

LEGISLATIVE REPORT #4

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BILLS INTRODUCED

HB 1101; SB 834 – Del. Betsy Carr, Sen. Jennifer McClellan - Richmond – **RE: Affordable Housing** – to allow all localities to adopt **Affordable Dwelling Unit Ordinances**. The bill includes details about such ordinances. It applies to all local localities except those that fall under Section 15.2 – 2304.

REFERRED TO HOUSE__ & SENATE LOCAL GOVERNMENT COMMITTEES

HB 1103 – Del. Sally Hudson, Charlottesville – **RE: Elections for Local Governing Bodies** - to authorize Ranked Choice Voting for local governing body elections. Effective on 7-1-2021.

REFERRED TO HOUSE COMMITTEE ON PRIVILEGES AND ELECTIONS

HB 1104 – Del. Hudson – **RE: Housing** – to allow localities to establish **Inclusionary Housing Ordinances**. “Affordable” would be defined in each ordinance according to the needs of the residents of the locality. They can be applicable to new housing developments or conversions of non-residential buildings. The bill has a list of goals.

REFERRED TO HOUSE_____

HB 1106 – Del. Hudson – **RE: Health Insurance for Local Employees** – to amend Section 2.2-1204 to include **local transit company employees** to those eligible for the State health insurance program for local government employees.

REFERRED TO HOUSE_____

HB 1108 – Del. Hudson – to remove the caps in Section 15.2-1414.6 on **City Council Member Salaries**. They are set out in the Code currently by population brackets.

REFERRED TO HOUSE_____

HB 1131; SB 762 – Del. Jay Jones, Norfolk; Sen. George Barker, Alexandria – **RE: Solar Projects** – to add Section 58.1-2636 and amend Section 58.1-3660 to allow any locality to assess a **Revenue Share** of up to 55 cents/megawatt hour on any solar projects. There are conditions.

REFERRED TO HOUSE FINANCE & SENATE FINANCE & APPROPRIATIONS COMMITTEES

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HB 1156- Del. Alfonso Lopez, Arlington – **RE: Historic Rehab Tax Credit** – to amend Section 58.1-339.2 to increase the cap from \$5 million to \$10 million.

REFERRED TO HOUSE _____

HB 1191 – Del. Steve Heretick, Portsmouth – **RE: Installation of Water/Sewer Facilities** – to amend Section 15.2-2243 to allow localities to require developers/subdividers to install reasonable and necessary W/S facilities located on or outside the property limits, but necessitated or required, at least in part, by the utility needs of the development, including reasonably anticipated capacity, extensions or maintenance considerations of a utility service plan for that service area.

REFERRED TO HOUSE _____

HB 1201 – Del. Kathy Tran, Fairfax Co. – **RE: Procurement** – Same as SB 380 in Report # 3.

REFERRED TO HOUSE _____

HB 1202 – Del. Tran – **RE: Procurement** – to allow localities, when procuring products, services or construction bids to require bidders/offerors to enter into or adhere to project labor agreements with one or more labor orgns.

REFERRED TO HOUSE _____

HB 1203 – Del. Tran – **RE: Local Public Works Projects** – to Require contractors and subs working on public contract projects with localities to pay their workers the prevailing wage rate (Davis-Bacon).

REFERRED TO HOUSE _____

HB 1213 – Del. Heretick – **RE: Local Employees – Summonses** – to allow localities to appoint and train local govt employees to enforce local ordinances by issuing summonses for ordinance violations that are within their purview – would have the authority granted to conservators of the peace.

REFERRED TO HOUSE COMMITTEE FOR COURTS OF JUSTICE

HB 1227 – Del. Dave LaRock, Loudoun Co. – **RE: Drones** – Same as HBs 311, 742 in Reports 1 & 2.

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REFERRED TO HOUSE COMMUNICATIONS, TECHNOLOGY & INNOVATION COMMITTEE

SB 418 - Sen. Chap Petersen, Fairfax – **RE: Procurement** – to amend Section 2.2-4304 to allow public bodies to use **Cooperative Procurement** for construction projects not exceeding \$200,000.

REFERRED TO SENATE GENERAL LAWS COMMITTEE

SB 450 – Sen. John Edwards, Roanoke – **Re: Guns** - to amend Section 15.2-915 to allow localities to prohibit firearms, ammunition at regular or special local governing body meetings – notice must be posted and the meeting must be in a locality-owned building.

REFERREED TO SENATE JUDICIARY COMMITTEE

SBs 452, 596 – Sen. Edwards & Sen. Emmett Hanger, Augusta Co. – **RE: Gas Tax** – to impose an additional 2.1% wholesale gas tax in localities not in NOVA, Hampton Roads or the I-81 Corridor, so it would be imposed throughout the **Richmond District** and the money would be returned to the transportation district in which it was generated via the Construction District Grant Program.

REFERRED TO SENATE FINANCE & APPROPRIATIONS COMMITTEE

SB 475 – Sen. John Bell, Loudoun Co. – **RE: Procurement** – to allow any public body to procure construction on a **Best Value** procurement basis using a numerical scoring system.

REFERRED TO SENATE GENERAL LAWS & TECHNOLOGY COMMITTEE

SBs 484, 588 – Sen. Barbara Favola, Arlington; Sen. Hanger – **Equal Taxing Authority for Counties & Cities** – Same as HB 785 in Report #3.

REFERRED TO SENATE FINANCE & APPROPRIATIONS & LOCAL GOVERNMENT COMMITTEES

SB 509 – Sen. Bryce Reeves, Fredericksburg – **RE: Hunting & Migratory Game Birds** – to amend Sections 15.2-1113.1, 1209 & 1210 that no **County East of I-95** may prohibit otherwise lawful hunting of these birds in VA waters.

REFERRED TO SENATE JUDICIARY COMMITTEE

SB 516; HB 1255 – Sen. Edwards; Del Cia Price, Newport News – **RE: Redistricting – Reallocation of**

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Prison Population – In local redistricting prisoners in correctional facilities in a jurisdiction would not be counted in drawing local district boundaries.

REFERRED TO SENATE & HOUSE COMMITTEES ON PRIVILEGES & ELECTIONS

SB 531; HB 1536 – Sen. Jill H. Vogel, Warrenton; Del. Scott Wyatt, Hanover Co. – **RE: Workers' Comp** – Same as HBs 44, 121, 733, 783; SBs 9, 58,381.

REFERRED TO SENATE COMMERCE & LABOR & HOUSE__ COMMITTEES

SB 539 – Sen. Mark Peake, Lynchburg – **RE: Broadband** – to amend Section 55.1-306 to declare that it is the policy of the Commonwealth that existing or future easements for electric facilities be used to provide or expand broadband or other communication services.

REFERRED TO SENATE COMMERCE & LABOR COMMITTEE

SB 561 – Sen. Vogel – **RE: Workers' Comp** – to provide that **Post-Traumatic Stress Disorder** incurred by a law enforcement officer or firefighter is compensable.

REFERRED TO SENATE COMMERCE & LABOR COMMITTEE

SB 589 – Sen. Hanger – **RE: Zoning Administrators** – to amend Section 15.2-2286 to require that copies of the zoning administrator's response to a request for a decision or determination, or an affirmation of a prior decision be delivered via 1st class mail also to the agent or occupants of abutting property and property immediately across the street or road.

REFERRED TO SENATE LOCAL GOVERNMENT COMMITTEE

SB 615 – Sen. Creigh Deeds, Bath Co. – **RE: Guns** – to add new language to allow localities to prohibit firearms, ammunition in any local governmental building and any public park – must be posted at all entrances.

REFERRED TO SENATE JUDICIARY COMMITTEE

SB 639 – Sen. Scott Surovell, Fairfax Co. – **RE: VA Growth & Opportunity Fund** – to amend Section 2.2-2489 to Require that at least 25% of grant payments received by a regional council be used to support job creation in **Qualified Opportunity Zones**.

REFERRED TO SENATE FINANCE & APPROPRIATIONS COMMITTEE

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SB 645- Sen. Surovell – **RE: Procurement – The Arbitration Agreements Act** – to Require that solicitations by the locality require the bidder to disclose information re: pre-dispute arbitration clauses. There is a long list of information bidders will have to provide. Localities will be required to seek to contract with entities and business owners that certify that they do not use pre-dispute arbitration clauses in contracts with employees or customers.

REFERRED TO SENATE COMMERCE & LABOR COMMITTEE

SB 650 – Sen. Jennifer Boysko, Fairfax Co. – **RE: Procurement** - to amend Section 2.2-4303 to raise the cap for **Small Purchases** from \$100,000 to \$200,000.

REFERRED TO SENATE GENERAL LAWS & TECHNOLOGY COMMITTEE

SB 660 – Sen. Boysko – **The VA Equal Pay Act** – to apply to public and private employers. Addresses discrimination, protected classes, wage ranges, prohibits limiting an employee’s right to discuss wages – a comprehensive bill.

REFERRED TO SENATE COMMERCE & LABOR COMMITTEE

SB 671 – Sen. Monty Mason, Williamsburg – **RE: VRS – Hiring Retired Employees** – to allow a political subdivision to employ full-time up to 2 people who receive a service retirement allowance, as long as there has been a break in service. Retirement would not be adversely affected.

REFERRED TO SENATE FINANCE & APPROPRIATIONS COMMITTEE

SBs 682, 799 – Sen. Mason; Sen. Lynwood Lewis, Eastern Shore – **RE: Meals Tax in Counties** – to Eliminate the 4% cap on the rate and eliminate the requirement for a referendum.

REFERRED TO SENATE FINANCE & APPROPRIATIONS COMMITTEE

SB 703; HB 1527 – Sen. Mark Obenshain, Harrisonburg; Del. Mike Webert, Fauquier Co – to bring under the **Conflict of Interests Act** executive directors and members of local IDAs & economic development authorities, and they would be required to file disclosure statements.

REFERRED TO SENATE GENERAL LAWS & TECHNOLOGY & HOUSE _____ COMMITTEES

SB 708 – Sen. Jennifer McClellan, Richmond – **RE: Housing Authorities** – to require authorities that must notify HUD of demolishing, disposing of, liquidating properties to notify, 12 mos. before the application goes to HUD, the VA DHCD, the local governing body, each current tenant, and

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organizations that will assist tenants.

REFERRED TO SENATE GENERAL LAWS COMMITTEE

SB 727 – Sen. McClellan – **RE: Redevelopment & Conservation Areas or Rehab Districts** – to amend Section 58.1-3219.4 to increase the time period for the **Local Real Estate Tax Exemption** from From 15 yrs to 30 yrs.

REFERRED TO SENATE FINANCE & APPROPRIATIONS COMMITTEE

HB 1409 – Del. Nick Rush, Montgomery Co. – **RE: 2nd Amendment Sanctuary Localities** – to prohibit the Legislature and executive branch from considering this status when making appropriation decisions.

REFERRED TO HOUSE _____

HB 1414; SB 890 - Del. Eileen Filler-Corn (Speaker of the House); Sen. Dick Saslaw, Fairfax Co. – An **Overhaul (86 pages) of the System for Funding Transportation in VA.** It proposes a new Commonwealth Transportation Fund along with the existing Highway Maintenance & Operating Fund. Funds would be disbursed, based on codified formulas, to subfunds established to meet the needs of the different modes of transportation. The Gas Tax would be a cents-per-gallon tax, to be phased in over 3 years and then indexed annually thereafter. Bonds would be used for huge projects, such as I-81 and I-66. A new Passenger Rail Authority would be established.

REFERRED TO HOUSE ___ & SENATE FINANCE & APPROPRIATIONS COMMITTEES

HB 1434 – Del. Jones – **RE: Solar Energy Equipment** – to amend Section 58.1-3660 to change the **Local Property Tax exemption** from an 80% exemption to a step-down scale of 80% - 1st 5 yrs; 70% in the 2nd 5 yrs; 60% - all remaining yrs.

REFERRED TO HOUSE FINANCE COMMITTEE

HB 1446 – Del. Lashrecse Aird, Petersburg – **RE: Meeting Standards for School Buildings** – This bill applies to a school division under a corrective plan, or has a school under a corrective plan, or receives At-Risk-Add On payments. If such a school division is out of compliance with minimum standards for school buildings, provisions are included by which the State Board of Education could petition the Circuit Court to compel the governing body to provide necessary funds to get buildings up to the standards.

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REFERRED TO HOUSE EDUCATION COMMITTEE

HB 1454 – Del. Heretick – **RE: DEQ** – to direct DEQ to study changes necessary to integrate and consolidate the Erosion & Sediment Control Law, the Stormwater Management Act & the Chesapeake Bay Preservation Act.

REFERRED TO HOUSE

HB 1474 – Del. John McGuire, Henrico Co. – **RE: Short-Term Rentals** – This proposes requirements on local ordinances regulating short-term rentals notwithstanding any provisions to the contrary. These provisions would supersede any existing local authority to regulate these rentals through its general land use and zoning authority or charter.

REFERRED TO HOUSE

HB 1508; SB 880 – Del. Delores McQuinn, Richmond; Sen. Mamie Locke, Hampton – **RE: Required Number of School Counselors** – For 2021-2022, the requirement would be 1 FTE counselor/ 250 students in K-12.

REFERRED TO HOUSE____ & SENATE EDUCATION & HEALTH COMMITTEES

NOTE: Del. McQuinn also introduced an alternative, **HB 1515**, which would require for 2021-2022, 1 hr./ day per 50 students, 1 FTE for 250 students, 1 additional hour/day per 50 students or major fraction thereof.

REFERRED TO HOUSE_____

HB 1510 – Del. McQuinn – **RE: Guns** – to make carrying a gun or dangerous weapon into a building owned or used by any political subdivision for governmental purpose a criminal offense. Notice required at all entrances.

REFERRED TO HOUSE_____

HB 1513 – Del. McQuinn – **RE: Health Insurance Credit for Retired School Division Employees** – to amend Sections 51.1-1400 & 1401 to provide a \$4/yr of service credit to all with at least 15 yrs. of total creditable service.

REFERRED TO HOUSE_____

HB 1520 – Del. McQuinn – **RE: Homestead Tax Relief Program** – to add a new section to **permit a**

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taxpayer to defer up to 95% of taxes on his or her homestead if the amount of the real estate tax on that homestead has increased by at least 25% since the date of purchase. The amount deferred must be paid upon transfer of the property or the owner's death.

REFERRED TO HOUSE ____

HJR 125 – Del. Kaye Kory, Falls Church – **RE: Stormwater Management Laws** – to have DEQ study their effectiveness.

REFERRED TO HOUSE

SB 746 – Sen. Bell – **RE: Local Comprehensive Plans** – to amend Section 15.2-2226 & 2229 to provide that if an amendment is initiated by the locality, the governing body must act within 180 days of the planning commission's recommendation.

REFERRED TO SENATE LOCAL GOVERNMENT COMMITTEE

SB 816- Sen. Joe Morrissey, Richmond – **RE: Minimum Wage** – Same as SB 7, HB 433 in Reports 1 & 2.

REFERRED TO SENATE COMMERCE & LABOR COMMITTEE

SB 819 – Sen. Morrissey – **RE: Drug Courts** – to amend Section 18.2-254.1 to provide that permission to establish a drug court shall not be denied based solely on funding it. Also, the bill says that a drug treatment court shall be available to every defendant.

REFERRED TO SENATE JUDICIARY COMMITTEE

SB 826 – Sen. Ryan McDougle, Hanover Co. – **RE: Water & Sewer Charges – Tenants & Lessees** – to amend Section 15.2-2119.4 to cap the property owner's responsibility at \$200.

REFERRED TO SENATE LOCAL GOVERNMENT COMMITTEE

SB 869 – Sen. Bill DeSteph, VA Beach – **RE: Public Notice of Planning & Zoning Matters** – Same as HB 166 in Report #1.

REFERRED TO SENATE LOCAL GOVERNMENT COMMITTEE

SB 870 – Sen. David Marsden, Fairfax Co. – **RE: Solar Projects – Conditional Zoning** – Same as HB 655 in Report #2.

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REFERRED TO SENATE LOCAL GOVERNMENT COMMITTEE

SB 875 – Sen. Marsden – **RE: Solar Projects** – to amend Section 15.2-2286 to allow localities to include in their zoning ordinances provisions to incorporate generally accepted national standards for the use of solar panels and battery technologies for solar projects.

REFERRED TO SENATE COMMERCE & LABOR COMMITTEE

SB 893 – Sen. Marsden – **RE: Local Comprehensive Plans – Solar Facilities** – to amend Section 15.2-2232 to exempt from a review of substantial accord solar facilities of 150 megawatts or less.

REFERRED TO SENATE LOCAL GOVERNMENT COMMITTEE

SB 908 – Sen. Tommy Norment, James City Co. – **RE: Games of Skill** – this legislation proposes to classify these machines as Illegal Gambling.

REFERRED TO SENATE GENERAL LAWS & TECHNOLOGY COMMITTEE

SJR 53 – Sen. Lewis – **RE: Stormwater Local Assistance Fund** – to direct DEQ to study revised priority ranking criteria for grants from this Fund.

REFERRED TO SENATE RULES COMMITTEE

SB 921 – Sen. Locke – **RE Local Cigarette Taxes – Counties** – to allow all counties to impose a cigarette tax – no cap on the rate.

REFERRED TO SENATE FINANCE & APPROPRIATIONS COMMITTEE

HB 1541 – Del. McQuinn- to create the **Central VA Transportation Authority** – to impose an additional 0.7% Sales Tax and a 2.1% wholesale gas tax in every locality in Planning District 15 (includes Chesterfield & Charles City Counties).

REFERRED TO HOUSE_____

