

**Legislation Requiring Further Review, Staff “Watch List” and Legislation
Provided for Information
Board of Supervisors Legislative Committee
February 9, 2024**

Legislation Requiring Further Review

Court Fees

HB 102 (Reaser) (HAPP) raises the limitation of fees that court-appointed counsel can receive for representation on various offenses in district and circuit courts (24106714D-H1)

HB 125 (Watts) (Passed House; SCT) increases the fee that a special justice receives for presiding over emergency custody and voluntary and involuntary civil admissions from \$86.25 to \$120 for each commitment hearing and from \$43.25 to \$70 for each certification hearing. The bill also increases the fee that an independent evaluator receives if required to serve as a witness or an interpreter from \$75 to \$120 for each commitment hearing and from \$43.25 to \$70 for each certification hearing. (24101208D)

HB 612 (Price) (Passed House; SCT) extends from 90 days without payment to 180 days without payment the period of delinquency necessary for an account to be included on the required monthly report of delinquent accounts made by the clerk of the circuit court and district court. The bill also provides that for any defendant sentenced to an active term of incarceration and ordered to pay any fine, cost, forfeiture, or penalty related to the charge that such defendant is incarcerated for, or any other charge for which such defendant was sentenced on the same day, the court shall enter such defendant into a deferred payment agreement for such fines, costs, forfeitures, or penalties. The bill requires the due date for such deferred payment agreement to be set no earlier than the defendant's scheduled release from incarceration on the charge for which such defendant received the longest period of active incarceration. The bill has a delayed effective date of January 1, 2025. (24104752D-E)

HB 824 (Cousins) (HAPP) eliminates the fees for the cost of court-appointed counsel or public defender representation for persons determined to be indigent. (24104661D)

HB 829 (Williams) (HCT) increases the fee that a special justice receives for presiding over emergency custody and voluntary and involuntary civil admissions hearings from \$86.25 to \$143.75 for each commitment hearing and from \$43.25 to \$70 for each certification hearing. (24103816D)

HB 896 (Hernandez) (HCT) provides that, if a defendant's sole financial resource is a Social Security benefit or Supplemental Security Income the defendant shall be exempt from making payment on a payment agreement at least until such time that the defendant has a resource other than a Social Security benefit or Supplemental Security Income. The bill further provides that, if the defendant informs the court that their sole financial resource is a Social Security benefit or Supplemental Security Income, the case shall not be referred to collections and directs the court to include in their payment plan policies that, where the court is informed that the defendant receives

a Social Security benefit or Supplemental Security Income, no payment towards fines and costs shall be taken from that exempt resource. Finally, the substitute provides that no Social Security benefit or Supplemental Security Income shall be considered an available resource in determining the length of time to pay under an installment payment agreement and the amount of the payments, if any. (24106272D-H1)

HB 1264 (Shin) (Passed House) provides that any court costs, fines, and fees assessed to a juvenile or his parent or guardian in circuit court and juvenile and domestic relations court related to prosecutions of traffic infractions are discretionary. (24106584D-H1)

SB 356 (Perry) (Senate Floor) raises the limitation of fees that court-appointed counsel can receive for representation on various offenses in district and circuit courts. (24107231D-S2)

SB 514 (Bagby) (SFIN) changes the period of limitations for the collection of court fines and costs from within 60 years from the date of the offense or delinquency giving rise to imposition of such penalty if imposed by a circuit court or within 30 years if imposed by a general district court to within 10 years from the date of the judgment whether imposed by a circuit court or general district court. The bill provides that upon the expiration of the period of limitations, the fines imposed and costs taxed are extinguished, there shall be no right to collect the debt, and the period of limitations shall not be extended or revived on account of a partial payment; a written or verbal affirmation of any fines, monetary penalties, or costs; or a change in collection methods. (24106716D-S1)

SB 625 (Perry) (SFIN) requires the court to inform any defendant entering into a payment agreement that no payment is required if such defendant's sole financial resource is a Social Security benefit or Supplemental Security income. The bill further specifies that, if such defendant has an additional non-exempt financial resource or source of income, no payment required shall exceed the maximum amount that would be subject to garnishment. (24106332D-S1)

SB 637 (Jordan) (Passed Senate) requires the attorney for the Commonwealth to notify and obtain the concurrence of the clerk of the circuit court prior to contracting with private attorneys or private collection agencies to undertake the collection of fines, costs, forfeitures, penalties, and restitution. (24104406D-E)

Health and Human Services

AM

HB 27 (Callsen) (HAPP)/**SB 39** (Favola) (SFIN) establishes the Kinship as Foster Care Prevention Program to promote and support placements of children with relatives by local boards of social services in order to avoid foster care. The bill provides that a child is eligible to participate in the Program if the local board determines that (i) the child is at imminent risk of being removed from his home and a preliminary protective order is insufficient to address the child's immediate safety concerns and (ii) the child's parent or guardian consents to the placement of the child with a relative pursuant to an agreement with the local board developed in accordance with the provisions of the bill. (24106095D-H1; 24105803D-S1)

HB 78 (Watts) (HCT)/**SB 16** (Favola) (Reported SCT) prohibits the issuance of a search warrant for the search and seizure of menstrual health data, as defined in the bill, stored on a computer,

computer network, or other device containing electronic or digital information. (24100769D; 24106050D-S1)

HB 150 (Helmer) (SEH) prohibits the Board of Social Services from requiring persons applying to participate or renewing their participation in the Supplemental Nutrition Assistance Program to appear in person. The bill also codifies the Department of Health's authority to implement a Special Supplemental Nutrition Program for Women, Infants, and Children (WIC Program), which is currently authorized by regulation, and prohibits the Department of Health from requiring persons applying to participate or renewing their participation in the WIC Program to appear in person. (24105707D-H1)

HB 291 (Cherry) (Passed House)/**SB 24** (Locke) (Passed Senate) Modifies existing provisions regarding the required long-term services and supports screening under the state plan for medical assistance services by creating greater flexibility for how screening are completed under certain circumstances. Under the bill, any individual receiving inpatient services in an acute care hospital discharged to a nursing facility for skilled care only is not required to be screened prior to discharge from the hospital unless the individual requests the screening. The bill directs the Department of Medical Assistance Services to adopt emergency regulations to implement the provisions of the bill. The bill contains an emergency clause. 24100614D-E; 24101200D-E)

HB 354 (Hope) (Passed House) directs the Board of Health to adopt regulations governing swimming pools and other water recreational facilities operated for public use, including swimming pools and other water recreational facilities operated in conjunction with a tourist facility or health spa. (24100851D)

HB 361 (Simonds) (Passed House; SRRS) authorizes the Department of Social Services to obtain criminal history record information for the purpose of screening individuals as a condition of licensure, employment, volunteering, or providing services on a regular basis in a licensed child welfare agency or foster or adoptive home approved by a child-placing agency. (24102257D-E)

HB 453 (Callsen) (HHHS) allows local boards of social services or child-placing agencies to approve kinship foster care parent applicants who have been convicted of certain felony drug offenses if five years have elapsed since the date of the conviction, where under current law 10 years must have lapsed in order to be eligible for approval as a kinship foster care parent. The bill also adds exceptions for certain misdemeanor assault and battery convictions not involving the abuse, neglect, or moral turpitude of a minor if five years have elapsed since the date of the conviction. The bill directs the State Board of Social Services to adopt regulations to implement the provisions of the bill to be effective no later than September 1, 2024. (24104807D)

HB 511 (Cohen) (HHHS) adds assisted living facilities to the list of eligible health care employers for which a health care practitioner licensed, certified, or registered in another state or the District of Columbia may temporarily practice for one 90-day period, provided that the practitioner is contracted by or has received an offer of employment in the Commonwealth from the health care employer and when certain other conditions are met. (24103923D)

HB 515 (Hope) (HHHS) authorizes hospitals with a psychiatric emergency department to employ certain trained individuals to perform evaluations to determine whether a person meets the criteria for temporary detention for behavioral health treatment. The bill defines psychiatric emergency department as an emergency department of a hospital licensed by the Department of Health that is physically attached to a hospital with adult and adolescent inpatient psychiatric beds and adult detoxification beds licensed by the Department of Behavioral Health and Developmental Services. The bill requires participating hospitals with psychiatric emergency departments to annually report the number of temporary detention order evaluations completed, the number of temporary detention orders petitioned, the number of individuals evaluated for temporary detention who were determined to not meet the criteria for temporary detention, and the number of individuals under a temporary detention order admitted to a state facility to the Chairmen of the Senate Committee on Education and Health, the House Committee on Health, Welfare and Institutions, and the Behavioral Health Commission. The bill has an expiration date of July 1, 2026 (24106410D-H1)

HB 516 (Hope) (HHHS) requires pharmacies to notify any person receiving a prescription drug that an accessible prescription label is available upon request at no cost and to provide to individuals who are blind, visually impaired, or otherwise print disabled accessible prescription labels that meet specified accessibility requirements. The bill requires the Board of Pharmacy to promulgate regulations implementing the provisions of the bill no later than April 1, 2025. (24104715D)

HB 908 (Shin) (HHHS) requires the Department of Medical Assistance Services to amend the financial eligibility standards for certain waivers providing services to individuals with developmental disabilities so that Social Security Disability Insurance income is disregarded by the Department when calculating such individuals' financial eligibility for such waivers. (24100525D)

HB 909 (Shin) (HHHS) directs the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to seek federal authority through the necessary state plan amendments under Titles XIX and XXI of the Social Security Act to modify the program rules for certain 1915(c) Home and Community Based Services Medicaid Waivers to (i) modify the 40-hour-per-week work limit to allow legally responsible individuals with more than one waiver-receiving child to receive reimbursement for 40 hours of work per week per child receiving a waiver; (ii) eliminate the requirement that, in order for a legally responsible individual to receive reimbursement for personal care services, no one else be available to provide services to the member; (iii) modify the program rules to allow for respite services when the legally responsible individual is the paid caregiver; and (iv) modify the program rules to allow a legally responsible individual or stepparent to be the employer of record. (24104863D)

HB 1021 (Wilt) (HHHS) Directs the Department of Medical Assistance Services (DMAS) and the Department of Behavioral Health and Developmental Services to amend their regulations to allow local community services boards the discretion to convert allocated Community Living waivers to Family and Individual Support waivers and Building Independence waivers if the Community Living waivers are not being utilized and will not be utilized in the foreseeable future. The bill requires DMAS to seek any necessary federal approvals to effectuate this modification through the

submission of a state plan for medical assistance services amendment to the Centers for Medicare and Medicaid Services. (24107172D-H1)

HB 1130 (Hayes) (Passed House)/**SB 35** (Locke) (Passed Senate) directs the Board of Medicine and the Board of Nursing to require unconscious bias and cultural competency training as part of the continuing education and continuing competency requirements for renewal of licensure. The bill specifies requirements for the training and requires the Board of Medicine and Board of Nursing to report on the training to the Department of Health and the Neonatal Perinatal Collaborative. (24106251D-H1; 24105992D-S1)

HB 1165 (Sickles) (Passed House; SEH) adds definitions related to the rights of persons with disabilities to relevant law. The bill defines "path of travel," "place of public accommodation," "public entity," "private entity," and "readily achievable." The bill requires places of public accommodation to ensure that barriers to accessibility are removed when the removal is readily achievable. (24103115D)

HB 1242 (Willett) (HCT)/**SB 546** (Bagby) (SEH) requires (i) the facility at which an individual who is the subject of an emergency custody order is being evaluated to determine whether the individual meets the criteria for temporary detention or (ii) the hospital emergency department and treating physician, when providing services to an individual who is being evaluated to determine whether the individual meets the criteria for temporary detention, to allow the individual's family member or legal guardian to be present unless the individual objects or their presence would create a medical or safety risk. (24104731D; 24104732D)

HB 1269 (Price) (Passed House) creates an exception to the barrier crime rules for employment at an adult substance abuse or mental health treatment program that permits persons convicted of certain offenses to be eligible for employment if such conviction occurred more than three years prior to the date of their application for employment. (24106182D-H1)

HB 1318 (Cole) (HHHS) directs the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to seek to modify the program rules for certain 1915(c) Home and Community-Based Services Medicaid Waivers to eliminate the requirement that in order for a legally responsible individual to receive reimbursement for personal care services, no one else be available to provide such services to the Medicaid member. (24106944D-H1)

HB 1366 (Delaney) (Passed House; SRSS) establishes a process for local departments of social services to conduct background checks for current or prospective employees and prohibits local departments from employing any person who has been convicted of a criminal offense that relates to his employment. The bill includes criteria for the local department to consider when deciding if a criminal offense related to employment is relevant when hiring a specific employment position. (24102916D)

HB 1539 (Simon) (HCT)/ **SB 15** (Favola) (SCT) provides that no demand for extradition of a person charged with a criminal violation of the law of another state shall be recognized by the

Governor if such alleged violation involves the receipt of or assistance with reproductive health care services, defined in the bill, within the Commonwealth unless the alleged criminal violation would also constitute a criminal offense under the laws of the Commonwealth. The bill also provides that such limit on extradition shall not apply when the person who is subject to such demand for extradition by another state was physically present in the demanding state at the time of the commission of the alleged offense and thereafter fled from such state. The bill adds obtaining, disclosing, selling, or disseminating certain enumerated personal reproductive or sexual health information without the consent of the consumer as a prohibited practice under the Virginia Consumer Protection Act. (24104246D; 24100481D)

SB 13 (Favola) (Passed Senate) directs the Board of Education to amend its regulations to permit any child day program to operate in an office building, defined as any building containing more than two rental units that are rented primarily for retail, commercial, or professional use, provided such office building satisfies the legal and regulatory requirements for licensure as a child day program. (24104110D-S1)

SB 54 (Locke) (SFIN) requires the Department of Education to (i) establish and maintain a funding formula for publicly funded early childhood care and education providers that establishes the minimum funding and number of slots per biennium for such providers based on a cost of quality rate per child, actual data from the prior year, unserved waitlists, and a growth rate differential based on growth in prior biennia; (ii) administer an early childhood educator incentive program to be known as RecognizeB5 whereby a monetary incentive is provided to teachers who work directly with children for at least 30 hours per week at publicly funded providers that participate in the uniform measurement and improvement system known as VQB5, with the exception of teachers who are employed by local school boards; and (iii) administer and make distributions, for the purpose of providing early childhood care and education services, from the Early Childhood Care and Education Fund established in the bill, to which all unspent balances from the Virginia Preschool Initiative at the end of each fiscal year are required to be credited instead of reverting to the general fund. (24105109D-S1)

SB 74 (Durant) (Passed Senate) requires the Director of the Department of Health Professions to release otherwise confidential information from the Prescription Monitoring Program when such information is relevant to a specific investigation, supervision, or monitoring of a specific recipient for purposes of the administration of criminal justice to drug court administrators and behavioral health docket administrators who have completed the Virginia State Police Drug Diversion School designated by the Director of the Department of Corrections or his designee. The bill requires release of the information upon receiving a request for information in accordance with the Department of Health Profession's regulations and in compliance with applicable federal law and regulations. (24102595D)

SB 140 (Carroll Foy) (SFIN) establishes the Fetal and Infant Mortality Review Team to develop and implement procedures to ensure that fetal and infant deaths occurring in the Commonwealth are analyzed in a systematic way. The bill requires the Team to compile triennial statistical data regarding fetal and infant deaths and to make such data available to the Governor, the General Assembly, and the Department of Health. The bill provides that information and records obtained

or created by the Team and portions of meetings of the Team at which individual fetal and infant deaths are discussed shall be confidential. (24106653D-S1)

SB 141 (Ruff) (SEH) expands a current exemption to allow churches, fraternal or school organizations, organizations that are exempt from taxation under § 501(c)(3) of the Internal Revenue Code, and volunteer fire departments and volunteer emergency medical services agencies that not only hold, as provided for in current law, but also participate in occasional dinners, bazaars, and other fundraisers of one or two days' duration, at which food (i) prepared in the homes of members; (ii) prepared in the kitchen of the church, school, or organization; or (iii) purchased or donated from a licensed restaurant is offered for sale to the public to conduct such activities without applying for any permits or licensure from the State Department of Health. (24102264D)

SB 186 (Subramanyam) (SFIN) directs the Secretary of Health and Human Resources to establish a wholesale prescription drug importation program that complies with the requirements of federal law and to report annually by October 1 to the Governor and the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Appropriations and Education and Health on the wholesale prescription drug importation program. The bill also requires the Secretary to (i) convene a work group composed of relevant stakeholders to develop a plan for implementation of the wholesale prescription drug importation program and report the plan to the Governor and the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Appropriations and Education and Health by December 1, 2024, and (ii) seek such federal approvals, waivers, exemptions, or agreements as may be necessary to enable all covered entities enrolled in or eligible for the federal 340B Drug Pricing Program to participate in the wholesale prescription drug importation program to the greatest extent possible without jeopardizing their eligibility for the 340B Drug Pricing Program by July 1, 2025. (24106622D-S1)

SB 239 (Hashmi) (Passed Senate) authorizes Virginia to become a signatory to the Social Work Licensure Compact allows social workers who have or are eligible for an active, unencumbered license in the compact member state where they reside to apply for a multistate license. After verifying eligibility, the social worker is granted a multistate license that authorizes practice in all other compact member states. The Compact takes effect when it is enacted by a seventh member state. (24101999D)

SB 320 (Roem) (Passed Senate) directs the Department of Health to provide information, resources, and education to food banks regarding providing assistance to individuals completing a Women, Infants, and Children (WIC) application. (24101535D-E)

SB 488 (Aird) (SFIN) directs the Department of Medical Assistance Services and the Department of Behavioral Health and Developmental Services to seek federal authority through the necessary state plan amendments under Titles XIX and XXI of the Social Security Act to seek to modify the program rules for certain 1915(c) Home and Community Based Services Medicaid Waivers to (i) modify the 40-hour-per-week work limit to allow legally responsible individuals with more than one waiver-receiving child to receive reimbursement for 40 hours of work per week per child receiving a waiver; (ii) eliminate the requirement that, in order for a legally responsible individual to receive reimbursement for personal care services, no one else be available to provide services

to the member; and (iii) modify the program rules to allow a legally responsible individual or stepparent to be the employer of record. (24106728D-S1)

SB 569 (Deeds) (Passed Senate) directs the State Board of Behavioral Health and Developmental Services to amend its regulations to ensure that its licensing and human rights regulations support high-quality crisis services, including by authorizing the appropriate and safe use of seclusion in crisis receiving centers and crisis stabilization units. The bill exempts the Board's initial adoption of such regulations from the provisions of the Administrative Process Act. The bill also directs the Department of Behavioral Health and Developmental Services to convene a work group to propose additional regulations to allow for the use of (i) evidence-based and recovery-oriented seclusion and restraint practices and (ii) alternative behavior management practices that may limit or replace the use of seclusion and restraint in hospitals, residential programs, and licensed facilities. The bill requires the Department to submit a report of its findings, recommendations, and proposed regulations to the General Assembly by November 1, 2025. (24105832D-S1)

SB 590 (Deeds) (SFIN) adds to the list of core services to be provided by community services boards (i) crisis services for individuals with a mental illness or substance use disorder, (ii) outpatient mental health and substance abuse services, (iii) psychiatric rehabilitation services, (iv) peer support and family support services, (v) mental health services for members of the armed forces located 50 miles or more from a military treatment facility and veterans located 40 miles or more from a Veterans Health Administration medical facility, and (vi) care coordination services. The bill removes language that conditions the duty of community services boards to provide case management services on the availability of funding. The bill further requires community services boards to provide core services (i) to every adult who has a serious mental illness, child who has or is at risk of serious emotional disturbance, and individual who has a substance use disorder and (ii) in a timely manner and at a location that is near the individual. The bill has a delayed effective date of July 1, 2026, for most provisions. (24103975D)

SB 626 (Pillion) (Passed Senate) permits the Department of Behavioral Health and Developmental Services, providers of substance abuse or mental health services to adults, and community service boards and behavioral health authorities to hire applicants convicted of certain barrier crimes of misdemeanor assault and battery or involving controlled substances without additional screening or other requirements, provided that such conviction occurred more than five years prior to the application date for employment. (24103351D)

Housing

HB 1253 (McClure) (HGL) provides that any locality that has adopted an affordable dwelling unit ordinance may require under such ordinance that a set percentage of the units built by a developer are compliant with the appropriate requirements of the American National Standards for Building and Facilities for Type A units or with any other standards adopted as part of regulations promulgated by the U.S. Department of Housing and Urban Development providing accessibility and usability for persons with a physical disability. (24103384D)

HB 1461 (King) (HGL) prohibits a locality from barring an operator, as defined in existing law, who is a lessee or sublessee of property from offering such property as a short-term rental provided

the property owner has granted permission for its use as a short-term rental. The bill adds an attestation that the property owner has granted such permission if the operator is a lessee or sublessee to the information that an operator must provide to annually register such short-term rental. (24104022D)

HB 1538 (Kilgore) (House Floor) establishes a process whereby a manufactured home owner who is not listed as the owner of such manufactured home on its title may detitle such manufactured home in order to convert the home to real property. (24107163D-H1)

Education

HB 1083 (Coyner) (Reported from HED) renames the Virginia Longitudinal Data System as the Virginia Education and Workforce Longitudinal Data System (the System), shifts the duty to administer the System from the State Council of Higher Education for Virginia to the Office of Education Economics (the Office) of the Virginia Economic Development Partnership, and establishes several duties for the Office relating to the administration of the System, including collaborating with the Office of Data Governance and Analytics, developing a strategic plan, overseeing compliance regarding the protection of data shared with the System, and establishing the research agenda for the System. The bill requires the Virginia Information Technologies Agency to provide technical assistance to the Office relating to the administration of the System. (24106598D-H1)

Administration of Government

HB 671 (Freitas) (HGL) adds to the definition of "public body" any organization, corporation, or agency that received more than 50 percent of its annual revenue, within any of the three preceding years, from public funds. (24102217D)

SB 343 (Rouse) (SFIN) allows localities to establish, by ordinance, one or more military centered community zones, defined in the bill as a community that has a significant presence of military personnel living or working in the designated area and where such presence drives, or has the potential to drive, significant economic activity. The bill provides that a locality, or another political subdivision acting on behalf of the locality, may offer unique benefits to businesses looking to locate within a zone for the purpose of serving the needs of the military personnel, including reduction of certain fees and taxes. In addition, the bill provides that local governing bodies are authorized to enter into agreements for the payment of economic development incentive grants to such businesses. The bill also allows a governing body to provide for certain regulatory flexibility and incentives and provides that the establishment of a military centered community zone shall not preclude the area from also being designated as an enterprise zone or from receiving support under the Virginia Military Community Infrastructure Grant Program. (24104666D)

HB 1092 (Oates) (HGL) requires the Board of Housing and Community Development to amend the Uniform Statewide Building Code and corresponding regulations to remove any authority for local building departments to appoint local building officials for permanent terms. The bill requires the Board to require local building departments to appoint such officials for a term not to exceed 10 years and to only reappoint such officials after holding a performance evaluation. (24103911D)

HB 1475 (Keys-Gamarra) (HGL) Directs the Board of Housing and Community Development to amend the Uniform Statewide Building Code to require that owners and operators of certain apartment buildings begin to supply cooling to maintain certain temperatures by April 1 of each year. Under the current regulations, such required cooling period begins May 15. (24105303D)

Elections

HB 55 (Wright) (HPE) **SB 131** (Ruff) (Passed Senate) provides that if a person who is a candidate for nomination by a political party at a primary election and who appears on the ballot for such election withdraws his candidacy on or after the forty-fourth day before but prior to the Tuesday immediately preceding the primary election, and the result of such withdrawal is one remaining candidate who is now unopposed, the remaining candidate will be declared the party's nominee for the office sought and the primary election will be canceled. The bill requires the notice of withdrawal to be signed and notarized and to be submitted to the general registrar, who then transmits it to the local electoral board and the State Board of Elections, along with a certification that the remaining candidate is now unopposed for nomination. The State Board is required to declare the remaining candidate to be the nominee within one calendar day of receiving such notice, and the local electoral board is then required to petition the circuit court for the cancellation of the primary election. Finally, the bill directs the State Board to prescribe procedures for canceling a primary election, including instructions for locking and securing voting systems, disposition of marked and unmarked absentee ballots, and voter notification. The bill has a delayed effective date of January 1, 2025. (24100058D; 24102245D)

HB 69 (Bulova) (House Floor) requires the local governing body or elected school board making an interim appointment to fill a vacancy in the membership of such body or board to hold a public meeting at least seven days prior to making such appointment. The bill specifies that at such meeting, the body or board shall announce the names of all persons being proposed for the interim appointment and shall make available for inspection each person's resume and any other materials required by the body or board. (24101325D)

HB 147 (Reid) (HCT) allows a locality that has an ordinance requiring any person over 18 years of age convicted of false emergency communication to emergency personnel to reimburse such locality at the time of sentencing or in a separate civil action to bill a flat fee of \$2,500 or a minute-by-minute accounting of actual costs incurred. The bill also allows a locality that has an ordinance requiring any person under 18 years of age convicted of false emergency communication to emergency personnel to reimburse such locality at the time of sentencing or in a separate civil action to bill a flat fee of \$2,500 or a minute-by-minute accounting of actual costs incurred, not to exceed \$2,500. Current law allows a flat fee of \$250, or a minute-by-minute accounting of actual costs incurred, in an amount not to exceed \$2,500. (24104284D)

HB 185 (Simon) (HPE) requires challenges to a person's eligibility to appear on the ballot on the basis that such person did not meet all qualifications or fulfill all requirements for candidacy to be made at least 60 days before the date of the election. Candidates who are nominated at a primary election cannot be later challenged on the basis of facts that were present prior to the primary

election and could have been raised in a challenge to such candidate's eligibility for the primary ballot. (24100722D)

HB 212 (Watts) (HAPP) requires that the MEI Project Approval Commission considers, prior to recommending approval of any major employment and investment (MEI) project, (i) whether a business has and commits to maintaining a balanced board of directors based upon gender and racial diversity, such that at least 30 percent of such board of directors consists of women and historically underrepresented groups, and (ii) whether a business seeking approval of a project submits a board diversity disclosure and commits to updating such disclosure annually, specifying the number and percentage of diverse directors on the board of such business who self-identify as female or represent a national, racial, ethnic, indigenous, or cultural minority in the country of the business's principal executive offices. (24101407D)

HB 254 (Sullivan) (HPE) provides that any candidate nominated by a political party or at a primary election shall be identified on the ballot by the name of his political party. Currently, only candidates for federal, statewide, and General Assembly offices are so identified. (24101070D)

HB 265 (Simon) (HPE) Requires the signatures collected on a petition for removal of certain public officers to be collected within 90 days of the first signature being collected and provides that no signatures gathered after such period shall count toward the required number. A petition for the removal of an elected official from office is not sufficient and shall not be certified by the general registrar when the grounds or reasons stated for removal of such official have been the basis for a previously filed petition against the same official that was dismissed for a failure to state valid grounds or did not result in the subject's removal from office at trial pursuant to law. The bill also provides that, in proceedings to remove a public officer from office, if the attorney for the Commonwealth who would be responsible for reviewing a removal petition and determining whether valid grounds for removal exist or for representing the Commonwealth at a removal proceeding has a conflict of interest or is otherwise unavailable, the Chief Justice of the Supreme Court of Virginia shall appoint an alternate attorney for the Commonwealth. Lastly, the bill provides that discovery shall not be permitted in any removal proceeding. (24104458D)

HB 465 (Runion) (HPE)/**SB 147** (Head) (SRUL) requires the State Board of Elections to adopt guidance for determining the recommended number of deputy registrars to serve in a county or city based on the size of the county's or city's population as of the most recent decennial census and prohibits a local electoral board from setting a number in excess of such recommendation. The bill allows for additional deputy registrars to be appointed if the local electoral board determines that a greater number than the State Board's recommended number for a county's or city's population is needed and the local governing body approves such number. The bill also requires the Department of Elections to convene a work group no later than July 1, 2024, to advise and collaborate with the State Board on the development of such guidance and directs the work group to complete its work and make public such guidance no later than December 1, 2024. The provisions of the bill other than the requirement for the Department to convene the work group have a delayed effective date of January 1, 2025. (24103038D; 24100147D)

HB 658 (Cole) (HPE) allows elections for any local or constitutional office to be conducted by ranked choice voting. Under current law, only elections of members of a county board of

supervisors or a city council are allowed to be conducted by ranked choice voting. The bill also clarifies requirements for conducting elections using ranked choice voting and requires results for elections conducted by ranked choice voting to be reported along with other results reported on election night, except that such results must clearly be identified as preliminary and based on the first rankings in a ranked choice voting election. The bill provides that final tabulation for an election for a local or constitutional office that is not shared by more than one county or city is required to be conducted on the same day as other results are canvassed by the local electoral board and that final tabulation for an election for a local or constitutional office that is shared by more than one county or city is required to be conducted at a centralized facility under the supervision of the Department of Elections. The bill specifies that ranking data is required to be made publicly available by the Department and requires the State Board of Elections to provide standards and to approve vote tabulating software for use with existing voting systems in elections conducted by ranked choice voting. The bill also limits a risk-limiting audit of an election conducted using ranked choice voting to the first-choice rankings reported on voting systems. Finally, the bill directs the Department to review the testing and approval framework for voting equipment in the Commonwealth and submit a report of such review no later than the first day of the 2025 Regular Session of the General Assembly. (24104652D)

HB 694 (O'Quinn) (HPE) allows officers of election at a central absentee precinct to begin ascertaining and recording the number of votes cast by absentee ballots at any time after noon on the day of the election. Under current law, absentee ballots that are counted by hand may be tallied, but not counted, at any time after noon on the day of the election, and no ballot totals for any absentee ballots shall be ascertained until after polls close. The bill also clarifies that vote totals for absentee ballots cast in person on voting systems cannot be determined until the day of the election. The bill also requires that general registrars begin processing absentee ballots on the fourteenth day prior to the day of the election. Under current law such processing is not required until the seventh day prior to the day of the election. (24103209D)

HB 904 (Price) (HPE) requires certain, specified identification information to be included on the lists received by the Department of Elections for list maintenance purposes and requires the Department, upon receiving any such list, to do an initial comparison of the information included on such list with the list of registered voters to identify record matches. Depending on which identification information matches, the Department either transmits the information to the appropriate general registrar to initiate the cancellation process or notifies the appropriate general registrar who may then initiate the confirmation notification process. The bill prohibits the use of voter data received from another state or jurisdiction or through a list comparison for list maintenance purposes when the data file does not include a unique identifier for each individual whose information is contained in the data file. The bill requires the Department of Elections to annually audit all sources of data utilized for list maintenance activities for the purpose of determining the validity, completeness, accuracy, and reliability of the data received from each source, and to include the results of such audit in its annual report to the Committees on Privileges and Elections regarding its list maintenance activities. The bill requires the general registrars to send notice prior to cancelling a voter's record regardless of the reason for cancellation. Lastly, the bill clarifies that when a voter's registration is cancelled, a cancellation record must be created, and that such records are public in accordance with the Virginia Freedom of Information Act and the

National Voter Registration Act. The bill includes numerous technical amendments for organizational purposes. (24101216D)

HB 943 (Shin) (House Floor) adds to the list of protected voters any person serving as a member of a local electoral board, a general registrar, a deputy registrar or employee in an office of a general registrar, or an officer of election. Protected voters are permitted by law to provide on the application for voter registration, in addition to the voter's residence street address, a post office box address located within the Commonwealth to be included on (i) lists of registered voters and persons who voted, (ii) voter registration records made available for public inspection, and (iii) lists of absentee voter applicants. (24100464D)

HB 998 (Anthony) (HPE) permits local electoral boards, when meeting after an election to ascertain the results of such election, to adjourn as needed for a period not to exceed seven calendar days from the deadline for timely postmarked absentee ballots to be returned in order to be counted. Under current law, the local electoral boards are permitted to adjourn for a period not to exceed seven calendar days from the date of the election. The bill contains technical amendments for organizational purposes. (24101356D)

HB 1003 (Anthony) (House Floor) requires notice of any adopted change in an election district, precinct, or polling place to be mailed to all registered voters subject to such change at least 30 days prior to the next election. Currently, such notice must be mailed at least 15 days prior. (24103845D)

HB 1149 (Cordoza) (HPE) allows the Governor to petition the circuit court to remove from office any local elected officer or local officer who has been appointed to fill a local elective office due to certain issues related to neglect of duty or criminal convictions. Under current law, this process is initiated only by a voter petition. (24102667D)

HB 1177 (Sickles) (HAPP)/**SB 606** (VanValkenburg) (SFIN) requiring membership in the Electronic Registration Information Center (ERIC). Requires the Commissioner of Elections to apply for, enter into, and maintain membership for the Commonwealth in the Electronic Registration Information Center (ERIC). (24100506D; 24102718D)

HB 1189 (Scott) (HPE) requires the electoral board of each locality to randomly select one polling place within its jurisdiction in which votes were cast using a voting system for a full hand count audit. (24101693D)

HB 1330 (Ward) (HPE) provides that any registered voter who is confined while awaiting trial or for having been convicted of a misdemeanor may vote by absentee ballot and requires the institution or facility in which such voter is confined to (i) provide the means and opportunity for such voter to complete and submit a timely application for an absentee ballot and to properly mark his absentee ballot and (ii) ensure such voter's marked absentee ballot is returned in accordance with law. The bill further provides that such voter shall be permitted to vote absentee in person or at the polling place on election day if the deadline for making an application has passed and directs the institution or facility to facilitate the safe and secure transport of the voter to do so. (24100964D)

HB 1490 (Reaser) (HPE) authorizes the governing body of any county or city establishing voter satellite offices for absentee voting in person to prescribe, by ordinance, the dates and hours of operation for such offices. The bill prohibits any reduction in the dates or hours of operation of such offices to be enacted within 60 days of any general election. (24104399D)

HB 1530 (Cordoza) (HPE) requires that each locality have one chief deputy registrar. The bill requires any chief deputy registrar serving on a full-time basis to be paid not less than 60 percent of the salary paid to the general registrar. The bill requires that any chief deputy registrar of a locality whose population is greater than 10,000 serve on a full-time basis and gives the general registrar in a locality whose population is 10,000 or less the authority to determine whether the chief deputy registrar serves on a full-time basis. The bill gives general registrars in all localities the authority to determine whether any other deputy registrar serves on a full-time or part-time basis and the authority to determine the terms of deputy registrars, including the chief deputy registrar. Under current law, requirements for employees in a registrar's office are determined on the basis of a population of 15,500 or less or more than 15,500 and some of the determinations are made by the electoral board rather than by the general registrar. (24104827D)

HB 1534 (Sickles) (HPE) eliminates the process by which any voter could challenge, in a polling place on the day of an election, the right of any other voter to cast a ballot. The bill also eliminates the process by which any three voters could challenge a voter's registration before the general registrar; such challenges may still be made by filing with the Circuit Court of the City of Richmond a petition stating the petitioner's objections to such voter's registration. The bill also requires challenges to a person's eligibility to appear on the ballot on the basis that such person did not meet all qualifications or fulfill all requirements for candidacy to be made at least 60 days before the date of the election. Candidates who are nominated at a primary election cannot be later challenged on the basis of facts that were present prior to the primary election and could have been raised in a challenge to such candidate's eligibility for the primary ballot. Any challenge to a candidate's qualifications or eligibility shall be made by filing a petition with the Circuit Court of the City of Richmond, which shall have jurisdiction over such proceedings. (24100830D)

SB 196 (VanValkenburg) (SFIN) prohibits the use of voter data received from another state or jurisdiction or through a list comparison for list maintenance purposes when the data file does not include a unique identifier for each individual whose information is contained in the data file. The bill requires the Department of Elections to annually audit all sources of data utilized for list maintenance activities for the purpose of determining the validity, completeness, accuracy, and reliability of the data received from each source, and to include the results of such audit in its annual report to the Committees on Privileges and Elections regarding its list maintenance activities. Lastly, the bill provides that the Circuit Court of the City of Richmond has jurisdiction over any proceeding challenging a voter's registration. The bill includes technical amendments. (24106247D-S1)

SB 224 (Rouse) (SPE) requires the general registrar to mail a notice to all persons known by him to have been convicted of a felony prior to canceling any such person's voter registration. The bill specifies that such notice shall inform the person of the report from the Department of Elections based on information received from the Central Criminal Records Exchange indicating his felony

conviction and allow such person to submit evidence that his right to vote has been restored within 14 days of the date the notice was mailed. The bill requires the general registrar to cancel the registration of such person who does not respond within 14 days. (24103669D)

SB 300 (Rouse) (SFIN) requires certain, specified identification information to be included on the lists received by the Department of Elections for list maintenance purposes and requires the Department, upon receiving any such list, to do an initial comparison of the information included on such list with the list of registered voters to identify record matches. Depending on which identification information matches, the Department either transmits the information to the appropriate general registrar to initiate the cancellation process or notifies the appropriate general registrar who may then initiate the confirmation notification process. The bill requires the general registrars to send notice prior to cancelling a voter's registration regardless of the reason for cancellation. Lastly, the bill clarifies that when a voter's registration is cancelled, a cancellation record must be created and that such records are public in accordance with the Virginia Freedom of Information Act and the National Voter Registration Act. The bill includes technical amendments for organizational purposes. (24106255D-S1)

SB 364 (Ebbin) (SFIN) adds current or former status as an election official or employee of an election official to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also adds current or former status as an election official or employee of an election official to the categories of hate crimes that are to be reported to the central repository of information regarding hate crimes maintained by the Virginia State Police. The bill provides that a person who is subjected to acts of intimidation or harassment, violence directed against his person, or vandalism to his real or personal property, where such acts are motivated by current or former status as an election official or employee of an election official, may bring a civil action to recover his damages. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of current or former status as an election official or employee of an election official. The bill also adds to the list of protected voters any election official or employee of an election official. Protected voters are permitted by law to provide on the application for voter registration, in addition to the voter's residence street address, a post office box address located within the Commonwealth, which would be the address included on (i) lists of registered voters and persons who voted, (ii) voter registration records made available for public inspection, and (iii) lists of absentee voter applicants. The bill also makes it a Class 5 felony to hinder or prevent an election official or employee of an election official from administering elections. Under current law, it is only a Class 5 felony to hinder or prevent an officer of election at a location being used for voting from holding an election. (24107084D-S1)

Environment

SB 329 (Surovell) (SFIN) requires the Department of General Services, whenever purchasing compost or other products containing organic soil amendments for use by state agencies, to use competitive sealed bidding and to award the contract to the lowest responsive and responsible bidder offering compost produced in Virginia unless the bid price is more than four percent greater

than the bid price of the lowest responsive and responsible bidder offering such products produced elsewhere. The bill allows the governing body of a locality to give preference to compost or other products containing organic soil amendments produced within such locality in the case of a tie bid. The bill also provides that any locality may by ordinance require that certain generators, as defined in the bill, of large quantities of organic waste separate the organic waste from other solid waste and ensure that the organic waste is diverted from final disposal in a refuse disposal system. The ordinance may require that generators divert organic waste from final disposal in a refuse disposal system by any of a variety of specified waste diversion activities. The ordinance may also establish civil penalties for violations of the ordinance, but a locality shall first issue a warning to a generator that violates the ordinance. Finally, the bill expresses that it is the intent of the General Assembly that new public-school buildings and facilities and improvements and renovations to existing public school buildings and facilities include waste disposal infrastructure, as defined in the bill. (24104350D)

General Transportation

SB 65 (Durant) (SCT) removes the provisions that provide that no law-enforcement officer may lawfully stop a motor vehicle for operating with defective and unsafe equipment and removes the accompanying exclusionary provisions. (24103183D)

SB 97 (Peake) (SCT) removes the provisions that prohibit a law-enforcement officer from lawfully stopping a motor vehicle for violations related to improper tinting films, signs, decals, and stickers on such motor vehicle's windows. The bill increases from 35 percent to 50 percent the minimum percentage of total light transmittance required for tinting the rear and rear side windows of any motor vehicle. The bill increases from 35 percent to 50 percent the authorized reduction of total light transmittance for tinting the rear and rear side windows of any motor vehicle and maintains exemptions for multipurpose passenger vehicles and pickup trucks. (24100893D)

Transportation

HB 144 (Reid) (House Floor) requires the Department of Transportation, if the Commissioner of Highways increases or decreases a speed limit, to (i) notify the primary liaison with the Department in each locality within which such speed limit change will occur and (ii) place roadside signage notifying drivers of the upcoming change in such speed limit. The bill also requires the Department to notify the governing body of any property owners' association or condominium association if any such speed limit change will occur in a community subject to such association. (24106376D-H1)

HB 285 (McQuinn) (HGL) exempts plans and specifications for bus shelters that do not exceed 256 square feet that are to be constructed for transit agencies receiving state money and that will be constructed on state-owned property from the Department of General Services' review process required by the Uniform Statewide Building Code. The bill authorizes the local building official of the locality in which the state-owned property is located to conduct the review process within 60 days of the applicant's initial submission of the plans and specifications for such bus shelter. (24101088D)

HB 703 (Webert) (HGL) directs the Department of General Services and the Department of Transportation to amend and conform the regulations and requirements for localities and transit agencies constructing concrete pad foundations for school bus shelters, public transit shelters, and rideshare stations. (24100159D)

SB 535 (Bagby) (Senate Floor) expands the definition of "school crossing zone" to include areas surrounding schools where the presence of students reasonably requires a special warning to motorists and provides that the term "school" includes public institutions of higher education and nonprofit private institutions of higher education. Currently, the definition of "school crossing zone" includes only areas surrounding schools where the presence of children requires such warning. Existing provisions of law allowing photo speed monitoring devices to be installed in school crossing zones will apply to any location that meets the expanded definition. (24101227D; 24102663D; 24101796D)

Towing

SB 94 (Stanley) (STRAN) prohibits tow truck drivers and towing and recovery operators from soliciting or offering towing services or causing any other person to solicit or offer towing services in any manner, directly or indirectly, at the scene of any wrecked or disabled motor vehicle upon a highway when such wrecked or disabled motor vehicle reasonably necessitates removal by a tow truck. The bill provides that a violation of such prohibition constitutes a Class 1 misdemeanor. (24102071D)

Data Centers

HB 337 (Thomas) (HCCT) provides that any local government land use application required for the siting of a data center shall only be approved in areas where the data center will (i) have a minimal impact on historic, agricultural, and cultural resources and (ii) not be within one-half mile of a national park, state park, or other historically significant site. (24101113D)

HB 338 (Thomas) (HCCT) requires a locality, prior to any approval for the siting of a data center, to perform a site assessment to examine the effect of the data center on water usage and carbon emissions as well as any impacts on agricultural resources within the locality. (24101112D)

SB 288 (Roem) (SLG) provides that any local government land use application required for the siting of a data center shall be approved only in accordance with certain notice and noise abatement requirements. The bill provides that residents within a half-mile radius of the parcel shall receive notice of the proposed data center and that the data center operator shall hold two neighborhood meetings. The bill requires a data center operator to design and build the data center to incorporate sound mitigation methods sufficient to prevent the sound levels emanating from the data center from exceeding the ambient noise levels that were observed in a baseline study, as determined by a third-party acoustic engineer. The bill also provides that upon issuance of a certificate of occupancy, and for five years thereafter, the data center operator shall conduct a noise study performed by a third-party acoustical engineer to document noise levels emanating from the data center measured at the property line of the nearest property to the data center property that is planned or zoned for residential land uses, or other noise sensitive use as

reasonably determined by the locality, during peak operation of the data center mechanical equipment. The bill also provides that if the data center operator intends to use backup power generators on the parcel, the operator shall maintain a public website announcing the times when the generators will be in operation. (24102008D)

Land Use

SB 18 (Locke) (SGL) states that design-bid-build, defined in the bill, utilizing competitive sealed bidding is the preferred method of procurement for construction services in the Commonwealth. Complex projects, defined in the bill, may request an exemption from the provisions of the bill and relevant law from the Division of Engineering and Buildings of the Department of General Services. The bill requires all documents related to the proposed use of construction management or design-build by state public bodies and institutions of higher education and any available subcontractor opportunities to be posted on eVA. The bill transfers from the Department of General Services to the Division of Engineering and Buildings the authority to evaluate the proposed use of construction management or design-build by state public bodies and institutions of higher education and specifies that a local governing body must approve at a public meeting the use of construction management or design-build by a local public body. Finally, the bill prohibits state public bodies, institutions of higher education, and local governing bodies from considering prior construction management or design-build experience of contractors on comparable projects. (24100807D)

SB 121 (Subramanyam) (Passed Senate) expands authority of certain localities to adopt an ordinance providing for the planting and replacement of trees during the development process by allowing a tree canopy fund that currently applies to the planting of trees on public property to include maintenance of trees on public property and planting and maintenance of trees on private property. The bill removes a provision that requires that any funds collected for the purposes of the tree canopy fund be returned to the original contributor if not spent within five years but maintains the requirement that such funds be spent within five years. The bill also includes an expansion of the canopy credit and a provision that will require a local tree conservation ordinance to meet the standards set out in the statute. (24102995D-E)

SB 171 (Craig) (Passed Senate) allows enhanced civil penalties for zoning violations involving nonpermitted commercial uses. The bill also requires that for any violation involving nonpermitted commercial uses, a person who admits liability shall be required to abate or remedy the nonpermitted commercial use violation within a period of time specified by the locality that is no less than 30 days but no more than 24 months from the date of admission of liability. (24103232D-E)

SB 296 (VanValkenburg) (Passed Senate) requires local planning commissions to use the same approval process for residential development projects as is currently required for commercial development projects. (24103598D)

SB 298 (French) (SFIN) extends the sunset date of the individual and corporate tax credit for purchase of conservation tillage and precision agricultural application equipment from January 1, 2026, to January 1, 2030. (24102322D)

SB 342 (Stuart) (Passed Senate) requires the Virginia Waste Management Board to amend regulations to allow for vegetative waste to be transported to another location for destruction if it is impractical or unsafe to destroy such waste on the premises of private property. (24101948D-E)

SB 365 (DeSteph) (Passed Senate) prohibits a person from engaging in any land-disturbing activity until, where Virginia Pollutant Discharge Elimination System (VPDES) permit coverage is required, the Virginia Erosion and Sediment Control Program (VESCP) authority has obtained evidence of such permit coverage from the Department of Environmental Quality's online reporting system prior to issuing its land-disturbance approval. Current law requires the VESCP authority to obtain such evidence of VPDES permit coverage prior to approving an erosion and sediment control plan. (24102266D)

Animals

HB 221 (Orrock) (HAG) directs the Board of Agriculture and Consumer Services to promulgate regulations establishing minimum requirements for a Free-Roaming Cat Management Plan and establish a model plan for localities to reduce and control the population of free-roaming cats and the abandonment of cats for the purpose of reducing the negative impacts of free-roaming cats on public health, wildlife, and the cat population. The bill permits a locality to adopt such plan created by the Board and include in such plan any ordinances related to cats that are currently in effect. The bill directs the Board, in consultation with relevant stakeholders, to promulgate such regulations no later than July 31, 2025. (24100334D)

SB 11 (Favola) (Passed Senate) provides that any person convicted of felony cruelty to animals may be prohibited by the court from possession or ownership of animals for life and any person convicted of misdemeanor cruelty to animals may be prohibited by the court from possession or ownership of animals for a period of up to five years. Under current law, such prohibition is limited to companion animals and a period equal to the statutory maximum period of incarceration. (24106527D-ES1)

SB 93 (Stanley) (Passed Senate) allows any locality to establish an animal cruelty registry for public access on the website of such locality or its local police department. The bill provides that such registry may include the names and relevant information of persons convicted of certain felony offenses for animal cruelty and that a person on such registry may request removal of his name after 15 years, provided that he has no additional felony convictions of an animal cruelty offense. The bill directs that all costs relating to a locality's animal cruelty registry shall be borne by such locality. (24104230D)

SB 266 (DeSteph) (SACNR) increases the number of hours of required additional training in animal control and protection from 15 to 24 every three years for all animal control officers and deputy animal control officers employed by a locality. (24101302D)

Public Safety/Criminal Justice

HB 232 (Campbell) (HPS) provides employees of contributing nonprofit private institutions of higher education, defined in the bill, and contributing private police departments, defined in the bill, with the benefits granted to employees of participating employers under the Line of Duty Act. The bill clarifies that the Line of Duty Act shall not apply to any private institution of higher education or private police department that is not a contributing nonprofit private institution of higher education or contributing private police department, respectively. (24103028D)

HB 250 (Glass) (House Floor) provides that the Department of Criminal Justice Services shall have the power and duty to establish a comprehensive framework for the custodial and noncustodial interrogation of adults and juveniles by law-enforcement officers within the Commonwealth, which shall include (i) developing policies and procedures for interrogation practices, including guidance on when the use of the following is considered lawful: (a) false promises of leniency, (b) misleading statements regarding evidence or statements of witnesses or co-conspirators, and (c) inauthentic replica documents or computer-generated audiovisual evidence; (ii) establishing and publishing a model policy for conducting such interrogations to serve as a guideline for criminal justice agencies in the Commonwealth, with the provision that criminal justice agencies may adopt additional policies beyond such model policy but shall not adopt policies that contradict such model policy; and (iii) establishing compulsory minimum training standards for basic training and recertification of law-enforcement officers on conducting such interrogations. The bill provides that the Department shall establish and publish such model policy by January 1, 2025, and that all criminal justice agencies shall adopt a policy consistent with such model policy by July 1, 2025. The bill requires any person employed as a law-enforcement officer prior to July 1, 2024, to complete the training required by the bill by July 1, 2025. (24104173D-E)

HB 1496 (Rasoul) (HTRAN) Directs the Department of Criminal Justice Services (the Department) to create and maintain a registry of surveillance technologies, defined in the bill, and related information provided by localities and to provide notice to localities that fail to properly register. The bill requires localities, prior to implementing the use of any surveillance technology, to register such surveillance technology with the Surveillance Technology Registry and provide information including (i) the type of surveillance technology used, (ii) the cost and vendor of the surveillance technology, (iii) the approximate location of the surveillance technology, and (iv) any storage and use requirements for the surveillance technology. The bill requires the Department, for any type of surveillance technology that has not previously been registered, to request the Joint Commission on Technology and Science to study and issue a report on such surveillance technology. (24107026D-H1)

SB 391 (Pekarsky) (Passed Senate) amends the provision that prohibits an employer from discriminating against an employee for such employee's lawful use of cannabis oil pursuant to a valid written certification issued by a practitioner for the treatment or to eliminate the symptoms of the employee's diagnosed condition or disease, with certain exceptions, by specifying that such use must conform to the laws of the Commonwealth and by excluding the employees of the Commonwealth and other public bodies from such protections. (24107344D-S3)

SB 502 (Surovell) (SCT) prohibits the parent of a minor from filing a petition for a family abuse protective order against such minor, provided that the minor has not otherwise been emancipated

pursuant to law. The bill also authorizes the parent, guardian, or other person standing in loco parentis of a minor to file a petition for a child in need of services or in need of supervision with the clerk of the juvenile and domestic relations district court if an intake officer refuses to file such petition. Under current law, the decision by an intake officer to file such petition is final. (24100778D)

SB 612 (McGuire) (SLG) provides that no local governing body shall approve a budget that will reduce the total funds appropriated for local law-enforcement purposes from the preceding fiscal year except by unanimous vote of all members elected to the governing body. (24103634D)

Firearms

HB 351 (Clark) (HAPP) requires any person who purchases a firearm to either (i) purchase a locking device for such firearm if such person resides in the same household as a minor or (ii) complete a certification statement on a form provided by the Department of State Police, under penalty of perjury, certifying that he does not reside in the same household as a minor, with exceptions enumerated in the bill. Accordingly, the bill provides that it is unlawful for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any firearm to any person, other than a licensed manufacturer, licensed importer, or licensed dealer, unless the transferee (a) purchases a locking device for such firearm if such person resides in the same household as a minor or (b) completes a certification statement on a form provided by the Department of State Police, under penalty of perjury, certifying that he does not reside in the same household as a minor. A violation of either provision is a Class 1 misdemeanor. (24101242D)

SB 2 (Deeds) (Passed Senate) creates a Class 1 misdemeanor for any person who imports, sells, manufactures, purchases, possesses, transports, or transfers an assault firearm, as that term is defined in the bill, and prohibits a person who has been convicted of such violation from purchasing, possessing, or transporting a firearm for a period of three years from the date of conviction. The bill provides that an assault firearm does not include any firearm that is an antique firearm, has been rendered permanently inoperable, is manually operated by bolt, pump, lever, or slide action, or was manufactured before July 1, 2024. The bill also prohibits the sale of a large capacity ammunition feeding device, as that term is defined in the bill. The bill provides that any person who willfully and intentionally (i) sells an assault firearm to another person or (ii) purchases an assault firearm from another person is guilty of a Class 1 misdemeanor and that any person who imports, sells, barter, or transfers a large capacity ammunition feeding device is guilty of a Class 1 misdemeanor. The bill also makes it a Class 1 misdemeanor for any person younger than 21 years of age to import, sell, manufacture, purchase, possess, transport, or transfer an assault firearm regardless of the date of manufacture of such assault firearm. (24100411D-E)

SB 515 (Williams-Graves) (SFIN)/**HB 23** (Laufer) (HPS)/**HB 861** (Hernandez) (House Floor) makes it a Class 1 misdemeanor for any person to possess in or transport into any facility that provides mental health services or developmental services in the Commonwealth, including a hospital or an emergency department or other facility rendering emergency medical care, any (i) firearm or other weapon designed or intended to propel a missile or projectile of any kind; (ii) knife, except a pocket knife having a folding metal blade of less than three inches; or (iii) other dangerous weapon, including explosives and stun weapons. The bill provides that any such

firearm, knife, explosive, or weapon is subject to seizure by a law-enforcement officer and specifies exceptions to the prohibition. (24106820D-S1; 24103473D; 24106763D-H1)

Environment/Land Use

HB 122 (Sullivan) (HLC)/**SB 580** (Deeds) (SCT)/ allows any person aggrieved by the final decision of the Department of Environmental Quality regarding the authorization of a project and who has participated in a proceeding for a permit to construct or operate a small renewable energy project under procedures adopted by the Department to seek judicial review of such action in accordance with the Administrative Process Act in the Circuit Court of the City of Richmond within 30 days of such decision. The bill requires the court to hear and decide such action as soon as practicable after the date of filing. The bill provides that a party in interest to such action will have the right to appeal to the Supreme Court. (24102605D; 24104995D;)

HB 208 (Simonds) (Passed House; SLG) authorizes localities, beginning July 1, 2024, to adopt a healthy communities strategy as part of its next and any subsequent reviews of the comprehensive plan. The bill provides that the locality's strategy may include identifying neighborhoods with major sources of pollution or hazardous waste and identifying objectives and policies to (i) reduce health risks in such neighborhoods, (ii) promote civic engagement by residents of such neighborhoods, and (iii) prioritize improvements and programs that address the needs of such neighborhoods. (24105704D-H1)

HB 220 (Orrock) (Passed House; SACNR) requires sewage treatment works, classified waterworks, and classified water treatment facilities to employ a licensed operator. The bill establishes protocol for an unexpected vacancy of the licensed operator position. The bill also permits remote monitoring of the facility by the licensed operator upon a demonstration of adequate monitoring technology. (24105932D-H1)

HB 235 (Ferrell-Tata) (HCCT) allows cities and towns by ordinance to establish a uniform schedule of civil penalties for commercial use of a street, avenue, park, bridge, or any other public place or public property or any public easement of a city or town, in a manner not permitted to the general public, without having first legally obtained the consent of the city or town. The bill provides that the schedule of civil penalties shall be uniform for each type of specified violation, and the penalty for any one violation, unless elsewhere authorized, shall not exceed (i) \$500 for the initial penalty, (ii) \$1,000 for the second violation, or (iii) \$1,500 for the third or subsequent violation. (24101458D)

HB 281 (Reaser) (Passed House; SLG) permits any locality to, by ordinance, provide for the waiver of any requirements for zoning permits for the operation of a child day program in an office building, as defined by the bill, provided that such facility satisfies the requirements for state licensure as a child day program. (24104412D)

HB 293 (Ballard) (HCCT) allows a law-enforcement agency to publish the required notice that there will be a public display and sale of certain unclaimed personal property that has been in the possession of such law-enforcement agency and remained unclaimed for more than 60 days on the law-enforcement agency's official website or any related social media platforms once a week for

two successive weeks. Under current law, such notice may only be published in a newspaper of general circulation in the locality. (24100776D)

HB 301 (Ballard) (HCCT) adds the violation of one or more local ordinances related to the proper maintenance of property to existing provisions that allow a locality to require a property owner to remove, repair, or secure a building, wall, or other structure that might endanger the public health or safety of other residents of such locality as a reason for requiring such maintenance. The bill also allows the locality through its own agents or employees to take such actions after proper notice. (24102278D)

HB 334 (Wiley) (HCCT)/**SB 641** (Craig) (Passed Senate) repeals an existing statute that allows localities by ordinance to require certification of boiler and pressure vessel operators. (24102778D ;24102779D)

HB 364 (Martinez) (HGL) permits a locality to allow the installation of automatic water-filled or wet-pipe fire sprinkler systems in new townhome construction. The bill provides that such ordinance shall require the installation be completed in compliance with standards, requirements, and specifications for the installation of an automatic water-filled or wet-pipe fire sprinkler system as prescribed by the National Fire Protection Association's NFPA 13, Standard for the Installation of Sprinkler Systems. An automatic water-filled or wet-pipe fire sprinkler system shall not be required when additions or alterations are made to existing townhomes that do not have an automatic residential fire sprinkler system installed. (24105599D-H1)

HB 378 (Owen) (House Floor) clarifies that existing provisions related to the periodic partial and final release of developer performance guarantees also applies to performance guarantees for erosion and sediment control measures, stormwater management facilities, and fill and borrow areas. (24103315D)

SB 78 (Favola) (Senate Floor) Broadens the scope of disclaimer requirements for campaign advertisements to include electioneering communications, as defined in the bill, and messages advocating for the passage or defeat of a referendum. The bill also requires an advertisement that is an independent expenditure or that expressly advocates for the passage or defeat of a referendum to contain a disclaimer providing the names of the advertisement sponsor's three largest contributors. The bill also requires independent expenditure reports to be filed electronically. Current law allows such reports to be filed either electronically or in writing. (24100855D)

SB 135 (Head) (Passed Senate) reduces from 100 acres to 50 acres the minimum number of contiguous acres required for a site that is not a brownfield to satisfy the acreage requirement to be considered eligible to receive a site development grant from the Virginia Business Ready Sites Program Fund by the Virginia Economic Development Partnership Authority. The bill also exempts from the minimum acreage requirement any site that exists in a locality that has three or fewer eligible sites that are at least 100 acres. (24105425D-S1)

SB 171 (Craig) (Passed Senate) allows enhanced civil penalties for zoning violations involving nonpermitted commercial uses. The bill also requires that for any violation involving nonpermitted commercial uses, a person who admits liability shall be required to abate or remedy the

nonpermitted commercial use violation within a period of time specified by the locality that is no less than 30 days but no more than 24 months from the date of admission of liability. (24103232D-E)

SB 267 (DeSteph) (SACNR) changes the standard for approval of a wetlands permit application from three members of a five-member wetlands board or four members of a seven-member wetlands board to a simple majority of those board members present and voting. The bill also changes the standard for approval of a coastal primary sand dune permit application from three members of a five-member wetlands board or four members of a seven-member wetlands board to a simple majority of a quorum of such board. The bill requires certain localities to amend the related ordinances to conform to the provisions of the bill no later than January 1, 2025. (24104507D)

SB 581 (Stuart) (SFIN) authorizes the Department of Environmental Quality to utilize and incorporate comprehensive groundwater, surface water, and aquifer data in its decision-making processes related to the issuance and renewal of groundwater withdrawal permits and surface water withdrawal permits. Such data may include information relating to water levels, flow rates, and water quality. (24101596D)

Renewable Energy

SB 557 (Hackworth) (SACNR) provides that, for the purposes of the renewable energy portfolio standard, eligible sources include (i) hydrogen resources that are produced from zero-carbon generating facilities located in the Commonwealth and (ii) zero-carbon nuclear generating facilities located in the Commonwealth that were placed into service after July 1, 2024. (24102277D)

Conservation

HB 170(Keys-Gamarra) (HCCT) allows any locality to adopt an ordinance providing for the conservation of trees during the land development process. Under current law, only a locality within Planning District 8 that meets certain population density and nonattainment classification criteria is authorized to adopt such an ordinance. (24103656D)

HB 216 (Orrock) (HAG) requires the Soil and Water Conservation Board to develop a process by which an owner may submit a request only to the Department of Conservation and Recreation for a temporary or permanent variance to the general permit requirements for certain impounding structures for its review and consideration. The bill directs the Department to study issues relating to hazard potential classifications for impounding structures in the Commonwealth and report its findings to the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources by December 1, 2024. The bill also directs the Department to advise the Governor and the Secretary of Natural and Historic Resources of any variances to the general permit requirements granted by the Department. (24100333D)

HB 259 (Orrock) (HAG) reduces from 50 percent to 30 percent the project match required of applicants to receive funds from the Dam Safety, Flood Prevention, and Protection Assistance Fund for grants (i) to a local government that owns a dam, (ii) to a local government for a dam located within the locality, or (iii) to a private entity that owns a dam for the design, repair, and safety modifications of such a dam if it is identified in a safety report. The bill provides that grants made from the Fund to a local government or private entity for the determination of the hazard classification for impounding structures, dam break analysis, the mapping and digitization of dam break inundation zones, incremental damage analysis, and other engineering requirements shall require no more than a 10 percent match by the applicant except that such applicant shall be required to provide a minimum of \$5,000 of the cost of the project, if funded, and such match provided by such applicant may be used to pay the application fees for the necessary impounding structure operation and maintenance certificate. The bill removes the 50 percent limit on matching grants that owners of impounding structures may be eligible for from the Fund and other sources of funding available to the Director of the Department of Conservation and Recreation to assist in the development of dam break inundation zone maps and for conducting incremental damage assessments in accordance with the Virginia Impounding Structure Regulations. The bill also removes the limitation that the total amount of expenditures for grants in any fiscal year are not to exceed 50 percent of the total noninterest or income deposits made to the Fund during the previous fiscal year together with the total amount collected in interest or income from the investment of moneys in the Fund from the previous year as determined at the beginning of the fiscal year. (24104622D)

HB 288 (Wiley) (Passed House) requires a person that is obtaining a waterfowl blind license, at the time of the transaction, to provide the unique location of each stationary waterfowl blind to the Department of Wildlife Resources, identified as standardized latitude and longitude coordinates, using the decimal degrees format with a minimum of five-digit precision. The bill further requires the Department to publish such coordinates by November 1 of each year, excluding any customer personal information, on its website in a searchable, publicly accessible, and conspicuous manner. This bill has a delayed effective date of January 1, 2025. (24106866D-H1)

HB 316 (Bulova) (HAPP) establishes the Virginia Recycling Development Center for the purposes of furthering the development of markets and processing for recycled commodities and products, to be run by a director appointed and supervised by the Secretary of Natural and Historic Resources. The bill creates the Virginia Recycling Development Center Advisory Committee, establishes reporting requirements, and creates the Recycling Market Development Fund to be used to fund the Center. The bill requires the Advisory Committee to make recommendations on the sources of potential funding for and detailed qualifying uses of the Fund and report its recommendations to the Secretary no later than October 1, 2024. The bill has an expiration date of July 1, 2038. (24106658D-H1)

HB 320 (Bulova) (Passed House) exempts from the provisions of state pesticide laws and regulations any unpaid volunteer who uses or supervises the use of any nonrestricted herbicide with the express authorization of a local political subdivision for the sole purpose of controlling invasive plants or noxious weeds on properties owned by such local political subdivision. The bill provides that such unpaid volunteer shall use such herbicide under the direct supervision of a certified applicator and the local political subdivision shall provide instruction to the unpaid

volunteer prior to application on (i) the risks associated with the herbicide utilized, (ii) the proper use of equipment used to apply the herbicide, (iii) other information to prevent an unreasonable adverse effect on the environment, and (iv) any other information relevant to the specific herbicide utilized. (24104585D-E)

HB 459 (Sullivan) (Passed House)/**SB 121** (Subramanyam) (Passed Senate)/ expands authority of certain localities to adopt an ordinance providing for the planting and replacement of trees during the development process by allowing a tree canopy fund that currently applies to the planting of trees on public property to include maintenance of trees on public property and planting and maintenance of trees on private property. The bill removes a provision that requires that any funds collected for the purposes of the tree canopy fund be returned to the original contributor if not spent within five years but maintains the requirement that such funds be spent within five years. The bill also includes an expansion of the canopy credit and a provision that will require a local tree conservation ordinance to meet the standards set out in the statute. (24102995D-E; 24102972D-E)

HB 529 (Hope) (House Floor)Expands existing local government authority to conserve or replace trees during the development process by allowing localities to establish higher tree canopy replacement percentages, based on density per acre, lot size, or any other measurement relevant to the practices of the locality to achieve MS4 stormwater nutrient reductions, mitigate urban heat islands, increase resilience to climate change, including reducing coastal and inland flooding, and mitigate air pollution. The bill also alters the current process for granting exceptions to a local ordinance by removing a provision that requires the granting of an exception when strict application of the ordinance would result in unnecessary or unreasonable hardship to the developer and replacing it with a determination by the locality that the strict application would be unreasonable in a specific instance. The bill makes numerous technical amendments. (24106192D-H1)

HB 1100 (Carr) (House Floor) expands current provisions that provide that certain localities in Planning District 8 (Northern Virginia) may, by ordinance, require conservation of trees during the land development process by making such provisions available to localities statewide. (24106858D-H1)

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

Animals

SB 93 (Stanley) (Passed Senate) allows any locality to establish an animal cruelty registry for public access on the website of such locality or its local police department. The bill provides that such registry may include the names and relevant information of persons convicted of certain felony offenses for animal cruelty and that a person on such registry may request removal of his name after 15 years, provided that he has no additional felony convictions of an animal cruelty offense. The bill directs that all costs relating to a locality's animal cruelty registry shall be borne by such locality. (24104230D)

SB 412 (Boysko) (Passed Senate) authorizes releasing agencies, in conjunction with rabies clinics conducted pursuant to state law, to administer certain vaccinations for dogs and cats and insert microchips into animals, provided that all vaccinations and microchips are administered in accordance with a protocol approved by a licensed veterinarian. Any such releasing agencies must (i) provide the owner or custodian of the animal with an individual record of the vaccinations administered or the microchip type, microchip number, and location of the microchip placement; (ii) ensure that a licensed veterinary facility retains a copy of the individual record; and (iii) upon the request of an animal's owner or custodian, an animal control officer, a law-enforcement official, the State Veterinarian or his representative, or an official of the Department of Health, provide the name and contact information of the licensed veterinary facility where a copy of the individual record is retained. (24105740D-S1)

Public Works

HB 1085 (Rasoul) (HAPP)/**SB 243** (McPike) (SFIN) requires the owner or operator of a publicly owned treatment works to monitor PFAS levels, as defined in the bill, in effluent, influent, and biosolids at least quarterly and report all such monitoring data on an applicable discharge monitoring report required by federal regulations. The bill requires the Department of Environmental Quality (the Department), in certain circumstances, to develop a PFAS action plan to identify and address sources of certain PFAS detected in a public water system's raw water source, perform outreach efforts regarding PFAS contamination, report annually on its activities, and work with certain entities in developing its PFAS action plans. The bill requires certain facilities that manufacture or use PFAS to report the use of such chemicals to the Department and to monitor such PFAS at least quarterly unless at another frequency at the direction of the Director of the Department. The bill also directs the Department and the Virginia Department of Health to jointly establish a PFAS Advisory Committee to assist with PFAS-related activities and appoint such committee's members to include legislative members and a wide range of nonlegislative citizen members and to report annually to the Governor and the General Assembly on the Committee's activities and recommendations. (24106713D-H1; 24107132D-S1)

SB 673 (Stuart) (Passed Senate) directs the Department of Environmental Quality and the State Water Control Board to prioritize the preservation of drinking water in all permitting and regulatory processes related to groundwater and surface water resources. (24101597D-E)

Transportation

HB 201 (Krizek) (Passed House) requires, rather than permits, the four members of the Northern Virginia Transportation Commission, the two members of the Potomac and Rappahannock Transportation Commission, and the two members of the Northern Virginia Transportation Authority who are appointed by the Speaker of the House of Delegates to be members of the House of Delegates. (24106647D-H1)

HB 234 (Ward) (Passed House) Authorizes the governing body of any city or county to provide by ordinance for the lawful seizure, impounding, and disposition of an illegally operated all-terrain vehicle or off-road motorcycle operated on a highway or sidewalk within such city or county. (24102062D-E)

HB 282 (Seibold) (Passed House) creates a traffic infraction for any moving violation in a highway work zone punishable by a fine of not less than \$300 for the first offense and not less than \$500 for any subsequent offense. The bill provides that for any subsequent offense that occurs within the same 12-month period as another such offense such fine shall be not less than \$750. (24103499D)

HB 461 (Runion) (HTRAN) requires a pole-mounted speed display sign, defined in the bill, to be placed between 250 and 1,000 feet from any photo speed monitoring device that is in use. (24101767D)

HB 512 (Runion) (HTRAN) requires a pole-mounted speed display sign, defined in the bill, to be placed between 250 and 1,000 feet from any photo speed monitoring device that is in use. (24101767D)

HB 1111 (Wyatt) (HTRAN) directs the Department of Motor Vehicles to convene a work group to determine the feasibility of implementing a tiered flat rate system to accurately determine the correct amount of highway use fee to be charged at the point of sale of a motor vehicle. The bill directs the work group to complete its work and report its findings and recommendations to the Chairs of the Senate and House Committees on Transportation no later than November 15, 2024. (24101321D)

HB 1254 (Runion) (HTRAN) designates bridges with a general condition rating, defined in the bill, of no more than five for at least one major bridge component as eligible for state of good repair funds. Currently, bridges must be structurally deficient to be eligible. The bill authorizes the use of state of good repair funds for improvements anticipated to extend the useful life of a bridge by at least 10 years. The bill applies to new project allocations made by the Commonwealth Transportation Board after June 1, 2025. (24101127D)

HB 1391 (Reid) (House Floor) directs the Commissioner of Highways to evaluate ways to reduce tolls and implement distance-based tolling by transferring any roadway within the Commonwealth operated pursuant to the Virginia Highway Corporation Act of 1988 to the Public-Private Transportation Act of 1995. The bill establishes a process whereby the Commissioner may execute a new comprehensive agreement with the operator of the roadway to operate under the PPTA, if

such transfer would be in the public interest, as defined in the bill. The bill expires on December 31, 2025. (24105224D)

HB 1425 (Austin) (House Floor; STRAN) exempts railway tunnels and bridges owned by the Virginia Passenger Rail Authority from the Uniform Statewide Building Code and the Statewide Fire Prevention Code Act. The bill requires the Virginia Passenger Rail Authority to report annually to the State Fire Marshal on the maintenance and operability of installed fire protection and detection systems in its railway tunnels and bridges. (24104432D)

SB 226 (Hackworth) (Passed Senate) directs the Department of Motor Vehicles to convene a work group to determine the feasibility of implementing a tiered flat rate system to accurately determine the correct amount of highway use fee to be charged at the point of sale of a motor vehicle. The bill directs the work group to complete its work and report its findings and recommendations to the Chairs of the Senate and House Committees on Transportation no later than November 15, 2024. (24105092D)

SB 282 (Roem) (SFIN) provides that beginning in fiscal year 2025, in any fiscal year in which there is a surplus of general fund revenues, as that term is defined in the bill, the Governor shall include in his proposed budget an appropriation of 10 percent of such surplus for the Virginia Highway Safety Improvement Program for the purpose of funding projects consistent with the objectives of the Program. (24101523D)

SB 687 (Ebbin) (STRAN defines driving in a careless manner and distracted manner for purposes of the Class 1 misdemeanor of operating a motor vehicle in a careless or distracted manner such that such operation is the proximate cause of serious bodily injury or death of a vulnerable road user lawfully present on the highway at such time. (24106177D-S1)

SJ 19 (Roem) (SRUL) Requests the Department of Transportation to study the feasibility of implementing certain roadway and pedestrian improvements in Gainesville in Prince William County, particularly along Somerset Crossing Drive. (24101959D)

Administration of Government

HB 368 (McClure) (HGL) directs the Board of Housing and Community Development (the Board) to convene a stakeholder advisory group to evaluate and recommend revisions to the Uniform Statewide Building Code to permit Group R-2 occupancies to be served by a single exit, provided that the building has not more than six stories above grade plane. The bill requires the stakeholder advisory group to submit its findings and recommendations to the Board and to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology no later than December 1, 2024. (24104623D)

HB 607 (Price) (HAPP) establishes the Virginia Commission to End Hunger. The bill states that the purpose of the Commission is to develop an action plan every two years for ending hunger in the Commonwealth, review the progress of such plan, and ensure cross-collaboration among government entities and community partners toward the goal of ending hunger in the Commonwealth. (24103375D)

HJ 10 (Krizek) (Reported from HAPP) continues the Joint Subcommittee to Study the Feasibility of Establishing the Virginia Gaming Commission for two additional years, through November 30, 2025. (24100329D)

HJ 30 (Sullivan) (Reported from HAPP) requests the State Corporation Commission, in consultation with the Department of Energy, to study performance-based regulatory tools for investor-owned electric utilities in the Commonwealth. (24106412D-H1)

HJ 38 (Cousins) (HRUL) directs the Joint Legislative Audit and Review Commission to study the scope and cost of the current laws in the Commonwealth penalizing possession of drugs as a felony. (24102930D)

SB 324 (Roem) (Passed Senate) prohibits a public body from charging a requester for any costs incurred during the first two hours spent accessing or searching for requested records when such requester has made four or fewer individual record requests to such public body within 31 consecutive days. The bill provides that for any additional time spent accessing or searching for such records, or when such requester makes five or more individual record requests to such public body within any 31-consecutive-day period, the public body shall not charge an hourly rate for accessing or searching for the records exceeding the lesser of the hourly rate of pay of the lowest-paid individual capable of fulfilling the request or \$33 per hour. The bill allows a public body to petition the appropriate court for relief from the \$33 per hour fee cap upon showing by a preponderance of the evidence that there is no qualified individual capable of fulfilling the request for \$33 per hour or less and requires such petition to be heard within seven days of when the petition is made, provided that the public body has sent and the requester has received a copy of the petition at least three working days prior to filing. The bill also provides that in certain instances a hearing on any petition shall be given precedence on a circuit court's docket over all cases that are not otherwise given precedence by law and that the time period the public body has to respond to a record request shall be tolled between the requester's receipt of the petition and the final disposition of the court. Finally, the bill prohibits a public body from charging a requester for any court costs or fees resulting from a petition. (24106023D-S1)

SB 650 (Rouse) (SFIN) creates the Emergency Response Toxic Exposure Grant Fund and Program to provide funding to local government employee responders who were exposed to toxic materials when responding to emergencies declared by the Commonwealth or a locality. The bill directs the Department of Fire Programs to convene a work group to assess eligibility for funding, qualifying emergencies, and other criteria and directs the work group to submit a report to the General Assembly no later than November 1, 2024. The bill includes a reenactment clause for the provisions of the bill creating the Fund and Program. (24107357D-S1)

SJ 9 (Sturtevant) (SRUL) directs the Joint Legislative Audit and Review Commission to study the effect of salaries, employment benefits, and other relevant factors on recruiting and retaining high-quality, fully licensed teachers, including (i) examining salaries, employment benefits, and other financial benefits and incentives available to teachers in relation to teacher recruitment and retention in each local school division; (ii) identifying disparities in salaries, employment benefits, and other financial benefits and incentives available to teachers in relation to teacher recruitment

and retention rates between high-poverty and rural school divisions, high-income school divisions, and the Commonwealth on average; (iii) reviewing salaries, employment benefits, and other financial benefits and incentives available to teachers in relation to the rates of teacher recruitment and retention and the numbers of fully licensed teachers in adjoining states and the District of Columbia; and (iv) identifying factors that positively impact the recruitment and retention of high-quality, fully licensed teachers. (24102698D)

SJ 24 (Bagby) (SRUL) directs the Joint Legislative Audit and Review Commission to study barrier crimes for employees of and persons regulated by the Department of Behavioral Health and Developmental Services. The resolution requires JLARC in conducting the study to (i) identify all barrier crimes and related exceptions for employees of and persons regulated by the Department; (ii) determine (a) whether any offenses should be removed from such list of barrier crimes, (b) whether any barrier crime exceptions and waiver processes should be broadened, and (c) whether the required amount of time that must pass after conviction of certain barrier crimes should be shortened; and (iii) identify other changes that could be made to such barrier crime laws that would improve the organization, effectiveness, and fairness of such provisions. The resolution requires JLARC to report its finding to the Governor and the General Assembly by the first day of the 2025 Regular Session. (24104214D)

SJ 26 (Pekarsky) (Passed Senate) directs the Joint Legislative Audit and Review Commission to study the scope and cost of the current laws in the Commonwealth penalizing possession of drugs as a felony. (24102134D-E)

Casinos

HB 525 (Krizek) (Passed House) 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 referendum on the same question for a period of three years from the date of the last referendum. (24104581D-E)

SB 628 (Aird) (Senate Floor) amends the list of cities eligible to host a casino in the Commonwealth by replacing Richmond with Petersburg. (24106958D-S1)

Health and Human Services

HB 329 (Sickles) (Passed House; SEH) directs the Board of Counseling to amend its regulations related to the process for licensure by endorsement for marriage and family therapists. The bill removes requirements that applicants for licensure by endorsement provide evidence that they meet certain educational and experience requirements. (24101176D)

HB 342 (Hope) (House Floor) requires the Department of General Services, in consultation with the Department of Health, to promulgate regulations for the possession and the administration by state employees of naloxone or other opioid antagonists used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose and requires each state agency to possess such naloxone or other opioid antagonist used for overdose reversal in accordance with such regulations. The bill also requires the Department of Health, in

consultation with the Safety and Health Codes Board, to issue guidelines for the possession and administration of naloxone or other opioid antagonists by private employers used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose. (24106801D-H1)

HB 426 (Cole) (House Floor) directs the Department of Behavioral Health and Developmental Services to amend its regulations to require that any facility licensed by the Department to provide inpatient substance use disorder treatment be required to prepare and record a certified discharge plan upon the discharge or withdrawal of any individual from the facility who has received substance use disorder treatment while admitted to such facility. The bill requires such discharge plan to include the provision of funds withheld from the individual's prior payments to the facility to assist the individual in the execution of such discharge plan. The bill requires the regulations to provide that failure by a facility to prepare and record certified discharge plans may result in civil penalties, license suspension, or license revocation. (24106345D-H1)

HB 434 (Arnold) (House Floor) allows the Board of Counseling to issue a license to practice as a professional counselor without examination to an applicant seeking initial licensure or renewal of such license and who satisfies all other education, experience, and fitness to practice requirements set forth in regulation and who is qualified to practice professional counseling. (24101627D)

HB 512 (Cohen) (HAPP) directs the Judicial Council of Virginia to convene a work group of relevant stakeholders to study issues relating to conservatorship in the Commonwealth and to develop recommendations for a best practices model. The bill requires the work group to submit its findings and recommendations by November 1, 2024, to the Chairmen of the House Committee for Courts of Justice and the Senate Committee on the Judiciary. (24104029D)

HB 699 (Maldonado) (House Floor; SEH) directs the Board of Medicine, the Board of Dentistry, the Board of Optometry, and the Boards of Medicine and Nursing to amend their regulations to require the provision of certain information to patients being prescribed an opioid for the treatment of acute or chronic pain. The bill requires that the regulations include an exception to the required provision of such information for patients who are (i) in active treatment for cancer, (ii) receiving hospice care from a licensed hospice or palliative care, (iii) residents of a long-term care facility, (iv) being prescribed an opioid in the course of treatment for substance abuse or opioid dependence, or (v) receiving treatment for sickle cell disease. The bill directs the Boards to adopt emergency regulations to implement the provisions of the bill. (24101933D-E)

HB 808 (Rasoul) (House Floor) allows state psychiatric hospitals to delay admission of an individual under a temporary detention order until the state psychiatric hospital has determined that the individual does not have potentially life-threatening medical needs that require immediate evaluation and treatment that the state psychiatric hospital is incapable of providing. This bill is a recommendation of the Joint Legislative Audit and Review Commission and the Behavioral Health Commission. (24107021D-H1)

HB 823 (Cherry) (Passed House)/**SB 497** (Carroll Foy) (House Floor) provides that when a magistrate is determining whether an alternative transportation provider is available for the

purposes of designating a transportation provider for the transportation of a person who is the subject of a temporary detention order, an alternative transportation provider shall be deemed available if the provider states that it is available to take custody of the person from law enforcement within six hours of issuance of the temporary detention order or an order changing the transportation provider. The bill also provides that if (a) no alternative transportation provider is available to provide transportation, willing to provide transportation, and able to provide transportation in a safe manner or (b) the law-enforcement agency elects to provide transportation, the magistrate shall designate the primary law-enforcement agency and jurisdiction designated to execute the temporary detention order to provide transportation of the person. (24102928D)

HJ 41 (Srinivasan) (HHHS) directs the Joint Commission on Health Care (JCHC) to study policy solutions to the Commonwealth's fentanyl crisis. The resolution directs JCHC to (i) study the causes of the rise in fentanyl prevalence and fentanyl overdoses in the Commonwealth, (ii) study the impact of the rise in fentanyl prevalence and fentanyl overdoses in the Commonwealth on Virginians and the Commonwealth's health care system, (iii) study and provide insight into the fentanyl crisis within the context of other drug crises and addiction trends in recent history, and (iv) establish and make policy recommendations related to reducing the prevalence of fentanyl in the Commonwealth and reducing the number of fentanyl overdoses in the Commonwealth. The resolution requires JCHC to complete its meetings for the first year by November 30, 2024, and for the second year by November 30, 2025, and to submit to the Division of Legislative Automated Systems an executive summary of its findings and recommendations no later than the first day of the next Regular Session of the General Assembly for each year. (24104895D)

HR 28 (Zehr) (HRUL) directs the Speaker of the House of Delegates to order a study of the legal effects and consequences of a constitutional amendment enshrining a right to reproductive freedom, including whether the phrase "This right to make and effectuate one's own decisions about all matters related to one's pregnancy shall not be denied, burdened, or infringed upon...." would constitutionally protect abortion throughout all of pregnancy, create a constitutional right for the parents of a dead child to sell such child's body parts, and legally permit partial birth infanticide, born-alive murder, child pornography, sexual assault, and any other crime so long as the umbilical cord and placenta are still attached to both the mother and the child. (24105237D)

SB 19 (Favola) (Passed Senate) requires the Department of Behavioral Health and Developmental Services to promulgate regulations that require recovery residences to report to the Department, in the same manner as licensed facilities and programs, any death that occurs in the recovery residence. (24105253D-S1)

SB 80 (Favola) (SFIN) requires the Department of Corrections to develop and implement a certificate of rehabilitation program for the purposes of assisting an inmate's successful transition from prison to society upon the person's discharge. The bill provides that no person who is awarded a certificate of rehabilitation shall have such person's criminal history constitute a barrier to employment. The bill also provides that no person shall be refused a license, certificate, or registration to practice, pursue, or engage in any regulated occupation or profession within the Department of Health Professions solely because of a prior criminal conviction, unless the criminal conviction directly relates to the occupation or profession for which the license, certificate, or registration is sought. The bill also establishes criteria for which a court must reduce a defendant's

probation period, including completing qualifying educational activities, maintaining verifiable employment, and completing a mental health or substance abuse treatment program. The bill also provides that a court may decrease a defendant's probation period if warranted by the defendant's conduct and in the interests of justice and may do so without a hearing. (24107384D-S2)

SB 133 (Head) (Passed Senate) allows physician assistants employed by a hospital or employed in certain facilities operated by the Department of Behavioral Health and Developmental Services or in federally qualified health centers designated by the Centers for Medicare and Medicaid Services to practice without a separate practice agreement if the credentialing and privileging requirements of the applicable facility include a practice arrangement, as described in the bill. (24101483D)

SB 155 (Head) (Passed Senate) modifies the enabling legislation for the Virginia Health Workforce Development Authority by adding four additional ex officio members to the Authority, directing changes to regulations regarding qualifications for nursing faculty and qualified mental health professionals, establishing a work group to address health workforce shortages, and creating a program for health workforce development. The bill directs the Board of Nursing and the Board of Counseling to adopt emergency regulations to implement relevant provisions of the bill and for the work group to submit its report to the Governor and the relevant committees of the General Assembly by October 1, 2025. (24106642D-S2)

SB 352 (Peake) (SEH) makes several changes to provisions of law relating to the licensure and certification of teachers, including (i) establishing universal licensure by reciprocity as a category of teacher licensure in the Commonwealth for certain licensed out-of-state teachers, regardless of the traditional or alternative nature of the education preparation programs that they completed; (ii) establishing and enumerating the criteria for a subject matter expert teaching certificate to provide high-quality teaching candidates who have relevant work experience or expertise in a content or subject matter area an accelerated path toward a renewable license; (iii) permitting the division superintendent rather than the Board of Education, as is current law, to issue a career and technical education teacher a provisional license to allow time for the teacher to attain the industry certification credential required by law; (iv) permitting any high school principal to waive, for any individual whom he seeks to employ as a career and technical education teacher and who is also seeking initial licensure or renewal of a license with an endorsement in the area of career and technical education, certain applicable licensure requirements; and (v) permitting any division superintendent to directly waive, rather than apply to the Department of Education for a biennial waiver as is required under current law, the teacher licensure requirements for any individual whom the local school board hires or seeks to hire to teach in a trade and industrial education program who has obtained or is working toward an industry credential relating to the program area and who has at least 4,000 hours of recent and relevant employment experience. (24104685D)

SB 395 (Pekarsky) (SEH) provides that no public elementary or secondary school student is permitted to be a participant on or try out for any school athletic team or squad with a predetermined roster, regular practices, and scheduled competitions with other elementary or secondary schools unless such student has submitted to the school principal a signed report from a licensed physician, licensed advanced practice registered nurse, or licensed physician assistant acting under the supervision of a licensed physician attesting that such student has, within the

preceding 365 days, received both a physical examination and a mental health assessment. Current law only requires that the signed report attest that any such student has received a physical examination within the preceding 12 months. The bill prohibits any public elementary or secondary school from becoming a member of any organization or entity that regulates or governs interscholastic programs that does not deem eligible for participation any student who has satisfied the requirements for eligibility in accordance with the provisions of the bill. The provisions of the bill other than the requirement for the Board of Education to convene a work group have a delayed effective date of July 1, 2025. (24102782D)

SB 553 (Hackworth) (Passed Senate) directs the Board of Nursing to amend its regulations to permit students in nursing education programs in the Commonwealth who live within 60 miles of a bordering state or the District of Columbia to complete an unlimited number of required clinical hours at out-of-state clinical sites. The bill requires the regulations to specify that the Board must accept such hours for licensure. (24106163D-S1)

Education

HB 1504 (Siebold) (Passed House) school-connected overdoses; policies relating to parental notification and response; requirements. (24107067D-H1)

SB 498 (Carroll Foy) (Passed Senate) requires each division superintendent or his designee to notify the parent of each student in the local school division of any school-connected overdose, defined as any verified overdose that occurs on school premises during or after regular school hours or during school-sanctioned activities whether on or off school premises, within 24 hours of learning of the overdose and to include in such notification as much information as is known about the circumstances surrounding the overdose. The bill requires the Board of Education to establish guidelines for school-connected overdose response and parental notification policies, including (a) a model action plan for each school board to follow in responding to the overdose, including communicating and coordinating with the Department of Education and the local law-enforcement liaison or local law-enforcement agency that employs the school resource officers for such school division, and (b) criteria for issuing the parental notification to ensure sensitivity to the privacy interests of any affected individuals. (24106280D-S1)

Elections

HB 56 (Wright) (HPE) adds party affiliation, beginning January 1, 2025, to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is, an independent. The bill specifies that voters registered prior to January 1, 2025, will be designated as independent unless they provide a political party affiliation to the general registrar. Voters may change their political party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The bill also provides that voters who are on the permanent absentee voter list will receive primary ballots for the political party with which they are registered as affiliated. Finally, the bill requires the state party chairman of each political party to file written notice with the State Board of Elections by January 31 of each year stating the rules adopted by the duly constituted authorities of the state political party for participation in the

party's primaries to be held from April 1 of that year through March 31 of the following year. (24100091D)

HB 111 (Sullivan) (House Floor) provides that an elector who is selected by the state convention of any political party and who, at the convening of the electors after the election, refuses to present a ballot, presents an unmarked ballot, or presents a ballot marked in violation of his oath stating that he would, if elected, cast his ballot for the candidates for President and Vice President nominated by the party that selected the elector, or as the party may direct in the event of the death, withdrawal, or disqualification of the party nominee, is deemed to vacate the office of elector. The bill provides that the other electors present shall immediately fill such vacancy in the same manner as a vacancy due to an elector's death or failure or inability to attend. The bill applies the same provisions to electors who are named in a petition of qualified voters not constituting a political party. The bill contains technical amendments that consolidate into a single chapter the provisions of Title 24.2 relating to presidential electors. (24101053D)

HB 126 (Watts) (Reported from HAPP) Provides that a person who fails to file at least one of the campaign finance reports required by law to be filed in an election year by August 1 is not entitled to have his name printed on the ballot at the general election for the office sought. (24106115D-H1)

HB 130 (Convirs-Fowler) (HRUL) provides that the current prohibition on dual office holding that is applicable to constitutional officers also applies to deputies of such officers and any persons serving in such officer's absence until a special election to fill the vacancy is held. (24101751D)

HB 254 (Sullivan) (HPE) provides that any candidate nominated by a political party or at a primary election shall be identified on the ballot by the name of his political party. Currently, only candidates for federal, statewide, and General Assembly offices are so identified. (24101070D)

HB 265 (Simon) (Passed House) requires the signatures collected on a petition for removal of certain public officers to be collected within 90 days of the first signature being collected and provides that no signatures gathered after such period shall count toward the required number. A petition for the removal of an elected official from office is not sufficient and shall not be certified by the general registrar when the grounds or reasons stated for removal of such official have been the basis for a previously filed petition against the same official that was dismissed for a failure to state valid grounds or did not result in the subject's removal from office at trial pursuant to law. The bill also provides that, in proceedings to remove a public officer from office, if the attorney for the Commonwealth who would be responsible for reviewing a removal petition and determining whether valid grounds for removal exist or for representing the Commonwealth at a removal proceeding has a conflict of interest or is otherwise unavailable, the Chief Justice of the Supreme Court of Virginia shall appoint an alternate attorney for the Commonwealth. Lastly, the bill provides that discovery shall not be permitted in any removal proceeding.. (24104458D)

HB 280 (Helmer) (HPE) prohibits any person from serving in any position of public trust within the Commonwealth for life if such person is convicted of certain offenses related to rioting and unlawful assembly or any substantially similar offense under the laws of the United States or any of its states or territories when such offense occurs (i) at a polling place, a voter satellite office, or any other location being used for voting or registration purposes; (ii) during the certification of an

election; or (iii) at any other official proceeding related to an election. The bill provides that any person who violates such prohibition shall be subject to a civil penalty of \$1,000, and such person shall also immediately resign from any such position of public trust such person holds. The bill authorizes the attorney for the Commonwealth and their assistants to enforce these provisions. The bill defines "position of public trust" as any position in which a person performs work that involves a significant degree of public trust and confidence that such person will carry out the work in accordance with applicable laws, regulation, and guidelines. Such positions may involve policy making, major program responsibility, fiduciary responsibilities, or other duties demanding a significant degree of public trust and shall include positions in administering or conducting elections, public safety or public health, law enforcement, and education. The bill also provides a procedure for any person prohibited from serving in any position of public trust within the Commonwealth to petition the circuit court of the jurisdiction in which he resides or, if the person is not a resident of the Commonwealth, the circuit court of any county or city where such person was last convicted of a disqualifying offense, for a restoration order that unconditionally authorizes his ability to serve in a position of public trust within the Commonwealth. Lastly, the bill provides that the attack on the United States Capitol on January 6, 2021, constitutes an insurrection, and the provisions of the bill shall apply to any person convicted of an offense in relation to such insurrection (24104536D)

HB 363 (Reid) (HPE) provides that any person who is found to have engaged in insurrection or rebellion against the United States or to have given aid or comfort to the enemies thereof shall be disqualified from holding any office of the Commonwealth or of its governmental units in accordance with Section 3 of the Fourteenth Amendment to the Constitution of the United States. Persons holding office who are so disqualified may be removed by a writ of quo warranto, except that a member of the General Assembly may be removed by the house in which he sits. The bill requires any candidate for any elective office to submit an affidavit of eligibility attesting that such candidate is eligible to hold elective office under Section 3 of the Fourteenth Amendment. (24100363D)

HB 375 (Helmer) (HPE) enters Virginia into an interstate compact known as the Agreement Among the States to Elect the President by National Popular Vote. Article II of the Constitution of the United States gives the states exclusive and plenary authority to decide the manner of awarding their electoral votes. Under the compact, Virginia agrees to award its electoral votes to the presidential ticket that receives the most popular votes in all 50 states and the District of Columbia. The compact goes into effect when states cumulatively possessing a majority of the electoral votes have joined the compact. A state may withdraw from the compact; however, a withdrawal occurring within six months of the end of a President's term shall not become effective until a President or Vice President has qualified to serve the next term. (24102603D)

HB 490 (Garrett) (HPE) revises the process by which the Commonwealth's electoral votes are allocated among the slates of presidential electors. The bill provides that the qualified voters of the Commonwealth will choose 11 of the Commonwealth's 13 electors for President and Vice President, with each voter voting for one elector for the congressional district in which he is qualified to vote. The candidates for President and Vice President receiving the highest number of votes cast in a congressional district are allocated the one electoral vote for that congressional

district. The candidates for President and Vice President who represent the political party of the Governor serving at the time are allocated the two electoral votes for the Commonwealth at large. (24102080D)

HB 1534 (Sickles) (HPE) eliminates the process by which any voter could challenge, in a polling place on the day of an election, the right of any other voter to cast a ballot. The bill also eliminates the process by which any three voters could challenge a voter's registration before the general registrar; such challenges may still be made by filing with the Circuit Court of the City of Richmond a petition stating the petitioner's objections to such voter's registration. The bill also requires challenges to a person's eligibility to appear on the ballot on the basis that such person did not meet all qualifications or fulfill all requirements for candidacy to be made at least 60 days before the date of the election. Candidates who are nominated at a primary election cannot be later challenged on the basis of facts that were present prior to the primary election and could have been raised in a challenge to such candidate's eligibility for the primary ballot. Any challenge to a candidate's qualifications or eligibility shall be made by filing a petition with the Circuit Court of the City of Richmond, which shall have jurisdiction over such proceedings. (24100830D)

SB 109 (Suetterlein) (Passed Senate) provides that the declaration of candidacy include a statement that if the signer's name appears on the primary ballot and he is not nominated then his name is not to be printed on the ballots for that office in the succeeding general election. (24103905D)

SB 165 (Reeves) (Passed Senate) Clarifies the date from which valid signatures for petitions of qualified voters can be collected for persons seeking to become candidates in certain elections. (24100110D)

SB 270 (Subramanyam) (SFIN) allows political parties to hold presidential primaries using ballots that allow a voter to rank such party's candidates in his order of choice. (24104872D)

SB 303 (Stuart) (SPE) requires voting systems approved by the State Board of Elections to produce a printed receipt for each voter who has cast a ballot that shows the date and time the voter's ballot was cast, the voter's number corresponding to the order in which ballots were cast, and a list of all the voter's selections on the ballot as recorded by the voting system. (24100195D)

SB 315 (Azlan Salim) (SFIN) provides that the information gathered by the Department of Motor Vehicles for a person who indicates that he is already registered to vote is to be automatically transmitted to the Department of Elections for the purpose of updating an existing voter registration record. Under current law, a person must be presented with the option to decline to have his information transmitted to the Department of Elections before such information may be transmitted. (24106037D-S1)

SB 428 (VanValkenburg) (SFIN) allows elections for any local or constitutional office to be conducted by ranked choice voting. Under current law, only elections of members of a county board of supervisors or a city council are allowed to be conducted by ranked choice voting. The bill also clarifies requirements for conducting elections using ranked choice voting and requires results for elections conducted by ranked choice voting to be reported along with other results reported on election night, except that such results must clearly be identified as preliminary and

based on the first rankings in a ranked choice voting election. The bill provides that final tabulation for an election for a local or constitutional office that is not shared by more than one county or city is required to be conducted on the same day as other results are canvassed by the local electoral board and that final tabulation for an election for a local or constitutional office that is shared by more than one county or city is required to be conducted at a centralized facility under the supervision of the Department of Elections. The bill specifies that ranking data is required to be made publicly available by the Department and requires the State Board of Elections to provide standards and to approve vote tabulating software for use with existing voting systems in elections conducted by ranked choice voting. The bill also limits a risk-limiting audit of an election conducted using ranked choice voting to the first-choice rankings reported on voting systems. Finally, the bill directs the Department to review the testing and approval framework for voting equipment in the Commonwealth and submit a report of such review no later than the first day of the 2025 Regular Session of the General Assembly. (24106306D-S1)

Studies

SB 191 (Subramanyam) (SCL) directs the State Corporation Commission to ensure that any plan, petition, or proposal from a utility to meet demand associated with data centers considers generation, transmission, and distribution system costs so as to meet such demand at the lowest aggregate reasonable cost. The bill also directs the Commission to initiate a proceeding, on or before December 31, 2024, (i) to determine if the current allocation of costs among customers and the different classifications of customers of electric utilities results in customers that are data centers receiving unreasonable subsidies from other customers or classifications of customers and (ii) if it determines unreasonable subsidies exist, to amend such allocation of costs. (24104712D)

Housing

HB 467 (Simon) (Passed House; SFIN)/ **SB 354** (Locke) (Passed Senate) prohibits localities from establishing or enforcing a mandatory disclosure requirement for a real estate licensee, any party to a contract for the sale or listing of residential real property, or any authorized agent of such party. The bill provides that prohibited mandatory disclosures include mandatory notifications in contracts, contract amendments or addenda, advertising, other promotional materials, and subsequent deeds after the initial deed is recorded, related to the sale of residential real estate. (24104483D; 24104481D)

SB 489 (Carroll Foy) (SLG) directs the Department of Housing and Community Development to convene a technical advisory committee to develop draft legislation establishing a Virginia residential development infrastructure fund with a report to be submitted to the General Assembly no later than the first day of the 2025 Regular Session. (24107368D-S1)

Taxation

SB 4 (McPike) (Passed Senate)/**HB 558** (McClure) (House Floor) provides for a referendum at the November 5, 2024, election to approve or reject an amendment to the Constitution of Virginia that would expand the real property tax exemption that is currently available to the surviving spouses of soldiers killed in action to be available to the surviving spouses of soldiers who died in the line

of duty with a Line of Duty determination from the U.S. Department of Defense. (24100994D; 24104020D)

Land Use

SB 316 (Azlan Salim) (Passed Senate) allows the Town of Vienna, by ordinance, to require that a subdivision or development provide for the preservation or replacement of trees on the development site such that the minimum tree canopy 10 years after development is projected to meet specified coverage criteria. Under current law, the criteria apply to tree canopy coverage 20 years after development. (24103882D)

SB 337 (Stuart) (Senate Floor) directs the State Water Control Board to waive the expiration of any ground water withdrawal permit for a well that serves exclusively residential users, is located in the Eastern Virginia Groundwater Management Area north of the Occoquan River, and is located within five miles of any commercial or industrial permitted ground water withdrawal. The bill provides that such waiver shall continue in force until the commercial or industrial permitted ground water withdrawals have been halted for five years. The Department of Environmental Quality shall then assess whether the termination of the commercial or industrial permitted ground water withdrawals has substantially mitigated the stress upon the aquifer and redetermine whether the permit for the residential well shall be renewed. (24101713D)

SB 365 (DeSteph) (Passed Senate) prohibits a person from engaging in any land-disturbing activity until, where Virginia Pollutant Discharge Elimination System (VPDES) permit coverage is required, the Virginia Erosion and Sediment Control Program (VESCP) authority has obtained evidence of such permit coverage from the Department of Environmental Quality's online reporting system prior to issuing its land-disturbance approval. Current law requires the VESCP authority to obtain such evidence of VPDES permit coverage prior to approving an erosion and sediment control plan. (24102266D)

SB 461 (Marsden) (SFIN) requires the Department of Forestry, in coordination with a stakeholder advisory group, to develop a Forest Conservation Plan no later than November 1, 2025, and update such plan every five years thereafter. The bill requires the Department to post and maintain on its website the most recent version of the Plan and submit the Plan to the Governor and Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources and the Senate Committee on Agriculture, Conservation and Natural Resources no later than November 30, 2025, and November 30 every five years thereafter. (24107566D-S2)

Legislation Provided for Information

Health and Human Services

HB 404 (Griffin) (HRUL) provides that no agency of the Commonwealth shall enter into any contract with or make any grant of public funds, as defined in the bill, to any entity or any affiliate of any entity that provides abortion services or operates a facility at which abortion services are provided. The bill also repeals provisions authorizing the Board of Health to use state general funds appropriated to the Department of Health to pay the cost of abortions for women who otherwise meet the financial eligibility criteria for services through the state plan for medical assistance services in cases in which (i) a pregnancy occurs as a result of rape or incest that is reported to a law-enforcement or public health agency or (ii) a physician certifies in writing that he believes the fetus will be born with a gross and totally incapacitating physical deformity or with a gross and totally incapacitating mental deficiency. (24103382D)

HB 514 (Hope) (Passed House; SEH) extends from July 1, 2020, to July 1, 2028, the sunset of the Advisory Council on Pediatric Autoimmune Neuropsychiatric Disorders Associated with Streptococcal Infections and Pediatric Acute-Onset Neuropsychiatric Syndrome. (24101093D)

HB 729 (Sickles) (Passed House; SEH) allows qualified staff of programs of all-inclusive care for the elderly (PACE) to conduct the required long-term services and supports screening in accordance with requirements established by the Department of Medical Assistance Services. The bill directs the Department to adopt emergency regulations to implement the provisions of the bill and contains an emergency clause. (24105703D-H1)

Education

SB 22 (Locke) (Passed Senate) authorizes Virginia to become a signatory to the Dentist and Dental Hygienist Compact. The Compact increases public access to dental services by permitting eligible licensed dentists and dental hygienists to practice in Compact participating states, provided that they are licensed in at least one participating state. The Compact has been passed in three states and takes effect when it is enacted by a seventh participating state or upon the effective date of the bill, whichever is later. (24101204D-E)

SB 43 (Favola) (Passed Senate) establishes an ombudsman program for persons with disabilities within the disability Law Center of Virginia. The program may receive and respond to questions regarding state-operated programs that provide services to persons with disabilities. The program is required to establish a toll-free phone number and web-based portal for receiving questions. (24106231D-S1)

SB 314 (Roem) (Passed Senate) requires the Department of Education to establish and appoint such members as it deems necessary or appropriate to the Farm to School Program Task Force for the purpose of increasing student access throughout the Commonwealth to high-quality farm to school programs, defined in the bill as programs (i) whereby public schools purchase and feature prominently in school meals locally produced food or (ii) that involve experiential student learning opportunities relating to local food and agriculture, including school and community garden

programs and local farm visits. The bill requires the Task Force to collaborate with local school boards, community-based organizations, farmers, relevant state and local agencies, and other relevant stakeholders to (a) assess existing farm to school programs within the Commonwealth to identify and disseminate to each local school board best practices for implementing and sustaining such programs, (b) establish and distribute to each local school board a guidance document for the establishment and operation of school garden programs, (c) provide information and resources to each local school board to assist it in leveraging grant funds to support farm to school programs, and (d) collect such data and make such policy recommendations to local school boards, the Board of Education, and the General Assembly as it deems appropriate. (24101529D)

SB 407 (Durant) (SEH) enters the Commonwealth into the Interstate Teacher Mobility Compact, the purpose of which is to facilitate the mobility of teachers across the member states, with the goal of supporting teachers through a new pathway to licensure. The Compact is presently in effect, as it has reached the enactment threshold of 10 state members. (24103947D)

Campaign Finance

HB 40 (Simon) (HAPP) prohibits any person from converting contributions to a candidate or his campaign committee to personal use. Current law only prohibits such conversion of contributions with regard to disbursement of surplus funds at the dissolution of a campaign or political committee. The bill provides that a contribution is considered to have been converted to personal use if the contribution, in whole or in part, is used to fulfill any commitment, obligation, or expense that would exist irrespective of the person's seeking, holding, or maintaining public office but allows a contribution to be used for the ordinary and accepted expenses related to campaigning for or holding elective office, including the use of campaign funds to pay for the candidate's child care expenses that are incurred as a direct result of campaign activity. The bill provides that any person subject to the personal use ban may request an advisory opinion from the State Board of Elections on such matters. The bill directs the State Board of Elections to adopt emergency regulations similar to those promulgated by the Federal Election Commission to implement the provisions of the bill and to publish an updated summary of Virginia campaign finance law that reflects the State Board of Elections' and Attorney General's guidance on the provisions of such law that prohibit the personal use of campaign funds and any new regulations promulgated by the State Board of Elections. (24100671D)

HB 190 (Cole) (HPE) prohibits candidates, campaign committees, and political committees from soliciting or accepting contributions from any public utility, as defined in the bill, and prohibits any public utility or any political committee established by such public utility from making any such contribution. (24103456D)

HB 276 (Helmer) (HPE) broadens the scope of disclaimer requirements for campaign advertisements to include electioneering communications, as defined in the bill, and messages advocating for the passage or defeat of a referendum. The bill also requires an advertisement that is an independent expenditure or that expressly advocates for the passage or defeat of a referendum to contain a disclaimer providing the names of the advertisement sponsor's three largest contributors. The bill also requires independent expenditure reports to be filed electronically. Current law allows such reports to be filed either electronically or in writing. (24100939D)

HB 629 (Cherry) (HPE) prohibits any person from converting contributions to a candidate or his campaign committee to personal use. Current law only prohibits such conversion of contributions with regard to disbursement of surplus funds at the dissolution of a campaign or political committee. The bill provides that a contribution is considered to have been converted to personal use if the contribution, in whole or in part, is used to fulfill any commitment, obligation, or expense that would exist irrespective of the person's seeking, holding, or maintaining public office but allows a contribution to be used for the ordinary and accepted expenses related to campaigning for or holding elective office, including the use of campaign funds to pay for the candidate's child care expenses that are incurred as a direct result of campaign activity. The bill provides that any person subject to the personal use ban may request an advisory opinion from the State Board of Elections on such matters. The bill directs the State Board of Elections to adopt emergency regulations to implement the provisions of the bill and to publish an updated summary of Virginia campaign finance law that reflects the State Board of Elections and Attorney General's guidance on the provisions of such law that prohibit the personal use of campaign funds and any new regulations promulgated by the State Board of Elections. (24100569D)

HB 874 (Bulova) (HPE) prohibits persons from making any single contribution, or any combination of contributions, that exceeds \$20,000 to any one candidate for Governor, Lieutenant Governor, Attorney General, or the Senate of Virginia or \$10,000 to any one candidate for the House of Delegates in any one election cycle. The bill does not place any limits on in-kind contributions to such candidates from political party committees. The bill establishes thresholds for any candidates making contributions to their own campaign in excess of \$400,000 in a race for Governor, Lieutenant Governor, Attorney General, or the Senate of Virginia or \$200,000 in a race for House of Delegates. The bill also prohibits persons from making any single contribution, or any combination of contributions, that exceeds \$10,000 to any one political committee in any calendar year. Civil penalties for violations of the limits established by the bill may equal up to two times the excess contribution amounts. (24104987D)

HB 1045 (Simon) (HAPP) establishes the Public Campaigns Program within the Department of Elections for the purpose of providing matching payments of public money to participating candidates receiving qualified small-dollar contributions of less than \$250. The bill requires participating candidates to agree to abide by contribution limits and limits on the use of public matching payments in addition to agreeing to participate in public debates. Under the bill, matching payments are made from the Public Campaigns Fund, which is funded by an option on Virginia tax returns to direct a contribution of \$40 from an individual filer, or \$80 dollars for joint filers, to the Fund. The bill requires the Department to conduct audits of elections involving Program participants and to make a report to the General Assembly on the status of the Program generally. (24100672D)

HB 1346 (Bloxom) (Passed House) provides that a candidate for local office or for director of a soil and water conservation district may also seek an exemption from the requirement that he designate a separate campaign depository by certifying that (i) he has not and will not contribute any money to his own campaign and (ii) he has not and will not expend any money in the course of the campaign. The bill also provides that a candidate for local office or for director of a soil and water conservation district applying for a general exemption is exempt from having to make special reports for certain large pre-election contributions. (24105067D)

SB 78 (Favola) (Senate Floor) broadens the scope of disclaimer requirements for campaign advertisements to include electioneering communications, as defined in the bill, and messages advocating for the passage or defeat of a referendum. The bill also requires an advertisement that is an independent expenditure or that expressly advocates for the passage or defeat of a referendum to contain a disclaimer providing the names of the advertisement sponsor's three largest contributors. The bill also requires independent expenditure reports to be filed electronically. Current law allows such reports to be filed either electronically or in writing. (24107126D-S1)

SB 107 (Suetterlein) (Seante Floor) prohibits campaign fundraising by a member of the General Assembly or statewide official on any day the General Assembly is scheduled to meet during a special session. Currently, such campaign fundraising is prohibited only during regular sessions of the General Assembly. (24107341D-S1)

SB 117 (Locke) (Passed Senate) amends the membership of the American Revolution 250 Commission to allow for the appointment of ex officio members who are directors of historic homes, historic sites, or National Park Service sites or former legislative members of the Commission. The bill also provides for staff of the Commission to serve as the Commission's fiscal agent. (24101930D)

SB 301(Favola) (SFIN) (DeSteph) (SFIN) allows the State Board of Elections or local electoral board to extend a deadline for filing campaign finance reports for any candidate or treasurer who, prior to the deadline, provides notice of extenuating circumstances that will prevent timely filing. Extenuating circumstances may include hospitalization, the death of a family member, being called to active duty, or other reasonable circumstances. The bill also provides for an appeal process for any person or committee assessed a civil penalty under the Campaign Finance Disclosure Act of 2006. Upon petition, the State Board of Elections or the electoral board, as appropriate, may provide relief to the petitioner for good cause shown. Such relief may include forgiveness of all or a portion of an assessed civil penalty, the retroactive extension of a deadline, or other appropriate remedy. (24106304D-S1)

SB 326 (Roem) (SFIN) prohibits candidates, campaign committees, and political committees from soliciting or accepting contributions from any public utility, as defined in the bill, and prohibits any public utility or any political committee established by such public utility from making any such contribution. (24101552D)

SB 377 (Boysko) (Passed Senate) prohibits any person from converting contributions to a candidate or his campaign committee to personal use. Current law only prohibits such conversion of contributions with regard to disbursement of surplus funds at the dissolution of a campaign or political committee. The bill provides that a contribution is considered to have been converted to personal use if the contribution, in whole or in part, is used to fulfill any commitment, obligation, or expense that would exist irrespective of the person's seeking, holding, or maintaining public office but allows a contribution to be used for the ordinary and accepted expenses related to campaigning for or holding elective office, including the use of campaign funds to pay for the candidate's child care expenses that are incurred as a direct result of campaign activity. The bill provides that any person subject to the personal use ban may request an advisory opinion from the

State Board of Elections on such matters. The bill directs the State Board of Elections to adopt emergency regulations similar to those promulgated by the Federal Election Commission to implement the provisions of the bill and to publish an updated summary of Virginia campaign finance law that reflects the State Board of Elections' and Attorney General's guidance on the provisions of such law that prohibit the personal use of campaign funds and any new regulations promulgated by the State Board of Elections. (24104850D)

SB 577 (Obenshain) (Passed Senate) provides that a candidate for local office or for director of a soil and water conservation district may also seek an exemption from the requirement that he designate a separate campaign depository by certifying that (i) he has not and will not contribute any money to his own campaign and (ii) he has not and will not expend any money in the course of the campaign. The bill also provides that a candidate for local office or for director of a soil and water conservation district applying for a general exemption is exempt from having to make special reports for certain large pre-election contributions. (24102482D-E)

SB 692 (Perry) (Passed Senate) requires independent expenditure reports to be filed electronically. Current law allows such reports to be filed either electronically or in writing. (24105247D)

Firearms

HB 158 (McClure) (Passed House; SCT) makes it a Class 3 misdemeanor for any licensed manufacturer, licensed importer, or licensed dealer to sell, deliver, or transfer any firearm to any person other than a licensed manufacturer, licensed importer, or licensed dealer unless the transferee is provided with a locking device for that firearm and the firearm is accompanied by a warning, in conspicuous and legible type in capital letters printed on a label affixed to the firearm and on a separate sheet of paper included within the packaging enclosing the firearm, that firearms should be locked and kept away from children and that there may be civil and criminal liability for failing to do so. The bill provides exceptions for law-enforcement and governmental agencies. (24106293D-H1)

Transportation

HB 924 (Srinivasan) (House Floor) requires a transportation network company or delivery network company, defined in the bill, to publish on its public website and associated digital platform information about (i) the portion of each fare, in the aggregate, that goes to the TNC or DNC partner, defined in the bill, and to the transportation network company or delivery network company; (ii) on average, how much TNC partners and DNC partners work and earn; and (iii) the average amount of expenses TNC partners and DNC partners incur in the course of such work. The bill requires a transportation network company or delivery network company to disclose to TNC partners and DNC partners the use of any nonlinear compensation system, defined in the bill, and details about such companies' deactivation process, defined in the bill, for TNC partners and DNC partners. The bill requires transportation network companies and delivery network companies to provide TNC partners and DNC partners with information regarding the fare and the amount they will be paid and the location or locations to which they will be driving on a trip prior to any requirement to accept or decline such trip. (24107282D-H1)

HB 1047 (Batten) (HAPP) extends from 12 months to 24 months the period for which a vehicle safety inspection is valid (24106811D-H1)

HB 1080 (Carr) (Passed House; STRAN) prohibits any license suspensions due to driving during a period of suspension or revocation from extending beyond 10 years from the date of conviction for such violation. (24102682D)

HB 1084 (Carr) (Reported HAPP) extends from six months to 12 months the maximum duration for which the DMV may issue a temporary removable windshield placard to a person with a disability that limits or impairs his ability to walk or that creates a concern for his safety while walking. The bill also eliminates the fee for the issuance of temporary and permanent disabled parking placards and includes technical amendments. (24102802D)

HB 1109 (Wyatt) (Passed House; STRAN) authorizes the use of a trackable correspondence equivalent to certified mail for sending invoices for unpaid tolls to a vehicle owner prior to the Department of Motor Vehicles placing a registration stop on such vehicle due to unpaid tolls. Current law requires such invoices to be mailed by certified mail. (24101171D)

HB 1110 (Wyatt) (Reported HTRAN) provides that, in the context of automated toll enforcement, the exemption from the definition of "owner" for vehicle rental or vehicle leasing companies applies only if such companies meet existing requirements related to handling toll invoices on rented or leased vehicles (24101173D)

HB 1362 (Maldonado) (House Floor) prohibits a private vendor contracting with a school division for the operation of school bus video-monitoring systems to capture passing stopped school bus violations from receiving compensation or fees based on the number of citations issued. (24104633D)

HB 1526 (Sewell) (Passed House; STRAN) requires the Department of Motor Vehicles to issue overweight permits for an electric utility's operation of vehicles used for the construction, operation, or maintenance of electrical facilities and infrastructure. (24106533D-H1)

Administration of Government

SB 439 (Azlan Salim) (Passed Senate) establishes the Blockchain and Cryptocurrency Commission in the legislative branch of state government for the purpose of studying and making recommendations related to blockchain technology and cryptocurrency and fostering the appropriate expansion of blockchain technology and the cryptocurrency industry in the Commonwealth. The bill provides that the Commission shall consist of 15 members and that meetings shall be held at the call of the chairman or whenever a majority of the members so request. The bill clarifies that appointments to the Commission are required to be made within 45 days of the effective date of the bill and that the chairman and vice-chairman of the Commission are required to meet with its members no later than 90 days after the effective date of the bill. Additionally, the bill directs the Commission to submit an executive summary to the Governor and the General Assembly of its findings and recommendations no later than one year after all appointments to the Commission have been made and annually thereafter and to submit such

executive summary for processing no later than the first day of the 2026 Regular Session of the General Assembly. (24102877D-E)

American Revolution Commission

HB 839 (Austin) (Passed House) amends the membership of the American Revolution 250 Commission to allow for the appointment of ex officio members who are directors of historic homes, historic sites, or National Park Service sites or former legislative members of the Commission. The bill also provides for staff of the Commission to serve as the Commission's fiscal agent. (24101649D)