

Legislation for Discussion
Board of Supervisors Legislative Committee
February 25, 2022

Legislation Provided for Discussion

HB 1257 (Kilgore) (Passed House; SACNR) allows every person access to distribution service or retail natural gas from a natural gas company authorized to provide natural gas service to the area where the service will be received. The bill bars public entities from adopting an ordinance, resolution, or other requirement that limits or prohibits customers from acquiring natural gas service and supply from both utility and non-utility gas companies. The bill prohibits public entities from denying building permits solely based on a proposed utility provider and directs public entities to ensure that all applicable permits and fees are reasonable, as compared to other utility providers, and do not restrict an applicant's ability to use the services of an authorized utility provider. The bill also requires any public entity to satisfy certain requirements prior to discontinuing natural gas utility services generally or to any class of customers. (22104724D-E)

SB 567 (Stuart) (Passed Senate; HAG) directs the State Water Control Board to amend certain regulations to provide that Virginia Pollutant Discharge Elimination System permits may also be issued to an existing sewage treatment plant serving at least 10 houses but no more than 25 houses if such sewage treatment plant has a documented history of substantial noncompliance and cannot feasibly be connected to a publicly owned sewage treatment plant. (22106269D-S1)

HB 90 (McNamara) (Passed House; SFIN) exempts food purchased for human consumption and essential personal hygiene products (the grocery tax) from all state, regional, and local sales taxes. The bill dedicates an amount equal to a 0.182 percent sales and use tax to cities and counties as a supplemental school payment. Such payment shall, from July 1, 2022 until July 1, 2024, be distributed based on each city and county's estimated average share of monthly distributions attributable to the tax on such food and hygiene products between February 2020 and December 2021. Beginning July 1, 2024, such payment shall be based upon each city and county's pro rate share of total local sales and use taxes. (22106361D-H1)

SB 451 (Boysko) (Passed Senate; Reported from HFIN) provides a state sales and use tax exemption for food purchased for human consumption and essential personal hygiene products. The bill would also provide, beginning February 1, 2023, an allocation of state revenues to fund the distribution to localities for educational funding that would have been distributed to them absent the exemption created by the bill. Under current law, such products are taxed at a reduced state sales and use tax rate of 1.5 percent and the standard local rate of one percent. The bill has a delayed effective date of January 1, 2023. (22106924D-H1)

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