to the guardian or conservator selected; (iii) requiring a schedule for periodic review hearings in the order of appointment of a guardian or conservator to be set by a court, unless the court makes a determination that such hearings are unnecessary or impracticable; and (iv) providing that a guardian shall not restrict an incapacitated person's ability to communicate with, visit, or interact with other persons with whom the incapacitated person has an established relationship unless such restriction is necessary to prevent physical, mental, or emotional harm to or financial exploitation of the incapacitated person; the bill further requires that the guardian must provide written notice to any restricted person stating (a) the nature and terms of the restriction, (b) the reasons why the guardian believes the restriction is necessary, and (c) how the restricted person may challenge such restriction in court. The bill sets up a procedure by which a person whose visit, communication with, or interaction with an incapacitated person has been restricted may challenge such restriction in court. (22105019D-S1)

### **Education and Schools**

**HB 486** (Subramanyam) (HED) requires the Thomas Jefferson High School for Science and Technology academic year Governor's School in Fairfax County to annually admit for first-time enrollment as freshmen at least 100 students who reside in the Loudoun County school division. (22105439D-H1)

**HJ 31** (VanValkenburg) (HRUL) requires the Joint Legislative Audit and Review Commission to continue its study of the true cost of education in the Commonwealth and its directive to provide an accurate assessment of the costs to implement the Standards of Quality and, in conjunction, to study the efficiency and effectiveness of the at-risk add-on and the composite index of local ability-to-pay funding formula as tools for funding public education at levels that meet or exceed its true cost. The meeting and reporting deadlines in the original study are unaffected by the additional study tasks. (22100924D)

**SB 603** (Stanley) (SFIN) requires the Board of Education (the Board) to make recommendations to the General Assembly for amendments to the Standards of Quality to establish standards for the maintenance and operations, renovation, and new construction of public elementary and secondary school buildings. The bill requires such recommendations to include standards for the percentage of the current replacement value of a public school building that a school board should budget for the maintenance and operations of the building and such other standards as the Board deems appropriate. The bill also requires the Board to solicit the input of relevant stakeholders and the public in developing such recommendations. Finally, the bill requires the Board to submit its recommendations to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health no later than December 1, 2022. This bill is a recommendation of the Commission on School Construction and Modernization. (22104287D)

#### *School Incident Reports*

**HB 59** (McGuire) (HED) requires that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor offense and report to the parents of any minor student who is the specific object of such act that the incident has been reported to law enforcement. Under current law, principals are required to make such reports only for such acts that may constitute a felony offense. (22100897D)

**HB 308** (Ransone) (HED) requires that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor offense and report to the parents of any minor student who is the specific object of such act that the incident has been reported to law enforcement. Under current law, principals are required to make such reports only for such acts that may constitute a felony offense. (22100753D)

**HB 985** (Anderson) (HED) requires that school principals report to law enforcement any felony offenses and violent offenses enumerated in the bill that may constitute a criminal offense. Under the bill, principals have discretion to report certain non-violent crimes to law enforcement. Under

current law, principals are required to make such reports to law enforcement only for such acts that may constitute a felony offense. (22103596D)

### **Elections**

**HB 544** (Batten) (Passed House; SPE) allows a voter to opt into being required to show a valid photo identification issued by the Commonwealth, one of its political subdivisions, or the United States when voting in person. When a voter offers to vote and the pollbook indicates he has opted into such requirement, he shall be required to show a valid photo identification issued by the Commonwealth, one of its political subdivisions, or the United States in order to vote a regular ballot. The bill requires the voter registration application to permit an applicant to opt into this requirement and the Department of Elections to provide the means for currently registered voters to opt in as well. (22100935D)

**HB 972** (Simon) (HPE) provides for the removal of certain elected officers and officers appointed to elected offices by recall referendum. The bill requires a petition for recall be signed by 30 percent of the total number of votes cast at the last election for the office for which a recall is sought. (22104066D)

**SB 495** (McClellan) (Reported from SFIN) provides for the removal of certain elected officers and officers appointed to elected offices by recall referendum. The bill requires a petition for recall be signed by 30 percent of the total number of votes cast at the last election for the office for which a recall is sought. (22105067D-S1)

**HB 1140** (Walker) (HPE) requires general registrars to provide notice of the cancellation of a voter's registration to the voter by mail, to the address listed in the voter's registration record, and by email, to the email address provided on the voter's registration application, if one was provided. (22103540D)

**SB 80** (Stanley) (Passed Senate) prohibits state and local elections officials from soliciting, accepting, using, or disposing of any moneys, grants, property, or services given by a private individual or nongovernmental entity for the purpose of funding voter education and outreach programs, voter registration programs, or any other expense incurred in the conduct of elections. The bill specifically provides that the operation of a polling place or voter satellite office in a facility furnished by a private individual or nongovernmental entity is not a violation of this prohibition. (22105282D-S1)

### **Employment Issues**

**HB 282** (Coyner) (HAPP) provides for consideration of certain factors to be made by any regulatory board prior to denying an application for licensure, certification, or registration where such denial was made in whole or in part upon the existence of the applicant's criminal record. The bill requires, beginning July 1, 2025, the Board of Bar Examiners, the Department of Health Professions, and the Department of Professional and Occupational Regulation to include certain

data related to the criminal history of applicants to each agency's boards in its biennial report. The bill contains technical amendments. (22104224D)

**HB 790** (LaRock) (Reported from HCE) prohibits a county, city, or town from entering into a collective bargaining contract with a labor union or other employee association representing law-enforcement officers or employees of a law-enforcement agency that (i) prevents the Attorney General from seeking equitable relief against a law-enforcement agency engaging in a pattern or practice of unconstitutional misconduct; (ii) includes any stipulation that delays officer interviews or interrogations after alleged wrongdoing for a set length of time; (iii) provides officers with access to evidence before interviews or interrogations about alleged wrongdoing; (iv) mandates the destruction or purging of disciplinary records from personnel files after a set length of time, or limits the consideration of disciplinary records in future employment actions; (v) prohibits the interrogation, investigation, or punishment of officers on the basis of alleged wrongdoing if a set length of time has elapsed since its alleged occurrence, or since the initiation of the investigation; (vi) prohibits supervisors from interrogating, investigating, or disciplining officers on the basis of anonymous civilian complaints; or (vii) requires arbitration of disputes related to disciplinary penalties or termination. (22102743D)

**SB 181** (Saslaw) (Passed Senate) provides that the presumption that COVID-19 causing the death or disability of certain employees is an occupational disease compensable under the Virginia Workers' Compensation Act does not apply to an individual who fails or refuses to receive a vaccine for the prevention of COVID-19 either approved by or with an Emergency Use Authorization issued by the U.S. Food and Drug Administration, unless the person is immunized or the person's physician determines in writing that the immunization would pose a significant risk to the person's health. (22100495D)

**SB 524** (Barker) (Senate Floor) requires employers that are subject to prevailing wage provisions for work done on public contracts to furnish the Commissioner of Labor and Industry within 30 days after issuance of its first payroll, and every 30 days thereafter, a certified payroll that consists of a complete copy of certain records accompanied by a statement signed by the employer that indicates that (i) such records are true and accurate; (ii) the hourly rate paid to each worker is not less than the general prevailing rate of hourly wages required by law; and (iii) the contractor or subcontractor is aware that filing a certified payroll that he knows to be false is a Class 6 felony. The bill provides civil penalties not to exceed \$1,000 for each violation for violations of prevailing wage provisions for any contractor or subcontractor that (a) knowingly fails to provide the certified pay scale for each craft or trade employed on the project, (b) knowingly fails to provide the certified payroll required by the bill, and (c) fails to post the general prevailing wage rate for each craft and classification involved in a contract in prominent and easily accessible places at the site of the work and a civil penalty not to exceed \$10 per calendar day that required records have not been received. The bill also provides that any contractor or subcontractor who knowingly files false records or willfully fails to file records is guilty of a Class 6 felony. (22102463D)

### **Environment/Energy**

**HB 892** (Kilgore) (Passed House; SCL) establishes a reserve account for the purchase of Regional Green House Gas Initiative (RGGI) allowances by an entity that has a preexisting contractual arrangement related to a power purchase entered into on or before May 16, 2017, and continuing in effect on July 1, 2020, through December 31, 2025. Such entity is authorized under the bill to purchase RGGI credits at a discounted rate, subject to conditions set forth in the bill, if, because of the preexisting contractual arrangement, the entity is unable to pass through or recover its RGGI costs. (22101448D)

### **FOIA**

**HB 734** (Bell) (HGL) provides that no criminal investigative file or portion thereof shall be disclosed to any requester except (i) the victim, (ii) members of the victim's immediate family, if the victim is deceased, or (iii) the victim's parent or guardian, if the victim is a minor, unless the public body has notified any such individual of the request for such information. Upon notification of a request, such persons may file a petition in an appropriate court for an injunction to prevent disclosure of the records. The bill requires the court to consider certain information in making its determination and provides that a public body shall be prohibited from disclosing criminal investigative files if the court awards an injunction. (22100814D)

**SB 152** (Locke) (Passed Senate) defines "official public government website" as it applies to the Virginia Freedom of Information Act and the Virginia Freedom of Information Advisory Council as any Internet site controlled by a public body and used, among any other purposes, to post required notices and other content pursuant to the Virginia Freedom of Information Act on behalf of the public body. This bill is a recommendation of the Virginia Freedom of Information Advisory Council. (22100073D)

### **Health and Human Services**

**HB 22** (Walker) (HHWI) 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. (22100433D)



**HB 306** (Freitas) (House Floor) exempts a person, including a parent or guardian on behalf of a child, who objects to administration of a vaccine on religious grounds from mandatory immunization requirements during an epidemic. Currently, exemption from mandatory immunization requirements during an epidemic is available only to those persons to whose health the administration of the vaccine would be detrimental, as certified in writing by a licensed physician. (22102554D)

**HB 512** (March) (HHWI) 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 COVID-19 vaccination status (i) with regard to education, employment, insurance, or issuance of a driver's license or other state identification or (ii) in numerous other contexts. (22101287D)

**HB 915** (Orrock) (HHWI) provides that a parent, guardian, or person standing in loco parentis of each child in the Commonwealth shall cause such child to be vaccinated in accordance with the Regulations for the Immunization of School Children of the State Board of Health (the Board) and that regulations of the Board setting forth such requirements shall be subject to the Administrative Process Act. Currently, a parent, guardian, or person standing in loco parentis of a child shall cause such child to be vaccinated in accordance with the Immunizations Schedule developed and published by the Centers for Disease Control and Prevention, Advisory Committee on Immunization Practices, American Academy of Pediatrics, and American Academy of Family Physicians, and any regulations of the Board setting forth requirements related to vaccines are exempt from the Administrative Process Act. The bill also provides that no regulation of the Board of Health setting forth requirements related to vaccines shall become effective until after the next regular session of the General Assembly following the date on which the final adopted regulation is published in the Virginia Register of Regulations. (22101203D)

**SB 192** (Mason) (Passed Senate) allows local health directors to possess a Doctor of Public Health degree, a Master of Public Health degree, or a doctoral degree in the area of public health as an alternative to the current requirement that local health directors be physicians licensed to practice medicine in the Commonwealth. (22105409D-S1)

**HB 1191** (Ransone) (HPS) provides that participation in the Marcus alert system is optional for localities and that no locality, community services board, or behavioral health authority is required to participate in the Marcus alert system. The bill also revises reporting requirements related to the Marcus alert system and comprehensive crisis system to include a requirement that the Department of Behavioral Health and Developmental Services include in its annual report a statement of the barriers to establishment of local Marcus alert programs and community care or mobile crisis teams in areas of the Commonwealth that have opted to not establish such programs and teams and a plan for addressing such barriers to increase the number of such programs and teams in the Commonwealth. (22106450D)

**SB 361** (Stuart) (Passed Senate) provides that participation in the Marcus alert system shall be optional for localities and that no locality, community services board, or behavioral health authority shall be required to participate in the Marcus alert system. (22106013D-S3)

**SJ 10** (Surovell) (Agreed to by Senate) establishes a joint subcommittee to study pandemic response and preparedness in the Commonwealth. In conducting its study, the joint subcommittee is tasked with examining existing laws in the Commonwealth and developing recommendations regarding the pandemic response and future needs of the Governor, the General Assembly, local governments, public and private health care systems and other facilities and providers, health districts, the judicial system, K-12 and higher education systems, and the business regulatory system. (22100036D)

**SJ 14** (Mason) (Agreed to by Senate) directs the Joint Commission on Health Care to complete a two-year study of the Commonwealth's public health system and develop recommendations for its improvement. The Commission's study shall include examining the structure, operations, oversight, and funding of the existing public health system and the effectiveness of the current public health system in meeting ongoing public health needs as well as public health needs resulting from public health emergencies and shall identify areas of success and areas for improvement in preparation for and response to future public health emergencies. (22103635D)

**SJ 42** (Suetterlein) (Agreed to by Senate) directs the Joint Commission on Health Care to study the benefits of hospitals, health systems, and other providers in addressing the health-related social needs of Virginians. The study shall identify opportunities for policy making to make health care in Virginia more affordable and effective through innovations in care coordination, workforce development, payment options, and improved data collection. (22103464D)

### **Land Use**

**SB 145** (Cosgrove) (SGL) provides that once an applicant has obtained a permit for the construction of a deck, such applicant shall not be required to obtain or renew a permit to make alterations to, remove any structure to, or redesign such deck. (22100621D)

**SB 400** (Hanger) (Senate Floor) authorizes the Board of Housing and Community Development to promulgate regulations related to agritourism event buildings, which is defined in the bill. The bill directs the Board to appoint a seven-member Agritourism Event Structure Technical Advisory Committee to assist it in administering the powers and duties pertaining to the construction and rehabilitation of agritourism event structures. (22100788D)

### **Taxation**

**SB 579** (Hanger) (Reported from SFIN) provides an income tax refund of up to \$300 for individuals and up to \$600 for married persons filing a joint return for taxable year 2021. The bill provides that the refund shall not exceed the taxpayer's tax liability. (22106101D-S1)

**SB 692** (Petersen) (Reported from SFIN) permits a qualifying pass-through entity, defined in the bill, to make an annual election in taxable years 2021 through 2025 to pay an elective income tax at a rate of 5.75 percent, created by the bill, at the entity level for the taxable period covered by the return. The bill also creates a corresponding individual income tax subtraction for taxable years 2021 through 2025 for any amount of income derived from a pass-through entity having Virginia taxable income if such pass-through entity makes such election and pays the elective income tax imposed at the entity level. (22106137D-S1)

### **Legislation Provided for Information**

**HB 167** (Ransone) (Passed House; SLG) provides that in any instance in which a locality has submitted a correct and timely notice request to such newspaper and the newspaper fails to publish the notice, or publishes the notice incorrectly, such locality shall be deemed to have met the appropriate notice requirements so long as the notice was published in the next available edition of a newspaper having general circulation in the locality. (22102634D)

**HB 323** (Rasoul) (Passed House; SACNR) increases from \$25,000 to \$50,000 the amount of a grant that may be made to a political subdivision for projects that support local food production and sustainable agriculture. (22102179D)

**HB 377** (Subramanyam) (House Floor) allows localities to make appropriations to nonprofit faith-based organizations that provide community services in the locality for nonreligious purposes and regardless of recipients' faith affiliation. (22105175D-H1)

**SB 203** (Morrissey) (SFIN) adds Petersburg to the list of cities eligible to host a casino in the Commonwealth. The bill also provides that the governing body of any eligible host city that holds a local referendum on the question of whether casino gaming should be permitted in such city that subsequently fails shall be prohibited from holding another local referendum on the same question for a period of five years from the date of the last referendum. (22105509D-S1)

**SB 305** (Deeds) (Passed Senate) authorizes the Commissioner of the Department of Agriculture and Consumer Services to exempt food manufacturers operating in historic buildings from certain laws and regulations related to the structure of a building if the food manufacturer is deemed to be producing food products that are low risk of being adulterated. (22102722D)

**SB 526** (Lucas) (Passed Senate) allows a locality to require those persons providing or operating a battery-charged fence security system, defined in the bill, to obtain an alarm company permit and the corresponding fee and to require certain other requirements as defined in the law. The bill provides that the locality can also require the installer of such security system to submit an affidavit disclosing information about the installation that includes an affirmation of compliance. The bill also provides that a locality can inspect such newly installed security system and issue a citation warning of noncompliance and can impose a penalty not exceeding \$500 if the noncompliance is not remedied within the time period specified by the locality. (22101997D-E)

**SB 572** (Kiggans) (Passed Senate) directs the Secretary of Veterans and Defense Affairs and the Secretary of Commerce and Trade, in conjunction with the Department of Small Business and Supplier Diversity, to examine the waiving of fees associated with permits necessary to establish a small business for veteran-owned small businesses. (22100770D)

### **Animals**

**SB 87** (Stanley) (Reported from SACNR) prohibits a dealer or commercial dog or cat breeder from importing for sale, selling, or offering for sale a dog or cat bred by a person who has received certain citations pursuant to the federal Animal Welfare Act. Current law only prohibits such activities related to the sale of dogs. The bill also clarifies that selling includes selling the dog or cat for experimental purposes. (22101357D)

**SB 88** (Stanley) (Reported from SACNR) requires entities that breed dogs or cats for sale or transfer to an animal testing facility to keep records of each animal for two years from the date of the sale or transfer, and to annually submit a summary of the records to the State Veterinarian. (22101356D)

**SB 90** (Stanley) (Reported from SACNR) requires a breeder of dogs and cats for sale or transfer to an animal testing facility that no longer has a need for a dog or cat in its possession to offer the animal for adoption prior to euthanizing it. Currently, only animal testing facilities are subject to this requirement. (22101362D)

**SB 249** (Surovell) (SFIN) provides that any person who knowingly (i) engages in sexual contact with an animal; (ii) causes another person by force, threat, or intimidation to engage in sexual contact with an animal; (iii) advertises, solicits, offers, sells, purchases, or possesses an animal with the intent that the animal be subject to sexual contact; (iv) permits sexual contact with an animal to be conducted on any premises under his ownership or control; (v) produces, distributes, publishes, sells, transmits, finances, possesses with the intent to distribute, publish, sell, or transmit, or makes any attempt to produce, distribute, publish, sell, transmit, or finance an obscene item depicting a person engaged in sexual contact with an animal is guilty of a Class 6 felony. The bill also provides that any person convicted of sexual abuse of an animal may be prohibited from possessing, owning, or exercising control over any animal for a period of up to five years and may be ordered to attend an appropriate treatment program or obtain psychiatric or psychological counseling. (22106117D-S1)

**SB 604** (Stanley) (SFIN) clarifies that dogs and cats in the possession of a person who or an entity that breeds dogs or cats for sale or transfer to an animal research facility are considered companion animals for the purposes of animal cruelty statutes. The bill also provides that breeding dogs or cats for sale or transfer to a research facility, or breeding dogs or cats within a research facility, does not constitute bona fide scientific or medical experimentation for purposes of animal cruelty statutes. (22104107D)

*Hunting*

**SB 8** (Petersen) (Passed Senate) permits hunting on Sunday on public or private land, so long as it takes place more than 200 yards from a place of worship. (22104683D-S1)

**SB 492** (McDougle) (Passed Senate) prohibits the use of snare traps to hunt or kill game animals. (22100901D-E)

**Courts/Public Safety**

**HB 70** (Davis) (HPS) provides that the rights accorded to law-enforcement officers in the Law-Enforcement Officers Procedural Guarantee Act are minimum rights, and all law-enforcement agencies shall adopt grievance procedures that are consistent with such rights. The bill removes the current exception from the provisions of the Law-Enforcement Officers Procedural Guarantee Act for any law-enforcement officer or law-enforcement agency that serves under the authority of a locality that has established a law-enforcement civilian oversight body. (22101878D)

**HB 265** (Campbell, R) (Passed House; SJUD) adds the following to the list of crimes that a multi-jurisdiction grand jury may investigate: (i) financial exploitation of mentally incapacitated persons and (ii) abuse and neglect of incapacitated adults. (22104796D-H1)

**HB 279** (Coyner) (HCT) removes the requirement that a petitioner has not previously obtained the sealing of two other deferrals or convictions arising out of different sentencing events from the criteria that must be met for the court to enter an order requiring the sealing of the criminal history record information and court records related to certain convictions or charges that have been deferred or dismissed. The bill also adds convictions for driving on a suspended license and driving without a valid license to the list of convictions eligible for automatic sealing. Currently, such offenses are eligible for sealing upon petition. Also, for sealing of misdemeanor offenses by petition, the bill reduces from seven years to five years the period for which the person shall not have been convicted of any offense in order to be eligible for such sealing. The bill also specifies that the sealing of records related to a conviction includes the sealing of any criminal history record information and court records related to any violation of the terms and conditions of a suspended sentence or probation for such conviction. (22103883D)

**HB 280** (Coyner) (HCT) creates a process by which persons convicted of certain felony marijuana-related offenses committed prior to July 1, 2021, who remain incarcerated or on community supervision on July 1, 2022, may receive an automatic hearing to consider modification of such person's sentence. The provisions of this bill sunset on July 1, 2024. (22103828D)

**HB 1348** (Coyner) (HCT) creates a writ of post-conviction relief by which persons convicted of certain felony marijuana-related offenses committed prior to July 1, 2021, who remain incarcerated on July 1, 2022, may petition the circuit court for modification of such person's

sentence. The bill requires such petition to be filed by July 1, 2026. The bill has an expiration date of July 1, 2027. (22104869D)

**HB 283** (Brewer) (Passed House; SJUD) requires the Department of Criminal Justice Services to establish training standards for law-enforcement personnel regarding the recognition, prevention, and reporting of human trafficking. (22102365D)

**HB 322** (Campbell, J) (HCT) makes changes to the sealing provisions as they shall become effective pursuant to Chapters 524 and 542 of the 2021 Acts of Assembly, Special Session I, related to the types of offenses eligible to be sealed by petition. The bill limits such offenses eligible for sealing by petition to convictions for a Class 2, 3, or 4 misdemeanor and deferral and dismissals of misdemeanor offenses, Class 5 or 6 felonies, or felony larceny-related offenses. Under the related provisions as they shall become effective pursuant to Chapters 524 and 542, a person convicted of or who has had a charge deferred and dismissed for a misdemeanor offense, Class 5 or 6 felony, or felony larceny-related offense is eligible to petition to have such conviction or charge sealed. The bill also changes the provisions related to criminal penalties for disclosure of sealed records to require proof that such disclosure was done maliciously and intentionally and reduces the penalty for such violation to a Class 1 misdemeanor. Under the related provisions as they shall become effective pursuant to Chapters 524 and 542, disclosure of such records done willfully is a Class 1 misdemeanor and disclosure done maliciously and intentionally is a Class 6 felony. (22101250D)

**SB 564** (Lucas) (SFIN) provides that a person shall not pay any fees or costs for filing a sealing criminal records petition. Under current law, a person is required to file an indigence petition for any fees or costs to be waived. The bill also eliminates the lifetime cap on the number of sealing petitions that may be filed. The bill reduces from seven years to three years for a misdemeanor offense and from 10 years to seven years for a felony offense the minimum period of time between the offense to be sealed and the filing of the sealing petition during which the petitioner must not have been convicted of violating any law of the Commonwealth. The bill also adds convictions for (i) failure to pay child support, (ii) driving without a license, (iii) driving with a suspended or revoked license, and (iv) a misdemeanor violation of reckless driving to the list of offenses eligible for an automatic sealing. The bill also specifies that the sealing of records related to a conviction includes sealing any criminal history record information and court records related to any violation of the terms and conditions of a suspended sentence or probation for such conviction. (22105787D-S1)

**HB 397** (Sullivan) (Reported from HAPP) removes the following requirements for a wrongfully incarcerated person to receive compensation for such wrongful incarceration: (i) that the person shall have entered a final plea of not guilty, or, regardless of the plea, the person incarcerated was convicted of a Class 1 felony, a Class 2 felony, or any felony for which the maximum penalty is imprisonment for life and (ii) that the person incarcerated did not by any act or omission on his part intentionally contribute to his conviction for the felony for which he was incarcerated. The bill also requires the person to be compensated in an amount equal to the product of the total number of days that the person was wrongfully incarcerated following a wrongful conviction multiplied by the daily rate of the Commonwealth's most recent annual median household

income as published in the American Community Survey of the United States Census Bureau in the year the court finds the claimant eligible and divided by 365 days to the nearest whole cent, in addition to other possible compensation. (22106095D-H2)

**HB 404** (Delaney) (HCT) creates procedures allowing a forensic medical examination report conducted by a sexual assault nurse examiner or sexual assault forensic examiner to be admitted into evidence without the testimony of such examiner and allowing for such examiner to testify by two-way video conferencing if certain filing and notice provisions are met and the defendant does not object. (22101617D)

**HB 415** (Ballard) (HCT) provides that if a jury finds a person guilty of a criminal offense, such jury shall ascertain the punishment of the offense. Under current law, unless the accused has requested that the jury ascertain punishment, the court shall fix punishment after the accused has been found guilty by a jury. (22102281D)

**HB 503** (Mullin) (HCT) provides that any person who was previously admitted to bail shall be granted bail and have the terms of bond or recognizance fixed in the amount or manner consistent with the prior admission to bail, but if the court having jurisdiction of the subsequent proceeding believes bail is inappropriate, or the amount of bond or security inadequate or excessive, it may deny bail, or change the amount of such bond or security, require new and additional sureties, or set other terms of bail as are appropriate to the case. Under current law, any person who was previously admitted to bail is not required to be admitted to bail in any subsequent proceeding arising out of the initial arrest unless the court having jurisdiction of such subsequent proceeding deems the initial amount of bond or security taken inadequate. This bill is a recommendation of the Virginia Criminal Justice Conference. (22101928D)

**HB 614** (Bourne) (Reported from HCT) removes the requirement for an indigent defendant in civil actions to post an appeal bond in any civil case appealed from the general district court. The bill also removes provisions of the Code allowing a plaintiff in an unlawful detainer case that has been appealed to the circuit court to request the judge to order a writ of eviction immediately upon entry of judgment for possession. (22105639D-H1)

**HB 660** (Wampler) (HCT) removes provisions requiring that search warrants for the search of any place of abode be executed by initial entry of the abode only in the daytime hours between 8:00 a.m. and 5:00 p.m. (22102154D)

**HB 678** (Hope) (Passed House; SJUD) includes in the definition of "person under a disability" persons made defendants by the general description of "parties unknown" in suits involving real property. This bill is a recommendation of the Boyd-Graves Conference. (22101578D)

**HB 711** (Keam) (Reported from HCT) provides that a petitioner for a writ of vacatur for victims of sex trafficking shall not be required to pay any fees or costs for filing such petition if the petitioner is found to be unable to pay them. (22104020D)

**HB 719** (Filler-Corn) (Passed House; SJUD) provides that for a physical evidence recovery kit that (i) was collected by the Office of the Chief Medical Examiner as part of a routine death investigation, and the medical examiner and the law-enforcement agency agree that analysis is not warranted, (ii) was determined by the law-enforcement agency not to be connected to a criminal offense, or (iii) is connected to an offense that occurred outside of the Commonwealth or another law-enforcement agency has taken over responsibility of the investigation and such kit is not transferred to another law-enforcement agency, the law-enforcement agency that received the physical evidence recovery kit shall store such kit for a period of 10 years or until 10 years after the victim reaches the age of majority if the victim was a minor at the time of collection, whichever is longer. The bill provides that after the mandatory retention period, the law-enforcement agency may destroy the physical evidence recovery kit, or in its discretion, may elect to retain the physical evidence recovery kit for a longer period of time. The bill also requires the law-enforcement agency to inform the victim, parent, guardian, or next of kin of the unique identification number assigned to the physical evidence recovery kit utilized by the health care provider and provide information regarding the Physical Evidence Recovery Kit Tracking System, unless disclosing this information would interfere with the investigation or prosecution of the offense, in which case the victim, parent, guardian, or next of kin shall be informed of the estimated date on which the information may be disclosed, if known. (22105163D-H1)

**HB 736** (Bell) (HCT) provides that a law-enforcement officer may seek, execute, or participate in the execution of a no-knock warrant if authorized by a judge for good cause shown by particularized facts. The bill also clarifies that a search warrant for any place of abode shall require that at least one law-enforcement officer be recognizable and identifiable as a uniformed law-enforcement officer and provide audible notice of his authority and purpose reasonably designed to be heard by the occupants of such place to be searched prior to the execution of such search warrant. The bill changes the hours of execution of a search warrant for the search of any place of abode from the daytime hours between 8:00 a.m. and 5:00 p.m. to between 6:00 a.m. and 9:00 p.m. The bill also provides that a magistrate may authorize the execution of such search warrant at another time as necessary for law-enforcement officers to obtain the objects or persons described in the warrant or in the interest of public safety. Currently, a judge or a magistrate, if a judge is not available, may authorize the execution of such search warrant at another time. The bill removes provisions stating that any evidence obtained from a search warrant in violation of any of the execution requirements shall not be admitted into evidence for the Commonwealth in any prosecution. (22100839D)

**HB 738** (Bell) (Passed House; SJUD) provides that whenever a court orders an evaluation of a defendant's competency to stand trial, the clerk of the court shall provide a copy of the order to the Department of Behavioral Health and Developmental Services. (22101063D)

**HB 758** (Adams, L) (House Floor) makes changes to the definition of a technical violation as it pertains to the revocation of suspension of sentence and probation and clarifies that a technical violation shall not include a violation of any specific or special term or condition imposed by the court in the original or any subsequent sentencing order and includes the consequences of a violation based solely upon a first technical violation and for a second or subsequent technical violation or any other violation, including a violation of any specific or special term or condition



imposed by the court in the original or any subsequent sentencing order. Currently, there are limitations on the amount of active incarceration a court may impose for technical violations. The bill also provides that the court may fix the period of probation and the period of suspension for up to the statutory maximum period for which the defendant might originally have been sentenced to be imposed for any felony offense and up to five years for an offense punishable as a Class 1 or Class 2 misdemeanor. Currently, the limitation on periods of probation and periods of suspension is up to the statutory maximum period of imprisonment for any offense. The bill also adds the offense of crimes against nature committed on or after July 1, 2022, to the list of offenses for which if some period of the sentence for such offense is suspended, the judge is required to order that period of suspension be for the length of time equal to the statutory maximum period for which the defendant might originally have been sentenced to be imprisoned. (22106124D-H1)

**HB 760** (Adams) (Reported from HCT) specifies that a violation of the terms and conditions of a suspended sentence or probation based on a defendant's failure to refrain from the use, possession, or distribution of a Schedule I or II controlled substance shall not be considered a technical violation. Accordingly, a court is not subject to the limitations on the amount of active incarceration it can impose as a result of a revocation hearing based on such violation and may revoke the suspension and impose or resuspend any or all of the period previously suspended. Currently, a defendant's failure to refrain from the use, possession, or distribution of any controlled substance or paraphernalia is a technical violation. (22101505D)

**HB 813** (Williams) (HPS) repeals the provisions prohibiting a state or local law-enforcement agency from acquiring or purchasing (i) weaponized unmanned aerial vehicles; (ii) aircraft that are configured for combat or are combat-coded and have no established commercial flight application; (iii) grenades or similar explosives or grenade launchers from a surplus program operated by the federal government; (iv) armored multi-wheeled vehicles that are mine-resistant, ambush-protected, and configured for combat from a surplus program operated by the federal government; (v) bayonets; (vi) firearms of .50 caliber or higher; (vii) ammunition of .50 caliber or higher; or (viii) weaponized tracked armored vehicles. The bill removes the prohibition on the use of kinetic impact munitions except in situations where their use is necessary to protect a law-enforcement officer or another person from bodily injury. The bill also removes the requirement that the Department of Criminal Justice Services establish training standards for law-enforcement on the use of kinetic impact munitions and tear gas. (22101153D)

**HB 906** (Coyner) (HCT) provides a petition process for a person serving a sentence for any conviction or a combination of any convictions who remains incarcerated in a state or local correctional facility and meets certain criteria to petition the circuit court that entered the original judgment or order to (i) suspend the unserved portion of such sentence or run the unserved portion of such sentence concurrently with another sentence, (ii) place such person on probation for such time as the court shall determine, or (iii) otherwise modify the sentence imposed. (22103925D)

**HB 984** (Runion) (HCT) creates a cause of action against an alcoholic beverage control retail licensee or cannabis control retail licensee who sells alcohol or a marijuana product to an

underage person if the consumption of the alcohol or marijuana product caused or contributed to an injury to person or property while the underage person operated a motor vehicle. The provisions of this act related to the sale of marijuana products have a delayed effective date of January 1, 2024. (22101945D)

**HB 1043** (Tran) (House Floor) requires youth sports leagues to (i) require all coaches, staff members, employees, and other volunteers who will be alone with, in control of, or supervising children to complete a fingerprint-based background check; (ii) provide to all coaches, staff members, employees, and other volunteers who will be alone with, in control of, or supervising children and the parent of any child participating in the sports league written notice of the duty of all coaches, directors, and persons 18 years of age or older employed by or volunteering with the sports league to report suspected child abuse or neglect, information regarding how to report suspected child abuse or neglect, an explanation of the penalties that may be imposed for failure to file a required report, contact information for the local department of social services, and the telephone number for the Department of Social Services' toll-free child abuse and neglect hotline; and (iii) require all paid coaches, staff members, and employees who will be alone with, in control of, or supervising children to complete no less than four hours of training annually regarding child abuse prevention and response and require all volunteers who will be alone with, in control of, or supervising children to complete no less than two hours of training annually regarding child abuse prevention and response. The bill directs the Board of Education to promulgate regulations to implement the provisions of the bill and to develop and provide to sports leagues resources regarding child abuse prevention and response training opportunities. (22105603D-H1)

**HB 1306** (Simon) (House Floor) makes it a Class 1 misdemeanor for any person, firm, association, or corporation to knowingly possess any pistol, shotgun, rifle, machine gun, or any other firearm that has a serial number that has been removed, altered, changed, destroyed, or obliterated in any manner. The bill also makes it a Class 1 misdemeanor for any person, firm, association, or corporation to sell, give, or distribute any pistol, shotgun, rifle, machine gun, or other firearm that has a serial number that has been removed, defaced, altered, changed, destroyed, or obliterated in any manner. (22105993D-EH1)

**HB 1339** (Leftwich) (HPS) redefines facial recognition technology, for the purposes of providing criteria for the lawful use of facial recognition technology by law enforcement, as conducting an algorithmic comparison of images of an individual's facial features for the purposes of verification or identification. The bill authorizes local law enforcement and campus police departments to utilize facial recognition technology for criminal investigative and administrative investigative purposes, provided that the technology meets specified criteria. Local law enforcement and campus police departments also are required by the bill to maintain records regarding the use of facial recognition technology and report the data annually to their communities. Additionally, the bill requires the Department of State Police to develop a model policy regarding the use of facial recognition technology. Under current law, a local law-enforcement agency or campus police department cannot purchase or deploy facial recognition technology unless it is expressly authorized by statute. (22102155D)

**HJ 73** (Price) (HRUL) directs the Joint Legislative Audit and Review Commission to study the social, physical, emotional, and economic effects of gun violence on communities across the Commonwealth. (22104021D)

**HJ 88** (Subramanyam) (HRUL) directs the Virginia State Crime Commission to study the increase in hate crimes and bias-motivated acts directed toward Asian Americans and Pacific Islanders in the Commonwealth. (22103481D)

**SB 143** (Edwards) (Passed Senate) makes various changes to the procedures and jurisdiction of the Court of Appeals of Virginia, including (i) clarifying that an aggrieved party of certain pretrial orders may petition the Court of Appeals for review of such order and that such petitions shall be reviewed by a three-judge panel; (ii) providing that a party to an appeal that requests an extension for a filing deadline in the Court of Appeals must show good cause for the extension to be granted; (iii) clarifying that appeal bonds and security bonds are not required in criminal appeals; (iv) permitting the Court of Appeals to dispense with oral argument if the parties agree that it is not necessary; and (v) making consistent the grounds for seeking a delayed appeal in a criminal case in the Court of Appeals and the Supreme Court of Virginia. The bill additionally corrects the unintentional elimination of reviews of interlocutory decrees or orders involving certain equitable claims from the jurisdiction of the Court of Appeals. The bill contains an emergency clause that is applicable only to this correction. (22103323D-E2)

**SB 174** (Peake) (SFIN) provides that when issuing a permanent protective order a court may impose certain conditions on the petitioner, including (i) prohibiting acts of violence, force, or threat or criminal offenses that may result in injury to person or property; (ii) prohibiting such contacts by the petitioner with the respondent or family or household members of the respondent as the court deems necessary for the health or safety of such persons; and (iii) any other relief necessary to prevent (a) acts of violence, force, or threat, (b) criminal offenses that may result in injury to person or property, or (c) communication or other contact of any kind by the petitioner. (22105831D-S1)

**SB 191** (Mason) (Passed Senate) increases from \$750 to \$1,200 the maximum fee that the court may pay for professional services rendered by each psychiatrist, clinical psychologist, or other expert appointed by the court to render professional service in a criminal case other than for aggravated murder cases. (22100566D)

**SB 227** (Obenshain) (SFIN) provides that the prosecution of the misdemeanor offense of causing or encouraging acts rendering children delinquent where the alleged adult offender has consensual sexual intercourse with a minor who is 15 years of age or older at the time of the offense shall be commenced no later than five years after the victim reaches majority provided that the alleged adult offender was more than three years older than the victim at the time of the offense. Under current law, the prosecution of such offense shall be commenced within one year after commission of the offense. (22103620D)

**SB 310** (Ebbin) (SFIN) creates a Class 5 felony for any person who manufactures, imports, sells, transfers, or possesses any firearm with a major component, as defined in the bill, that when

subjected to inspection by the types of detection devices, including X-ray machines, commonly used at airports for security screening does not generate an image that accurately depicts the shape of the component. The bill updates language regarding the types of detection devices that are used at airports for detecting plastic firearms. The bill also creates several Class 1 misdemeanors, which are punishable as a Class 4 felony for a second or subsequent offense, making it unlawful (i) for any person to knowingly possess, transport, or receive an unfinished frame or receiver unless the party possessing or receiving the unfinished frame or receiver is a federal firearms importer, manufacturer, or dealer or the unfinished frame or receiver is required by federal law to be, and has been, imprinted with a serial number by a federal firearms importer, manufacturer, or dealer and (ii) for any person to knowingly sell, offer to sell, transfer, or purchase an unfinished frame or receiver unless the party selling, offering to sell, transferring, or purchasing the unfinished frame or receiver is a federal firearms importer, manufacturer, or dealer or the unfinished frame or receiver is required by federal law to be, and has been, imprinted with a serial number by a federal firearms importer, manufacturer, or dealer. The provisions related to the prohibition for possessing, transporting, or receiving an unfinished frame or receiver have a delayed effected date of January 1, 2023. (22105984D-S1)

**SB 378** (Petersen) (SFIN) provides a petition process for a person serving a sentence for any conviction or a combination of any convictions who remains incarcerated in a state or local correctional facility and meets certain criteria to petition the circuit court that entered the original judgment or order to (i) suspend the unserved portion of such sentence or run the unserved portion of such sentence concurrently with another sentence, (ii) place such person on probation for such time as the court shall determine, or (iii) otherwise modify the sentence imposed. (22104101D)

**SB 412** (Morrissey) (SJUD) requires the court to terminate the parental rights of a parent upon finding, based upon clear and convincing evidence, that termination of parental rights is in the best interests of the child and that the parent has been convicted of an offense under the laws of the Commonwealth or a substantially similar law of any other state, the United States, or any foreign jurisdiction that constitutes murder or voluntary manslaughter, or a felony attempt, conspiracy, or solicitation to commit any such offense, and the victim of the offense was the child of the parent over whom parental rights would be terminated. The bill also requires local boards of social services to file a petition to terminate parental rights in such instances. (22103115D)

**SB 423** (Edwards) (Passed Senate) clarifies the Virginia Criminal Sentencing Commission's authority to recommend revisions to the discretionary sentencing guidelines based on historical sentencing data. (22100694D)

**SB 424** (Edwards) (Passed Senate) authorizes the Virginia Sentencing Commission to develop, maintain, and modify a system of statewide discretionary sentencing guidelines for use in hearings conducted in circuit courts in which the defendant is cited for violation of a condition or conditions of supervised probation imposed as a result of a felony conviction. The bill provides that a court would be presented with such guidelines when a defendant is cited for violating a condition or conditions of supervised probation imposed as a result of a felony

conviction and such person is under the supervision of a state probation and parole officer. (22100695D)

**SB 474** (McClellan) (SJUD) removes the requirement for an indigent defendant in civil actions to post an appeal bond in any civil case appealed from the general district court. The bill also removes provisions of the Code allowing a plaintiff in an unlawful detainer case that has been appealed to the circuit court to request the judge to order a writ of eviction immediately upon entry of judgment for possession. (22102455D)

**SB 658** (McClellan) (Senate Floor) provides that for a physical evidence recovery kit that (i) was collected by the Office of the Chief Medical Examiner as part of a routine death investigation, and the medical examiner and the law-enforcement agency agree that analysis is not warranted, (ii) was determined by the law-enforcement agency not to be connected to a criminal offense, or (iii) is connected to an offense that occurred outside of the Commonwealth or another law-enforcement agency has taken over responsibility of the investigation and such kit is not transferred to another law-enforcement agency, the law-enforcement agency that received the physical evidence recovery kit shall store such kit for a period of 10 years or until 10 years after the victim reaches the age of majority if the victim was a minor at the time of collection, whichever is longer. The bill provides that after the mandatory retention period, the law-enforcement agency may destroy the physical evidence recovery kit, or in its discretion, may elect to retain the physical evidence recovery kit for a longer period of time. The bill also requires the law-enforcement agency to inform the victim, parent, guardian, or next of kin of the unique identification number assigned to the physical evidence recovery kit utilized by the health care provider and provide information regarding the Physical Evidence Recovery Kit Tracking System, unless disclosing this information would interfere with the investigation or prosecution of the offense, in which case the victim, parent, guardian, or next of kin shall be informed of the estimated date on which the information may be disclosed, if known. (22105508D-S1)

**SB 674** (Hanger) (SJUD) authorizes the attorney for the Commonwealth for each judicial circuit of the Commonwealth to create and administer a Pretrial Intervention and Diversion Program for the purpose of providing an alternative to prosecuting offenders in the criminal justice system. The bill provides that entry into such program shall be at the discretion of the attorney for the Commonwealth based upon written guidelines and that no attorney for the Commonwealth shall accept any offender into such program for an offense for which punishment includes a mandatory minimum sentence of imprisonment. (22103733D)

**SB 713** (Deeds) (SJUD) provides that a law enforcement officer may transfer custody of a person who is the subject of an emergency custody order to a facility or location that has been authorized by the Department to accept custody of a person who is the subject of an emergency custody order upon a finding by the Department that the facility or location is capable of providing the level of security necessary to protect such person and others from harm and that in cases in which custody of a person who is the subject of an emergency custody order has been transferred to a facility licensed to provide up to 23 hours of crisis stabilization services, the emergency custody order shall be valid for a period not to exceed 23 hours from the time of execution. Currently, all emergency custody orders are valid for a period of up to 8 hours. (22104395D)

**SB 742** (Surovell) (SFIN) provides for the automatic sealing of misdemeanor marijuana offenses and the petition-based sealing for certain felony marijuana offenses. The bill requires a business screening service, defined in the bill, to destroy all expunged records, as defined in the bill, and to follow reasonable procedures to ensure that it does not maintain or sell expunged records. The bill also provides that any petition for expungement shall be kept under seal and that an indigent person may file a petition for expungement without the payment of fees and costs and can request court-appointed counsel, who shall be paid from the Sealing Fee Fund. The bill has staggered delayed effective dates in order to develop systems for implementing the sealing provisions of the bill. (22104596D)

### **Economic Development**

**HB 1271** (Morefield) (HCCT)/**SB 720** (Hackworth) (Passed Senate) allows facilities owned by a non-authority that are utilized as part of a cooperative arrangement entered into by an authority promoting economic and workforce development to participate in localities' revenue sharing agreements. (22103946D, 22103940D)

**SB 28** (Marsden) (Reported from SFIN) establishes the Virginia Business Ready Sites Program Fund (the Fund). The Fund would be administered by the Governor and the Virginia Economic Development Partnership Authority and would provide grants to political subdivisions to prepare sites for industrial or commercial development. The bill repeals existing law that created the Major Employment and Investment Project Site Planning Grant Fund and provides that any remaining funds would be allocated to the Fund. The bill also authorizes grants from the Virginia Brownfields Restoration and Economic Redevelopment Assistance Fund for site remediation and requires the prioritization of sites with potential for redevelopment and economic benefits to the surrounding community. (22103800D-S1)

### **Education/Schools**

**HB 271** (Byron) (Passed House) requires local school boards and comprehensive communities colleges to enter into local or regional agreements for the establishment and implementation of a competitive compensation structure to recruit and retain adjunct instructors to be jointly compensated by the relevant school boards and colleges to prepare both high school students and college students to earn noncredit workforce credentials, as that term is defined in relevant law. (22105352D-H1)

**HB 781** (Williams) (HED) requires the Board of Education to incorporate into each relevant Standard of Learning and associated curriculum framework a requirement that each student demonstrate the understanding of, among other concepts, the fundamental moral, political, and intellectual foundations of the American experiment in self-government, as well as the history, qualities, traditions, and features of civic engagement in the United States. The bill prohibits any public school teacher or other instructional staff member from being required to discuss any current event or widely debated and currently controversial issue of public policy or social affairs and provides that any such employee who chooses to discuss any such event or issue in the scope of his instructional duties shall, to the best of his ability, strive to explore such issues from diverse

and contending perspectives, without giving deference to any one perspective. The bill prohibits the Board and Department of Education and each local school board from teaching, instructing, or training certain individuals and groups, including teachers and students, to support, believe, endorse, embrace, confess, act upon, or otherwise assent to a divisive concept, as defined in the bill, or penalizing or discriminating against any such individual or group for refusing to do so. The bill also prohibits any school board or employee thereof from teaching or incorporating into any course or class any such divisive concept or creating a position or hiring a consultant with the job title of equity director or diversity director or a substantially similar title and with a job description that includes any activity that would result in a violation of a provision of the bill. The bill further declares that the parent of each student enrolled in a public elementary or secondary school has the right to be aware of all curricula, instructional materials, lessons, and other forms of instruction provided to his child and may request that the student's teacher provide any such item for review. Finally, the bill provides that in the event that a local school board finds that a school board employee has persistently, knowingly, and intentionally violated any of the bill's provisions, the parent of any student affected by such violations may request and the local school board shall provide a voucher in an amount equal to all sums from any source that the local school board received for the education of such student and the parent shall use such voucher to provide for the education of his child in any setting set forth in relevant law. (22101538D)

**HB 787** (LaRock) (HED) declares it an unlawful and discriminatory practice for any local school board or employee or contractor thereof to train or instruct any individual on any divisive concept, as defined in the bill, for the purpose of promoting and encouraging such individual to adopt or believe such concept. The bill requires the Department of Education to establish model policies for the prevention of such unlawful and discriminatory practice and each local school board to adopt policies that are consistent with but may be more comprehensive than the model policies established by the Department. (22104087D)

**HB 786** (LaRock) (HED) requires the Board of Education to establish, and each local school board to comply with, a policy to require each public elementary or secondary school to (i) annually notify the parent of any student enrolled in a class or course in which the instructional material or related academic activities includes or may include sexually explicit content, as defined in the bill, or content that depicts sexual misconduct, as defined in the bill; (ii) permit the parent of any student to review instructional material that includes sexually explicit content or content that depicts sexual misconduct, upon request; and (iii) provide, as a replacement or an alternative to instructional material and related academic activities that include sexually explicit content or content that depicts sexual misconduct, instructional material and related academic activities that do not include sexually explicit content or content that depicts sexual misconduct to any student whose parent so requests. (22104073D)

**HJ 65** (LaRock) (HPE) removes the requirement that private schools be nonsectarian in order to be eligible for appropriation of state funds. (22102672D)

**SB 161** (Hashmi) (Passed Senate) directs the Department of Education, in conjunction with stakeholders, to develop guidelines on policies to inform and educate coaches and student

athletes and their parents or guardians of the nature and risk of heat-related illness, how to recognize the signs of heat-related illness, and how to prevent heat-related illness to be distributed to local school divisions by August 1, 2022. (22101762D)

**SB 430** (Dunnivant) (SFIN) requires the Department of Education to create or request proposals for a system for value-added modeling to assess growth of students in public schools. The bill requires each school board in the Commonwealth to, upon the creation of such system, implement the system and make reports made by the system available to parents or guardians for their child's report and the Department. (22104126D)

**SB 481** (McClellan) (SFIN) encourages each school board to enter into a collaborative agreement with the local governing body to set aside in a separate fund any sums appropriated to the school board by the local governing body that are unexpended by the school board in any year in order to use such sums to finance school maintenance, renovation, or construction in the local school division. The bill declares any school board that fails to enter into such a collaborative agreement ineligible to participate in any state grant, loan, or bond program that supports school maintenance, renovation, or construction. This bill is a recommendation of the Commission on School Construction and Modernization. (22104493D-S1)

### **Elections**

**HB 700** (Keam) (House Floor) changes the date of elections for the mayor and all councilmen from May 2022 to November 2023, with the accompanying start date changed to the first day of January 2024 and end date changed to the last day of December 2025. Starting in 2025, the bill changes the date for all subsequent elections to November, with the start date as the first day of January of the next year, and sets the term length for each councilman and mayor to two years. (22102048D)

**SB 377** (Petersen) (Senate Floor) changes the date of elections for the mayor and all councilmen from May 2022 to November 2023, with the accompanying start date changed to the first day of January 2024 and end date changed to the last day of December 2025. Starting in 2025, the bill changes the date for all subsequent elections to November, with the start date as the first day of January of the next year, and sets the term length for each councilman and mayor to two years. (22102149D)

### **Employment Issues**

**HB 710** (Keam) (HCCT) requires any locality to take into consideration or give preference to an individual's status as a person with a disability in its employment hiring policies and practices, provided that such person with a disability meets all of the knowledge, skills, and eligibility requirements for the available position. (22102125D)



**Environment and Energy**

**HB 141** (McQuinn) (Reported from HAG) establishes the Virginia Black, Indigenous, and People of Color Historic Preservation Fund for the purpose of awarding grants to eligible state-recognized and federally recognized Indian tribes, private nonprofit organizations, and localities for the eligible costs of acquiring land or permanent protective interest therein, and of undertaking preservation activities on such land, that is of cultural or historic significance to Black, indigenous, or people of color communities. The bill provides that land or interests acquired with grant funds shall grant the Board of Historic Resources or other holder a perpetual preservation interest in the property. (22103149D)

**HB 184** (Marshall) (Passed House; SACNR) authorizes a locality that administers a Virginia Stormwater Management Program or a Virginia Erosion and Stormwater Management Program to review, approve, and administer the permits of a regional industrial facility authority of which it is a member. (22105124D-H1)

**HB 206** (Webert) (HAG) requires, as a condition for a permit by rule for a small energy project, that the applicant conduct an analysis of the beneficial and adverse impacts of the proposed project on natural resources. The bill requires that if the Department of Environmental Quality determines that there will be a significant adverse impact on wildlife, historic resources, prime agricultural soils, or forest lands, the applicant must also submit a mitigation plan with a 90-day public comment period. The bill specifies that a disturbance of more than 10 acres of prime agricultural soils, as defined in the bill, or 50 acres of contiguous forest lands, as defined in relevant law, is deemed to be a significant adverse impact on natural resources. Finally, the bill directs the Department to convene an advisory panel to assist in developing regulations to further develop criteria for determining significant adverse impact on natural resources and guidelines for plans to mitigate such adverse impacts. (22101438D)

**HB 364** (Willett) (HCCT) requires regional planning commissions to include climate resilience as part of their strategic plans. (22103876D)

**HB 516** (Bulova) (HAPP) implements recommendations from the first Virginia Coastal Resilience Master Plan. The bill provides guidelines for the development of a Virginia Flood Protection Master Plan for the Commonwealth and requires that the Coastal Resilience Master Plan be updated by December 31, 2022, and every five years thereafter. The bill establishes the Virginia Coastal Resilience Technical Advisory Committee to assist with the updates and requires the development of a community outreach and engagement plan to ensure meaningful involvement by affected and vulnerable community residents. The bill also requires that the Chief Resilience Officer report every two years, beginning July 1, 2023, on the status of flood resilience in the Commonwealth. (22103091D)

**HB 771** (Hodges) (Passed House) requires localities in Tidewater Virginia to submit, and the Department of Environmental Quality to publish on its website, criteria and elements adopted by the locality concerning Chesapeake Bay Preservation Areas. (22105713D-H1)

**HB 1244** (Scott) (HCE) directs the State Corporation Commission to evaluate by locality the availability and accessibility of electric vehicle (EV) charging infrastructure and rooftop solar energy collection device installation to residents of the Commonwealth. The Commission shall report the findings of its evaluation and analysis by December 1, 2022, to the Chairmen of the House Committee on Commerce and Energy and the Senate Committee on Commerce and Labor. (22104567D)

**HB 1309** (Bulova) (HAPP)/**SB 756** (Lewis) (Passed Senate) creates the Resilient Virginia Revolving Loan Fund. The bill provides guidelines for deposits, expenditures, and investments and requires an annual audit of the Virginia Resources Authority. The bill provides that the Fund be used for loans or to refinance projects for local governments or to give grants to them, provides that the Fund may be used for loans or grants for individuals, and establishes guidelines for the priority of such loans and grants. (22106154D-H1, 22105709D-S1)

**SB 187** (Hanger) (SACNR) allows the Department of Environmental Quality to accelerate the release of nutrient credits generated by a stream restoration project if a qualified applicant, defined in the bill, provides sufficient bond to (i) provide a high degree of confidence that performance standards will be achieved and (ii) cover the cost of correcting a failure to achieve the performance standards. (22101102D)

**SB 188** (Hanger) (SACNR) authorizes the Department of Environmental Quality to allow the use of third-party long-term stewards to hold and manage the long-term management fund to maintain stream restoration projects. (22101103D)

**SB 248** (Surovell) (Passed Senate) clarifies that composting, for the purposes of fertilizer law, includes anaerobic digestion. Anaerobic digestion is defined in the bill as the controlled anaerobic biological decomposition of organic waste materials to produce biogas and digestate. (22105061D-S1)

**SB 551** (Marsden) (Passed Senate) implements recommendations from the first Virginia Coastal Resilience Master Plan. The bill provides guidelines for the development of a Virginia Flood Protection Master Plan for the Commonwealth and requires that the Coastal Resilience Master Plan be updated by December 31, 2022, and every five years thereafter. The bill establishes the Virginia Coastal Resilience Technical Advisory Committee to assist with the updates and requires the development of a community outreach and engagement plan to ensure meaningful involvement by affected and vulnerable community residents. The bill also requires that the Chief Resilience Officer report every two years, beginning July 1, 2023, on the status of flood resilience in the Commonwealth. (22105258D-S1)

**SB 657** (Stuart) (Senate Floor) limits the authority of the Air Pollution Control Board and the State Water Control Board to issuance of regulations and transfers the Boards' existing authority to issue permits and orders to the Department of Environmental Quality. (22106267D-S1)

**SB 684** (Mason) (Passed Senate) provides that for pollution control equipment to be used as part of a political subdivision's water, wastewater, stormwater, or solid waste management

facilities or systems, such equipment may be certified by the political subdivision itself instead of by the state certifying authority. (22103538D)

**SB 707** (Marsden) (Senate Floor) establishes the Wildlife Corridor Grant Fund to provide grants to localities to develop wildlife corridor plans and implement the provisions of such plans. (22104347D)

### **Finance**

**HB 244** (Webert) (HGL) directs the Department of Planning and Budget, under the direction of the Secretary of Finance, to establish a continuous Regulatory Budget Program with the goal of setting a target for each executive branch agency subject to the Administrative Process Act to (i) reduce regulations and regulatory requirements, (ii) maintain the current number of regulations and regulatory requirements, or (iii) allow regulations and regulatory requirements to increase by a specific amount over a two-year period. The bill requires the Secretary of Finance to report to the Speaker of the House of Delegates and the Chairman of the Senate Committee on Rules on the status of the Program no later than October 1 of each odd-numbered year. Finally, the bill provides that the Department, in consultation with the Office of the Attorney General, shall, by October 1, 2024, issue guidance for agencies regarding the Program and how an agency can comply with the requirements of the Program. (22100575D)

**HB 263** (Head) (Passed House; SCL) permits banks in the Commonwealth to provide virtual currency custody services so long as the bank has adequate protocols in place to effectively manage the associated risks. The bill defines "virtual currency" and provides that a bank may choose to offer such custody services in a nonfiduciary capacity or a fiduciary capacity. If it chooses to provide such custody services in a fiduciary capacity, it must possess trust powers and have a trust department approved by the State Corporation Commission. (22100187D-E)

### **Health and Human Services**

**HB 1070** (Cordoza) (HCCT) establishes the Fund to Assist Localities with Translation of Essential Information to be administered by the Department of Housing and Community Development for the purpose of making grants to local governments to address the lack of translated documents for those citizens and taxpayers of the Commonwealth and its localities for whom English is a second language. The bill provides that the Fund shall make grants to local governments for the purpose of translating essential documents into foreign languages. (22102238D)

**HB 1194** (Carr) (HCCT) authorizes an industrial development authority to make grants associated with the construction of affordable housing in order to promote safe and affordable housing in the Commonwealth and to benefit thereby, the safety, health, welfare, and prosperity of the inhabitants of the Commonwealth. (22103736D)

**SB 146** (Suetterlein) (SFIN) provides that an establishment that sells prepared food shall not be required to have a certified food protection manager on site during all hours of operation. (22100724D)

### **Housing**

**HB 596** (Clark) (HGL) provides that any locality may by ordinance adopt rent stabilization provisions. The bill provides that no such ordinance shall be adopted until the proposed ordinance has been posted on the locality's website and advertised in a newspaper of general circulation in the locality at least two weeks prior to a public hearing on such ordinance. All landlords who are under rent stabilization may be required to give up to a two-month written notice of a rent increase and cannot increase the rent by more than the locality's rent stabilization allowance, the maximum amount a landlord can increase a tenant's rent during any 12-month period, in effect at the time of the increase, and the bill requires the locality to annually publish this allowance on its website. The allowance is equal to the annual increase in the Consumer Price Index for the region in which the locality sits and is effective for a 12-month period beginning July 1. The bill provides that no such ordinance shall apply to the following: (1) Any unit in a licensed facility, the primary purpose of which is the diagnosis, cure, mitigation, and treatment of illnesses; (2) Any unit in a facility owned or leased by an organization exempt from federal income taxes pursuant to § 501(c)(3) of the Internal Revenue Code, the primary purpose of which is to provide temporary sanctuary or shelter for qualified clients, provided that the organization has notified the clients residing in the facility of the temporary nature of their housing at the inception of their residence; (3) Any owner-occupied group house; (4) Religious facilities, such as churches, synagogues, parsonages, rectories, convents, and parish homes; (5) Transient facilities, such as motels, tourist homes, and bed and breakfast facilities; (6) School dormitories; (7) Licensed assisted living facilities and nursing homes; or, (8) Single-family residences. The bill states that such ordinance shall provide a procedure by which a landlord may apply for an exemption from the rent stabilization provisions in situations where the net operating income generated by the rental facility has not been maintained due to escalating operating expenses or for other appropriate reasons as established by the locality. The locality may establish a civil penalty for failure to comply with the requirements set out in the ordinance that shall not exceed \$2,500 per separate violation. (22101801D)

### **Land Use**

**HB 635** (Carr) (HCCT) requires cities and towns in the Commonwealth to develop and promulgate housing plans that address the supply of safe, sanitary, and affordable shelter for all current and anticipated residents of their communities. Such plans must connect economic development efforts that bring new jobs to the supply of safe, sanitary, and affordable shelter for all who will fill those jobs; the location of housing and the location of mobility resources; and the availability of accredited high-quality affordable education, parks, indoor and outdoor recreation, libraries, health care, and healthy living resources, including the availability of fresh food. Such housing plans shall be reviewed and revised no less frequently than every five years. Cities and towns that promulgate a housing plan may create, implement, and enforce inclusionary housing programs applicable to new housing development and conversions of

previously nonresidential uses into residential uses. Counties utilizing the urban county executive form of government (Fairfax County) or the county manager plan of government (Arlington County) may also follow and use these provisions to provide inclusionary housing. (22101004D)

**HB 1362** (Wiley) (HCCT) clarifies that short-term rentals may be operated in any locality in the absence of an ordinance pursuant to the locality's general land use and zoning authority restricting short-term rentals. (22104334D)

**SB 35** (Favola) (Passed Senate) allows a planning commission to extend the 60-day period during which it makes a recommendation to the governing body on a comprehensive plan amendment if an applicant agrees to such extension. The bill also extends from 60 days to 100 days, or such longer period as agreed to by an applicant, the period of time during which the governing body shall hear and determine an appeal from a planning commission decision. (22100996D-E)

**SB 52** (Cosgrove) (Passed Senate) requires localities that adopt subdivision ordinances that permit subdividers or developers to install certain utilities to provide within that ordinance the subdivider's or developer's entitlement to pro rata reimbursement for costs of such installations. Under current law, localities are permitted to provide such entitlement but are not required to do so. (22100623D)

**SB 286** (Ebbin) (Passed Senate) requires that any locality that establishes a local historic district may require that a survey of property lines be completed prior to a land purchase within the historic district. (22100713D-E)

### **Taxation**

**HB 222** (Coyner) (Reported from HFIN) requires the Tax Commissioner to offer to enter into an installment agreement with any individual taxpayer under which the taxpayer may satisfy his entire tax liability over a payment term of up to five years. The bill maintains the current law for corporate taxpayers whereby the Tax Commissioner may enter into a written agreement with any taxpayer under which such taxpayer is allowed to satisfy his entire tax liability in installment payments if the Tax Commissioner determines that such agreement will facilitate collection. The bill also removes the power under which the Tax Commissioner may alter, modify, or terminate an installment agreement if it is determined that the financial condition of the taxpayer has significantly changed or if the taxpayer fails to provide a financial condition update upon request. (22100231D)

**HB 267** (McNamara) (Passed House; SLG) grants localities permissive authority to return surplus personal property tax revenues to taxpayers. Under current law, localities may return only surplus real property tax revenues. (22101096D)

## **Transportation**

**HB 142** (McQuinn) (Passed House; STRAN) changes from a maximum of 25 percent to a minimum of 25 percent the amount of Transit Ridership Incentive Program (TRIP) funds to be used to support the establishment of programs to reduce the impact of fares on low-income individuals. The bill requires at least 25 percent of TRIP funds to be used to support regional transit initiatives and provides that the Commonwealth Transportation Board has the discretion to allocate the remaining funds available as authorized by law and based on the programs and initiatives submitted during the application process. (22102849D)

**HB 275** (Coyner) (Passed House; STRAN) requires the regulations adopted by the Commonwealth Transportation Board regarding ensuring connectivity of highway and pedestrian networks with transportation networks during secondary street acceptance to include flexibility to limit the number of such connections to adjacent property or highway networks. The bill requires the Department of Transportation to convene a stakeholder advisory group to develop and provide recommended amendments to such regulations. (22101566D-E)

**HB 641** (Carr) (House Floor) authorizes the collection of cash fares by a transportation network company partner if the ride is arranged through a transit system for an eligible paratransit passenger. The bill sets certain receipt and accounting requirements. (22101396D)

**HB 703** (Keam) (Passed House; STRAN) authorizes localities to pay the initial issuance fee costs for the development and issuance of special license plates displaying the seal, symbol, emblem, or logotype of the locality in lieu of collecting 350 paid applications for such license plates. (22102651D)

**HB 816** (Torian) (HAPP) requires any bid or offer under the Virginia Public Procurement Act to identify all subcontractors, if any, involved in the bid or offer, the estimated amount of compensation to be paid to the subcontractors, a description of the work to be done by the subcontractors, and a copy of all agreements between the contract and subcontractors related to the bid or offer. (22104892D-H1)

**HB 920** (Kilgore) (Passed House; STRAN) provides that a person is guilty of a Class 1 misdemeanor if he operates a vehicle in a careless or distracted manner and causes the death or serious bodily injury of a vulnerable road user. Current law only imposes the penalty if such careless or distracted operation causes serious bodily injury to the vulnerable road user. The bill also allows a court to suspend the driver's license or restrict the driver's license of a person convicted of careless driving for up to six months. (22103904D-E)

**SB 247** (Surovell) (Passed Senate) provides that a person is guilty of a Class 1 misdemeanor if he operates a vehicle in a careless or distracted manner and causes the death or serious bodily injury of a vulnerable road user. Current law only imposes the penalty if such careless or distracted operation causes serious bodily injury to the vulnerable road user. The bill also allows a court to suspend the driver's license or restrict the driver's license of a person convicted of careless driving for up to six months of a person. (22103903D-E)

**SB 342** (Barker) (Passed Senate) directs the Commonwealth Transportation Board to use at least 25 percent of the funds available for the Transit Ridership Incentive Program for grants to fund reduced-fare or zero-fare transit projects. Under current law, the amount that may be used for such programs is capped at 25 percent. The bill provides that funds awarded for reduced-fare or zero-fare transit projects shall not be included in the requirement that funds be awarded in accordance with a statewide equitable ratio. (22101760D)

**SB 362** (Stuart) (Passed Senate) prohibits persons riding bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, or motorized skateboards or scooters riding two abreast from impeding the normal and reasonable movement of traffic and requires such persons to move into a single-file formation as quickly as is practicable when being overtaken from the rear by a faster-moving vehicle and to ride in a single lane on a laned roadway. (22102032D-E2)

Attachments: Supplementary documents

cc: Christina Jackson, Chief Financial Officer  
Rachel Flynn, Deputy County Executive  
Chris Leonard, Deputy County Executive  
Ellicia Seard-McCormick, Deputy County Executive  
Elizabeth Teare, County Attorney  
Jill G. Cooper, Clerk to the Board  
Richmond Team  
Tom Biesiadny, Director, Department of Transportation

SUPPLEMENTARY DOCUMENTS  
GENERAL ASSEMBLY STATUS REPORT NO. 3  
February 21, 2022

1. Fairfax County Legislative Summary 1





**FAIRFAX COUNTY  
LEGISLATIVE SUMMARY**

***2022 GENERAL ASSEMBLY***

February 21, 2022

# Fairfax County Legislative Summary 2022 General Assembly

## Board of Supervisors Report Key

Bill No. – Patron, (District No.) Bill Title	Committee/Floor Actions	<b>Bold</b> = Date Position taken by full Board of Supervisors [ ] = Date position taken by BOS Legislative Committee <i>Italics</i> = Date position recommended by staff
<p><a href="#">HB 589</a> - Watts (39)          Blue Star Memorial Highway;          designating as portion of Old          Keene Mill Road in Fairfax          County.</p>	<p>1/10/2006 House: Referred to          Committee on Transportation</p>	<p><b>12/5/2005</b></p>
<p><b>Initiate</b> (067916260)  <b>Summary:</b> Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star          Memorial Highway."</p>		

**Bold = Board Position**, [ ] = BOS Legislative Committee Position, *Italics=Staff Recommended Position Changes* (LD No. is version of bill on which position was taken)  
**Summary** -- Reflects latest version of summary available on the Legislative Information System Web Site (If not noted otherwise, reflects summary as introduced)

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<a href="#">SB 446</a> Boysko, J	High-speed broadband service; expanding to new residential & commercial development.
<a href="#">SB 487</a> McClellan, J	Firearm Violence Intervention and Prevention, Virginia Center; established.
<a href="#">SB 488</a> McClellan, J	Transit Transition Fund and Program; established, report.
<a href="#">SB 622</a> Favola, B	Recovery residences; disclosure to potential residents that residence is certified.
<a href="#">SB 732</a> Lewis, Jr., L	Climate resilience; locality's comprehensive plan to consider strategies to address.

***Fairfax County Positions***

***(Monitor):***

***Pages 41-49***

<a href="#">HB 272</a> Marshall, III, D	Local land use approvals; extension of approvals to address the COVID-19 pandemic.
<a href="#">HB 450</a> Bennett- Parker, E	Parking of vehicles; electric vehicle charging spots, civil penalties.
<a href="#">HB 616</a> Roem, D	Zoning appeals, board of; funding.
<a href="#">HB 648</a> Kory, K	Comprehensive plan; public hearing.
<a href="#">HB 793</a> LaRock, D	Traffic incident management vehicle; definition, vehicle may be equipped w/secondary warning lights.
<a href="#">HB 895</a> Kilgore, T	Elections; local electoral boards & general registrars to perform certain risk-limiting audits, etc.
<a href="#">HB 1131</a> Williams, W	Virginia Code Commission; work group to review public notices required to be published.
<a href="#">HB 1290</a> Hayes, Jr., C	Public bodies; security of government databases and data communications, report.
<a href="#">HJ 59</a> Wampler III, W	Uniform electronic filing system; studying feasibility of establishing for various courts.

<a href="#"><u>SB 172</u></a> Peake, M	County boards of supervisors; salaries.
<a href="#"><u>SB 246</u></a> Surovell, S	Law-enforcement officer; purpose of traffic stop.
<a href="#"><u>SB 251</u></a> Surovell, S	Northern Virginia Transportation Authority; funds for pedestrian and bicyclist projects.
<a href="#"><u>SB 268</u></a> Favola, B	Emergency custody and temporary detention; transportation, transfer of custody, alternative custody.
<a href="#"><u>SB 278</u></a> Ebbin, A	Parking of vehicles; electric vehicle charging spots, signage for tow-away zone, civil penalties.
<a href="#"><u>SB 370</u></a> Bell, J	Elections; local electoral boards & general registrars to perform certain risk-limiting audits, etc.
<a href="#"><u>SB 417</u></a> Stanley, Jr., W	Virginia Code Commission; work group to review public notices required to be published.
<a href="#"><u>SB 450</u></a> Boysko, J	Traffic incident management vehicles; certain vehicles exempt when en route to scene of an accident.
<a href="#"><u>SB 501</u></a> Lewis, Jr., L	Local land use approvals; extension of approvals to address the COVID-19 pandemic.
<a href="#"><u>SB 593</u></a> Newman, S	Emergency custody or temporary detention order; custody and transportation of persons, etc.
<a href="#"><u>SB 708</u></a> Marsden, D	Driving Decarbonization Program and Fund; created.
<a href="#"><u>SB 730</u></a> Lewis, Jr., L	Jurors; increases the daily compensation.
<a href="#"><u>SB 764</u></a> Barker, G	Public bodies; security of government databases and data communications.

***Fairfax County Positions***

***Pages 50-53***

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***Legislation No Longer Under Consideration  
(Continued to 2023):***

<a href="#"><u>HB 778</u></a> Williams, W	Monument and memorials; relocation.
<a href="#"><u>SB 132</u></a> Edwards, J	Smoking; local regulation in outdoor parks, recreation facilities, and playgrounds.
<a href="#"><u>SB 165</u></a> Peake, M	Jails, local; compensation for cost of incarceration.
<a href="#"><u>SB 255</u></a> Bell, J	Zoning; wireless communications infrastructure, application process.

<a href="#"><u>SB 373</u></a> Deeds, R	Emergency custody; magistrate may extend custody order, medical testing, observation, or treatment.
<a href="#"><u>SB 456</u></a> Locke, M	Practitioners, licensed; continuing education related to implicit bias and cultural competency.
<a href="#"><u>SJ 19</u></a> Reeves, B	Constitutional amendment; real prop. tax exemption for certain spouses of members of armed forces.

***Fairfax County Positions***

***Pages 54-80***

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***Legislation No Longer Under Consideration  
(Killed, Failed to Report, Tabled,  
Incorporated into Other Legislation, etc.):***

<a href="#"><u>HB 14</u></a> Anderson, T	Handguns; limitation on purchases.
<a href="#"><u>HB 15</u></a> Ware, R	Elections administration; requests made pursuant to the FOIA, deferment of response.
<a href="#"><u>HB 24</u></a> Walker, W	Voter identification; identification containing a photograph required.
<a href="#"><u>HB 26</u></a> Anderson, T	Firearms; control by localities of possession or carrying.
<a href="#"><u>HB 27</u></a> Anderson, T	COVID-19 vaccination status; mandatory COVID-19 vaccination prohibited, discrimination prohibited.
<a href="#"><u>HB 35</u></a> Campbell, R	Absentee voting; excuse required to vote absentee by mail, etc.
<a href="#"><u>HB 36</u></a> Campbell, R	Absentee voting; permanent absentee voter list repealed.
<a href="#"><u>HB 37</u></a> Anderson, T	School boards; employment of at least one school resource officer in public middle and high school.
<a href="#"><u>HB 54</u></a> Greenhalgh, K	Absentee voting; ballots to be sorted and results to be reported by precinct.
<a href="#"><u>HB 75</u></a> Ware, R	Localities; restricts authority to impose transient occupancy tax at rate that exceeds five percent.
<a href="#"><u>HB 76</u></a> Ware, R	Absentee voting; reimbursement of costs to counties and cities for cost of conducting.
<a href="#"><u>HB 121</u></a> Wyatt, S	Elections; voter identification containing photograph required, etc.
<a href="#"><u>HB 133</u></a> Cherry, M	Firearms or other weapons; possession on school property.



<a href="#"><u>HB 135</u></a> Cherry, M	Emergency custody and temporary detention; transportation of person when transfer of custody.
<a href="#"><u>HB 149</u></a> Runion, C	Absentee ballots; witness requirement, printed name and residence address.
<a href="#"><u>HB 159</u></a> Byron, K	Emergency custody and temporary detention orders; transportation of minor, acceptance of custody.
<a href="#"><u>HB 163</u></a> Ransone, M	Emergency custody and temporary detention; governing transportation & custody of minors and adults.
<a href="#"><u>HB 178</u></a> Bloxom, Jr., R	Absentee voting in person; available beginning on the fourteenth day prior to election.
<a href="#"><u>HB 181</u></a> Ransone, M	Criminal records; sealing of records.
<a href="#"><u>HB 187</u></a> McGuire, III, J	Voter registration; registration permitted up to and including the day of the election.
<a href="#"><u>HB 198</u></a> Webert, M	Absentee voting; permanent absentee voter list, annual notice required, reasons for removal.
<a href="#"><u>HB 288</u></a> Freitas, N	Carrying a concealed handgun; permit not required.
<a href="#"><u>HB 297</u></a> McNamara, J	Regional fuels tax; suspends the imposition of any tax.
<a href="#"><u>HB 299</u></a> Freitas, N	Handguns; limitation on purchases.
<a href="#"><u>HB 310</u></a> Ransone, M	Absentee voting; application requirements, absentee ballot requirements.
<a href="#"><u>HB 351</u></a> Sullivan, Jr., R	Driving Decarbonization Program and Fund; created.
<a href="#"><u>HB 367</u></a> Watts, V	Exhaust systems; excessive noise.
<a href="#"><u>HB 380</u></a> Freitas, N	License taxes, local; elimination of authority to impose.
<a href="#"><u>HB 398</u></a> Freitas, N	Absentee voting; ballots to be sorted and results to be reported by precinct.
<a href="#"><u>HB 438</u></a> Sewell, B	Virginia Public Procurement Act; architectural and professional engineering term contracting.
<a href="#"><u>HB 441</u></a> Sewell, B	Voting systems; reporting absentee results by precinct.
<a href="#"><u>HB 456</u></a> Bennett-Parker, E	Virginia Passenger Rail Authority; membership.

<a href="#">HB 483</a> Freitas, N	Firearms; control by localities of possession or carrying.
<a href="#">HB 520</a> Bulova, D	Climate resilience; locality's comprehensive plan to consider strategies to address.
<a href="#">HB 568</a> Kory, K	Green banks; regional agreements.
<a href="#">HB 633</a> Carr, B	Speed limits; expands authority of any locality to reduce to less than 25 miles per hour, etc.
<a href="#">HB 697</a> Keam, M	Stormwater management service districts; rate of taxation.
<a href="#">HB 701</a> Kory, K	Uniform Statewide Building Code; local building codes and regulations, etc.
<a href="#">HB 739</a> Krizek, P	Shoreline improvements, existing; repair and maintenance.
<a href="#">HB 779</a> Williams, W	Elections; photo identification required, time for in-person absentee.
<a href="#">HB 780</a> Williams, W	Voter registration; registration permitted up to and including the day of the election.
<a href="#">HB 843</a> Bloxom, Jr., R	Income tax, state; housing opportunity tax credits.
<a href="#">HB 862</a> Lopez, A	Public defender; supplementing compensation.
<a href="#">HB 905</a> Lopez, A	Energy efficiency standards; more stringent energy efficiency requirements.
<a href="#">HB 934</a> LaRock, D	COVID-19; Employer-mandated vaccinations, required exemptions, civil penalties.
<a href="#">HB 941</a> LaRock, D	Voter registration; registration permitted up to and including the day of the election.
<a href="#">HB 942</a> LaRock, D	Voter identification; identification containing a photograph required.
<a href="#">HB 945</a> LaRock, D	Absentee voting in person; available beginning on the tenth day prior to election.
<a href="#">HB 969</a> Simonds, S	Comprehensive plan; adoption of an environmental justice strategy.
<a href="#">HB 1033</a> Davis, G	Firearms; control by localities of possession or carrying.
<a href="#">HB 1037</a> Sewell, B	Emergency custody and temporary detention; transportation of person when transfer of custody.
<a href="#">HB 1051</a> Scott, P	Protective orders; possession of firearms.
<a href="#">HB 1059</a> Cordoza, A	Gasoline and diesel fuels; suspension of the imposition of taxes.

<a href="#">HB 1141</a> Walker, W	Absentee voting; return of absentee ballots, drop-off locations.
<a href="#">HB 1147</a> Bell, R	Temporary detention; alternative custody.
<a href="#">HB 1279</a> Anderson, T	Emergency and preliminary protective orders; expungement of orders.
<a href="#">HJ 33</a> Subramanyam, S	U.S. Route 50, etc.; Department of Transportation to study traffic congestion.
<a href="#">HJ 58</a> Carr, B	Constitutional amendment; taxation and finance, longtime owner-occupant tax relief program.
<a href="#">HJ 76</a> Torian, L	Northern Virginia regional transit plan; Department of Rail and Public Transportation to study.
<a href="#">HJ 79</a> Reid, D	Constitutional amdmt.; prop. tax exemption for surviving spouses of certain members of armed forces.
<a href="#">HJ 83</a> Tran, K	Constitutional amdmt.; prop. tax exemption for surviving spouses of soldiers killed in line of duty.
<a href="#">HJ 96</a> Wyatt, S	Constitutional amendment; real prop. tax exemption for certain spouses of members of armed forces.
<a href="#">SB 74</a> Chase, A	Firearms; control by localities of possession or carrying.
<a href="#">SB 133</a> Chase, A	Ballots; ballot fraud security measures.
<a href="#">SB 176</a> Peake, M	Emergency custody and temporary detention; transportation of person when transfer of custody.
<a href="#">SB 189</a> Chase, A	Employer-mandated vaccinations for COVID-19; discrimination prohibited, civil penalties.
<a href="#">SB 206</a> Petersen, J	Historic preservation; filing of a historic designation application.
<a href="#">SB 208</a> Petersen, J	Civil actions; standing.
<a href="#">SB 218</a> McPike, J	Local condemnation authority; locality may acquire property interests outside its boundaries, etc.
<a href="#">SB 234</a> Chase, A	Absentee voting; permanent absentee voter list repealed.
<a href="#">SB 235</a> Chase, A	Voter registration; registration permitted up to and including the day of the election.
<a href="#">SB 236</a> Chase, A	Absentee voting; return of absentee ballots, drop-off locations.

<a href="#"><u>SB 282</u></a> Ebbin, A	Public defender; supplementing compensation.
<a href="#"><u>SB 306</u></a> Deeds, R	Voting systems; reporting absentee results by precinct.
<a href="#"><u>SB 330</u></a> Reeves, B	Carrying a concealed handgun; permit not required.
<a href="#"><u>SB 331</u></a> Reeves, B	Overtime pay requirements; volunteers.
<a href="#"><u>SB 339</u></a> Barker, G	Washington Metropolitan Area Transit Authority; alternate directors.
<a href="#"><u>SB 364</u></a> Reeves, B	Handguns; limitation on purchases.
<a href="#"><u>SB 365</u></a> Stuart, R	Virginia Overtime Wage Act; clarifies term "employee."
<a href="#"><u>SB 374</u></a> Obenshain, M	Project labor agreements; prevailing wage, collective bargaining for employees of local governments.
<a href="#"><u>SB 415</u></a> DeSteph, B	School boards; employment of at least one school resource officer in elementary & secondary schools.
<a href="#"><u>SB 458</u></a> Chase, A	Face coverings; prohibits enforcement of policy, etc., to wear.
<a href="#"><u>SB 460</u></a> Chase, A	Absentee voting; deadline for returning absentee ballot.
<a href="#"><u>SB 532</u></a> Stuart, R	Clean Energy and Community Flood Preparedness Act; repeals Act.
<a href="#"><u>SB 541</u></a> Peake, M	Gasoline and diesel fuel; lowers the rate of tax on July 1, 2022.
<a href="#"><u>SB 543</u></a> DeSteph, B	Criminal records; sealing of records.
<a href="#"><u>SB 552</u></a> Chase, A	Absentee voting; excuse required to vote absentee by mail, signature match.
<a href="#"><u>SB 602</u></a> DeSteph, B	Short-term rental properties; definition, locality requirements and restrictions.
<a href="#"><u>SB 605</u></a> Chase, A	Conduct of election; election results, post-election forensic audits.
<a href="#"><u>SB 620</u></a> Cosgrove, Jr., J	Real property taxes; rate of increase.
<a href="#"><u>SB 650</u></a> Hanger, Jr., E	Emergency custody and temporary detention; hospitals and providers of behavioral health services.
<a href="#"><u>SB 695</u></a> Stuart, R	Low-emissions and zero-emissions vehicle standards; repeals certain authority.

*Fairfax County Initiatives*

*Bills Introduced  
at Fairfax County's Request*

<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><b><u>HB 396</u></b> - Sullivan, Jr. (48) Electric utilities; municipal net energy metering.</p>	<p>1/11/2022 House: Referred to Committee on Commerce and Energy                      2/8/2022 House: Reported from Commerce and Energy with substitute (22-Y 0-N)                      2/11/2022 House: Committee on Commerce and Energy substitute rejected 22106330D-H1                      2/11/2022 House: Substitute by Delegate Sullivan agreed to 22106434D-H2                      2/14/2022 House: Read third time and passed House (99-Y 0-N)                      2/16/2022 Senate: Referred to Committee on Commerce and Labor</p>	<p><b>1/25/2022</b></p>
<p><b>Initiate</b> (22103298D)  <b>Summary:</b> Updates provisions related to American Electric Power's participation in a municipal net energy metering pilot program and creates similar requirements for a municipal net energy metering pilot program for Dominion Energy, with a duration of the pilot program for Dominion Energy until July 1, 2028. The bill directs the State Corporation Commission to review the municipal net energy metering pilot program for Dominion Energy in 2024 and every two years thereafter. The bill clarifies that the aggregated capacity of generation facilities subject to a net metering pilot program conducted by any utility shall not be considered part of the aggregate net metering cap established pursuant to the Virginia Clean Economy Act. However, the aggregated capacity of generation facilities under each utility's pilot program that is part of a third-party power purchase agreement shall constitute a portion of the existing limit on pilot programs with third-party power purchase agreements.</p>		
<p><b><u>HB 443</u></b> - Bulova (37) Park authorities; authority to operate, etc., electric vehicle charging stations.</p>	<p>1/11/2022 House: Referred to Committee on Commerce and Energy                      2/1/2022 House: Referred from Commerce and Energy by voice vote                      2/1/2022 House: Referred to Committee on Counties, Cities and Towns                      2/3/2022 House: Subcommittee recommends reporting (8-Y 1-N)                      2/4/2022 House: Reported from Counties, Cities and Towns (22-Y 0-N)                      2/10/2022 House: Read third time and passed House (94-Y 6-N)                      2/11/2022 Senate: Referred to Committee on Commerce and Labor</p>	<p><b>1/25/2022</b></p>
<p><b>Initiate</b> (22101682D)  <b>Summary:</b> Park authorities; electric vehicle charging stations. Gives park authorities created by a locality the authority to locate, operate, regulate the use of, and install signage relating to electric vehicle (EV) charging stations on property under its jurisdiction. The bill adds park authorities to the list of entities for which provision of electricity for EV charging is exempt from the definition of retail sale of electricity. The bill adds park authorities to the list of entities that the State Corporation Commission cannot regulate or prescribe the rates, charges, and fees for retail EV charging service.</p>		

**Bold** – Indicates BOS formal action  
 [ ] Indicates BOS Legislative Committee Action

# *Fairfax County Positions*

*(Oppose or Amend)*

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 34</a> - Campbell (24) Absentee voting; return of absentee ballots, drop-off locations.</p>	<p>12/29/2021 House: Referred to Committee on Privileges and Elections 2/1/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/4/2022 House: Reported from Privileges and Elections (12-Y 10-N) 2/10/2022 House: Read third time and defeated by House (49-Y 51-N) 2/10/2022 House: Reconsideration of defeated action agreed to by House 2/11/2022 House: Read third time and passed House (52-Y 47-N) 2/14/2022 Senate: Referred to Committee on Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22102594D) - Board has historically opposed. <b>Summary:</b> Absentee voting; return of absentee ballots; drop-off locations. Repeals the provisions of law providing for the establishment of drop-off locations for the return of absentee ballots.</p>		
<p><a href="#">HB 39</a> - Scott (88) Absentee voting in person; available beginning on the fourteenth day prior to election.</p>	<p>12/30/2021 House: Referred to Committee on Privileges and Elections 2/1/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/4/2022 House: Reported from Privileges and Elections (12-Y 10-N) 2/10/2022 House: Read third time and passed House (52-Y 48-N) 2/11/2022 Senate: Referred to Committee on Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22101282D) - Board has historically opposed. <b>Summary:</b> Absentee voting in person; available beginning on the fourteenth day prior to election; hours of operation. Limits absentee voting in person to the two weeks immediately preceding an election. During these two weeks, the bill requires that absentee voting in person be available Monday through Saturday, from 7:00 a.m. to 7:00 p.m. each day.</p>		
<p><a href="#">HB 46</a> - Ware (65) Voter identification; identification containing a photograph required.</p>	<p>12/31/2021 House: Referred to Committee on Privileges and Elections 1/25/2022 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/8/2022 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/11/2022 House: Reported from Privileges and Elections with substitute (12-Y 10-N) 2/15/2022 House: Read third time and passed House (52-Y 48-N) 2/16/2022 Senate: Referred to Committee on Privileges and Elections</p>	<p>1/25/2022</p>

**Bold** – Indicates BOS formal action  
[ ] Indicates BOS Legislative Committee Action



Bills	General Assembly Actions	Date of BOS Position
<p><b>Oppose</b> (22102903D) - Board has historically opposed.  <b>Summary:</b> Elections; voter identification containing a photograph required; permanent absentee voter list repealed. Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot. The bill also repeals the provisions of law by which any registered voter may apply to receive absentee ballots for all elections in which he is eligible to vote and remains on the list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status pursuant to law, or the voter moves to a different address not in the same county or city of his registration.</p>		
<p><b>HB 58</b> - Davis (84) Local government; prohibits certain practices that would require contractors to provide benefits.</p>	<p>1/3/2022 House: Referred to Committee on General Laws  1/18/2022 House: Subcommittee recommends reporting with substitute (5-Y 3-N)  1/25/2022 House: Reported from General Laws with substitute (12-Y 10-N)  2/4/2022 House: Read third time and passed House (52-Y 48-N)  2/7/2022 Senate: Referred to Committee on General Laws and Technology</p>	<p><b>2/8/2022</b></p>
<p><b>Oppose</b> (22104664D-H1) - Board has historically opposed.  <b>Summary:</b> Prohibits local governing bodies from establishing provisions related to procurement of goods, professional services, or construction that would require a wage floor or any other employee benefit or compensation above what is otherwise required by state or federal law to be provided by a contractor to one or more of the contractor's employees as part of a contract with the locality. The bill provides that the prohibition shall not affect contracts between a locality and another party that were executed prior to January 1, 2023, or the renewal or future rebids of services thereof. The bill provides that localities shall not be prohibited from entering into contracts for economic development incentives in which the company receiving the incentives is required to maintain a certain stated wage level for its employees.</p>		
<p><b>HB 118</b> - Freitas (30) Electric utilities; regulation, development of renewable energy facilities.</p>	<p>1/7/2022 House: Referred to Committee on Commerce and Energy  2/3/2022 House: Subcommittee recommends reporting (6-Y 4-N)  2/10/2022 House: Reported from Commerce and Energy (10-Y 9-N)  2/15/2022 House: Read third time and passed House (52-Y 48-N)  2/16/2022 Senate: Referred to Committee on Commerce and Labor</p>	<p>[2/11/2022]</p>
<p>[Oppose] (22100091D) - Board has historically opposed.  <b>Summary:</b> Regulation of electric utilities; development of renewable energy facilities; powers of State Air Pollution Control Board; powers of State Corporation Commission. Repeals provisions (i) requiring the State Air Pollution Control Board to adopt regulations to reduce carbon dioxide emissions from any electricity generating unit in the Commonwealth and authorizing the Board to establish an auction program for energy allowances; (ii) prohibiting the State Corporation Commission from approving any new utility-owned generation facilities that emit carbon dioxide as a by-product of energy generation, in certain circumstances;</p>		

**Bold** – Indicates BOS formal action

[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>(iii) declaring that statutory allowances for energy derived from sunlight, onshore wind, offshore wind, and storage facilities are in the public interest; and (iv) relating to the development of solar and wind generation and energy storage capacity, development of offshore wind capacity, and generation of electricity from renewable and zero carbon sources. The bill provides that planning and development activities for new nuclear generation facilities are in the public interest.</p>		
<p><a href="#"><b>HB 156</b></a> - Byron (22) Health, Department of; certain communication prohibited.</p>	<p>1/9/2022 House: Referred to Committee on Health, Welfare and Institutions 2/3/2022 House: Subcommittee recommends reporting (5-Y 4-N) 2/8/2022 House: Reported from Health, Welfare and Institutions (12-Y 10-N) 2/15/2022 House: Read third time and passed House (52-Y 47-N) 2/16/2022 Senate: Referred to Committee on Education and Health</p>	<p>[2/11/2022]</p>
<p>[Oppose] (22102263D) <b>Summary:</b> Department of Health; certain communication prohibited. Prohibits any person employed by or who has entered into a contract to provide services on behalf of the Department of Health or a local department of health from initiating communication regarding health-related matters with a minor on behalf of the Department or local department of health without the consent of the minor's parent, except as otherwise required by law.</p>		
<p><a href="#"><b>HB 175</b></a> - Bloxom, Jr. (100) Absentee voting; annual absentee voter list, applications for ballots.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 2/4/2022 House: Subcommittee recommends reporting with substitute (7-Y 1-N) 2/4/2022 House: Reported from Privileges and Elections with substitute (13-Y 9-N) 2/11/2022 House: Read third time and passed House (52-Y 46-N) 2/14/2022 Senate: Referred to Committee on Privileges and Elections</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22101651D) - Board has historically opposed. <b>Summary:</b> Absentee voting; annual absentee voter list; absentee ballots; return of ballots. Removes the permanent absentee voter list and provides for an annual absentee voter list by which any eligible voter who annually files an application and is enrolled on the list receives an absentee ballot for any election in which he is eligible to vote in the ensuing calendar year. The application for the annual absentee voter list requires, at a minimum, the voter to provide his printed name, date of birth, and the last four digits of his social security number. The bill makes an absentee voter's failure to have a witness sign the absentee ballot envelope a material omission and renders his ballot void. Current law allows a late absentee ballot to be counted if it is received by the Friday after the election and postmarked on or before the day of the election; the bill modifies this provision, requiring a postmark on or before the Saturday immediately preceding the day of the election.</p>		

**Bold** – Indicates BOS formal action  
[ ] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 177</a> - Bloxom, Jr. (100) Absentee voting; witness requirement for absentee ballots.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 2/4/2022 House: Reported from Privileges and Elections with substitute (14-Y 5-N) 2/10/2022 House: Read third time and passed House (52-Y 48-N) 2/11/2022 Senate: Referred to Committee on Privileges and Elections</p>	<p>[2/11/2022] <b>1/25/2022</b></p>
<p>[Oppose] (22106054D-H1) - Bill was conformed to HB 149, which the County opposes. <b>Support</b> (22101654D) <b>Summary:</b> Elections; absentee voting; witness signature requirement; additional information. Makes an absentee voter's failure to have a witness sign the absentee ballot envelope a material omission that renders the ballot void. Additionally, the bill requires an absentee voter to include the last four number of his social security number and his date of birth with the voter affirmation statement on such ballot envelope.</p>		
<p><a href="#">HB 185</a> - Ransone (99) Voter registration; registration permitted up to and including the day of the election.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 1/25/2022 House: Subcommittee recommends reporting (6-Y 4-N) 1/28/2022 House: Reported from Privileges and Elections (12-Y 8-N) 2/3/2022 House: Read third time and passed House (52-Y 47-N) 2/4/2022 Senate: Referred to Committee on Privileges and Elections</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22102235D) - Board has historically opposed. <b>Summary:</b> Repeals a provision that would permit any person who is qualified to register to vote to register to vote in person up to and including the day of the election, notwithstanding any deadline for the close of registration records. The repeal will limit the persons who are entitled to register to vote after the close of registration records to (i) any member of a uniformed service of the United States who is on active duty, (ii) any person residing temporarily outside of the United States, and (iii) the spouse or dependent residing with someone listed in (i) or (ii).</p>		
<p><a href="#">HB 196</a> - Webert (18) Absentee voting; permanent absentee voter list repealed.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 2/1/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/4/2022 House: Reported from Privileges and Elections (12-Y 10-N) 2/10/2022 House: Read third time and passed House (52-Y 48-N) 2/11/2022 Senate: Referred to Committee on Privileges and Elections</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22100301D) - Board has historically opposed. <b>Summary:</b> Repeals the provisions of law by which any registered voter may apply to receive absentee ballots for all elections in which he is eligible to vote and remains on the list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status pursuant to law, or the voter moves to a different address not in the same county or city of his registration.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 277</a> - Coyner (62) Recovery residences; disclosure to potential residents that residence is certified.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities and Towns 2/3/2022 House: Subcommittee recommends reporting with substitute (6-Y 2-N) 2/4/2022 House: Reported from Counties, Cities and Towns with substitute (21-Y 1-N) 2/10/2022 House: Read third time and passed House (98-Y 1-N) 2/11/2022 Senate: Referred to Committee on Local Government</p>	<p>[2/11/2022]</p>
<p>[Amend] (22105975D-H1) - Amend to conform to SB 622 (Favola). <b>Summary:</b> Certified recovery residences. Requires every person who operates a recovery residence to disclose to potential residents whether the recovery residence is a certified recovery residence and, if so, the credentialing entity. If the credentialing entity is the National Alliance for Recovery Residences, the bill requires the recovery residence to disclose the level of support provided by the recovery residence and, if the credentialing entity is Oxford House, Inc., the bill requires the recovery residence to disclose that the recovery residence is self-governed and unstaffed. The bill also requires the Department of Behavioral Health and Developmental Services (the Department) to include such information on the list of all certified recovery residences maintained by the Department on its website. The bill further provides that all recovery residences housing individuals diagnosed with substance use disorder shall be certified by the Department in accordance with regulations adopted by the Board of Behavioral Health and Developmental Services. The bill exempts certified recovery residences from the provisions of the Virginia Landlord and Tenant Act and also provides that certified recovery residences in which a certifying entity verifies 50 square feet per bed per sleeping room shall constitute residential occupancy by a single family for zoning purposes.</p>		
<p><a href="#">HB 325</a> - Freitas (30) Firearms; reporting lost or stolen, civil penalty.</p>	<p>1/11/2022 House: Referred to Committee on Public Safety 2/3/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/4/2022 House: Reported from Public Safety (12-Y 10-N) 2/10/2022 House: Read third time and passed House (51-Y 48-N) 2/11/2022 Senate: Referred to Committee on the Judiciary</p>	<p>[2/11/2022]</p>
<p>[Oppose] (22102189D) <b>Summary:</b> Reporting lost or stolen firearms; civil penalty. Repeals the requirement that, if a firearm is lost or stolen from a person who lawfully possessed it, such person shall report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 48 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. Under current law, a violation is punishable by a civil penalty of not more than \$250.</p>		
<p><a href="#">HB 509</a> - March (7) Firearms; removal from persons posing substantial risk, penalties.</p>	<p>1/11/2022 House: Referred to Committee on Rules 2/3/2022 House: Referred from Rules by voice vote 2/3/2022 House: Referred to Committee on Public Safety 2/10/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/11/2022 House: Reported from Public Safety (11-Y 10-N) 2/15/2022 House: Read third time and passed House (52-Y 47-N) 2/16/2022 Senate: Referred to Committee on the Judiciary</p>	<p>[2/11/2022]</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>[Oppose] (22101051D) - Board has historically opposed.  <b>Summary:</b> Firearms; removal from persons posing substantial risk; penalties. Repeals the procedure by which any attorney for the Commonwealth or law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. The bill also removes the substantial risk order registry for the entry of orders issued.</p>		
<p><a href="#">HB 791</a> - McNamara (8)  Data centers; center fixtures are taxed as part of the real property where they are located, etc.</p>	<p>1/11/2022 House: Referred to Committee on Finance  1/24/2022 House: Subcommittee recommends reporting (8-Y 0-N)  1/26/2022 House: Reported from Finance (22-Y 0-N)  2/1/2022 House: Read third time and passed House (99-Y 0-N)  2/2/2022 Senate: Referred to Committee on Finance and Appropriations</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22104312D) - See also SB 513 (McPike).  <b>Summary:</b> Property tax; data centers. Provides that if data center fixtures are taxed as part of the real property where they are located, they shall be valued based on depreciated reproduction or replacement cost, rather than based on the amount of income they generate.</p>		
<p><a href="#">HB 827</a> - Wilt (26)  Firearms; control by localities of possession or carrying.</p>	<p>1/12/2022 House: Referred to Committee on Public Safety  1/27/2022 House: Subcommittee recommends reporting (6-Y 4-N)  1/28/2022 House: Reported from Public Safety (12-Y 10-N)  2/3/2022 House: Read third time and passed House (52-Y 48-N)  2/4/2022 Senate: Referred to Committee on the Judiciary</p>	<p><b>2/8/2022</b></p>
<p><b>Oppose</b> (22100614D) - Board has historically opposed. See also HB 483 (Freitas) and HB 1033 (Davis).  <b>Summary:</b> Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.</p>		
<p><a href="#">HB 837</a> - Wilt (26)  Food and drink law; permitting requirements.</p>	<p>1/12/2022 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources  1/26/2022 House: Subcommittee recommends reporting with amendments (10-Y 0-N)  2/2/2022 House: Reported from Agriculture, Chesapeake and Natural Resources with amendment(s) (22-Y 0-N)  2/8/2022 House: Read third time and passed House (98-Y 0-N)  2/8/2022 House: Reconsideration of passage agreed to by House  2/8/2022 House: Passed House BLOCK VOTE (99-Y 0-N)  2/9/2022 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources</p>	<p>[2/11/2022]</p>

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
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[Amend] (22104157D-E) - Amend to exempt localities that have adopted a local food code based on the U.S. Food and Drug Administration food code.

**Summary:** Requires any food manufacturer, food storage warehouse, and retail food establishment to obtain a permit from the Commissioner of Agriculture and Consumer Services prior to operating. Any such entity issued a permit would be exempt from any other license, permit, or inspection required for the sale, preparation, or handling of food. The bill requires the Commissioner to notify such entities of the reason for denial of a permit and requires that any denial, suspension, or revocation of a permit be carried out in accordance with the Administrative Process Act.

**HB 873** - Greenhalgh (85)  
School boards; employment of at least one school resource officer in elementary & secondary schools.

1/12/2022 House: Referred to Committee on Education  
 2/7/2022 House: Subcommittee recommends reporting (5-Y 3-N)  
 2/7/2022 House: Subcommittee recommends referring to Committee on Appropriations  
 2/7/2022 House: Reported from Education (12-Y 10-N)  
 2/7/2022 House: Referred to Committee on Appropriations  
 2/9/2022 House: Subcommittee recommends reporting with substitute (5-Y 3-N)  
 2/9/2022 House: Reported from Appropriations with substitute (12-Y 10-N)  
 2/15/2022 House: Read third time and passed House (52-Y 48-N)  
 2/16/2022 Senate: Referred to Committee on Education and Health

[2/11/2022]

[Oppose] (22104063D) - Board has historically opposed.

**Summary:** School boards; employment of school resource officers or school security officers. Requires each school board to (i) enter into a collaborative agreement with the local law-enforcement agency to employ at least one school resource officer or (ii) employ at least one school security officer in each public elementary and secondary school in the local school division. The bill prohibits the Board of Education from granting any school board a waiver from such requirement but permits the Board of Education to grant a partial waiver to allow the sharing of a single school resource officer or school security officer by two different public schools that (a) are adjoining or are within close proximity to each other and (b) share facilities such as parking.

**HB 927** - Robinson (27)  
Absentee voting; ballots to be sorted and results to be reported by precinct.

1/12/2022 House: Referred to Committee on Privileges and Elections (HPE)  
 2/4/2022 House: Subcommittee recommends reporting (7-Y 1-N)  
 2/4/2022 House: Reported from HPE (22-Y 0-N)  
 2/10/2022 House: Read third time and passed House (100-Y 0-N)  
 2/11/2022 Senate: Referred to Committee on Privileges and Elections

**1/25/2022**

**Amend** (22101352D) - Amend to remove requirements to separate ballots by precinct. Conform language to HB 441/SB 306. See also HB 54 (Greenhalgh), HB 398 (Freitas), and SB 3 (Suetterlein).

**Summary:** Elections; absentee voting; ballots to be sorted and results to be reported by precinct. Provides that absentee ballots processed at a central absentee precinct must be sorted by the precinct to which the voter who cast the absentee ballot is assigned and that the resulting vote totals from such ballots must be reported separately for each voter precinct.

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>HB 957</u></b> - Tran (42) Real property; classification, property owned by certain surviving spouses for tax purposes.</p>	<p>1/12/2022 House: Referred to Committee on Finance 2/4/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/7/2022 House: Reported from Finance with substitute (22-Y 0-N) 2/11/2022 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/14/2022 Senate: Referred to Committee on Finance and Appropriations</p>	<p><b>2/8/2022</b></p>
<p><b>Amend</b> (22100675D) - Amend to allow a small group of spouses of veterans killed on duty to continue receiving a real estate tax exemption in Fairfax County. Support for a narrowly crafted solution for this small group is included in the County's Legislative Program. <b>Summary:</b> Classification of real property owned by certain surviving spouses for tax purposes. Provides that beginning with taxable year 2022, any locality may declare real property owned by a surviving spouse of a member of the armed forces of the United States who died in the line of duty with a line of duty determination from the U.S. Department of Defense, while performing official military activities and where such death was not the result of criminal conduct, and where the spouse occupies the real property as his principal place of residence and does not remarry, a separate class of property for local taxation of real property that may be taxed at a different rate than that imposed on the general class of real property, provided that the rate of tax is greater than zero and does not exceed the rate of tax on the general class of real property.</p>		
<p><b><u>HB 1010</u></b> - Durant (28) Real property taxes; notice of proposed increase, notice of public hearing.</p>	<p>1/12/2022 House: Referred to Committee on Finance 2/10/2022 House: Reported from Finance with substitute (11-Y 10-N) 2/15/2022 House: Read third time and passed House (53-Y 46-N) 2/16/2022 Senate: Referred to Committee on Finance and Appropriations</p>	<p><b>2/8/2022</b></p>
<p><b>Oppose</b> (22103864D) - See also SB 620 (Cosgrove). <b>Summary:</b> Real property taxes; notice of proposed increase. Adjusts the notice requirements for public hearings held to increase property taxes in localities that conduct their reassessment of real estate more than once every four years. Such localities shall provide notice of any such hearing on a different day and in a different notice from any notice published for the annual budget hearing. Under current law, such hearings are required when a locality seeks to raise their property tax rate above a rate that would collect more than 101 percent of the amount of taxes collected for the previous year.</p>		
<p><b><u>HB 1088</u></b> - Leftwich (78) Planning; definition of subdivision boundary line agreement.</p>	<p>1/12/2022 House: Referred to Committee on Counties, Cities and Towns 2/10/2022 House: Subcommittee recommends reporting with amendments (9-Y 0-N) 2/11/2022 House: Reported from Counties, Cities and Towns with amendment(s) (22-Y 0-N) 2/15/2022 House: Read third time and passed House (100-Y 0-N) 2/16/2022 Senate: Referred to Committee on Local Government</p>	<p>[2/11/2022]</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>[Oppose] (22103287D)  <b>Summary:</b> Planning; subdivision of land and zoning. Changes the definition of "subdivision" to provide that it does not preclude different owners of adjacent parcels from entering into a valid and enforceable boundary line agreement with one another so long as such agreement is only used to resolve a bona fide property line dispute, the boundary adjustment does not move by more than 250 feet from the center of the current platted line or alter either parcel's resultant acreage by more than five percent of the smaller parcel size, and such agreement does not create an additional lot, alter the existing boundary lines of localities, result in greater street frontage, or interfere with a recorded easement.</p>		
<p><a href="#">HB 1090</a> - Webert (18)  Voter identification; identification containing a photograph required.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections  2/1/2022 House: Subcommittee recommends reporting (6-Y 4-N)  2/4/2022 House: Reported from Privileges and Elections (12-Y 10-N)  2/10/2022 House: Read third time and passed House (52-Y 48-N)  2/11/2022 Senate: Referred to Committee on Privileges and Elections</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22100305D) - Board has historically opposed.  <b>Summary:</b> Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot.</p>		
<p><a href="#">HB 1144</a> - Webert (18)  Gasoline and diesel fuel; lowers the rate of tax on July 1, 2022.</p>	<p>1/13/2022 House: Referred to Committee on Finance  2/2/2022 House: Reported from Finance (11-Y 10-N)  2/2/2022 House: Referred to Committee on Appropriations  2/11/2022 House: Reported from Appropriations with amendment(s) (10-Y 8-N)  2/15/2022 House: Read third time and passed House (52-Y 48-N)  2/16/2022 Senate: Referred to Committee on Finance and Appropriations</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22101053D)  <b>Summary:</b> Rate of tax on gasoline and diesel fuel. Lowers the rate of tax on gasoline and diesel fuel on July 1, 2022, from 26.2 cents per gallon to 21.2 cents per gallon on gasoline and from 27 cents per gallon to 20.2 cents per gallon on diesel fuel, the rates that were in effect before July 1, 2021. The bill provides that the rate of tax on gasoline and diesel fuel will return to 26.2 and 27 cents per gallon, respectively, on July 1, 2023, and will be indexed based on the change in the United States Average Consumer Price Index for both 2021 and 2022; thereafter, the rate will be indexed annually.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>HB 1267</b></a> - Wilt (26) Low-emissions and zero-emissions vehicle standards; regulations shall be withdrawn and repropose.</p>	<p>1/20/2022 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/7/2022 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/9/2022 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (11-Y 10-N) 2/15/2022 House: Read third time and passed House (52-Y 48-N) 2/16/2022 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources</p>	<p>[2/11/2022]</p>
<p>[Oppose] (22106153D-H1) - Board has historically opposed. <b>Summary:</b> Low-emissions and zero-emissions vehicle standards. Extends by five years the deadline by which the State Air Pollution Control Board implement low-emissions and zero-emissions vehicle standards and makes the requirement permissive instead of mandatory.</p>		
<p><a href="#"><b>HB 1301</b></a> - Kilgore (1) Clean Energy and Community Flood Preparedness Act; repeals Act.</p>	<p>1/21/2022 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/7/2022 House: Subcommittee recommends reporting (6-Y 4-N) 2/7/2022 House: Subcommittee recommends referring to Committee on Appropriations 2/9/2022 House: Reported from Agriculture, Chesapeake and Natural Resources (11-Y 10-N) 2/9/2022 House: Referred to Committee on Appropriations 2/11/2022 House: Reported from Appropriations (10-Y 8-N) 2/15/2022 House: Read third time and passed House (52-Y 48-N) 2/16/2022 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources</p>	<p>[2/11/2022]</p>
<p>[Oppose] (22104929D) - Board has historically opposed. <b>Summary:</b> Repeals the Clean Energy and Community Flood Preparedness Act.</p>		
<p><a href="#"><b>SB 513</b></a> - McPike (29) Data centers; center fixtures are taxed as part of the real property where they are located, etc.</p>	<p>1/12/2022 Senate: Referred to Committee on Finance and Appropriations 2/8/2022 Senate: Reported from Finance and Appropriations (14-Y 1-N 1-A) 2/11/2022 Senate: Read third time and passed Senate (39-Y 0-N) 2/21/2022 House: Referred to Committee on Finance</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22104161D) - See also HB 791 (McNamara). <b>Summary:</b> Property tax; data centers. Provides that if data center fixtures are taxed as part of the real property where they are located, they shall be valued based on depreciated reproduction or replacement cost, rather than based on the amount of income they generate.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 537</u></b> - Marsden (37) Trees; replacement and conservation during development process, powers of local government.</p>	<p>1/12/2022 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/8/2022 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (10-Y 5-N) 2/14/2022 Senate: Read third time and passed Senate (24-Y 15-N)</p>	<p><b>1/25/2022</b></p>
<p><b>Amend</b> (22102580D) - Amend to ensure existing Fairfax County authority is preserved. Support for increasing local tree authority is included in the County's Legislative Program. <b>Summary:</b> Powers of local government; trees during development process; replacement and conservation. Expands to all localities provisions that currently only allow certain localities to adopt an ordinance providing for the planting and replacement of trees during the development process. The bill adds more flexibility for implementation and management of tree canopy banks, tree canopy credits, and tree canopy requirements. The bill changes and updates standards, reference documents, and published reference texts. The bill expands options for localities to disburse funds to charitable organizations. The bill adds percentage specifications for ordinances related to cemeteries. The bill removes the prohibition of invalidating local ordinances adopted before July 1, 1990, the allowance of 10-year minimum requirements for pre-1990 ordinances, and the inability to invalidate an ordinance adopted pursuant to the section relating to the replacement of trees during development process in certain localities. The bill provides guidelines for the Stakeholder Advisory Group, established by the bill to provide recommendations on the provisions of the bill, and its meetings; exemptions from the Administrative Process Act, section-specific definitions for public comment; and the Virginia Freedom of Information Act. The main provisions of the bill have a delayed enactment date of January 1, 2023; the remaining provisions are effective in due course.</p>		
<p><b><u>SB 652</u></b> - Vogel (27) Absentee voting; application requirements, last four digits of social security number.</p>	<p>1/18/2022 Senate: Referred to Committee on Privileges and Elections 2/1/2022 Senate: Reported from Privileges and Elections with substitute (11-Y 4-N) 2/7/2022 Senate: Read third time and passed Senate (29-Y 11-N)</p>	<p><b>2/8/2022</b></p>
<p><b>Oppose</b> (22103317D) <b>Summary:</b> Absentee voting; application requirements; last four digits of social security number. Requires an applicant for an absentee ballot to provide on the application the last four digits of his social security number, except when completing the application in person, and further provides that the failure to include such information shall be a material omission, grounds for rejection of the application.</p>		
<p><b><u>SB 666</u></b> - Petersen (34) Eminent domain; redefines lost access and lost profits.</p>	<p>1/19/2022 Senate: Referred to Committee on the Judiciary 2/2/2022 Senate: Reported from Judiciary with substitute (14-Y 0-N) 2/2/2022 Senate: Re-referred to Finance and Appropriations 2/9/2022 Senate: Reported from Finance and Appropriations (12-Y 4-N) 2/14/2022 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p><b>2/8/2022</b></p>
<p><b>Oppose</b> (22104185D) <b>Summary:</b> Eminent domain; lost profits. Redefines "lost profits" for the purposes of determining just compensation in eminent domain cases.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#"><b>SB 669</b></a> - Surovell (36) Law-enforcement employees; alleged wrongdoing.	1/20/2022 Senate: Referred to Committee on the Judiciary 2/14/2022 Senate: Reported from Judiciary with substitute (13-Y 0-N 2-A) 2/15/2022 Senate: Passed Senate (27-Y 13-N)	[2/11/2022]
<p>[Amend] (22104590D) - Amend to add exemptions for cases when complainants want to remain anonymous or do not provide the necessary contact information.</p> <p><b>Summary:</b> Alleged wrongdoing of law-enforcement employees. Requires that all law-enforcement agencies that employ at least 10 law-enforcement officers, ensure that, in the case of all written citizen complaints or complaints submitted in an electronic format, the agency (i) allows for the submission of citizen complaints through the agency's website or other electronic format; (ii) provides a receipt or written acknowledgment confirming the submission of the complaint to the individual filing such complaint; (iii) provides a written response to any individual who has filed a complaint indicating the complaint has been finalized, and (iv) provides notice to any individual who has filed a complaint if an investigation into a previously filed complaint has been reopened upon the submission of new materials after a final resolution for the previously filed complaint has been reached.</p>		
<a href="#"><b>SB 678</b></a> - Stuart (28) Agricultural operation; amends definition.	1/20/2022 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/1/2022 Senate: Reported from Agriculture, Conservation and Natural Resources (12-Y 2-N 1-A) 2/7/2022 Senate: Read third time and passed Senate (37-Y 2-N 1-A)	<b>2/8/2022</b>
<p><b>Oppose</b> (22104182D)</p> <p><b>Summary:</b> Definition of agricultural operation. Amends the definition of "agricultural operation" to including the housing of livestock.</p>		
<a href="#"><b>SB 739</b></a> - Dunnivant (12) Public elementary and secondary schools, etc.; student instruction.	1/21/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Reported from Education and Health with amendments (9-Y 6-N) 2/9/2022 Senate: Read third time and passed Senate (21-Y 17-N) 2/10/2022 House: Referred to Committee on Education 2/11/2022 House: Reported from Education (12-Y 10-N) 2/14/2022 House: Passed House (52-Y 48-N) 2/14/2022 Senate: Enrolled 2/14/2022 Senate: Bill text as passed Senate and House (SB739ER) 2/14/2022 Senate: Signed by President 2/14/2022 House: Signed by Speaker 2/14/2022 House: Enrolled Bill communicated to Governor on February 14, 2022 2/14/2022 Governor: Governor's Action Deadline 11:59 p.m., February 21, 2022 2/14/2022 Senate: Governor's recommendation received by	[2/11/2022]

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
	<p>Senate                      2/15/2022 Senate: Senate concurred in Governor's recommendation #1, 3, and 4 (21-Y 19-N)                      2/15/2022 Senate: Senate concurred in Governor's recommendation #2 (39-Y 0-N)                      2/16/2022 House: House concurred in Governor's recommendation #1, 3 and 4 (52-Y 48-N)                      2/16/2022 House: House concurred in Governor's recommendation #2 (77-Y 23-N)                      2/16/2022 Governor: Emergency clause added by Governor's recommendation                      2/16/2022 Governor: Governor's recommendation adopted                      2/16/2022 Senate: Reenrolled                      2/16/2022 Senate: Reenrolled bill text (SB739ER2)                      2/16/2022 Senate: Signed by President as reenrolled                      2/16/2022 House: Signed by Speaker as reenrolled                      2/16/2022 Governor: Acts of Assembly Chapter text (CHAP0002)</p>	

[Oppose] (22106287D-S1)

**Summary:** Public elementary and secondary schools and public school-based early childhood care and education programs; student instruction; masks; emergency. Requires, except in the case of the 10 unscheduled remote learning days otherwise permitted by law or in certain cases of student discipline, each school board to offer in-person instruction, as defined in the bill, to each student enrolled in the local school division in a public elementary or secondary school for at least the minimum number of required annual instructional hours and to each student enrolled in the local school division in a public school-based early childhood care and education program for the entirety of the instructional time provided pursuant to such program. The bill permits, notwithstanding any other provision of law or any regulation, rule, or policy implemented by a school board, school division, school official, or other state or local authority, the parent of any child enrolled in a public elementary or secondary school, or in any school-based early childhood care and education program, to elect for such child to not wear a mask while on school property. The bill provides that no parent making such an election shall be required to provide a reason or any certification of the child's health or education status and no student shall suffer any adverse disciplinary or academic consequences as a result of this parental election. The bill requires each local school division to comply with the foregoing provisions relating to masks no later than March 1, 2022. The bill clarifies that none of the foregoing provisions shall be construed to affect the authority granted to the Governor to achieve the purposes of relevant emergency services and disaster law with regard to a communicable disease of public health threat. The bill contains an emergency clause.

**Bold** – Indicates BOS formal action

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# *Fairfax County Positions*

*(Support)*

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Bills	General Assembly Actions	Date of BOS Position
<p><b>HB 68</b> - Anderson (83) Voter registration; presumption of domicile, members of a uniformed service and others.</p>	<p>1/4/2022 House: Referred to Committee on Privileges and Elections 2/11/2022 House: Reported from Privileges and Elections (21-Y 1-N) 2/15/2022 House: Read third time and passed House (97-Y 2-N) 2/16/2022 Senate: Referred to Committee on Privileges and Elections</p>	<p><b>1/25/2022</b></p>
<p><b>Support</b> (22101715D) <b>Summary:</b> Voter registration; presumption of domicile; members of a uniformed service and others. Provides that a member of a uniformed service who is on active duty with permanent orders stationing him in the Commonwealth shall be presumed to have established domicile for purposes of satisfying the residency requirements for voter registration, if he has also established physical presence and a place of abode in the Commonwealth, unless he expressly states otherwise. The bill provides for the same presumption for his spouse and any dependent residing with him. The bill defines "uniformed service," the same way the term is defined in the Uniform Military and Overseas Voter Act, as the (i) active and reserve components of the Army, Navy, Air Force, Marine Corps, or Coast Guard of the United States; (ii) Merchant Marine, commissioned corps of the Public Health Service, or commissioned corps of the National Oceanic and Atmospheric Administration of the United States; or (iii) Virginia National Guard.</p>		
<p><b>HB 95</b> - Head (17) Adult protective services investigations; financial institutions to furnish records and information.</p>	<p>1/6/2022 House: Referred to Committee on Commerce and Energy 1/27/2022 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 2/1/2022 House: Reported from Commerce and Energy with substitute (21-Y 0-N) 2/7/2022 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/8/2022 Senate: Referred to Committee on Commerce and Labor</p>	<p>[2/11/2022]</p>
<p>[Support] (22105038D-H1) <b>Summary:</b> Adult protective services investigations; financial institutions; furnishing of records and information. Requires financial institutions to cooperate in any investigation of alleged adult abuse, neglect, or exploitation conducted by a local department of social services and to make any financial records or information relevant to such investigation available to the local department upon request. Financial institutions may also voluntarily report information relevant to an adult protective services investigation to the local department of social services or to a court-appointed guardian ad litem for the adult under investigation.</p>		

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<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><a href="#"><b>HB 195</b></a> - Ransone (99) Polling places; location requirements, waiver in certain circumstances.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections                      1/21/2022 House: Reported from Privileges and Elections (20-Y 1-N)                      1/27/2022 House: Read third time and passed House (86-Y 13-N)                      1/28/2022 Senate: Referred to Committee on Privileges and Elections                      2/8/2022 Senate: Reported from Privileges and Elections with substitute (14-Y 1-N)                      2/11/2022 Senate: Passed Senate with substitute (40-Y 0-N)                      2/15/2022 House: Senate substitute agreed to by House 22106358D-S1 (92-Y 8-N)                      2/16/2022 House: Enrolled                      2/16/2022 House: Bill text as passed House and Senate (HB195ER)                      2/16/2022 House: Signed by Speaker                      2/16/2022 Senate: Signed by President                      2/17/2022 House: Enrolled Bill communicated to Governor on February 17, 2022                      2/17/2022 Governor: Governor's Action Deadline 11:59 p.m., February 24, 2022</p>	<p><b>2/8/2022</b></p>
<p><b>Support</b> (22101098D)  <b>Summary:</b> Polling places; location requirements; waiver in certain circumstances. Provides that in the event that there is no suitable building that could be used for a polling place within a precinct or within one mile of the precinct boundary, the general registrar or the governing body of the locality may request from the Department of Elections a waiver to establish a polling place that does not meet the location requirements. The bill provides that the Department shall grant such a waiver and may impose any conditions on the waiver that it deems necessary or appropriate to ensure accessibility and security of the polling place and compliance with any other requirements of state or federal law.</p>		
<p><a href="#"><b>HB 389</b></a> - Bulova (37) Early childhood care and education; regional entities, Child Care Subsidy Program Overpayment Fund.</p>	<p>1/11/2022 House: Referred to Committee on Education                      2/2/2022 House: Subcommittee recommends reporting (8-Y 0-N)                      2/2/2022 House: Subcommittee recommends referring to Committee on Appropriations                      2/7/2022 House: Reported from Education (16-Y 6-N)                      2/7/2022 House: Referred to Committee on Appropriations                      2/9/2022 House: Subcommittee recommends reporting (8-Y 0-N)                      2/9/2022 House: Reported from Appropriations (22-Y 0-N)                      2/15/2022 House: Read third time and passed House (68-Y 31-N)                      2/16/2022 Senate: Referred to Committee on Education and Health</p>	<p>[2/11/2022]</p>

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Bills	General Assembly Actions	Date of BOS Position
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[Support] (22104067D)

**Summary:** Early childhood care and education; regional entities; Child Care Subsidy Program Overpayment Fund established. Requires the Board of Education to establish a system of regional entities that will be responsible for coordinating early childhood care and education services, guiding quality improvement of such services and coordinated access to such services for families, and implementing the uniform measurement and improvement system. The bill establishes the Child Care Subsidy Program Overpayment Fund, consisting of all overpayment moneys collected or recovered by the Department of Education or any state or local agency contracted to administer the Child Care Subsidy Program, net of any refunds due to the federal government, to be used solely for the purpose of covering the cost of providing training and supports to early childhood care and education entities.

**HB 437** - Bulova (37)  
Localities; public meeting during state project planning phase.

1/11/2022 House: Referred to Committee on Counties, Cities and Towns  
1/27/2022 House: Subcommittee recommends reporting (9-Y 0-N)  
1/28/2022 House: Reported from Counties, Cities and Towns (22-Y 0-N)  
2/3/2022 House: Read third time and passed House Block Vote (99-Y 0-N)  
2/3/2022 House: Reconsideration of passage agreed to by House  
2/3/2022 House: Passed House (100-Y 0-N)  
2/4/2022 Senate: Referred to Committee on Local Government

**1/25/2022**

**Support** (22101502D)

**Summary:** Localities; public meeting; state project planning phase. Allows a locality the option to request a public meeting in the locality during the planning phase of a public facilities state project from the state agency or institution of higher education responsible for such project.

**HB 444** - Bennett-Parker (45)  
Virginia Freedom of Information Act; meetings conducted through electronic meetings.

1/11/2022 House: Referred to Committee on General Laws  
1/25/2022 House: Subcommittee recommends reporting (8-Y 0-N)  
1/27/2022 House: Reported from General Laws (22-Y 0-N)  
2/2/2022 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)  
2/3/2022 Senate: Referred to Committee on General Laws and Technology

**2/8/2022**

**Support** (22104056D)

**Summary:** Amends existing provisions concerning electronic meetings by keeping the provisions for electronic meetings held in response to declared states of emergency, repealing the provisions that are specific to regional and state public bodies, and allowing public bodies to conduct all-virtual public meetings where all of the members who participate do so remotely and that the public may access through electronic communications means. Definitions, procedural requirements, and limitations for all-virtual public meetings are set forth in the bill, along with technical amendments.

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><u>HB 445</u></a> - Murphy (34) High-speed broadband service; expanding to new residential &amp; commercial development.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities and Towns (HCCT) 2/3/2022 House: Subcommittee recommends reporting with substitute (8-Y 1-N) 2/4/2022 House: Reported from HCCT with substitute (21-Y 1-N) 2/10/2022 House: Read third time and passed House (99-Y 0-N) 2/11/2022 Senate: Referred to Committee on Commerce and Labor</p>	<p><b>2/8/2022</b></p>
<p><b>Support</b> (22103045D) - See also SB 446 (Boysko). <b>Summary:</b> Broadband service; new residential and commercial development; stakeholder advisory group. Provides that the Department of Housing and Community Development (the Department) shall convene a stakeholder advisory group for the purpose of evaluating local and state policies, procedures, or ordinances to facilitate the expansion of high-speed broadband service and associated infrastructure in new residential and commercial development. The stakeholder advisory group shall be composed of representatives from the commercial and residential land development and construction industry, local government, high-speed broadband providers, and other stakeholders as determined by the Department and shall report its findings and recommendations to the Broadband Advisory Council no later than September 30, 2022.</p>		
<p><a href="#"><u>HB 482</u></a> - Austin (19) Commonwealth Transportation Board; performance standards for review of certain plans.</p>	<p>1/11/2022 House: Referred to Committee on Transportation 1/25/2022 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 1/27/2022 House: Reported from Transportation with amendment(s) (22-Y 0-N) 2/2/2022 House: Read third time and passed House (98-Y 0-N) 2/3/2022 Senate: Referred to Committee on Transportation 2/17/2022 Senate: Reported from Transportation (15-Y 0-N)</p>	<p><b>2/8/2022</b></p>
<p><b>Support</b> (22104104D) <b>Summary:</b> Directs the Department of Transportation to adopt performance standards for the review and approval of subdivision and commercial development plans by January 1, 2025. The bill requires the Department to submit a report on such standards to the Chairman of the Commonwealth Transportation Board and to make such standards available for public view on the Department's website, updated quarterly.</p>		
<p><a href="#"><u>HB 731</u></a> - Ward (92) Juvenile law-enforcement records; inspection of records.</p>	<p>1/11/2022 House: Referred to Committee for Courts of Justice 2/4/2022 House: Subcommittee recommends reporting (8-Y 0-N) 2/7/2022 House: Reported from Courts of Justice (20-Y 0-N) 2/11/2022 House: Read third time and passed House (99-Y 0-N) 2/14/2022 Senate: Referred to Committee on the Judiciary</p>	<p><b>1/25/2022</b></p>
<p><b>Support</b> (22103598D) - See also SB 149 (Norment). <b>Summary:</b> Juvenile law-enforcement records; inspection. Provides that a juvenile, the parent, guardian, or other custodian of the juvenile, and counsel for the juvenile may inspect a law-enforcement record concerning such juvenile if (i) no other law requires or allows withholding of the record; (ii) the parent, guardian, or other custodian requesting the record is not a suspect, offender, or person of interest in the record; and (iii) any identifying information of any other involved juveniles is redacted.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><u>HB 1065</u></a> - Krizek (44) Manufactured home lot rental agreements and public notices; work group to develop sample documents.</p>	<p>1/12/2022 House: Referred to Committee on General Laws 2/3/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/8/2022 House: Reported from General Laws with substitute (21-Y 1-N) 2/14/2022 House: Read third time and passed House (70-Y 30-N) 2/16/2022 Senate: Referred to Committee on General Laws and Technology</p>	<p><b>1/25/2022</b></p>
<p><b>Support</b> (22102276D) - Board has historically supported. <b>Summary:</b> Department of Housing and Community Development; manufactured home parks; sample documents. Directs the Department of Housing and Community Development to convene a work group consisting of representatives from the Virginia Housing Development Authority, manufactured home park owners and residents, attorneys with relevant expertise, and other relevant stakeholders for the purposes of developing a sample manufactured home lot rental agreement and sample manufactured home park notices regarding an intent to sell.</p>		
<p><a href="#"><u>HB 1225</u></a> - Bulova (37) Energy performance-based contracts; roof replacement.</p>	<p>1/19/2022 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/7/2022 House: Subcommittee recommends reporting (10-Y 0-N) 2/9/2022 House: Reported from Agriculture, Chesapeake and Natural Resources (21-Y 0-N) 2/15/2022 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/16/2022 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources</p>	<p><b>1/25/2022</b></p>
<p><b>Support</b> (22103378D) - See also SB 13 (Favola). <b>Summary:</b> Allows a roof replacement to be a part of a larger energy performance-based contract, when the roof replacement is necessary for the completion of the other conservation or efficiency measures. Current law excludes roof replacements as part of such projects.</p>		
<p><a href="#"><u>HB 1238</u></a> - Helmer (40) Valluvar Way; designating Brentwall Drive in Fairfax County.</p>	<p>1/19/2022 House: Referred to Committee on Transportation 2/1/2022 House: Reported from Transportation with amendment(s) (22-Y 0-N) 2/7/2022 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/8/2022 Senate: Referred to Committee on Transportation 2/17/2022 Senate: Reported from Transportation (15-Y 0-N)</p>	<p><b>2/8/2022</b></p>
<p><b>Support</b> (22104412D) <b>Summary:</b> Valluvar Way. Designates Brentwall Drive in Fairfax County as "Valluvar Way."</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>HB 1325</b></a> - Reid (32) Local governments; additional powers, Commercial Property Assessed Clean Energy financing programs.</p>	<p>1/21/2022 House: Referred to Committee on Counties, Cities and Towns 2/10/2022 House: Subcommittee recommends reporting with substitute (8-Y 1-N) 2/11/2022 House: Reported from Counties, Cities and Towns with substitute (18-Y 4-N) 2/15/2022 House: Read third time and passed House (72-Y 28-N) 2/16/2022 Senate: Referred to Committee on Local Government</p>	<p>[2/11/2022]</p>
<p>[Support] (22105767D-H1) <b>Summary:</b> General Powers of local governments; additional powers; Commercial Property Assessed Clean Energy (C-PACE) financing programs. Changes the existing authorization for local governments to finance, by ordinance, clean energy, resiliency, and stormwater management programs to authorize the financing of eligible improvements to eligible properties, as defined in the bill, under C-PACE loan programs. The bill allows localities to delegate billing, collection, and remittance of C-PACE loan payments to a third party.</p>		
<p><a href="#"><b>SB 3</b></a> - Suetterlein (19) Voting systems; reporting absentee results by precinct, definitions.</p>	<p>11/22/2021 Senate: Referred to Committee on Privileges and Elections 2/1/2022 Senate: Incorporates SB306 (Deeds) 2/1/2022 Senate: Reported from Privileges and Elections with substitute (15-Y 0-N) 2/1/2022 Senate: Re-referred to Finance and Appropriations 2/8/2022 Senate: Reported from Finance and Appropriations (16-Y 0-N) 2/10/2022 Senate: Passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Privileges and Elections</p>	<p>[2/11/2022] <b>1/25/2022</b></p>
<p>[Support] (22106024D-S1) - Bill has been amended to remove requirement to separate ballots by precinct. <del>Amend (22100577D) – Amend to remove requirements to separate ballots by precinct. Conform language to HB 441/SB 306. See also HB 54 (Greenhalgh), HB 398 (Freitas), and HB 927 (Robinson).</del> <b>Summary:</b> Elections; voting systems; reporting absentee results by precinct. Includes in the definition of "voting system" on-demand ballot printing systems and ballot marking devices used to manufacture or mark ballots to be cast by voters on electronic voting and counting machines. The bill also requires general registrars to report to the Department of Elections the number and results of absentee ballots cast by voters assigned to each precinct in the registrar's locality. The Department is directed by the bill to establish standards for ascertaining and reporting such information. This bill incorporates SB 306.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 13</u></b> - Favola (31) Energy performance-based contracts; roof replacement.</p>	<p>12/19/2021 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/18/2022 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (12-Y 0-N 1-A) 1/18/2022 Senate: Re-referred to General Laws and Technology 2/2/2022 Senate: Reported from General Laws and Technology (14-Y 1-N) 2/8/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources</p>	<p><b>1/25/2022</b></p>
<p><b>Support</b> (22101604D) - See also HB 1225 (Bulova). <b>Summary:</b> Requires the acquisition of a roofing subcontractor through competitive negotiation if a contracting entity enters into an energy performance-based contract that involves roof replacement. Current law prohibits the inclusion of a roof replacement project as part of an energy performance-based contract.</p>		
<p><b><u>SB 47</u></b> - Locke (2) Income tax, state; housing opportunity tax credits.</p>	<p>12/29/2021 Senate: Referred to Committee on Finance and Appropriations 2/10/2022 Senate: Reported from Finance and Appropriations with substitute (16-Y 0-N) 2/14/2022 Senate: Passed Senate (40-Y 0-N) 2/18/2022 House: Referred to Committee on Finance</p>	<p>[2/11/2022]</p>
<p>[Support] (22101688D) - Board has historically supported. <b>Summary:</b> Income tax; housing opportunity tax credits. Increases the aggregate annual limit on housing opportunity tax credits from \$15 million to the sum of (i) \$150 million, (ii) the amount by which the allocation for the previous year exceeds credits actually reserved in that year, and (iii) the amount of credits recaptured or disallowed for the previous year. The bill removes the credit's sunset, which under current law is January 1, 2026; however, the Virginia Housing Development Authority (the Authority), which administers the credit, would be authorized to reserve credits only for fiscal years beginning in January 1, 2021, but before January 1, 2026.</p>		
<p><b><u>SB 148</u></b> - Norment, Jr. (3) Public health emergencies; expands immunity for health care providers.</p>	<p>1/9/2022 Senate: Referred to Committee on the Judiciary 2/9/2022 Senate: Reported from Judiciary with substitute (11-Y 3-N) 2/14/2022 Senate: Read third time and passed Senate (36-Y 4-N)</p>	<p><b>2/8/2022</b> <b>1/25/2022</b></p>
<p><b>Support</b> (22102585D) <del><b>Monitor</b></del> (22102585D) <b>Summary:</b> Public health emergencies; immunity for health care providers; emergency. Expands immunity provided to health care providers responding to a disaster to include actions or omissions taken by the provider as directed by any order of public health in response to such disaster when a local emergency, state of emergency, or public health emergency has been declared. The bill contains an emergency clause.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>SB 149</b></a> - Norment, Jr. (3) Juvenile law-enforcement records; inspection of records.</p>	<p>1/9/2022 Senate: Referred to Committee on the Judiciary 1/19/2022 Senate: Reported from Judiciary (15-Y 0-N) 1/25/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee for Courts of Justice</p>	<p><b>1/25/2022</b></p>
<p><b>Support</b> (22103601D) - See also HB 731 (Ward). <b>Summary:</b> Juvenile law-enforcement records; inspection. Provides that a juvenile, the parent, guardian, or other custodian of the juvenile, and counsel for the juvenile may inspect a law-enforcement record concerning such juvenile if (i) no other law requires or allows withholding of the record; (ii) the parent, guardian, or other custodian requesting the record is not a suspect, offender, or person of interest in the record; and (iii) any identifying information of any other involved juveniles is redacted.</p>		
<p><a href="#"><b>SB 273</b></a> - Ebbin (30) Absentee voting; verification by social security number or unique identifier.</p>	<p>1/11/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Reported from Privileges and Elections with substitute (14-Y 0-N 1-A) 1/31/2022 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p><b>1/25/2022</b></p>
<p><b>Support</b> (22100443D) <b>Summary:</b> Elections; absentee voting; verification by social security number or unique identifier in lieu of witness signature. Requires the State Board of Elections to promulgate regulations for providing a unique identifier to any qualified voter who lacks a social security number and provides that such unique identifier can be accepted in place of a social security number for the purposes of voting absentee. The bill makes optional the current absentee ballot witness signature requirement by giving the voter the option to provide the last four digits of the voter's social security number and the voter's date of birth in lieu of a witness signature. The bill clarifies that verification of the required voter affirmation on absentee ballots by the general registrar includes matching any date of birth and last four digits of the social security number or assigned unique identifier provided as part of the voter affirmation against the information in the voter's registration record.</p>		
<p><a href="#"><b>SB 281</b></a> - Ebbin (30) Transit buses; exempts a manufacturer, etc., engaged in distribution from certain requirements.</p>	<p>1/11/2022 Senate: Referred to Committee on Transportation 1/27/2022 Senate: Reported from Transportation with amendments (15-Y 0-N) 2/2/2022 Senate: Read third time and passed Senate (40-Y 0-N)</p>	<p><b>1/25/2022</b></p>
<p><b>Support</b> (22100708D) <b>Summary:</b> Transit buses. Exempts a manufacturer, factory branch, distributor, distributor branch, or factory or distributor representative engaged in the manufacture or distribution of transit buses from the requirements of obtaining a license from the Department of Motor Vehicles to engage in business. The bill also exempts transit buses from dealer's license plate and temporary license plate requirements.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<a href="#">SB 328</a> - Reeves (17) Law-enforcement agencies; acquisition of military property.	1/11/2022 Senate: Referred to Committee on the Judiciary 1/24/2022 Senate: Reported from Judiciary with amendments (14-Y 0-N 1-A) 1/28/2022 Senate: Read third time and passed Senate (39-Y 0-N)	<b>2/8/2022</b> <del>1/25/2022</del>
<p><b>Support</b> (22101125D-E) - Amended to address ammunition. <del><b>Amend</b> (22101125D) – Amend language to include associated ammunition.</del></p> <p><b>Summary:</b> Acquisition of military property by law-enforcement agencies. Changes the limitation on the acquisition or purchase of military property by a law-enforcement agency from firearms of .50 caliber or higher to rifles of .50 caliber or higher and from ammunition of .50 caliber or higher to rifle ammunition of .50 caliber or higher.</p>		
<a href="#">SB 443</a> - Boysko (33) Sealing of offenses; results in a deferred and dismissed disposition or conviction by petition.	1/11/2022 Senate: Referred to Committee on the Judiciary 2/9/2022 Senate: Reported from Judiciary with amendment (11-Y 2-N) 2/14/2022 Senate: Read third time and passed Senate (24-Y 16-N) 2/14/2022 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/14/2022 Senate: Passed Senate (26-Y 14-N)	[2/11/2022]
<p>[Support with Amendment] (22103094D) - Support concept of expungement for certain crimes; sufficient state funding for implementation is essential.</p> <p><b>Summary:</b> Sealing of offenses resulting in a deferred and dismissed disposition or conviction by petition; defendant with a disorder or disability. Provides that a defendant with a disorder or disability, as defined in the bill, may file a petition that requests the sealing of the criminal history record information and court records of a Class 4 felony conviction or deferred and dismissed disposition. Under current law, Class 4 felony convictions or deferred and dismissed dispositions are ineligible to be sealed.</p>		
<a href="#">SB 446</a> - Boysko (33) High-speed broadband service; expanding to new residential & commercial development.	1/11/2022 Senate: Referred to Committee on Commerce and Labor 1/17/2022 Senate: Re-referred to Local Government 2/7/2022 Senate: Reported from Local Government with substitute (14-Y 0-N) 2/10/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Counties, Cities and Towns	<b>2/8/2022</b>
<p><b>Support</b> (22102502D) - See also HB 445 (Murphy).</p> <p><b>Summary:</b> Broadband service; new residential and commercial development. Directs the Department of Housing and Community Development to convene a stakeholder advisory group, assisted by the Department, Broadband Advisory Council, and Commission on Local Government, to evaluate policies, procedures, or ordinances and make recommendations on existing state law to facilitate the expansion of high-speed broadband service and associated infrastructure in new residential and commercial development. The bill provides that the Department shall report its findings and the information and recommendations compiled by the advisory group to the Broadband Advisory Council no later than September 30, 2022.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><b><u>SB 487</u></b> - McClellan (9) Firearm Violence Intervention and Prevention, Virginia Center; established.</p>	<p>1/11/2022 Senate: Referred to Committee on the Judiciary 2/2/2022 Senate: Reported from Judiciary (9-Y 6-N) 2/2/2022 Senate: Re-referred to Finance and Appropriations (SFIN) 2/9/2022 Senate: Reported from SFIN (12-Y 3-N 1-A) 2/14/2022 Senate: Read third time and passed Senate (24-Y 16-N) 2/21/2022 House: Referred to Committee on Public Safety</p>	<p><b>1/25/2022</b></p>
<p><b>Support</b> (22103607D) <b>Summary:</b> Virginia Center for Firearm Violence Intervention and Prevention; Virginia Firearm Violence Intervention and Prevention Fund; creation. Establishes the Virginia Center for Firearm Violence Intervention and Prevention (the Center) within the Department of Criminal Justice Services and transfers to the Center the administration of the existing Virginia Gun Violence Intervention and Prevention Fund.</p>		
<p><b><u>SB 488</u></b> - McClellan (9) Transit Transition Fund and Program; established, report.</p>	<p>1/11/2022 Senate: Referred to Committee on Finance and Appropriations (SFIN) 2/1/2022 Senate: Reported from SFIN with substitute (16-Y 0-N) 2/4/2022 Senate: Read third time and passed Senate (39-Y 0-N)</p>	<p><b>2/8/2022</b></p>
<p><b>Support</b> (22103087D) <b>Summary:</b> Transit Transition Fund and Program; established. Establishes the Transit Transition Fund and Program, administered by the Department of Rail and Public Transportation, to provide grants to state, regional, and local public entities to support the transition of public transit fleets to zero-emission and low-emission fleets. The Director of the Department is directed by the bill to report annually to the Governor and the chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations by November 1 of each year. The bill also directs 7.5 percent of the revenues collected from the tax on sports betting permittees to the Fund, reducing the share of the tax revenue allocated to the general fund.</p>		
<p><b><u>SB 622</u></b> - Favola (31) Recovery residences; disclosure to potential residents that residence is certified.</p>	<p>1/14/2022 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/4/2022 Senate: Reported from SRSS with substitute (15-Y 0-N) 2/9/2022 Senate: Read third time and passed Senate (37-Y 0-N 1-A) 2/9/2022 Senate: Reconsideration of passage agreed to by Senate (37-Y 0-N) 2/9/2022 Senate: Passed Senate (38-Y 0-N) 2/21/2022 House: Referred to Committee on Counties, Cities and Towns</p>	<p>[2/11/2022]</p>
<p>[Support] (22105949D-S1) <b>Summary:</b> Certified recovery residences. Requires every person who operates a recovery residence to disclose to potential residents whether the recovery residence is a certified recovery residence and, if so, the credentialing entity. If the credentialing entity is the National Alliance for Recovery Residences, the bill requires the recovery residence to disclose the level of support provided by the recovery residence and, if the credentialing entity is Oxford House, Inc., the bill requires the recovery residence to disclose that the recovery residence is self-governed and unstaffed. The bill also requires the Department of Behavioral Health and Developmental Services (the Department) to include such information on the list of all certified recovery residences maintained by the Department on its website. The bill exempts certified recovery residences from the provisions of the Virginia Landlord and Tenant Act.</p>		

**Bold** – Indicates BOS formal action  
[ ] Indicates BOS Legislative Committee Action

<b>Bills</b>	<b>General Assembly Actions</b>	<b>Date of BOS Position</b>
<p><b><a href="#">SB 732</a></b> - Lewis, Jr. (6) Climate resilience; locality's comprehensive plan to consider strategies to address.</p>	<p>1/21/2022 Senate: Referred to Committee on Local Government 2/7/2022 Senate: Reported from Local Government (11-Y 0-N 1-A) 2/11/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources</p>	<p><b>2/8/2022</b></p>
<p><b>Support</b> (22104329D) - See also HB 520 (Bulova). <b>Summary:</b> Comprehensive plan; climate resilience. Requires a locality's comprehensive plan to consider strategies to address climate resilience in order to anticipate, prepare for, respond to, and adapt to changing conditions and hazardous events.</p>		

**Bold** – Indicates BOS formal action  
[ ] Indicates BOS Legislative Committee Action



# *Fairfax County Positions*

*(Monitor)*

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Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 272</a> - Marshall, III (14) Local land use approvals; extension of approvals to address the COVID-19 pandemic.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities and Towns 1/27/2022 House: Subcommittee recommends reporting (7-Y 2-N) 1/28/2022 House: Reported from Counties, Cities and Towns (20-Y 2-N) 2/3/2022 House: Read third time and passed House (91-Y 9-N) 2/4/2022 Senate: Referred to Committee on Local Government</p>	<p><b>1/25/2022</b></p>
<p><b>Monitor</b> (22104168D) - See also SB 501 (Lewis). <b>Summary:</b> Extends from July 1, 2022, to July 1, 2023, the sunset date for various local land use approvals that were valid and outstanding as of July 1, 2020. The bill also provides that its provisions shall not be construed to extend previous extensions related to the COVID-19 housing crisis.</p>		
<p><a href="#">HB 450</a> - Bennett-Parker (45) Parking of vehicles; electric vehicle charging spots, civil penalties.</p>	<p>1/11/2022 House: Referred to Committee on Transportation 1/19/2022 House: Subcommittee recommends reporting with amendments (7-Y 0-N) 1/25/2022 House: Reported from Transportation with amendment(s) (20-Y 0-N) 1/31/2022 House: Read third time and passed House (73-Y 24-N) 2/1/2022 Senate: Referred to Committee on Transportation 2/17/2022 Senate: Reported from Transportation (12-Y 3-N)</p>	<p><b>1/25/2022</b></p>
<p><b>Monitor</b> (22102584D) <b>Summary:</b> Parking of vehicles; electric vehicle charging spots; civil penalties. Prohibits a person from parking a vehicle not capable of receiving an electric charge in a space clearly marked as reserved for charging electric vehicles. A violation is subject to a civil penalty of no more than \$50.</p>		
<p><a href="#">HB 616</a> - Roem (13) Zoning appeals, board of; funding.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities and Towns 2/10/2022 House: Subcommittee recommends reporting with amendments (8-Y 1-N) 2/11/2022 House: Reported from Counties, Cities and Towns with amendment(s) (22-Y 0-N) 2/15/2022 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/16/2022 Senate: Referred to Committee on Local Government</p>	<p>[2/11/2022] <b>2/8/2022</b></p>
<p>[Monitor] (HCCT Sub Amendments) - Bill has been amended to address County's concerns. <del>Oppose</del> (22101257D) <b>Summary:</b> Board of zoning appeals; funding. Provides that upon request of the board of zoning appeals (BZA), a governing body shall consider appropriation of funds so that the BZA may employ or contract for secretaries, clerks, legal counsel, consultants, and other technical and clerical services. The bill also provides that if a BZA has needs that surpass the budgeted amount, the governing body shall review the BZA's request. Existing law allows such BZA expenditures "within the limits of funds appropriated by the governing body."</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 648</a> - Kory (38) Comprehensive plan; public hearing.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities and Towns 2/10/2022 House: Subcommittee recommends reporting with amendments (8-Y 1-N) 2/11/2022 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N) 2/15/2022 House: Read third time and passed House (100-Y 0-N) 2/16/2022 Senate: Referred to Committee on Local Government</p>	<p>[2/11/2022] <b>2/8/2022</b></p>
<p>[Monitor] (22106527D-H1) - Bill has been amended to address County's concerns. <b>Oppose</b> (22103147D) <b>Summary:</b> Comprehensive plan; substantial accord; parks. Clarifies provisions related to whether certain public facilities are substantially in accord with the adopted comprehensive plan by adding parks to the types public uses that may, with certain types of land use applications, be excepted from the requirement for submittal to and approval by the planning commission or the governing body for the purpose of determining substantial accord.</p>		
<p><a href="#">HB 793</a> - LaRock (33) Traffic incident management vehicle; definition, vehicle may be equipped w/secondary warning lights.</p>	<p>1/11/2022 House: Referred to Committee on Transportation 1/25/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/27/2022 House: Reported from Transportation with substitute (22-Y 0-N) 2/2/2022 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/3/2022 Senate: Referred to Committee on Transportation 2/17/2022 Senate: Reported from Transportation with amendment (10-Y 5-N)</p>	<p><b>1/25/2022</b></p>
<p><b>Monitor</b> (22102735D) - Board has historically monitored. See also SB 450 (Boysko). <b>Summary:</b> Traffic incident management vehicles. Allows traffic incident management vehicles, defined in the bill, operated by persons who meet certain training requirements, to a list of vehicles allowed to be equipped with flashing red or red and white secondary warning lights, which can be used when responding to traffic incidents.</p>		
<p><a href="#">HB 895</a> - Kilgore (1) Elections; local electoral boards &amp; general registrars to perform certain risk-limiting audits, etc.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections 2/9/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/11/2022 House: Reported from Privileges and Elections with substitute (22-Y 0-N) 2/15/2022 House: Read third time and passed House (100-Y 0-N) 2/16/2022 Senate: Referred to Committee on Privileges and Elections</p>	<p><b>2/8/2022</b></p>
<p><b>Monitor</b> (22104191D) - See also SB 370 (Bell). <b>Summary:</b> Elections; conduct of election; election results; risk-limiting audits. Requires local electoral boards and general registrars to perform certain risk-limiting audits, defined in the bill, under the supervision of the Department of Elections and in accordance with the procedures prescribed by the State Board of Elections. The bill provides that localities are required to participate in such audits at least once every five years. The bill also provides that the Department shall submit a report on the results of such audits to the State Board. The</p>		

Bills	General Assembly Actions	Date of BOS Position
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provisions of the bill requiring that such audits be conducted (i) for at least one randomly selected contested race for the General Assembly in the year of a general election for members of the General Assembly and (i) for any other contested race that is necessary to ensure that each locality participates in a risk-limiting audit of an office within its jurisdiction at least once every five years or that the State Board finds appropriate has a delayed effective date of July 1, 2023. The provision of the bill requiring that such audits be conducted for at least one randomly selected contested race for an office that requires certification by the State Board in the year of general election for any local office has a delayed effective date of July 1, 2024.

**HB 1131** - Williams (9)  
Virginia Code Commission; work group to review public notices required to be published.

1/12/2022 House: Referred to Committee on Rules  
2/7/2022 House: Subcommittee recommends reporting (6-Y 0-N)  
2/7/2022 House: Subcommittee recommends referring to Committee on Appropriations  
2/8/2022 House: Reported from Rules (18-Y 0-N)  
2/8/2022 House: Referred to Committee on Appropriations  
2/9/2022 House: Subcommittee recommends reporting (7-Y 0-N)  
2/9/2022 House: Reported from Appropriations (22-Y 0-N)  
2/15/2022 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)  
2/16/2022 Senate: Referred to Committee on Rules

1/25/2022

**Monitor** (22104386D) - See also SB 417 (Stanley).

**Summary:** Virginia Code Commission; work group to review public notices required to be published by localities. Directs the Virginia Code Commission to convene a work group to review requirements throughout the Code of Virginia for localities to provide public notice for intended actions and events, including (i) the varying frequency for publishing notices in newspapers and other print media, (ii) the number of days required to elapse between the publications of notices, and (iii) the amount of information required to be contained in each notice, and make recommendations for uniformity and efficiency. The bill requires the Commission to submit a report to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology summarizing the work and any recommendations of the work group by November 1, 2022.

**HB 1290** - Hayes, Jr. (77)  
Public bodies; security of government databases and data communications, report.

1/20/2022 House: Referred to Committee on Communications, Technology and Innovation  
1/31/2022 House: Reported from Communications, Technology and Innovation with amendment(s) (19-Y 2-N)  
2/4/2022 House: Committee on Communications, Technology and Innovation amendment rejected  
2/4/2022 House: Substitute by Delegate Hayes agreed to 22106070D-H1  
2/7/2022 House: Read third time and passed House (93-Y 7-N)  
2/8/2022 Senate: Referred to Committee on Rules

[2/11/2022]

[Monitor] (22106070D-H1) - See also SB 764 (Barker).

**Summary:** Public bodies; security of government databases and data communications. Requires every public body to report to the Chief Information Officer (CIO) all known incidents that threaten the security of the Commonwealth's data or communications or result in exposure of data protected by federal or state laws and all other incidents compromising the security of the public body's information technology systems with the potential to cause major disruption to normal activities of the public body or other public bodies. The bill requires such reports to be made to the CIO within 24 hours from when the incident was discovered.

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HJ 59</a> - Wampler III (4) Uniform electronic filing system; studying feasibility of establishing for various courts.</p>	<p>1/11/2022 House: Referred to Committee on Rules 2/7/2022 House: Subcommittee recommends reporting (6-Y 0-N) 2/8/2022 House: Reported from Rules (18-Y 0-N) 2/11/2022 House: Agreed to by House BLOCK VOTE (96-Y 0-N) 2/14/2022 Senate: Referred to Committee on Rules</p>	<p>[2/11/2022]</p>
<p>[Monitor] (22101187D) <b>Summary:</b> Study; OES to study feasibility of establishing a uniform electronic filing system for all state circuit, general district, and juvenile and domestic relations courts and provide a plan for the establishment of such system; report. Requests the Office of the Executive Secretary of the Supreme Court of Virginia to (i) determine the cost of the creation and implementation of a uniform filing system for all state circuit, general district, and juvenile and domestic relations district courts; (ii) identify any potential challenges of and concerns relating to establishing a statewide electronic filing system, such as Internet availability in certain parts of the state, balancing accessibility and transparency while maintaining confidentiality as required for certain cases, security concerns, system failure or outages, and training for users of the system, and determine possible solutions for identified concerns; (iii) analyze the current federal electronic filing system and plans implemented in other states to determine best practices for developing and implementing a statewide system for all circuit and district courts in the Commonwealth; and (iv) develop a plan for the establishment of a uniform electronic filing system in all circuit and district courts in the Commonwealth.</p>		
<p><a href="#">SB 172</a> - Peake (22) County boards of supervisors; salaries.</p>	<p>1/10/2022 Senate: Referred to Committee on Local Government 1/17/2022 Senate: Reported from Local Government with amendments (15-Y 0-N) 1/20/2022 Senate: Read third time and passed Senate (39-Y 1-N)</p>	<p>[2/11/2022]</p>
<p>[Monitor] (22102602D-E) <b>Summary:</b> Requires county boards of supervisors, prior to July 1 of each year, to set a maximum annual compensation, which will become effective as of January 1 of the year following the next regularly scheduled elections.</p>		
<p><a href="#">SB 246</a> - Surovell (36) Law-enforcement officer; purpose of traffic stop.</p>	<p>1/11/2022 Senate: Referred to Committee on Transportation 1/20/2022 Senate: Reported from Transportation (8-Y 6-N 1-A) 1/27/2022 Senate: Read third time and passed Senate (21-Y 19-N)</p>	<p><b>1/25/2022</b></p>
<p><b>Monitor</b> (22103627D) <b>Summary:</b> Provides that the operator of a motor vehicle, trailer, or semitrailer that has stopped on the signal of any law-enforcement officer shall exhibit his registration card, learner's permit, or temporary driver's permit for the purpose of establishing his identity upon being advised of the purpose of the stop within a reasonable time by the law-enforcement officer. Current law requires that such materials be exhibited upon the law-enforcement officer's request.</p>		
<p><a href="#">SB 251</a> - Surovell (36) Northern Virginia Transportation Authority; funds for pedestrian and bicyclist projects.</p>	<p>1/11/2022 Senate: Referred to Committee on Local Government 1/31/2022 Senate: Reported from Local Government with substitute (15-Y 0-N) 1/31/2022 Senate: Re-referred to Finance and Appropriations (SFIN) 2/8/2022 Senate: Reported from SFIN (15-Y 1-N) 2/11/2022 Senate: Read third time and passed Senate (35-Y 4-N 1-A)</p>	<p>[2/11/2022] <b>1/25/2022</b></p>

Bills	General Assembly Actions	Date of BOS Position
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[Monitor] (22105456D-S1) - Bill has been amended to address County's concerns. **Oppose** (22104193D)  
**Summary:** Northern Virginia Transportation Authority; pedestrian and bicyclist projects. Directs the Department of Transportation to convene a work group, which includes certain specified parties, to assess and identify projected pedestrian, bicycling, and traffic infrastructure needs and associated budgeting and funding needs. The bill provides that the work group shall submit a report of the gathered information to the Chairmen of the House Committees on Transportation and Appropriations and the Senate Committees on Transportation and Finance and Appropriations no later than October 1, 2022.

**SB 268** - Favola (31)  
 Emergency custody and temporary detention; transportation, transfer of custody, alternative custody.

1/11/2022 Senate: Referred to Committee on Education and Health  
 2/3/2022 Senate: Reported from Education and Health with substitute (15-Y 0-N)  
 2/3/2022 Senate: Re-referred to Finance and Appropriations  
 2/8/2022 Senate: Incorporates SB176 (Peake)  
 2/8/2022 Senate: Incorporates SB650 (Hanger)  
 2/8/2022 Senate: Incorporates SB682 (Deeds)  
 2/8/2022 Senate: Reported from Finance and Appropriations with substitute (16-Y 0-N)  
 2/10/2022 Senate: Committee on Education and Health substitute rejected 22104684D-S1  
 2/10/2022 Senate: Committee on Finance and Appropriations substitute rejected 22106256D-S2  
 2/10/2022 Senate: Substitute by Senator Favola agreed to 22106457D-S3  
 2/10/2022 Senate: Passed Senate (40-Y 0-N)

2/8/2022

**Monitor** (22103833D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper.

**Summary:** Emergency custody and temporary detention; transportation; transfer of custody. Requires a magistrate to consider all alternative transportation options when designating the person who will provide transportation for a person subject to an emergency custody order, and provides that the magistrate shall only designate the local law enforcement agency as the transportation provider if no alternative transportation provide is available. The bill provides that in cases in which transportation is provided by an alternative transportation provider designated in an emergency custody order or a temporary detention order, the law enforcement officer who executed the order may transfer custody of the person to the alternative transportation provider immediately upon execution of the order. The bill also provides that when a state hospital is designated as the facility of temporary detention, the state hospital may designate an available alternative transportation provider to assume custody of the person who is the subject of the temporary detention order and transport the person to the state hospital. The bill also requires the Department of Behavioral Health and Developmental Services to amend its existing contract for the provision of alternative transportation of a person who is subject to an emergency custody or temporary detention order to ensure sufficient availability of sufficient staff to take custody of and transport person subject to emergency custody and temporary detention orders in accordance with the provisions of the bill.



Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">SB 278</a> - Ebbin (30) Parking of vehicles; electric vehicle charging spots, signage for tow-away zone, civil penalties.</p>	<p>1/11/2022 Senate: Referred to Committee on Transportation 1/13/2022 Senate: Reported from Transportation (12-Y 2-N) 1/19/2022 Senate: Read third time and passed Senate (28-Y 12-N) 2/21/2022 House: Referred to Committee on Transportation</p>	<p><b>1/25/2022</b></p>
<p><b>Monitor</b> (22101360D) <b>Summary:</b> Parking of vehicles; electric vehicle charging spots; civil penalties. Prohibits a person from parking a vehicle not capable of receiving an electric charge in a space reserved for charging electric vehicles provided that appropriate signage is posted. A violation is subject to a civil penalty of not less than \$100 nor more than \$250, and the vehicle may be towed or impounded.</p>		
<p><a href="#">SB 370</a> - Bell (13) Elections; local electoral boards &amp; general registrars to perform certain risk-limiting audits, etc.</p>	<p>1/11/2022 Senate: Referred to Committee on Privileges and Elections 2/1/2022 Senate: Reported from Privileges and Elections with substitute (10-Y 5-N) 2/1/2022 Senate: Re-referred to Finance and Appropriations 2/8/2022 Senate: Reported from Finance and Appropriations (16-Y 0-N) 2/11/2022 Senate: Read third time and passed Senate (25-Y 14-N 1-A) 2/21/2022 House: Referred to Committee on Privileges and Elections</p>	<p><b>2/8/2022</b></p>
<p><b>Monitor</b> (22104252D) - See also HB 895 (Kilgore). <b>Summary:</b> Elections; conduct of election; election results; risk-limiting audits. Requires local electoral boards and general registrars to perform certain risk-limiting audits, defined in the bill, under the supervision of the Department of Elections and in accordance with the procedures prescribed by the State Board of Elections with a risk limit of at least 10 percent. The bill provides that localities are required to participate in such audits at least once every five years. The bill also provides that the Department shall submit a report on the results of such audits to the State Board. The provisions of the bill requiring that such audits be conducted (i) for at least one randomly selected contested race for the General Assembly in the year of a general election for members of the General Assembly and (ii) for any other contested race that is necessary to ensure that each locality participates in a risk-limiting audit of an office within its jurisdiction at least once every five years or that the State Board finds appropriate has a delayed effective date of July 1, 2023. The provision of the bill requiring that such audits be conducted for at least one randomly selected contested race for an office that requires certification by the State Board in the year of general election for any local office has a delayed effective date of July 1, 2024. The bill also requires the Department to convene a work group to consider and propose a process and timeline for implementing risk-limiting audits of statewide contests.</p>		
<p><a href="#">SB 417</a> - Stanley, Jr. (20) Virginia Code Commission; work group to review public notices required to be published.</p>	<p>1/11/2022 Senate: Referred to Committee on Rules 1/28/2022 Senate: Reported from Rules (13-Y 0-N) 2/2/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Rules</p>	<p><b>1/25/2022</b></p>

Bills	General Assembly Actions	Date of BOS Position
<p><b>Monitor</b> (22102649D) - See also HB 1131 (Williams).  <b>Summary:</b> Virginia Code Commission; work group to review public notices required to be published by localities. Directs the Virginia Code Commission to convene a work group to review requirements throughout the Code of Virginia for localities to provide public notice for intended actions and events, including (i) the varying frequency for publishing notices in newspapers and other print media, (ii) the number of days required to elapse between the publications of notices, and (iii) the amount of information required to be contained in each notice, and make recommendations for uniformity and efficiency. The bill requires the Commission to submit a report to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology summarizing the work and any recommendations of the work group by November 1, 2022.</p>		
<p><a href="#">SB 450</a> - Boysko (33)  Traffic incident management vehicles; certain vehicles exempt when en route to scene of an accident.</p>	<p>1/11/2022 Senate: Referred to Committee on Transportation  1/27/2022 Senate: Reported from Transportation with amendment (10-Y 3-N)  2/2/2022 Senate: Read third time and passed Senate (30-Y 10-N)</p>	<p>1/25/2022</p>
<p><b>Monitor</b> (22100453D) - Board has historically monitored. See also HB 793 (LaRock).  <b>Summary:</b> Traffic incident management vehicles. Allows traffic incident management vehicles, defined in the bill, operated by persons who meet certain training requirements, to a list of vehicles allowed to be equipped with flashing red or red and white secondary warning lights, which can be used when responding to traffic incidents.</p>		
<p><a href="#">SB 501</a> - Lewis, Jr. (6)  Local land use approvals; extension of approvals to address the COVID-19 pandemic.</p>	<p>1/12/2022 Senate: Referred to Committee on Local Government  1/31/2022 Senate: Reported from Local Government (15-Y 0-N)  2/3/2022 Senate: Read third time and passed Senate (40-Y 0-N)  2/21/2022 House: Referred to Committee on Counties, Cities and Towns</p>	<p>1/25/2022</p>
<p><b>Monitor</b> (22103949D) - See also HB 272 (Marshall).  <b>Summary:</b> Extends from July 1, 2022, to July 1, 2023, the sunset date for various local land use approvals that were valid and outstanding as of July 1, 2020. The bill also provides that its provisions shall not be construed to extend previous extensions related to the COVID-19 housing crisis.</p>		
<p><a href="#">SB 593</a> - Newman (23)  Emergency custody or temporary detention order; custody and transportation of persons, etc.</p>	<p>1/12/2022 Senate: Referred to Committee on Education and Health  2/3/2022 Senate: Reported from Education and Health with amendments (15-Y 0-N)  2/3/2022 Senate: Re-referred to Finance and Appropriations  2/8/2022 Senate: Reported from Finance and Appropriations (16-Y 0-N)  2/10/2022 Senate: Passed Senate (40-Y 0-N)</p>	<p>2/8/2022</p>
<p><b>Monitor</b> (22104326D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper.  <b>Summary:</b> Custody and transportation of persons subject to emergency custody or temporary detention order; alternative custody; auxiliary police officers. Allows auxiliary police officers to execute emergency custody orders and provide transportation for a person subject to an emergency custody or temporary detention order; adds an employee or designee of the Department of Behavioral Health and Developmental Services to the list of persons who may provide alternative transportation of a person who is subject to an emergency custody or temporary detention order; and provides that, in cases in which transportation of a person subject to an emergency custody</p>		



Bills	General Assembly Actions	Date of BOS Position
<p>order or temporary detention order is ordered to be provided by an alternative transportation provider, the primary law-enforcement agency that executes the order may transfer custody of the person to the alternative transportation provider immediately upon execution of the order, and that the alternative transportation provider shall maintain custody of the person from the time custody is transferred to the alternative transportation provider by the primary law-enforcement agency until such time as an evaluated is completed and custody of the person is transferred pursuant to a temporary detention order or the person is released upon a determination that the person does not meet the criteria for temporary detention. The bill also directs the Department of Criminal Justice Services to establish compulsory minimum training standards for auxiliary police officers who are called into service solely for the purpose of executing emergency custody orders and providing transportation for such person subject to an emergency custody order or providing transportation for a person in the temporary detention process.</p>		
<p><a href="#">SB 708</a> - Marsden (37) Driving Decarbonization Program and Fund; created.</p>	<p>1/21/2022 Senate: Referred to Committee on Transportation 2/3/2022 Senate: Reported from Transportation (9-Y 4-N 2-A) 2/3/2022 Senate: Re-referred to Finance and Appropriations (SFIN) 2/10/2022 Senate: Reported from SFIN (14-Y 1-N) 2/15/2022 Senate: Passed Senate (26-Y 14-N) 2/21/2022 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources</p>	<p>2/8/2022</p>
<p><b>Monitor</b> (22104355D) - See also HB 351 (Sullivan). <b>Summary:</b> Driving Decarbonization Program and Fund. Establishes a driving decarbonization program and fund to assist developers with non-utility costs associated with the installation of electric vehicle charging stations. A developer would be eligible to grants of 50 to 70 percent of the non-utility costs, depending on where the charging station is located in the Commonwealth. The total amount of grants awarded in a fiscal year is capped at \$20 million, with at least \$5 million in grants reserved for charging stations located in historically economically distressed communities.</p>		
<p><a href="#">SB 730</a> - Lewis, Jr. (6) Jurors; increases the daily compensation.</p>	<p>1/21/2022 Senate: Referred to Committee on the Judiciary 2/2/2022 Senate: Reported from Judiciary (13-Y 0-N) 2/2/2022 Senate: Re-referred to Finance and Appropriations 2/9/2022 Senate: Reported from Finance and Appropriations with amendment (15-Y 0-N) 2/11/2022 Senate: Passed Senate (40-Y 0-N)</p>	<p>[2/11/2022]</p>
<p>[Monitor] (22104517D) <b>Summary:</b> Jurors; compensation. Increases the daily compensation for jurors from \$30 to \$50.</p>		
<p><a href="#">SB 764</a> - Barker (39) Public bodies; security of government databases and data communications.</p>	<p>1/21/2022 Senate: Referred to Committee on General Laws and Technology 2/2/2022 Senate: Reported from General Laws and Technology with amendments (13-Y 0-N 1-A) 2/8/2022 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2022 House: Referred to Committee on Communications, Technology and Innovation</p>	<p>[2/11/2022]</p>
<p>[Monitor] (22104425D-E) - See also HB 1290 (Hayes). <b>Summary:</b> Requires every public body to report to the Chief Information Officer (CIO) all known incidents that threaten the security of the Commonwealth's data or communications or result in exposure of data protected by federal or state laws and all other incidents compromising the security of the public body's information technology systems with the potential to cause major disruption to normal activities of the public body or other public bodies. The bill requires such reports to be made to the CIO within 24 hours from when the incident was discovered.</p>		

*Fairfax County Positions*

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*Legislation  
No Longer Under Consideration  
(Continued to 2023)*

Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 778</a> - Williams (9) Monument and memorials; relocation.	1/11/2022 House: Referred to Committee on Counties, Cities and Towns 2/4/2022 House: Subcommittee recommends continuing to 2023 by voice vote 2/11/2022 House: Continued to 2023 in Counties, Cities and Towns by voice vote	2/8/2022
<p><b>Oppose</b> (22102285D)  <b>Summary:</b> Relocation of monument and memorials. Requires a locality that votes to remove, relocate, contextualize, or cover certain war monuments or memorials to initiate a process to gift the monument or memorial to a nonprofit organization that is most related to the mission and spirit of the monument or memorial, at the locality's expense. The bill provides that the placement of the monument or memorial shall be decided by an independent committee and that a majority vote by the committee as to the relocation of the memorial is binding on the locality and shall be carried out within six months from the date of the committee's decision.</p>		
<a href="#">SB 132</a> - Edwards (21) Smoking; local regulation in outdoor parks, recreation facilities, and playgrounds.	1/7/2022 Senate: Referred to Committee on Local Government 1/31/2022 Senate: Continued to 2023 in Local Government (15-Y 0-N)	1/25/2022
<p><b>Support with Amendment</b> (22102261D) - Amend to include Park Authority property. County supports local authority to ban smoking in parks.  <b>Summary:</b> Local regulation of smoking; outdoor parks, recreation facilities, and playgrounds. Allows localities to designate smoking areas within 100 feet of sports fields, recreation centers, and playgrounds in outdoor parks. The bill requires signs regarding designated smoking areas to be posted at the entrances to such parks.</p>		
<a href="#">SB 165</a> - Peake (22) Jails, local; compensation for cost of incarceration.	1/10/2022 Senate: Referred to Committee on Rehabilitation and Social Services 1/21/2022 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 1/21/2022 Senate: Re-referred to Finance and Appropriations 2/2/2022 Senate: Continued to 2023 in Finance and Appropriations (16-Y 0-N)	1/25/2022
<p><b>Support</b> (22102223D) - Board has historically supported. Language in support of state funding for jail costs is included in the County's Legislative Program.  <b>Summary:</b> Compensation of local jails for cost of incarceration. Provides for local jails to be compensated for the actual cost of incarcerating convicted felons at the rate calculated in the Compensation Board's annual jail cost report. Current law provides for jails to be compensated for the cost of incarceration of convicted felons as provided for in the general appropriation act.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#"><b>SB 255</b></a> - Bell (13) Zoning; wireless communications infrastructure, application process.</p>	<p>1/11/2022 Senate: Referred to Committee on Local Government 1/24/2022 Senate: Reported from Local Government with substitute (9-Y 6-N) 1/27/2022 Senate: Recommitted to Local Government 1/31/2022 Senate: Continued to 2023 in Local Government (15-Y 0-N)</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22103784D) <b>Summary:</b> Zoning; wireless communications infrastructure; application process. Provides that in its consideration of certain communications infrastructure applications, a locality shall not disapprove an application if (i) the proposed new structure provides additional wireless coverage or capacity for first responders or (ii) the proposed tower is not within a four-mile radius of an existing tower that is part of the applicant's network. Additional changes in the bill provide that a locality shall not be prohibited from disapproving certain applications for any zoning approval required for non-administrative review-eligible projects on the basis of the fact that the proposed height of any wireless support structure, wireless facility, or wireless support structure with attached wireless facilities exceeds 200 feet above ground level. Current law sets the limit at 50 feet above ground level.</p>		
<p><a href="#"><b>SB 373</b></a> - Deeds (25) Emergency custody; magistrate may extend custody order, medical testing, observation, or treatment.</p>	<p>1/11/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Continued to 2023 in Education and Health (15-Y 0-N)</p>	<p><b>2/8/2022</b></p>
<p><b>Monitor</b> (22101375D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper. <b>Summary:</b> Emergency custody; extension; medical testing, observation, or treatment. Provides that a magistrate may, upon the sworn petition of the Commissioner or his designee, issue an order extending an emergency custody order for a period of up to 48 hours upon finding that probable cause exists to believe that the behaviors upon which a finding that the person meets the criteria for emergency custody are the result of a medical or physical condition, including substance intoxication or withdrawal, and that the medical standard of care for such medical or physical condition calls for testing, observation, or treatment to prevent harm to the person resulting from such medical or physical condition. Upon issuance of an order extending the period of emergency custody, the person shall be transported to and detained in an appropriate medical care facility for testing, observation, and treatment.</p>		
<p><a href="#"><b>SB 456</b></a> - Locke (2) Practitioners, licensed; continuing education related to implicit bias and cultural competency.</p>	<p>1/11/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Continued to 2023 in Education and Health (13-Y 2-N)</p>	<p><b>1/25/2022</b></p>
<p><b>Support</b> (22103132D) <b>Summary:</b> Board of Medicine; implicit bias and cultural competency. Requires all practitioners licensed by the Board of Medicine to complete two hours of continuing education in each biennium on topics related to implicit bias and cultural competency.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">SJ 19</a> - Reeves (17) Constitutional amendment; real prop. tax exemption for certain spouses of members of armed forces.</p>	<p>1/11/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Continued to 2023 in Privileges and Elections (15-Y 0-N)</p>	<p><b>1/25/2022</b></p>
<p><b>Amend</b> (22101963D) - Amend to support as a state tax credit; Board has historically recommended amendment. <b>Summary:</b> Constitutional amendment (first reference); real property tax; exemption for certain surviving spouses of members of the armed forces. Authorizes the General Assembly to exempt from tax the real property of a surviving spouse of a member of the armed forces who died in the line of duty while performing official military activities. The amendment provides that such exemption is only available when the death of such member of the armed forces did not result from criminal conduct. The current Constitution exempts the real property of a surviving spouse of a member of the armed forces who was killed in action, a disabled veteran, and the surviving spouse of a disabled veteran.</p>		

# *Fairfax County Positions*

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## *Legislation No Longer Under Consideration*

*(Failed to Report, Incorporated into other Legislation, Tabled, etc.)*

Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 14</a> - Anderson (83) Handguns; limitation on purchases.	12/20/2021 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules	1/25/2022
<p><b>Oppose</b> (22100807D) - Board has historically opposed. See also HB 299 (Freitas) and SB 364 (Reeves).  <b>Summary:</b> Purchase of handguns; limitation on handgun purchases. Removes the prohibition on any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period. Current law makes it a Class 1 misdemeanor for a violation of this provision, subject to certain exemptions.</p>		
<a href="#">HB 15</a> - Ware (65) Elections administration; requests made pursuant to the FOIA, deferment of response.	12/20/2021 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections	1/25/2022
<p><b>Support</b> (22100306D)  <b>Summary:</b> Elections administration; requests made pursuant to the Freedom of Information Act; deferment of response when request received during certain period of time. Allows local electoral boards and general registrars to defer providing a response to a request received under the Freedom of Information Act on or after the first day of in-person absentee voting for any election and before the tenth day following the local electoral board's certification of such election. The bill requires that notice of the deferment be provided to the requestor.</p>		
<a href="#">HB 24</a> - Walker (23) Voter identification; identification containing a photograph required.	12/27/2021 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections	1/25/2022
<p><b>Oppose</b> (22100435D) - Board has historically opposed.  <b>Summary:</b> Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot.</p>		
<a href="#">HB 26</a> - Anderson (83) Firearms; control by localities of possession or carrying.	12/28/2021 House: Referred to Committee on Public Safety 2/15/2022 House: Left in Public Safety	[2/11/2022]
<p>[Oppose] (22100806D) - Board has historically opposed.  <b>Summary:</b> Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 27</a> - Anderson (83) COVID-19 vaccination status; mandatory COVID-19 vaccination prohibited, discrimination prohibited.</p>	<p>12/29/2021 House: Referred to Committee on Health, Welfare and Institutions 2/15/2022 House: Left in Health, Welfare and Institutions</p>	<p>[2/11/2022]</p>
<p>[Oppose] (22100819D) - Board has historically opposed. <b>Summary:</b> COVID-19 vaccination status; mandatory COVID-19 vaccination prohibited; discrimination prohibited. 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 COVID-19 vaccination status with regard to education or public employment and in numerous other contexts.</p>		
<p><a href="#">HB 35</a> - Campbell (24) Absentee voting; excuse required to vote absentee by mail, etc.</p>	<p>12/29/2021 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22102778D) - Board has historically opposed. <b>Summary:</b> Absentee voting; excuse required to vote absentee by mail; excuse required to vote absentee in person prior to the second Saturday preceding an election. Requires a registered voter to provide a reason for being absent or unable to vote at his polling place on election day in order to receive an absentee ballot to vote by mail. Registered voters offering to vote absentee in person are similarly required by the bill to provide a reason until the second Saturday immediately preceding an election, at which time an excuse is not required to vote absentee in person. The bill provides that an application for an absentee ballot is required to receive an absentee ballot by mail and to vote absentee in person before the second Saturday immediately preceding an election. The bill also repeals the permanent absentee voter list and limits the special annual application to those voters with an illness or disability.</p>		
<p><a href="#">HB 36</a> - Campbell (24) Absentee voting; permanent absentee voter list repealed.</p>	<p>12/29/2021 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22102784D) - Board has historically opposed. <b>Summary:</b> Repeals the provisions of law by which any registered voter may apply to receive absentee ballots for all elections in which he is eligible to vote and remains on the list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status pursuant to law, or the voter moves to a different address not in the same county or city of his registration.</p>		
<p><a href="#">HB 37</a> - Anderson (83) School boards; employment of at least one school resource officer in public middle and high school.</p>	<p>12/30/2021 House: Referred to Committee on Education 2/15/2022 House: Left in Education</p>	<p>[2/11/2022]</p>



Bills	General Assembly Actions	Date of BOS Position
<p>[Oppose] (22103455D) - Board has historically opposed.  <b>Summary:</b> School boards; school resource officers; employment; threat assessment. Requires each school board to enter into a collaborative agreement with the local law-enforcement agency to employ at least one school resource officer in each public middle and high school in the local school division and at least one school resource officer per five public elementary schools in the local school division, who is required to serve in each such elementary school on a rotating basis. The bill also requires each division superintendent to include on the threat assessment team established for each public elementary and secondary school in the local school division at least one school resource officer employed in the school.</p>		
<p><a href="#">HB 54</a> - Greenhalgh (85) Absentee voting; ballots to be sorted and results to be reported by precinct.</p>	<p>1/3/2022 House: Referred to Committee on Privileges and Elections  2/4/2022 House: Subcommittee recommends laying on the table (8-Y 0-N)  2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Amend</b> (22102608D) - Amend to remove requirements to separate ballots by precinct. Conform language to HB 441/SB 306. See also HB 398 (Freitas), HB 927 (Robinson), and SB 3 (Suetterlein).  <b>Summary:</b> Elections; absentee voting; ballots to be sorted and results to be reported by precinct. Provides that absentee ballots processed at a central absentee precinct must be sorted by the precinct to which the voter who cast the absentee ballot is assigned and that the resulting vote totals from such ballots must be reported separately for each voter precinct.</p>		
<p><a href="#">HB 75</a> - Ware (65) Localities; restricts authority to impose transient occupancy tax at rate that exceeds five percent.</p>	<p>1/4/2022 House: Referred to Committee on Finance  1/31/2022 House: Subcommittee recommends laying on the table (9-Y 0-N)  2/15/2022 House: Left in Finance</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22101468D) - Board has historically opposed.  <b>Summary:</b> Local taxing authority. Restricts localities from imposing a transient occupancy tax at a rate that exceeds five percent and provides that any tax revenues from a rate of greater than two percent but less than five percent shall be spent solely for tourism-related and travel-related purposes. The bill also lowers the amount of food and beverage tax that counties can impose from six percent to a total of four percent. Under the bill, a county is able to impose a food and beverage tax at up to two percent without restriction, but that would require approval via a referendum in order to impose the tax at four percent.</p>		
<p><a href="#">HB 76</a> - Ware (65) Absentee voting; reimbursement of costs to counties and cities for cost of conducting.</p>	<p>1/4/2022 House: Referred to Committee on Privileges and Elections  1/21/2022 House: Reported from Privileges and Elections (21-Y 0-N)  1/21/2022 House: Referred to Committee on Appropriations  2/15/2022 House: Left in Appropriations</p>	<p>1/25/2022</p>
<p><b>Amend</b> (22102196D) - Amend to add clarifying language that safeguards local control over absentee voting operations and access.  <b>Summary:</b> Absentee voting; reimbursement of costs. Requires the General Assembly to establish in the general appropriation act a reimbursement plan to reimburse counties and cities, fully and annually, for the cost of conducting absentee voting in the locality.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 121</a> - Wyatt (97) Elections; voter identification containing photograph required, etc.</p>	<p>1/7/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22101554D) - Board has historically opposed. <b>Summary:</b> Elections; voter identification containing photograph required; who may register up to and including the day of the election; availability of absentee voting in person; return of absentee ballots. Requires presentation of a form of identification containing a photograph in order to vote and provides that a voter who does not have one of the required forms of identification is entitled to cast a provisional ballot. The bill repeals a provision that would permit any person who is qualified to register to vote to do so in person up to and including the day of the election and limits the persons who are entitled to register to vote after the close of registration records to members of a uniformed service of the United States on active duty, persons who are residing temporarily outside of the United States, and their spouses and dependents. The bill limits the period during which absentee voting in person is available from 45 days to the 10 days immediately preceding the date of the election, including both Saturdays. The bill requires that absentee ballots returned by mail be returned to the office of the general registrar by the close of polls on election day and be postmarked on or before the Saturday preceding the date of the election. The bill eliminates the use of drop-off locations for the return of absentee ballots. The bill requires absentee ballot applications to contain the last four digits of the applicant's social security number and provides that the failure of an absentee ballot to include a witness signature is a material omission, rendering the ballot void.</p>		
<p><a href="#">HB 133</a> - Cherry (66) Firearms or other weapons; possession on school property.</p>	<p>1/7/2022 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules</p>	<p>[2/11/2022]</p>
<p>[Oppose] (22102275D) - Board has historically opposed. <b>Summary:</b> Possession of firearms or other weapons on school property. Removes preschools and licensed child day centers that are not operated at the residence of the provider or of any of the children from the list of schools where possessing a firearm or other weapon on school property or on a school bus is prohibited.</p>		
<p><a href="#">HB 135</a> - Cherry (66) Emergency custody and temporary detention; transportation of person when transfer of custody.</p>	<p>1/7/2022 House: Referred to Committee for Courts of Justice 1/24/2022 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 1/24/2022 House: Subcommittee recommends referring to Committee on Appropriations 1/28/2022 House: Reported from Courts of Justice with amendment(s) (18-Y 0-N) 1/28/2022 House: Referred to Committee on Appropriations 2/1/2022 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/15/2022 House: Left in Appropriations</p>	<p>2/8/2022</p>
<p><b>Monitor</b> (22102457D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><b>Summary:</b> Emergency custody and temporary detention; transportation; transfer of custody. Provides that, in cases in which transportation of a person subject to an emergency custody order or temporary detention order is ordered to be provided by an alternative transportation provider, the primary law-enforcement agency that executes the order may transfer custody of the person to the alternative transportation provider immediately upon execution of the order, and that the alternative transportation provider shall maintain custody of the person from the time custody is transferred to the alternative transportation provider by the primary law-enforcement agency until such time as custody of the person is transferred to the community services board or its designee that is responsible for conducting the evaluation or the temporary detention facility, as is appropriate. The bill also adds employees of and persons providing services pursuant to a contract with the Department of Behavioral Health and Developmental Services to the list of individuals who may serve as alternative transportation providers.</p>		
<p><a href="#">HB 149</a> - Runion (25) Absentee ballots; witness requirement, printed name and residence address.</p>	<p>1/8/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22101276D) <b>Summary:</b> Absentee ballots; witness requirement; printed name and residence address. Requires that a witness to a voter's absentee ballot provide, in addition to his signature, his printed name, his date of birth, the last four digits of his social security number, and his residence address.</p>		
<p><a href="#">HB 159</a> - Byron (22) Emergency custody and temporary detention orders; transportation of minor, acceptance of custody.</p>	<p>1/9/2022 House: Referred to Committee for Courts of Justice 2/15/2022 House: Left in Courts of Justice</p>	<p>2/8/2022</p>
<p><b>Monitor</b> (22103519D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper. <b>Summary:</b> Emergency custody and temporary detention orders; custody. Requires a facility or location to which a minor or adult who is subject to an emergency custody or temporary detention order is transported to accept custody of the minor or adult upon completion of transportation and arrival of the minor or adult at the facility and specifies that the primary law-enforcement agency shall provide transportation of a person who is involved in the involuntary commitment process, rather than a sheriff, as provided under current law .</p>		
<p><a href="#">HB 163</a> - Ransone (99) Emergency custody and temporary detention; governing transportation &amp; custody of minors and adults.</p>	<p>1/10/2022 House: Referred to Committee for Courts of Justice 2/4/2022 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/7/2022 House: Reported from Courts of Justice with substitute (20-Y 0-N) 2/7/2022 House: Referred to Committee on Appropriations 2/8/2022 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/15/2022 House: Left in Appropriations</p>	<p>2/8/2022</p>

Bills	General Assembly Actions	Date of BOS Position
<p><b>Monitor</b> (22103592D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper.</p> <p><b>Summary:</b> Emergency custody and temporary detention; transportation and custody. Amends numerous sections governing emergency custody and temporary detention of minors and adults to clarify duties of law-enforcement agencies and mental health facilities with regard to custody. The bill requires facilities to take custody of a minor or person who is the subject of an emergency custody order or temporary detention order immediately upon completion of transportation and arrival of the minor or person at the facility; specifies that if a facility does not take custody of a minor or person immediately upon completion of transportation and arrival at the facility, the order is void and the minor or person shall be released; provides that emergency custody orders shall not be extended; and makes other changes to clarify the role and obligations of law enforcement in the emergency custody and temporary detention process.</p>		
<p><a href="#"><b>HB 178</b></a> - Bloxom, Jr. (100) Absentee voting in person; available beginning on the fourteenth day prior to election.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22101653D) - Board has historically opposed.</p> <p><b>Summary:</b> Absentee voting in person; available beginning on the fourteenth day prior to election; hours of operation. Limits absentee voting in person to the two weeks immediately preceding an election. During these two weeks, the bill requires that absentee voting in person be available Monday through Saturday, from 7:00 a.m. to 7:00 p.m. each day.</p>		
<p><a href="#"><b>HB 181</b></a> - Ransone (99) Criminal records; sealing of records.</p>	<p>1/10/2022 House: Referred to Committee for Courts of Justice 2/15/2022 House: Left in Courts of Justice</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22102320D) - Board has historically supported the concept of expungement for certain crimes, with sufficient state funding for implementation. See also SB 543 (DeSteph).</p> <p><b>Summary:</b> Criminal records; sealing of records; repeal. Repeals provisions not yet effective allowing for the automatic and petition-based sealing of police and court records for certain convictions, deferred dispositions, and acquittals and for offenses that have been nolle prossed or otherwise dismissed.</p>		
<p><a href="#"><b>HB 187</b></a> - McGuire, III (56) Voter registration; registration permitted up to and including the day of the election.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22103041D) - Board has historically opposed.</p> <p><b>Summary:</b> Repeals a provision that would permit any person who is qualified to register to vote to register to vote in person up to and including the day of the election, notwithstanding any deadline for the close of registration records. The repeal will limit the persons who are entitled to register to vote after the close of registration records to (i) any member of a uniformed service of the United States who is on active duty, (ii) any person residing temporarily outside of the United States, and (iii) the spouse or dependent residing with someone listed in (i) or (ii).</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 198</a> - Webert (18) Absentee voting; permanent absentee voter list, annual notice required, reasons for removal.</p>	<p>1/10/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22103907D) - Board has historically opposed. <b>Summary:</b> Absentee voting; permanent absentee voter list; annual notice required; reasons for removal. Requires general registrars to send, by December 15 of each year, notice to each voter enrolled on the permanent absentee voter list that the voter is currently enrolled on the permanent absentee voter list and will remain enrolled on such list unless the voter requests to be removed. The notice shall include a return card, properly addressed and postage prepaid, by which the voter may request to be removed. The bill also requires the removal of a voter enrolled on the permanent absentee voter list if such voter offers to vote absentee in person for any election.</p>		
<p><a href="#">HB 288</a> - Freitas (30) Carrying a concealed handgun; permit not required.</p>	<p>1/11/2022 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22100089D) - See also SB 330 (Reeves). <b>Summary:</b> Allows any person who is otherwise eligible to obtain a concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth.</p>		
<p><a href="#">HB 297</a> - McNamara (8) Regional fuels tax; suspends the imposition of any tax.</p>	<p>1/11/2022 House: Referred to Committee on Finance 2/15/2022 House: Left in Finance</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22101106D) <b>Summary:</b> Suspension of regional fuels tax. Suspends the imposition of any regional fuels tax in the Commonwealth on and after July 1, 2022, but before July 1, 2023.</p>		
<p><a href="#">HB 299</a> - Freitas (30) Handguns; limitation on purchases.</p>	<p>1/11/2022 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22102181D) - Board has historically opposed. See also HB 14 (Anderson) and SB 364 (Reeves). <b>Summary:</b> Purchase of handguns; limitation on handgun purchases. Removes the prohibition on any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period. Current law makes it a Class 1 misdemeanor for a violation of this provision, subject to certain exemptions.</p>		
<p><a href="#">HB 310</a> - Ransone (99) Absentee voting; application requirements, absentee ballot requirements.</p>	<p>1/11/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>



Bills	General Assembly Actions	Date of BOS Position
<p><b>Oppose</b> (22102510D) - Board has historically opposed.  <b>Summary:</b> Absentee voting; application requirements; absentee ballot requirements. Requires an applicant for an absentee ballot to provide the last four digits of his social security number on the application regardless of whether he is completing the application in person and makes the failure of the absentee voter to have a witness sign his absentee ballot envelope a material omission that renders the ballot void. The bill removes the permanent absentee voter list and reinstates the special annual application for voters with a disability or illness. The bill also removes the requirement that the absentee voter return envelope be sent to absentee voters with prepaid postage.</p>		
<p><a href="#"><b>HB 351</b></a> - Sullivan, Jr. (48)  Driving  Decarbonization Program and Fund; created.</p>	<p>1/11/2022 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources  2/2/2022 House: Subcommittee recommends reporting (5-Y 1-N)  2/2/2022 House: Subcommittee recommends referring to Committee on Appropriations  2/9/2022 House: Reported from Agriculture, Chesapeake and Natural Resources (16-Y 5-N)  2/9/2022 House: Referred to Committee on Appropriations  2/11/2022 House: Tabled in Appropriations (12-Y 6-N)</p>	<p><b>2/8/2022</b></p>
<p><b>Monitor</b> (22100264D) - See also SB 708 (Marsden).  <b>Summary:</b> Driving Decarbonization Program and Fund. Establishes a driving decarbonization program and fund to assist developers with non-utility costs associated with the installation of electric vehicle charging stations. A developer would be eligible to grants of 50 to 70 percent of the non-utility costs, depending on where the charging station is located in the Commonwealth. The total amount of grants awarded in a fiscal year is capped at \$20 million, with at least \$5 million in grants reserved for charging stations located in historically economically distressed communities.</p>		
<p><a href="#"><b>HB 367</b></a> - Watts (39)  Exhaust systems; excessive noise.</p>	<p>1/11/2022 House: Referred to Committee on Transportation  2/3/2022 House: Subcommittee recommends laying on the table (4-Y 2-N)  2/15/2022 House: Left in Transportation</p>	<p><b>1/25/2022</b></p>
<p><b>Support with Amendment</b> (22103587D) - Support provisions prohibiting the sale and use of devices that create or amplify noise emitted by a vehicle louder than originally manufactured, and provisions related to vehicle safety inspections.  <b>Summary:</b> Prohibits any individual from operating a motor vehicle with a gross weight of 10,000 pounds or less with an exhaust system that emits noise equivalent to noise in excess of 85 decibels measured from a distance of 50 feet. The bill also allows the governing body of any county, city, or town located within the Northern Virginia Planning District to provide by ordinance that no person shall operate any motor vehicle on a highway or on public or private property within 500 feet of any residential district unless such motor vehicle is equipped with an exhaust system of a type installed as standard equipment, or comparable to that designed for use on that particular vehicle or device as standard factory equipment, in good working order and in constant operation to prevent excessive noise. The bill also requires the Superintendent of State Police to promulgate regulations for the inspection of motor vehicles to ensure that no motor vehicle is equipped with a gutted muffler, muffler cutout, or straight exhaust or any mechanical or electronic device that creates or amplifies noise emitted by the motor vehicle that is louder than the noise emitted by such motor vehicle as originally manufactured.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 380</a> - Freitas (30) License taxes, local; elimination of authority to impose.</p>	<p>1/11/2022 House: Referred to Committee on Finance 1/31/2022 House: Subcommittee recommends laying on the table (9-Y 0-N) 2/15/2022 House: Left in Finance</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22100093D) - Board has historically opposed. <b>Summary:</b> Local license taxes; elimination of authority to impose. Prohibits any county, city, or town from imposing any license tax or fee in any taxable year beginning on or after January 1, 2023. The bill does not apply to any severance tax that is levied as a license tax.</p>		
<p><a href="#">HB 398</a> - Freitas (30) Absentee voting; ballots to be sorted and results to be reported by precinct.</p>	<p>1/11/2022 House: Referred to Committee on Privileges and Elections 2/4/2022 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Amend</b> (22103206D) - Amend to remove requirements to separate ballots by precinct. Conform language to HB 441/SB 306. See also HB 54 (Greenhalgh), HB 927 (Robinson), and SB 3 (Suetterlein). <b>Summary:</b> Elections; absentee voting; ballots to be sorted and results to be reported by precinct. Provides that absentee ballots processed at a central absentee precinct must be sorted by the precinct to which the voter who cast the absentee ballot is assigned and that the resulting vote totals from such ballots must be reported separately for each voter precinct.</p>		
<p><a href="#">HB 438</a> - Sewell (51) Virginia Public Procurement Act; architectural and professional engineering term contracting.</p>	<p>1/11/2022 House: Referred to Committee on General Laws 2/1/2022 House: Subcommittee recommends incorporating (HB429-Bulova) by voice vote 2/3/2022 House: Incorporated by General Laws (HB429-Bulova) by voice vote</p>	<p>2/8/2022</p>
<p><b>Support with Amendment</b> (22102706D) - Amend to clarify language in bill to improve implementation. <b>Summary:</b> Virginia Public Procurement Act; architectural and professional engineering term contracting; limitations. Provides that limitations imposed upon certain single-project fees shall not apply to localities with a population in excess of 400,000.</p>		
<p><a href="#">HB 441</a> - Sewell (51) Voting systems; reporting absentee results by precinct.</p>	<p>1/11/2022 House: Referred to Committee on Privileges and Elections 2/4/2022 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Support</b> (22102652D) - See also SB 306 (Deeds). <b>Summary:</b> Elections; voting systems; reporting absentee results by precinct. Includes in the definition of "voting system" on-demand ballot printing systems and ballot marking devices used to manufacture or mark ballots to be cast by voters on electronic voting and counting machines. The bill also requires general registrars to report to the Department of Election the number and results of absentee ballots cast by voters assigned to each precinct in the registrar's locality. The Department will establish standards for ascertaining and reporting such information.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 456</a> - Bennett-Parker (45) Virginia Passenger Rail Authority; membership.</p>	<p>1/11/2022 House: Referred to Committee on Transportation 1/25/2022 House: Subcommittee recommends laying on the table (5-Y 3-N) 2/15/2022 House: Left in Transportation</p>	<p>1/25/2022</p>
<p><b>Support</b> (22102832D) <b>Summary:</b> Makes mandatory instead of discretionary the provisions that the members of the Virginia Passenger Rail Authority selected by the Governor to represent the Northern Virginia Transportation District and the Potomac-Rappahannock Transportation District be selected from lists recommended by the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission, respectively. The bill requires such lists to include at least six persons.</p>		
<p><a href="#">HB 483</a> - Freitas (30) Firearms; control by localities of possession or carrying.</p>	<p>1/11/2022 House: Referred to Committee on Public Safety 2/15/2022 House: Left in Public Safety</p>	<p>2/8/2022</p>
<p><b>Oppose</b> (22101822D) - Board has historically opposed. See also HB 827 (Wilt) and HB 1033 (Davis). <b>Summary:</b> Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.</p>		
<p><a href="#">HB 520</a> - Bulova (37) Climate resilience; locality's comprehensive plan to consider strategies to address.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities and Towns 2/10/2022 House: Subcommittee recommends laying on the table (5-Y 4-N) 2/15/2022 House: Left in Counties, Cities and Towns</p>	<p>2/8/2022</p>
<p><b>Support</b> (22101720D) - See also SB 732 (Lewis). <b>Summary:</b> Comprehensive plan; climate resilience. Requires a locality's comprehensive plan to consider strategies to address climate resilience in order to anticipate, prepare for, respond to, and adapt to changing conditions and hazardous events.</p>		
<p><a href="#">HB 568</a> - Kory (38) Green banks; regional agreements.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities and Towns 2/4/2022 House: Subcommittee recommends laying on the table (5-Y 4-N) 2/15/2022 House: Left in Counties, Cities and Towns</p>	<p>2/8/2022</p>
<p><b>Support</b> (22100317D) - Board has historically supported. <b>Summary:</b> Provides that any two or more localities may enter into agreements with one another for joint action to establish a green bank to promote investment in clean energy technologies and provide financing for clean energy technologies. The governing bodies of participating localities must each adopt an ordinance to approve such agreement before the agreement takes effect. The existing green bank enabling statute is silent on the issue of regional agreements.</p>		



Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 633</a> - Carr (69) Speed limits; expands authority of any locality to reduce to less than 25 miles per hour, etc.</p>	<p>1/11/2022 House: Referred to Committee on Transportation 2/1/2022 House: Subcommittee recommends laying on the table (5-Y 3-N) 2/15/2022 House: Left in Transportation</p>	<p>2/8/2022</p>
<p><b>Support</b> (22100393D) <b>Summary:</b> Reduction of speed limits; local authority. Expands the current authority of any locality to reduce the speed limit to less than 25 miles per hour, but not less than 15 miles per hour, on highways within its boundaries that are located in a business district or residence district, provided that such reduced speed limit is indicated by lawfully placed signs, to include highways within the state highway system.</p>		
<p><a href="#">HB 697</a> - Keam (35) Stormwater management service districts; rate of taxation.</p>	<p>1/11/2022 House: Referred to Committee on Counties, Cities and Towns 2/3/2022 House: Subcommittee recommends laying on the table (9-Y 0-N) 2/15/2022 House: Left in Counties, Cities and Towns</p>	<p>1/25/2022</p>
<p><b>Monitor</b> (22102937D) <b>Summary:</b> Provides that if a locality located within a stormwater management service district requires, by ordinance, that certain property owners maintain private stormwater management facilities, the rate of tax imposed by such service district on such property owners shall be half of the amount imposed on property owners not required to maintain private stormwater management facilities.</p>		
<p><a href="#">HB 701</a> - Kory (38) Uniform Statewide Building Code; local building codes and regulations, etc.</p>	<p>1/11/2022 House: Referred to Committee on General Laws 2/10/2022 House: Subcommittee recommends passing by indefinitely (8-Y 0-N) 2/15/2022 House: Left in General Laws</p>	<p>2/8/2022</p>
<p><b>Support</b> (22101692D) <b>Summary:</b> Uniform Statewide Building Code; local building codes and regulations; energy efficiency and conservation standards. Provides that the Uniform Statewide Building Code (the Building Code) shall not supersede the building code provisions and regulations adopted by a locality that are related to energy efficiency and conservation if the standards outlined in such provisions and regulations are as or more stringent than those contained in the Building Code. The bill defines a standard to be as stringent as one contained in the Building Code if such standard would perform the same function as the standard contained in the Building Code without using more energy than would be used under the provisions of the Building Code.</p>		
<p><a href="#">HB 739</a> - Krizek (44) Shoreline improvements, existing; repair and maintenance.</p>	<p>1/11/2022 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/24/2022 House: Subcommittee recommends laying on the table (10-Y 0-N) 2/15/2022 House: Left in HAG</p>	<p>1/25/2022</p>
<p><b>Monitor</b> (22104128D) <b>Summary:</b> Repair and maintenance of existing shoreline improvements. Provides that no regulation shall require the replacement of an existing shoreline improvement with a living shoreline if the application is to restore or maintain the existing improvement and that no permitting decision shall require the replacement of an existing shoreline improvement if the living shoreline would substantially detract from established use and enjoyment of the property. The bill also provides that, for purposes of a wetlands permit, a project shall be deemed not suitable for a living shoreline if the proposed work is to maintain or repair an existing shoreline improvement.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 779</a> - Williams (9) Elections; photo identification required, time for in-person absentee.</p>	<p>1/11/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22102174D) - Board has historically opposed. <b>Summary:</b> Elections; photo identification required; time for in-person absentee; absentee ballots not accepted after election day; repeal of permanent absentee voter list. Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot. The bill also limits absentee voting in person to the week immediately preceding an election. The bill repeals the provisions of law by which any registered voter may apply to receive absentee ballots for all elections in which he is eligible to vote and remains on the list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status pursuant to law, or the voter moves to a different address not in the same county or city of his registration. The bill also removes provisions allowing absentee ballots received after the close of polls to be counted.</p>		
<p><a href="#">HB 780</a> - Williams (9) Voter registration; registration permitted up to and including the day of the election.</p>	<p>1/11/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22102178D) - Board has historically opposed. <b>Summary:</b> Repeals a provision that would permit any person who is qualified to register to vote to register to vote in person up to and including the day of the election, notwithstanding any deadline for the close of registration records. The repeal will limit the persons who are entitled to register to vote after the close of registration records to (i) any member of a uniformed service of the United States who is on active duty, (ii) any person residing temporarily outside of the United States, and (iii) the spouse or dependent residing with someone listed in (i) or (ii).</p>		
<p><a href="#">HB 843</a> - Bloxom, Jr. (100) Income tax, state; housing opportunity tax credits.</p>	<p>1/12/2022 House: Referred to Committee on Finance 2/4/2022 House: Subcommittee recommends reporting (6-Y 2-N) 2/4/2022 House: Subcommittee recommends referring to Committee on Appropriations 2/7/2022 House: Reported from Finance (20-Y 0-N) 2/7/2022 House: Referred to Committee on Appropriations 2/15/2022 House: Left in Appropriations</p>	<p>[2/11/2022]</p>
<p>[Support] (22103943D) - Board has historically supported. <b>Summary:</b> Income tax; housing opportunity tax credits. Provides that for award cycles, defined in the bill as the 12-month period during which the Virginia Housing and Development Authority (the Authority) awards tax credits to eligible projects, beginning on and after January 1, 2021, but before July 1, 2025, and upon approving a federal low-income housing tax credit for a qualified project pursuant to the Authority's qualified allocation plan, the Authority shall award a housing opportunity tax credit for the owner of the qualified project so long as doing so will not result in exceeding the award cycle cap, defined as the sum of (i) \$150 million, (ii) the amount, if any, by which the award cycle cap for the preceding award cycle exceeds the tax credits awarded by the Authority in that award cycle, and (iii) the amount of tax credits recaptured or otherwise disallowed in the preceding fiscal year. The bill</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>provides that the housing opportunity tax credit award shall not be less than one-half of the aggregate amount of the federal low-income housing tax credit approved for the qualified project under the Authority's qualified allocation plan for all years of the project's credit period. The bill requires the Authority to send written notice of the award to the owner of the qualified project and provides that a housing opportunity tax credit shall be allowed for such qualified project for each year of the credit period, in an amount equal to the lesser of (a) the amount of federal low-income housing tax credit allocated or allowed by the Authority to such qualified project, except that there shall be no reduction in the tax credit allowable in the first year of the credit period due to the calculation in 26 U.S.C. § 42(f)(2), or (b) one-tenth of the tax credit amount stated in the award notice.</p>		
<p><a href="#">HB 862</a> - Lopez (49) Public defender; supplementing compensation.</p>	<p>1/12/2022 House: Referred to Committee on Counties, Cities and Towns 2/4/2022 House: Subcommittee recommends laying on the table (5-Y 4-N) 2/15/2022 House: Left in Counties, Cities and Towns</p>	<p>1/25/2022</p>
<p><b>Monitor</b> (22103011D) - Support for adequate funding for Virginia's court system, a critical state responsibility, is included in the County's Legislative Program. See also SB 282 (Ebbin). <b>Summary:</b> Supplementing compensation of public defender. Requires the governing body of any county or city that elects to supplement the compensation of the attorney for the Commonwealth, or any of his deputies or employees, above the salary of any such attorney for the Commonwealth, deputy, or employee, to proportionally supplement the compensation of the public defender, or any of his deputies or employees, commensurate with the compensation of the attorney for the Commonwealth, or any of his deputies or employees.</p>		
<p><a href="#">HB 905</a> - Lopez (49) Energy efficiency standards; more stringent energy efficiency requirements.</p>	<p>1/12/2022 House: Referred to Committee on Counties, Cities and Towns 2/10/2022 House: Subcommittee recommends laying on the table (5-Y 4-N) 2/15/2022 House: Left in Counties, Cities and Towns</p>	<p>2/8/2022</p>
<p><b>Support</b> (22103256D) <b>Summary:</b> Allows a locality by ordinance to create and require stretch codes, defined in the bill as energy efficiency standards that are in addition to or more stringent than those in the Uniform Statewide Building Code, and use them as an alternative means of compliance with a locality's building requirements. The bill requires periodic review of the codes and allows the locality to make amendments.</p>		
<p><a href="#">HB 934</a> - LaRock (33) COVID-19; Employer- mandated vaccinations, required exemptions, civil penalties.</p>	<p>1/12/2022 House: Referred to Committee on Commerce and Energy 2/15/2022 House: Left in Commerce and Energy</p>	<p>[2/11/2022]</p>
<p>[Oppose] (22102764D) - Board has historically opposed. <b>Summary:</b> Employer-mandated vaccinations for COVID-19; required exemptions; civil penalties. Prohibits an employer from requiring its employees to receive a vaccine for the prevention of COVID-19 unless such employer provides individual exemptions that allow an employee to opt out from such requirement on the basis of (i) medical reasons, including pregnancy or anticipated pregnancy; (ii) religious reasons; (iii) immunity from COVID-19; (iv) periodic testing; or (v) the use of employer-provided personal protective equipment. The bill provides requirements for an employee to claim such exemptions. The bill prohibits an employer from discrimination against an employee who claims such an exemption. The bill also provides for civil penalties not to exceed \$10,000 by an employer with fewer than 100 employees or \$50,000 by an employer with 100 or more employees for violations of the bill's requirements.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HB 941</a> - LaRock (33) Voter registration; registration permitted up to and including the day of the election.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22102622D) - Board has historically opposed. <b>Summary:</b> Repeals a provision that would permit any person who is qualified to register to vote to register to vote in person up to and including the day of the election, notwithstanding any deadline for the close of registration records. The repeal will limit the persons who are entitled to register to vote after the close of registration records to (i) any member of a uniformed service of the United States who is on active duty, (ii) any person residing temporarily outside of the United States, and (iii) the spouse or dependent residing with someone listed in (i) or (ii).</p>		
<p><a href="#">HB 942</a> - LaRock (33) Voter identification; identification containing a photograph required.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22102770D) - Board has historically opposed. <b>Summary:</b> Requires presentation of a form of identification containing a photograph in order to vote. The bill repeals the provisions of law permitting a voter who does not have one of the required forms of identification to vote after signing a statement, subject to felony penalties for false statements, that he is the named registered voter he claims to be. Instead, the bill provides that such voter is entitled to cast a provisional ballot.</p>		
<p><a href="#">HB 945</a> - LaRock (33) Absentee voting in person; available beginning on the tenth day prior to election.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22102781D) - Board has historically opposed. <b>Summary:</b> Limits absentee voting in person to the ten days immediately preceding an election.</p>		
<p><a href="#">HB 969</a> - Simonds (94) Comprehensive plan; adoption of an environmental justice strategy.</p>	<p>1/12/2022 House: Referred to Committee on Counties, Cities and Towns 2/4/2022 House: Stricken from docket by Counties, Cities and Towns (22-Y 0-N)</p>	<p>2/8/2022</p>
<p><b>Monitor</b> (22102311D) <b>Summary:</b> Comprehensive plan; environmental justice strategy. Requires cities with populations greater than 20,000 and counties with populations greater than 100,000 to consider, at the next and all subsequent reviews of the comprehensive plan, adopting an environmental justice strategy. The bill provides that the locality's strategy shall be to identify environmental justice and fenceline communities within the jurisdiction of the local planning commission and identify objectives and policies to reduce health risks, to promote civic engagement, and to prioritize improvements and programs that address the needs of the environmental justice and fenceline communities.</p>		

Bills	General Assembly Actions	Date of BOS Position
<a href="#">HB 1033</a> - Davis (84) Firearms; control by localities of possession or carrying.	1/12/2022 House: Referred to Committee on Public Safety 2/15/2022 House: Left in Public Safety	2/8/2022
<p><b>Oppose</b> (22101875D) - Board has historically opposed. See also HB 483 (Freitas) and HB 827 (Wilt).  <b>Summary:</b> Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.</p>		
<a href="#">HB 1037</a> - Sewell (51) Emergency custody and temporary detention; transportation of person when transfer of custody.	1/12/2022 House: Referred to Committee for Courts of Justice 2/15/2022 House: Left in Courts of Justice	2/8/2022
<p><b>Monitor</b> (22102701D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper.  <b>Summary:</b> Emergency custody and temporary detention; transportation; transfer of custody. Provides that, in cases in which transportation of a person subject to an emergency custody order or temporary detention order is ordered to be provided by an alternative transportation provider, the primary law-enforcement agency that executes the order may transfer custody of the person to the alternative transportation provider immediately upon execution of the order, and that the alternative transportation provider shall maintain custody of the person from the time custody is transferred to the alternative transportation provider by the primary law-enforcement agency until such time as custody of the person is transferred to the community services board or its designee that is responsible for conducting the evaluation or the temporary detention facility, as is appropriate. The bill also adds employees of and persons providing services pursuant to a contract with the Department of Behavioral Health and Developmental Services to the list of individuals who may serve as alternative transportation providers.</p>		
<a href="#">HB 1051</a> - Scott (88) Protective orders; possession of firearms.	1/12/2022 House: Referred to Committee on Rules 2/15/2022 House: Left in Rules	[2/11/2022]
<p>[Oppose] (22102583D) - Board has historically opposed.  <b>Summary:</b> Allows a person subject to a protective order to continue to possess any firearm while in his place of residence that was possessed by such person at the time of service, provided that he is not otherwise prohibited by law from possessing a firearm. The bill removes the requirement that any person subject to a protective order must surrender his firearms within 24 hours of being served with a protective order.</p>		
<a href="#">HB 1059</a> - Cordoza (91) Gasoline and diesel fuels; suspension of the imposition of taxes.	1/12/2022 House: Referred to Committee on Finance 2/2/2022 House: Tabled in Finance (20-Y 0-N)	1/25/2022



Bills	General Assembly Actions	Date of BOS Position
<p><b>Oppose</b> (22102010D)  <b>Summary:</b> Suspension of the imposition of taxes on gasoline and diesel fuels; emergency. Suspends the imposition and collection of the state and regional taxes on gasoline and diesel fuel until July 1, 2023. The bill contains an emergency clause.</p>		
<p><a href="#">HB 1141</a> - Walker (23)  Absentee voting; return of absentee ballots, drop-off locations.</p>	<p>1/13/2022 House: Referred to Committee on Privileges and Elections  2/15/2022 House: Left in Privileges and Elections</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22103539D) - Board has historically opposed.  <b>Summary:</b> Absentee voting; return of absentee ballots; drop-off locations. Repeals the provisions of law providing for the establishment of drop-off locations for the return of absentee ballots.</p>		
<p><a href="#">HB 1147</a> - Bell (58)  Temporary detention; alternative custody.</p>	<p>1/13/2022 House: Referred to Committee for Courts of Justice  1/24/2022 House: Subcommittee recommends reporting (8-Y 0-N)  1/24/2022 House: Subcommittee recommends referring to Committee on Appropriations  1/28/2022 House: Reported from Courts of Justice (18-Y 0-N)  1/28/2022 House: Referred to Committee on Appropriations  2/1/2022 House: Subcommittee recommends reporting with amendments (9-Y 0-N)  2/2/2022 House: Reported from Appropriations (22-Y 0-N)  2/8/2022 House: Motion to refer to committee agreed to  2/8/2022 House: Referred to Committee for Courts of Justice  2/15/2022 House: Left in Courts of Justice</p>	<p>2/8/2022</p>
<p><b>Monitor</b> (22103534D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper.  <b>Summary:</b> Provides that if the facility indicated on a temporary detention order is a state facility, no bed for the person detained or in custody pursuant to the temporary detention order is immediately available at such state facility, and an employee or designee of such state facility is available to take custody of such person, such employee or designee of the state facility may assume custody of such person wherever such person is located and maintain custody of such person and transport such person to such state facility or to an alternative facility of temporary detention. The bill also provides that a person who is an inmate who is subject to an order authorizing treatment shall remain in law-enforcement custody at all times prior to admission to the facility designated for treatment of the person pursuant to such order.</p>		
<p><a href="#">HB 1279</a> - Anderson (83)  Emergency and preliminary protective orders; expungement of orders.</p>	<p>1/20/2022 House: Referred to Committee for Courts of Justice  2/15/2022 House: Left in Courts of Justice</p>	<p>[2/11/2022]</p>
<p>[Oppose] (22104750D)  <b>Summary:</b> Expungement of emergency and preliminary protective orders. Provides that a person against whom an emergency or preliminary protective order has been issued may petition to have police and court records relating to such order expunged if the order expires or is dissolved by the issuing court or if a hearing for the issuance of a permanent protective order is scheduled or held and such permanent protective order is subsequently not issued.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">HJ 33</a> - Subramanyam (87) U.S. Route 50, etc.; Department of Transportation to study traffic congestion.</p>	<p>1/11/2022 House: Referred to Committee on Rules 2/7/2022 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/15/2022 House: Left in Rules</p>	<p>2/8/2022</p>
<p><b>Amend</b> (22103290D) - Amend to include transit. Board has historically recommended the study also include transit. <b>Summary:</b> Study; Department of Transportation; U.S. Route 50; report. Requests that the Department of Transportation conduct a two-year study of traffic congestion on that portion of U.S. Route 50 between the intersections of Interstate 66 in Fairfax County and U.S. Route 15 in Loudoun County and the feasibility of implementing improvements to such portion of the highway.</p>		
<p><a href="#">HJ 58</a> - Carr (69) Constitutional amendment; taxation and finance, longtime owner-occupant tax relief program.</p>	<p>1/11/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>[2/11/2022]</p>
<p>[Amend] (22103333D) - Amend to support as a state tax credit. <b>Summary:</b> Constitutional amendment (first reference); taxation and finance; longtime owner-occupant tax relief program. Directs the General Assembly to implement a tax relief program by which longtime owner-occupants of real property are granted a total or partial exemption from local real property taxation of real estate the market value of which has increased as a consequence of the refurbishment or renovation of other residences or the construction of new residences in long-established residential areas or areas of deteriorated, vacant, or abandoned homes and properties.</p>		
<p><a href="#">HJ 76</a> - Torian (52) Northern Virginia regional transit plan; Department of Rail and Public Transportation to study.</p>	<p>1/12/2022 House: Referred to Committee on Rules 2/7/2022 House: Subcommittee recommends laying on the table (6-Y 0-N) 2/15/2022 House: Left in Rules</p>	<p>2/8/2022</p>
<p><b>Monitor</b> (22102347D) <b>Summary:</b> Study; Department of Rail and Public Transportation; Northern Virginia regional transit plan; report. Requests the Department of Rail and Public Transportation to study Northern Virginia regional transit and develop a regional transit plan that includes an extension of Washington Metropolitan Area Transit Authority service to Prince William County and report its findings and recommendations to the Governor and General Assembly by November 1, 2022.</p>		
<p><a href="#">HJ 79</a> - Reid (32) Constitutional amdmt.; prop. tax exemption for surviving spouses of certain members of armed forces.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections 2/15/2022 House: Left in Privileges and Elections</p>	<p>[2/11/2022]</p>

Bills	General Assembly Actions	Date of BOS Position
<p>[Amend] (22103332D) - Amend to support as a state tax credit; Board has historically recommended amendment.  <b>Summary:</b> Constitutional amendment (first reference); real property tax exemption; surviving spouses of certain members of the armed forces. Provides that the General Assembly may by general law exempt from taxation the real property of a surviving spouse of a member of the armed forces of the United States who died in the attack on the Pentagon on September 11, 2001. Under a current constitutional provision, only the surviving spouse of a member of the armed forces who was killed in action is eligible for the real property tax exemption.</p>		
<p><a href="#">HJ 83</a> - Tran (42)            Constitutional amdmt.; prop. tax exemption for surviving spouses of soldiers killed in line of duty.</p>	<p>1/12/2022 House: Referred to Committee on Privileges and Elections            2/15/2022 House: Left in Privileges and Elections</p>	<p>2/8/2022</p>
<p><b>Amend</b> (22100676D) - Amend to support as a state tax credit. Board has historically recommended amendment.  <b>Summary:</b> Constitutional amendment (first reference); taxation; property tax exemption; surviving spouses of soldiers killed in the line of duty. Amends the Constitution of Virginia by allowing localities to exempt from the real property tax of any surviving spouse of any member of the armed forces of the United States who was killed in the line of duty with a line of duty determination as determined by the United States Department of Defense who occupies the real property as his or her principal place of residence. Under current law, the exemption is only available to the surviving spouse of a member of the armed forces who was killed in action.</p>		
<p><a href="#">HJ 96</a> - Wyatt (97)            Constitutional amendment; real prop. tax exemption for certain spouses of members of armed forces.</p>	<p>1/13/2022 House: Referred to Committee on Privileges and Elections            2/15/2022 House: Left in Privileges and Elections</p>	<p>[2/11/2022]</p>
<p>[Amend] (22103608D) - Amend to support as a state tax credit; Board has historically recommended amendment. Cost to the County is likely to exceed \$7 million annually.  <b>Summary:</b> Constitutional amendment (first reference); real property tax; exemption for certain surviving spouses of members of the armed forces. Authorizes the General Assembly to exempt from tax the real property of a surviving spouse of a member of the armed forces who died in the line of duty while performing official military activities. The amendment provides that such exemption is only available when the death of such member of the armed forces did not result from criminal conduct. The current Constitution exempts the real property of a surviving spouse of a member of the armed forces who was killed in action, a disabled veteran, and the surviving spouse of a disabled veteran.</p>		
<p><a href="#">SB 74</a> - Chase (11)            Firearms; control by localities of possession or carrying.</p>	<p>1/4/2022 Senate: Referred to Committee on the Judiciary            1/26/2022 Senate: Passed by indefinitely in Judiciary (9-Y 6-N)</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22101641D) - Board has historically opposed.  <b>Summary:</b> Control of firearms by localities. Removes the authority for a locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned or operated by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, or sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit.</p>		



Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">SB 133</a> - Chase (11) Ballots; ballot fraud security measures.</p>	<p>1/7/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22101678D) <b>Summary:</b> Elections, ballots; ballot fraud security measures. Requires any printer or vendor supplying ballots in an election for state or federal office to be ISO 27001 certified, ISO 17025 certified, or ISO 9001:2015 certified. The bill also requires any ballot used in an election for state or federal office to include a unique bar code or quick response code that is accessible only to the voter and that tracks the voter's ballot as it is processed and to include the use of at least two other ballot fraud security measures from a list of approved measures.</p>		
<p><a href="#">SB 176</a> - Peake (22) Emergency custody and temporary detention; transportation of person when transfer of custody.</p>	<p>1/10/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Incorporated by Education and Health (SB650-Hanger) (15-Y 0-N)</p>	<p>2/8/2022</p>
<p><b>Monitor</b> (22102915D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County's Human Services Issue Paper. <b>Summary:</b> Emergency custody and temporary detention; transportation; transfer of custody. Makes clear that, in cases in which transportation of a person subject to an emergency custody order or temporary detention order is ordered to be provided by an alternative transportation provider, the primary law-enforcement agency that executes the order may transfer custody of the person to the alternative transportation provider immediately upon execution of the order, and that the alternative transportation provider shall maintain custody of the person from the time custody is transferred to the alternative transportation provider by the primary law-enforcement agency until such time as custody of the person is transferred to the community services board or its designee that is responsible for conducting the evaluation or the temporary detention facility, as is appropriate. The bill also adds employees of and persons providing services pursuant to a contract with the Department of Behavioral Health and Developmental Services to the list of individuals who may serve as alternative transportation providers.</p>		
<p><a href="#">SB 189</a> - Chase (11) Employer-mandated vaccinations for COVID-19; discrimination prohibited, civil penalties.</p>	<p>1/10/2022 Senate: Referred to Committee on Commerce and Labor 1/24/2022 Senate: Passed by indefinitely in Commerce and Labor (12-Y 2-N)</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22103782D) <b>Summary:</b> Employer-mandated vaccinations for COVID-19; discrimination prohibited; civil penalties. Prohibits an employer from requiring its employees to receive a vaccine for the prevention of COVID-19. The bill prohibits an employer from discrimination against an employee because the employee has or has not received a vaccine for the prevention of COVID-19. The bill also provides for civil penalties not to exceed \$10,000 by an employer with fewer than 100 employees or \$50,000 by an employer with 100 or more employees for each violation of the bill's provisions.</p>		

Bills	General Assembly Actions	Date of BOS Position
<a href="#">SB 206</a> - Petersen (34) Historic preservation; filing of a historic designation application.	1/10/2022 Senate: Referred to Committee on Local Government 1/24/2022 Senate: Reported from Local Government (15-Y 0-N) 1/31/2022 Senate: Re-referred to Judiciary 2/14/2022 Senate: Passed by indefinitely in Judiciary (9-Y 6-N)	1/25/2022
<p><b>Monitor</b> (22100941D)</p> <p><b>Summary:</b> Historic preservation. Provides that the filing of a historic designation application shall stay a locality from issuing any permit to raze or demolish a proposed historic landmark, building, or structure until 30 days after the rendering of the final decision of the governing body of the locality. The bill also specifies that the affected property owner, the applicant, or any resident of the locality who provided public input on the locality's historic district plan may appeal to the circuit court for review of any final decision of the governing body pursuant to such application.</p>		
<a href="#">SB 208</a> - Petersen (34) Civil actions; standing.	1/10/2022 Senate: Referred to Committee on the Judiciary 2/2/2022 Senate: Stricken at the request of Patron in Judiciary (15-Y 0-N)	1/25/2022
<p><b>Oppose</b> (22102186D)</p> <p><b>Summary:</b> Provides that a person in a civil action shall be deemed to have standing if that person has a cognizable interest in the outcome of the matter, which may be represented by the ownership of an affected property interest or the suffering of an injury unique to that individual.</p>		
<a href="#">SB 218</a> - McPike (29) Local condemnation authority; locality may acquire property interests outside its boundaries, etc.	1/10/2022 Senate: Referred to Committee on Local Government 1/24/2022 Senate: Stricken at request of Patron in Local Government (15-Y 0-N)	1/25/2022
<p><b>Monitor</b> (22101030D)</p> <p><b>Summary:</b> Local condemnation authority. Provides that any locality may acquire property interests outside its boundaries by exercise of eminent domain power in connection with a highway transportation project located partially within a neighboring locality when the governing body of the neighboring locality wherein such property interests are located approves such use of eminent domain.</p>		
<a href="#">SB 234</a> - Chase (11) Absentee voting; permanent absentee voter list repealed.	1/10/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Passed by indefinitely in Privileges and Elections (8-Y 6-N)	1/25/2022
<p><b>Oppose</b> (22101626D) - Board has historically opposed.</p> <p><b>Summary:</b> Repeals the provisions of law by which any registered voter may apply to receive absentee ballots for all elections in which he is eligible to vote and remains on the list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status pursuant to law, or the voter moves to a different address not in the same county or city of his registration.</p>		
<a href="#">SB 235</a> - Chase (11) Voter registration; registration permitted up to and including the day of the election.	1/10/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)	1/25/2022

Bills	General Assembly Actions	Date of BOS Position
<p><b>Oppose</b> (22101611D) - Board has historically opposed.  <b>Summary:</b> Repeals a provision that would permit any person who is qualified to register to vote to register to vote in person up to and including the day of the election, notwithstanding any deadline for the close of registration records. The repeal will limit the persons who are entitled to register to vote after the close of registration records to (i) any member of a uniformed service of the United States who is on active duty, (ii) any person residing temporarily outside of the United States, and (iii) the spouse or dependent residing with someone listed in (i) or (ii).</p>		
<p><a href="#">SB 236</a> - Chase (11) Absentee voting; return of absentee ballots, drop-off locations.</p>	<p>1/10/2022 Senate: Referred to Committee on Privileges and Elections  1/25/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22101492D) - Board has historically opposed.  <b>Summary:</b> Absentee voting; return of absentee ballots; drop-off locations. Repeals the provisions of law providing for the establishment of drop-off locations for the return of absentee ballots.</p>		
<p><a href="#">SB 282</a> - Ebbin (30) Public defender; supplementing compensation.</p>	<p>1/11/2022 Senate: Referred to Committee on the Judiciary  1/24/2022 Senate: Reported from Judiciary (8-Y 7-N)  1/24/2022 Senate: Re-referred to Finance and Appropriations  2/10/2022 Senate: Incorporated by Finance and Appropriations (SB475-McClellan) (16-Y 0-N)</p>	<p>1/25/2022</p>
<p><b>Monitor</b> (22103779D) - Support for adequate funding for Virginia's court system, a critical state responsibility, is included in the County's Legislative Program. See also HB 862 (Lopez).  <b>Summary:</b> Supplementing compensation of public defender. Requires the governing body of any county or city that elects to supplement the compensation of the attorney for the Commonwealth, or any of his deputies or his employees, above the salary of any such officer, deputy, or employee to supplement the compensation of the public defender, or any of his deputies or employees. The bill provides that such supplemental compensation is proportional if the public defender, his deputies, and his other employees are each paid in amounts commensurate to the closest equivalent position in the local Office of the Commonwealth's Attorney, as adjusted for seniority and experience level. The bill has a delayed effective date of July 1, 2024.</p>		
<p><a href="#">SB 306</a> - Deeds (25) Voting systems; reporting absentee results by precinct.</p>	<p>1/11/2022 Senate: Referred to Committee on Privileges and Elections  2/1/2022 Senate: Incorporated by Privileges and Elections (SB3-Suetterlein) (15-Y 0-N)</p>	<p>1/25/2022</p>
<p><b>Support</b> (22103836D) - See also HB 441 (Sewell).  <b>Summary:</b> Elections; voting systems; reporting absentee results by precinct. Includes in the definition of "voting system" on-demand ballot printing systems and ballot marking devices used to manufacture or mark ballots to be cast by voters on electronic voting and counting machines. The bill also requires general registrars to report to the Department of Elections the number and results of absentee ballots cast by voters assigned to each precinct in the registrar's locality. The Department is directed by the bill to establish standards for ascertaining and reporting such information.</p>		
<p><a href="#">SB 330</a> - Reeves (17) Carrying a concealed handgun; permit not required.</p>	<p>1/11/2022 Senate: Referred to Committee on the Judiciary  1/26/2022 Senate: Passed by indefinitely in Judiciary (8-Y 6-N)</p>	<p>1/25/2022</p>

Bills	General Assembly Actions	Date of BOS Position
<p><b>Oppose</b> (22101962D) - See also HB 288 (Freitas).  <b>Summary:</b> Allows any person who is otherwise eligible to obtain a concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth.</p>		
<p><a href="#"><b>SB 331</b></a> - Reeves (17) Overtime pay requirements; volunteers.</p>	<p>1/11/2022 Senate: Referred to Committee on Commerce and Labor 2/7/2022 Senate: Stricken at request of Patron in Commerce and Labor (15-Y 0-N)</p>	<p><b>2/8/2022</b></p>
<p><b>Support with Amendment</b> (22102129D) - Amend to conform to SB 365.  <b>Summary:</b> Permits individuals who work as both employees and on a volunteer basis for a public body, church, or nonprofit organization to earn overtime wages for hours worked as an employee only and continues to exclude hours worked on a volunteer basis from overtime wage requirements.</p>		
<p><a href="#"><b>SB 339</b></a> - Barker (39) Washington Metropolitan Area Transit Authority; alternate directors.</p>	<p>1/11/2022 Senate: Referred to Committee on Local Government 1/24/2022 Senate: Re-referred to Transportation 2/3/2022 Senate: Failed to report (defeated) in Transportation (1-Y 12-N 2-A)</p>	<p><b>1/25/2022</b></p>
<p><b>Support</b> (22101758D)  <b>Summary:</b> Repeals a provision of the 2018 mass transit funding legislation that requires the Commonwealth Transportation Board to withhold certain funding from the Washington Metropolitan Area Transit Authority if alternate directors of the Authority participate in or take action at a meeting at which the primary directors are present.</p>		
<p><a href="#"><b>SB 364</b></a> - Reeves (17) Handguns; limitation on purchases.</p>	<p>1/11/2022 Senate: Referred to Committee on the Judiciary 1/26/2022 Senate: Passed by indefinitely in Judiciary (8-Y 6-N)</p>	<p><b>1/25/2022</b></p>
<p><b>Oppose</b> (22103162D) - Board has historically opposed. See also HB 14 (Anderson) and HB 299 (Freitas).  <b>Summary:</b> Purchase of handguns; limitation on handgun purchases. Removes the prohibition on any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period. Current law makes it a Class 1 misdemeanor for a violation of this provision, subject to certain exemptions.</p>		
<p><a href="#"><b>SB 365</b></a> - Stuart (28) Virginia Overtime Wage Act; clarifies term "employee."</p>	<p>1/11/2022 Senate: Referred to Committee on Commerce and Labor 2/7/2022 Senate: Incorporated by Commerce and Labor (SB631-Barker) (15-Y 0-N)</p>	<p><b>2/8/2022</b></p>
<p><b>Support</b> (22102524D)  <b>Summary:</b> Virginia Overtime Wage Act. Provides that for the purposes of the Virginia Overtime Wage Act, the term "employee" does not include certain persons excluded from the definition of "employee" under the federal Fair Labor Standards Act (the federal act). The bill provides that an employer may assert an exemption to the overtime requirement of the Virginia Overtime Wage Act for employees who meet certain exemptions set forth in the federal act. The bill also provides that a public agency, as defined in the federal act, may provide an employee compensatory time off in lieu of overtime compensation, in accordance with the federal act.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">SB 374</a> - Obenshain (26) Project labor agreements; prevailing wage, collective bargaining for employees of local governments.</p>	<p>1/11/2022 Senate: Referred to Committee on Commerce and Labor 1/31/2022 Senate: Passed by indefinitely in Commerce and Labor (12-Y 3-N)</p>	<p>2/8/2022</p>
<p><b>Oppose</b> (22101706D) - Board has historically opposed. <b>Summary:</b> Project labor agreements; prevailing wage; collective bargaining for employees of local governments. Repeals certain provisions of the Code that (i) require contractors and subcontractors under any public contract with a state agency or certain localities to pay the prevailing wage rate; (ii) authorize any public body, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, to require bidders to enter into or adhere to project labor agreements on the public works projects; and (iii) authorize a locality to recognize any labor union or other employee association as a bargaining agent of any public officers or employees or to collectively bargain or enter into any collective bargaining contract with any such union or association or its agents.</p>		
<p><a href="#">SB 415</a> - DeSteph (8) School boards; employment of at least one school resource officer in elementary &amp; secondary schools.</p>	<p>1/11/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Failed to report (defeated) in Education and Health (4-Y 11-N)</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22104064D) - Cost to the County is likely to exceed \$19 million. <b>Summary:</b> School boards; school resource officers; employment; threat assessment. Requires each school board to enter into a collaborative agreement with the local law-enforcement agency to employ at least one school resource officer in each public elementary and secondary school in the local school division. The bill provides that no school board shall be granted any full or partial waiver from such staffing requirements and that no school board that fails to fully comply with such staffing requirements is eligible for any grant or waiver from the Commonwealth, Board of Education, or Department of Education. The bill also requires each division superintendent to include on the threat assessment team established for each public elementary and secondary school in the local school division at least one school resource officer employed in the school.</p>		
<p><a href="#">SB 458</a> - Chase (11) Face coverings; prohibits enforcement of policy, etc., to wear.</p>	<p>1/11/2022 Senate: Referred to Committee on Education and Health 2/3/2022 Senate: Passed by indefinitely in Education and Health (8-Y 4-N)</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22104211D) <b>Summary:</b> Employers; institutions of higher education; localities; public schools; face coverings. Prohibits any locality, institution of higher education, employer, school board, division superintendent, school principal, or private school from adopting, implementing, or enforcing any policy, rule, or order related to COVID-19 that requires individuals to wear a face covering.</p>		



Bills	General Assembly Actions	Date of BOS Position
<a href="#">SB 460</a> - Chase (11) Absentee voting; deadline for returning absentee ballot.	1/11/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 2-N 3-A)	1/25/2022
<p><b>Oppose</b> (22101633D) - Board has historically opposed.</p> <p><b>Summary:</b> Elections; absentee voting; ballots to be returned before close of polls. Removes the provision of law requiring an absentee ballot that is returned to the general registrar after the closing of the polls on election day to be counted if it is received before noon on the third day after the election and is postmarked on or before the date of the election to be counted if the voter is found entitled to vote. The bill does not affect the exception for a covered voter who was not sent a ballot in a timely manner and whose voted ballot arrives after the close of polls.</p>		
<a href="#">SB 532</a> - Stuart (28) Clean Energy and Community Flood Preparedness Act; repeals Act.	1/12/2022 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/8/2022 Senate: Passed by indefinitely in Agriculture, Conservation and Natural Resources (8-Y 7-N)	1/25/2022
<p><b>Oppose</b> (22101996D) - Board has historically opposed.</p> <p><b>Summary:</b> Clean Energy and Community Flood Preparedness Act. Repeals the Clean Energy and Community Flood Preparedness Act and directs the Director of the Department of Environmental Quality to take all steps necessary to suspend the Commonwealth's participation in the Regional Greenhouse Gas Initiative market-based trading program.</p>		
<a href="#">SB 541</a> - Peake (22) Gasoline and diesel fuel; lowers the rate of tax on July 1, 2022.	1/12/2022 Senate: Referred to Committee on Finance and Appropriations 2/10/2022 Senate: Passed by indefinitely in Finance and Appropriations (12-Y 4-N)	1/25/2022
<p><b>Oppose</b> (22101054D)</p> <p><b>Summary:</b> Rate of tax on gasoline and diesel fuel. Lowers the rate of tax on gasoline and diesel fuel on July 1, 2022, from 26.2 cents per gallon to 21.2 cents per gallon on gasoline and from 27 cents per gallon to 20.2 cents per gallon on diesel fuel, the rates that were in effect before July 1, 2021. The bill provides that the rate of tax on gasoline and diesel fuel will return to 26.2 and 27 cents per gallon, respectively, on July 1, 2023, and will be indexed based on the change in the United States Average Consumer Price Index; thereafter, the rate will be indexed annually.</p>		
<a href="#">SB 543</a> - DeSteph (8) Criminal records; sealing of records.	1/12/2022 Senate: Referred to Committee on the Judiciary 1/26/2022 Senate: Passed by indefinitely in Judiciary (9-Y 6-N)	1/25/2022
<p><b>Oppose</b> (22103152D) - Board has historically supported the concept of expungement for certain crimes, with sufficient state funding for implementation. See also HB 181 (Ransone).</p> <p><b>Summary:</b> Criminal records; sealing of records; repeal. Repeals provisions not yet effective allowing for the automatic and petition-based sealing of police and court records for certain convictions, deferred dispositions, and acquittals and for offenses that have been nolle prossed or otherwise dismissed.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><a href="#">SB 552</a> - Chase (11) Absentee voting; excuse required to vote absentee by mail, signature match.</p>	<p>1/12/2022 Senate: Referred to Committee on Privileges and Elections 1/25/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 5-N)</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22101614D) <b>Summary:</b> Absentee voting; excuse required to vote absentee by mail; signature match. Requires a registered voter to provide a reason for being absent or unable to vote at his polling place on election day in order to receive an absentee ballot to vote by mail. The bill requires a voter voting absentee by mail to open his ballot in the presence of a notary who must sign the ballot return envelope. The bill requires that the general registrar match the signature of the voter on an absentee return envelope to a signature that the general registrar has on file before processing the ballot. If the signature doesn't match, the absentee ballot is to be treated as a provisional vote subject to approval by the electoral board. The bill also repeals the permanent absentee voter list and limits the special annual application to those voters with an illness or disability.</p>		
<p><a href="#">SB 602</a> - DeSteph (8) Short-term rental properties; definition, locality requirements and restrictions.</p>	<p>1/12/2022 Senate: Referred to Committee on Local Government 1/31/2022 Senate: Stricken at request of Patron in Local Government (15-Y 0-N)</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22102201D) - Board has historically opposed. <b>Summary:</b> Short-term rental properties; definition; locality requirements and restrictions. Prohibits, except as provided, localities from (i) requiring or allowing the approval of neighbors or the neighborhood for the operation of short-term rental properties; (ii) imposing requirements or restrictions that exceed those of regular properties, including special parking and occupancy restrictions; or (iii) restricting short-term rentals by geographic location within the locality by means other than the normal general land use and zoning authority. The bill expands the current definition of short-term rental to include any house provided for such purpose.</p>		
<p><a href="#">SB 605</a> - Chase (11) Conduct of election; election results, post-election forensic audits.</p>	<p>1/12/2022 Senate: Referred to Committee on Privileges and Elections 2/1/2022 Senate: Passed by indefinitely in Privileges and Elections (9-Y 6-N)</p>	<p>1/25/2022</p>
<p><b>Oppose</b> (22104062D) <b>Summary:</b> Elections; conduct of election; election results; post-election forensic audits. Provides for the conduct of a forensic audit of an election in a county or city upon the request of certain officials or upon the petition of a group of residents of the locality in question. The purpose of an audit is to determine the accuracy and legality of the election in question. The bill provides that an audit includes a review of all materials, equipment, and procedures used during any part of the election, including ballots, pollbooks, voting machines, and routers. The bill requires that the audit be open to the public and states that the auditing process may include participation by residents. The results of the audit are to be presented to a jury of local residents who have to power to declare the election valid or invalid. The bill also gives the State Inspector General the power and duty to conduct an audit of the 2020 general election and requires him to produce a report of his finding.</p>		
<p><a href="#">SB 620</a> - Cosgrove, Jr. (14) Real property taxes; rate of increase.</p>	<p>1/13/2022 Senate: Referred to Committee on Finance and Appropriations 2/1/2022 Senate: Passed by indefinitely in Finance and Appropriations (12-Y 4-N)</p>	<p>2/8/2022</p>

Bills	General Assembly Actions	Date of BOS Position
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**Oppose** (22104159D) - See also HB 1010 (Durant).

**Summary:** Requires the governing body of a locality to hold a referendum before making most increases in their real property tax rate. Under current law, the governing body of a locality is required to limit their real property tax rate to a rate that would collect no more than 101 percent of the amount of real property taxes collected for the previous year. Increases above this rate may only be imposed if the locality holds a public meeting. The bill replaces the public meeting requirement with a requirement that any such increase be approved in a referendum.

**SB 650** - Hanger, Jr. (24)  
Emergency custody and temporary detention; hospitals and providers of behavioral health services.

1/18/2022 Senate: Referred to Committee on Education and Health  
2/3/2022 Senate: Incorporates SB176 (Peake)  
2/3/2022 Senate: Reported from Education and Health with substitute (15-Y 0-N)  
2/3/2022 Senate: Re-referred to Finance and Appropriations  
2/8/2022 Senate: Incorporated by Finance and Appropriations (SB268-Favola) (16-Y 0-N)

2/8/2022

**Monitor** (22103826D) - Support increased flexibility for transport and custody, but additional actions are needed to address the state hospital bed crisis. Support for sufficient state funding for intensive community resources and residential services to alleviate the state hospital bed crisis is included in the County’s Human Services Issue Paper.

**Summary:** Emergency custody and temporary detention; hospitals and providers of behavioral health services; acceptance of custody. Requires every hospital with an emergency department to employ sufficient security staff to be able to accept custody of a person who is subject to emergency custody or temporary detention and who is transported to such hospital by a law-enforcement officer or receiving services at such hospital and requires every provider of behavioral health services licensed by the Department of Behavioral Health and Developmental Services to a person who is subject to emergency custody and may be transported for the required evaluation to (i) be licensed to provide the level of security necessary to protect both the person and others from harm, and actually capable of providing the level of security necessary to protect the person and others from harm, and (ii) accept custody of every person transported to such provider for evaluation by law enforcement.

**SB 695** - Stuart (28)  
Low-emissions and zero-emissions vehicle standards; repeals certain authority.

1/20/2022 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources  
2/8/2022 Senate: Stricken at request of Patron in Agriculture, Conservation and Natural Resources (10-Y 5-N)

2/8/2022

**Oppose** (22103364D) - Board has historically supported reducing fossil fuel emissions.

**Summary:** State Air Pollution Control Board; regulations; low-emissions and zero-emissions vehicle standards. Repeals the State Air Pollution Control Board's authority to implement low-emissions and zero-emissions vehicle standards for vehicles with a model year of 2025 and later.