

2021 General Assembly Special Session - Summary of HRPDC-Related Bills and Budget Amendments
 March 19, 2021

Bill	Summary	Patron	Status
Broadband/Telecommunications			
HB1923	Electric utilities; broadband capacity pilot program. Expands an existing pilot program under which Dominion Energy and Appalachian Power are authorized to provide or make available broadband capacity to Internet service providers in areas of the Commonwealth that are unserved by broadband to include municipal Internet service providers. The current program is restricted to nongovernmental Internet service providers. This bill is identical to SB1334.	Ayala	1/22/21: House - Vote: Passage (99-Y 0-N) 2/18/21: Senate - Passed with amendments (39-Y 0-N) 2/22/21: House - Vote - Adoption. (97-Y 1-N) 3/1/21: Governor - Action Deadline 3/31/21
SB1334	Pilot program for broadband capacity; municipal broadband authorities. Expands the existing broadband pilot program to allow for the participation of municipalities and government-owned broadband authorities in order to provide broadband service to unserved areas of the Commonwealth.	Edwards	1/29/21: Senate - Read third time and passed (36-Y 1-N) 2/16/21: House - Block Vote Passage (99-Y 0-N) 2/24/21: Governor - Action Deadline 3/31/21
SB1413	Provision of broadband capacity by Phase I or Phase II electric utilities. Makes permanent the pilot program under which a Phase I or Phase II electric utility is permitted to petition the State Corporation Commission to provide broadband capacity to unserved areas of the Commonwealth. The bill expands the program to allow for the participation of municipalities and government-owned broadband authorities. The bill provides that investor-owned electric utilities may recover costs of and revenue generated from providing broadband capacity that serves as an electric grid transformation project in areas unserved by broadband, as defined in the bill. The bill also consolidates the State Corporation Commission petition approval process into one hearing.	Boysko	1/29/21: Senate - Passed (28-Y 7-N) 2/16/21: House - Passed with amendments (97-Y 2-N) 2/18/21: Senate - Agreed to House amendments (37-Y 2-N) 2/25/21: Governor - Action Deadline 3/31/21
SB1462	Virginia Digital Equity Pilot Program and Fund. Requires the Department of Social Services to establish a pilot program to provide a fixed reimbursement for the costs of broadband services to households currently participating in the Supplemental Nutrition Assistance Program. The bill has an expiration date of July 1, 2024. The provisions of the bill are contingent on funding in a general appropriation act.	Mason	2/5/21: Senate - Read third time and passed Senate (37-Y 0-N) 3/1/21: Left in Appropriations
HB1800 114#2c	Statewide Broadband Maps. This amendment provides \$424,000 from the general fund in the second year to DHCD to develop a statewide broadband map and establishes parameters for the development of that map.	O'Quinn	Conference Report
HB1800 114#3c	Technical: Remove Outdated Language for Broadband Advisory Group (language only). This amendment removes language related to a broadband advisory workgroup to develop a framework for GO Virginia to invest in broadband deployment. The workgroup has completed its work and the language is no longer necessary.		Conference Report
HB1800 114#9c	VATI Pilot for Public Broadband Authorities (language only). This amendment directs the Department of Housing and Community Development to create a pilot program within VATI, with awards not to exceed 10 percent of total available VATI funds in fiscal year 2022, to which public broadband authorities may apply without investment from the private sector. This is the recommendation of the Broadband Advisory Council.		Conference Report

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HB1100 359#2c	Develop Digital Equity Pilot Program (language only). This amendment directs the Department of Social Services to design a program to increase the number of low-income Virginians with access to reliable and affordable access to broadband. The department shall report on the design of such a program by November 1, 2021, for consideration by the 2022 General Assembly.		Conference Report
Economic Development			
HB1881	Enterprise zone job creation grants. Provides that, for purposes of wage requirements for the enterprise zone job creation grant program, the minimum wage shall be the higher of the state minimum wage or the federal minimum wage. The bill also reduces the percentage of the minimum wage that grant eligible jobs must meet. The bill has a delayed effective date of January 1, 2022.	Heretick	1/19/21: House - VOTE: Passage (91-Y 8-N) 2/24/21: Senate - Passed (37-Y 2-N) 3/1/21: Governor - Action Deadline 3/31/21
HB2321	Governor's Secretaries; Secretary of Labor created. Creates in the Governor's Cabinet the position of Secretary of Labor. The bill transfers from the Secretary of Commerce and Trade to the Secretary of Labor responsibility for the Department of Labor and Industry, the Department of Professional and Occupational Regulation, and the Virginia Employment Commission. The bill removes the position of Chief Workforce Development Advisor and reassigns its duties to the Secretary of Labor. The bill also adds the Secretary of Labor to the Governor's comprehensive economic development policy committee.	Simonds	2/5/21: House - Vote - Passage (55-Y 44-N) 2/18/21: Senate - Passed with substitute (20-Y 18-N 1-A) 2/22/21: House - Vote - Rejected (0-Y 99-N) 2/25/21: House - Agreed to conference report (54-Y 44-N) 2/27/21: Senate - Agreed to conference report (21-Y 18-N) 3/15/21: Governor - Action Deadline 3/31/21
SB1253	Funds for access roads to economic development sites; criteria for use of funds. Directs the Commonwealth Transportation Board, in consultation with the Secretaries of Transportation and Commerce and Trade, to develop criteria to be used in the award of funds for access roads to economic development sites. The criteria shall take into account job creation, capital investment, and other relevant economic development considerations.	McPike	1/27/21: Senate - Read third time and passed Senate (39-Y 0-N) 2/19/21: House - Block Vote Passage (100-Y 0-N) 2/26/21: Governor - Action Deadline 3/31/21
SB1314	Virginia Economic Development Partnership Authority; Office of Education and Labor Market Alignment established; workforce and higher education alignment. Directs the Virginia Economic Development Partnership Authority to establish an Office of Education and Labor Market Alignment (the Office) to coordinate data analysis on workforce and higher education alignment and translate data to partners. The Office shall provide a unified, consistent source of information or analysis for policy development and implementation related to talent development and shall partner with the State Council of Higher Education for Virginia, institutions of higher education, the Virginia Department of Education, the Virginia Employment Commission, GO Virginia, and other relevant entities to offer resources and expertise related to education and labor market alignment.	Hashmi	2/1/21: Senate - Read third time and passed (28-Y 11-N) 2/19/21: House - Vote - Passage (63-Y 17-N) 2/23/21: Senate - Agreed to House amendment (27-Y 12-N) 3/1/21: Governor - Action Deadline 3/31/21

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HB1800 52#1c	Transfer Funding for New Secretary. This amendment transfers \$599,192 in the second year from the general fund for the Office of the Chief Workforce Development Advisor to a new Secretariat. The responsibilities of the Chief Workforce Development Advisor are transferred to the new Secretary pursuant to the passage of House Bill 2321, 2021 General Assembly.		Conference Report
HB1800 111.10#1c	HB2321: New Secretary. This amendment creates a new cabinet official, and transfers money currently appropriated for the Chief Workforce Development Officer to support the new office. Upon enrolling, amendments related to the Chief Workforce Development Advisor will be transferred to the new Secretary including amendments to Item 111 and Item 52 of this act.		Conference Report
HB1800 114#7c	Virginia Main Street Program. This amendment provides an additional \$1.5 million from the general fund in fiscal year 2022 for the Virginia Main Street program to assist with economic recovery from the COVID-19 pandemic and provide support for small Main Street businesses.		Conference Report
HB1800 115#1c	Additional Funding for the Enterprise Zone Program. This amendment restores \$250,000 from the general fund the second year that was unallotted and subsequently reduced in the Enterprise Zone program.		Conference Report
<i>Education</i>			
HJ549	Study; JLARC; impact of COVID-19 on Virginia's public schools, students, and school employees; report. Directs the Joint Legislative Audit and Review Commission to study the impact of COVID-19 on Virginia's public schools, students, and school employees.	Guy	2/23/21: House - Vote - Agree to (98-Y 0-N) 2/23/21: Senate - Left in Rules
SB1170	Additional local sales and use tax to support schools. Adds Isle of Wight County to the list of localities that, under current law, are authorized to impose an additional local sales and use tax at a rate not to exceed one percent, with the revenue used only for capital projects for the construction or renovation of schools.	Norment	2/3/21: Senate - Read third time and passed (31-Y 8-N) 3/1/21: House - Left in Finance
SJ294	Study; JLARC; costs of education; report. Directs the Joint Legislative Audit and Review Commission to study the true cost of education in the Commonwealth and provide an accurate assessment of the costs to implement the Standards of Quality.	Lewis	1/27/21: Senate - Read third time and agreed to by Senate by voice vote 2/24/21: House - Block Vote Passage (95-Y 0-N)

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Bill	Summary	Patron	Status
SJ308	Study; JLARC; impact of COVID-19 on Virginia's public schools, students, and school employees; report. Directs the Joint Legislative Audit and Review Commission to study the impact of COVID-19 on Virginia's public schools, students, and school employees, including (i) examining and determining reasons for barriers to student success in virtual and hybrid models as well as the overall impact of COVID-19 face-to-face learning restrictions on previously existing student achievement gaps, student achievement, and student well-being, including any disproportionate impact on at-risk populations; (ii) determining the impact of the COVID-19 pandemic on staffing levels, including the impact of teacher and school employee retirements and resignations on delivery of instruction and the ability of local school boards to fully staff their needs, employment levels, and local budgets; (iii) determining the short-term and projected long-term changes in student enrollment in response to the COVID-19 pandemic and the impact of such changes on funding levels; (iv) determining the impact of implementing COVID-19 health and safety measures in public schools; (v) evaluating public schools' level of emergency preparedness to face another pandemic or statewide crisis and making recommendations to help guide planning for such events and (vi) examining programs that can address learning loss and identifying barriers to implementing those programs, including resource gaps.	Lucas	1/27/21: Senate - Read third time and agreed to by Senate by voice vote 2/24/21: House - Block Vote Passage (95-Y 0-N)
HB1800 145#8c	Direct Aid - Learning Loss Instructional Supports. This amendment provides \$40.0 million from the Lottery Proceeds Fund the first year to support one-time programs and initiatives to address learning loss experienced by students due to the COVID-19 pandemic. No local match is required, and unexpended funds from the first year shall remain available in the second year.		Conference Report
HB1800 145#13c	Direct Aid - Increase Infrastructure & Operations Per Pupil Payments. This amendment adds \$20.1 million the first year and \$9.9 million the second year from the general fund to ensure 40 percent of Lottery Proceeds are dedicated to Infrastructure and Operations Per Pupil Payments, formerly known as Supplemental Lottery Per Pupil Allocations. The additional funding increases these Per Pupil Payments by approximately \$30 per pupil the first year and \$15 per pupil the second year.		Conference Report
HB1800 145#18c	Direct Aid - Update Sales Tax Estimate. This amendment provides an additional \$40.0 million from the general fund in fiscal year 2021 and \$45.7 million from the general fund in fiscal year 2022 based on the revised sales tax distributions in the midsession reforecast. This increases the estimated sales tax dedicated to K-12 by \$90.4 million in fiscal year 2021 and \$103.2 million in fiscal year 2022, reducing the state's share of Basic Aid payments by \$50.4 million from the general fund in fiscal year 2021 and \$57.5 million in fiscal year 2022. Corresponding amendments reduce the COVID-19 Local Relief Payments and adjust the No Loss Payments as a result of this action.		Conference Report
<i>Emergency Management/COVID-19</i>			
HB2085	Emergency Services and Disaster Law; local and interjurisdictional emergency operations plans. Requires local and interjurisdictional agencies to include provisions in their emergency operations plans to ensure that such plans are applied equitably and that the needs of minority and vulnerable communities are met during emergencies.	Askew	1/20/21: House - VOTE: Passage (87-Y 11-N) 2/15/21: Senate - Passed (36-Y 3-N) 2/25/21: Governor - Approved - Chapter 27 (effective 7/1/21)

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Bill	Summary	Patron	Status
HB2116	<p>Certain declared states of emergency; priority for personal protective equipment and immunizations; funeral service licensees and funeral service establishment employees; emergency. Provides that in any case in which the Board of Health or Commissioner of Health has made an emergency order or regulation for the purpose of suppressing nuisances dangerous to the public health or a communicable, contagious, or infectious disease or other danger to the public life and health, funeral service licensees and persons employed by a funeral service establishment shall be included in any group afforded priority with regard to (i) access to personal protective equipment and (ii) administration of any vaccination against such communicable disease of public health threat during such emergency. The bill contains an emergency clause.</p>	Mugler	1/26/21: House - Vote - Passage Emergency (99-Y 0-N) 2/22/21: Senate - Passed with substitute (39-Y 0-N) 2/23/21: House - Vote - Adoption (97-Y 0-N) 3/1/21: Governor - Action Deadline 3/31/21
HB2333	<p>Facilitate the administration of the COVID-19 vaccine; emergency. Facilitates the administration of the COVID-19 vaccine; emergency. Facilitates the administration of the COVID-19 vaccine. The bill requires the Department of Health (the Department) to establish a program to enable eligible health care providers to volunteer to administer the COVID-19 vaccine to residents of the Commonwealth during a state of emergency related to the COVID-19 pandemic declared by the Governor. The bill defines "eligible health care provider" and provides that the program shall include (i) a process by which an eligible health care provider may register to participate in the program and (ii) the training requirements for participating eligible health care providers related to the administration of the COVID-19 vaccine, including training on the intramuscular injection of the COVID-19 vaccine and contraindications and side effects of the COVID-19 vaccine. The bill specifies requirements that the Department shall ensure that each site at which COVID-19 vaccinations are administered by eligible health care providers satisfies. The bill also requires the Department to establish a process by which entities, including medical care facilities, hospitals, hospital systems, corporations, businesses, pharmacies, public and private institutions of higher education, localities, and any other professional or community entity operating in the Commonwealth, may volunteer their facilities as sites at which the COVID-19 vaccine may be administered to residents of the Commonwealth. The bill permits a public institution of higher education or a private institution of higher education in the Commonwealth to volunteer to provide assistance to the Department and local health departments for data processing, analytics, and program development related to the COVID-19 vaccine through the use of its employees, students, technology, and facilities. The bill also permits localities with fire departments, emergency medical services departments, and volunteer rescue squads to establish and staff vaccine administration clinics. The bill provides civil and criminal immunity to individuals and professional entities acting pursuant to the bill and contains an emergency clause. This bill is identical to SB 1445.</p>	Bagby	1/26/21: House - Vote - Passage (97-Y 0-N) 2/1/21: Senate - Passed with substitute with amendments (39-Y 0-N) 2/4/21: House - Vote - Adoption (99-Y 0-N) 2/15/20: Governor - Approved - Chapter 1 (effective 2/15/21)
SB1208	<p>Continuity of government. Extends from six to 12 months the period of time after an enemy attack or other disaster that a locality may, by ordinance, provide for a method to assure continuity in its government and requires the ordinance to provide a method for the locality to resume normal governmental authority by the end of that 12-month period.</p>	Barker	1/21/21: Senate - Read third time and passed Senate (39-Y 0-N) 2/24/21: House - Vote - Passage (93-Y 6-N) 3/1/21: Governor - Action Deadline 3/31/21

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SB1237	Certain emergency and quarantine orders; additional procedural requirements. Provides that any person who is affected by an order of quarantine may file an appeal in the circuit court for the city or county in which he resides or is located or the circuit court for the jurisdiction or jurisdictions for any affected area; currently, only a person who is subject to an order of quarantine may appeal the order.	Petersen	2/2/21: Senate - Passed (34-Y 5-N) 3/1/21: House - Left in HWI
SB1296	State Coordinator of Emergency Management; establishment of Emergency Management Equity Working Group. Provides for the State Coordinator of Emergency Management to establish an Emergency Management Equity Working Group to ensure that emergency management programs and plans provide support to at-risk individuals and populations disproportionately impacted by disasters.	Spruill	1/26/21: Senate - Read third time and passed Senate (39-Y 0-N) 2/17/21: House - Vote - Passage (82-Y 17-N) 2/24/21: Governor - Action Deadline 3/31/21
SB1302	Crisis call center; Crisis Call Center Fund established. Provides that the crisis call center, which under current law is administered by the Department of Behavioral Health and Developmental Services (the Department), shall provide crisis intervention services and crisis care coordination to individuals accessing the National Suicide Prevention Hotline from any jurisdiction in the Commonwealth 24 hours a day, seven days a week. The bill directs the Department, in its development of the crisis call center, community care teams, and mobile crisis teams, to comply with any applicable requirements of the National Suicide Hotline Designation Act of 2020 and to provide for consistency with federal guidelines promulgated under such law. The bill contains immunity provisions for any originating service provider and its employees and agents acting pursuant to the act. The bill creates a \$0.12 surcharge on postpaid wireless charges and a \$0.08 surcharge on prepaid wireless charges to be collected by the Department of Taxation and distributed to the Crisis Call Center Fund, established by the bill, to be used for establishing and administering the crisis call center. The bill also increases the wireless E-911 surcharge from \$0.75 to \$0.82 and the prepaid wireless E-911 charge from \$0.50 to \$0.55. The increased revenue shall be dedicated to public safety answering points.	McPike	1/29/21: Senate - Read third time and passed (30-Y 7-N) 2/19/21: House - Block Vote Passage (100-Y 0-N) 2/19/21: Senate - Agreed to House substitute (36-Y 1-N) 2/26/21: Governor - Action Deadline 3/31/21
SB1362	Employers; reporting outbreaks of COVID-19; emergency. Requires employers to report for each worksite with 30 or more employees, or for any multi-employer worksite with 30 or more combined employees, to the local health department when the worksite has had three or more confirmed cases of COVID-19.	Lewis	2/5/21: Senate - Passed (27-Y 11-N) 3/1/21: House - Left in Appropriations

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SB1445	<p>Facilitate the administration of the COVID-19 vaccine; emergency. Facilitates the administration of the COVID-19 vaccine. The bill requires the Department of Health (the Department) to establish a program to enable eligible health care providers to volunteer to administer the COVID-19 vaccine to residents of the Commonwealth during a state of emergency related to the COVID-19 pandemic declared by the Governor. The bill defines "eligible health care provider" and provides that the program shall include (i) a process by which an eligible health care provider may register to participate in the program and (ii) the training requirements for participating eligible health care providers related to the administration of the COVID-19 vaccine, including training on the intramuscular injection of the COVID-19 vaccine and contraindications and side effects of the COVID-19 vaccine. The bill specifies requirements that the Department shall ensure that each site at which COVID-19 vaccinations are administered by eligible health care providers satisfies. The bill also requires the Department to establish a process by which entities, including medical care facilities, hospitals, hospital systems, corporations, businesses, pharmacies, public and private institutions of higher education, localities, and any other professional or community entity operating in the Commonwealth, may volunteer their facilities as sites at which the COVID-19 vaccine may be administered to residents of the Commonwealth. The bill permits a public institution of higher education or a private institution of higher education in the Commonwealth to volunteer to provide assistance to the Department and local health departments for data processing, analytics, and program development related to the COVID-19 vaccine through the use of its employees, students, technology, and facilities. The bill also permits localities with fire departments, emergency medical services departments, and volunteer rescue squads to establish and staff vaccine administration clinics. The bill provides civil and criminal immunity to individuals and professional entities acting pursuant to the bill and contains an emergency clause. This bill is identical to HB 2333.</p>	Dunnivant	<p>1/22/21: Senate - Passed (38-Y 0-N) 2/1/21: House - Passed House with substitute with amendment (94-Y 0-N) 2/4/21: Senate - House substitute agreed to by Senate (38-Y 0-N) 2/15/21: Governor - Approved - Chapter 2 (effective 2/15/21)</p>
HB1800 299#5c	<p>Supplant Mass Vaccination Program with Federal Funds. This amendment supplants \$30.2 million the first year and \$59.1 million the second year to support the Commonwealth's mass vaccination efforts in response to the COVID-19 pandemic. On December 27, 2020, the federal Consolidated Appropriations Act, 2021 was signed into law which provides substantial federal assistance to support states in vaccine administration efforts. Virginia's share of this funding is \$77.1 million. With this additional federal support, the general fund added in the introduced budget can be supplanted with federal funds. The new federal funding is not sufficient to fully supplant all \$89.3 million of general fund in the biennium, however, Coronavirus Relief Funds (CRF) allocated to the Department of Medical Assistance Services have not been fully utilized, so this amendment includes \$12.2 million in the first year in CRF funds. A separate amendment in Central Appropriations reflects the change in the allocation of CRF funds.</p>		Conference Report
HB1100 410#1c	<p>Continue Emergency Shelter Upgrade Assistance Fund Grants. This amendment adds \$2.5 million the second year from the general fund to continue funding for the Emergency Shelter Upgrade Assistance Fund to aid local governments in proactively preparing for emergency sheltering situations on an on-going basis</p>		Conference Report

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<u>HB1800</u> <u>410#2c</u>	<p>Equity and Inclusion in Disaster Response. This amendment provides \$96,000 the second year for a program manager position that will be responsible for the creation and coordination of a formalized Partners in Preparedness Program and community outreach campaign. This position will work to ensure that the agency thoroughly engages with partners that can promote and enhance programs and communication by serving as trusted messengers within their communities. These partners come from all industries including but not limited to advocacy groups; education; business/commerce; faith-based; health care; nonprofits; and government agencies. This program will be data-driven and provide critical resources and support needed to be prepared and resilient, including but not limited to preparedness brochures, real-time emergency information, and access to disaster-focused webinars, forums, town halls, and other events. The position would be responsible for engaging with all VDEM divisions and the Virginia Emergency Support Team to ensure response and recovery plans and procedures take equity and inclusion into consideration and serve as a liaison during disasters to vulnerable communities by working with the trusted community partners.</p>		Conference Report
<i>Energy</i>			
<u>HB1834</u>	<p>Electric utilities; closure of carbon-emitting generating units. Requires each owner of a large carbon-emitting power plant to provide notice to relevant localities and state agencies about the decision to close the plant within 30 days of making such decision. The bill requires localities in which such facilities are located, and planning district commissions in such localities, to conduct public hearings regarding the impending closure within six months of receipt of such notice. The bill requires the Division of Energy to maintain a public website listing the facilities subject to the requirements of the bill and their anticipated closure dates. As part of an integrated resource plan, the bill requires each utility to submit a facility retirement study for its carbon-emitting facilities and disclose the study to relevant localities and state agencies.</p>	Subramanyam	1/29/21: House - Block Vote Passage (99-Y 0-N) 2/18/21: Senate - Passed with substitute (39-Y 0-N) 2/22/21: House - Vote - Adoption (98-Y 0-N) 3/11/21: Governor - Approved - Chapter 41 (effective 7/1/21)
<u>HB1855</u>	<p>Department of Mines, Minerals and Energy. Department of Mines, Minerals and Energy. Renames the Department of Mines, Minerals and Energy as the Department of Energy. Within the Department, the bill renames the Division of Mined Land Reclamation as the Division of Mined Land Repurposing and renames the Division of Energy as the Division of Renewable Energy and Energy Efficiency. The bill makes substantive changes, removing the requirement that the Chief of the Division of Mines be appointed by the Governor and authorizing an employee other than the Virginia Gas and Oil Inspector to serve as the principal executive of the staff of the Virginia Gas and Oil Board. The bill also provides that the Chief Clean Energy Policy Advisor shall be appointed by the Governor. The bill removes or updates outdated language.</p>	Sullivan	1/19/21: House - VOTE: Passage (69-Y 30-N) 2/25/21: Senate - Passed (36-Y 3-N) 3/15/21: Governor - Action Deadline 3/31/21

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Bill	Summary	Patron	Status
HB1859	<p>Local financing of clean energy and other programs; when owner costs are incurred. Changes the parameters for local ordinances authorizing loan contracts for the installation by property owners of clean energy, resiliency, or stormwater management improvements. The bill provides that if the property owner incurred the costs of improvements to be refinanced or reimbursed within two years of the locality's issuance of a certificate of occupancy or other evidence that the clean energy, resiliency, or stormwater management improvements comply substantially with the plans and specifications previously approved by the locality, the loan amount may include the total costs of such improvements. The bill removes the requirement that the applicable local ordinance include the proposed interest rate for the loan program and the maximum aggregate dollar amount that may be financed with respect to a property, and it provides that no loan offered under the program shall be used to improve a residential dwelling with fewer than five dwelling units or a residential condominium. The bill alters the fee options available to the locality and provides that the placement of a voluntary special assessment lien does not require a new assessment on the value of the real property. The bill contains technical amendments.</p>	Guy	1/20/21: House - VOTE: Passage (61-Y 38-N) 2/3/21: Senate - Passed (26-Y 12-N 1-A) 3/1/21: Governor - Approved by Governor - Chapter 6 (effective 7/1/21)
HB1919	<p>Local green banks. Authorizes a locality, by ordinance, to establish a green bank to promote the investment in clean energy technologies in its locality and provide financing for clean energy technologies, defined in the bill. The bill establishes certain powers and functions of a green bank, including developing rules and procedures, financing and providing loans for clean energy projects, and stimulating demand for renewable energy. The bill requires the green bank to be a public entity, quasi-public entity, depository bank, or nonprofit entity and requires the locality to hold a hearing and publish notice of the hearing in a newspaper of general circulation prior to establishing the green bank.</p>	Kory	2/3/21: House - Vote - Passage (55-Y 43-N) 2/15/21: Senate - Passed with substitute (25-Y 13-N) 2/19/21: House - Agreed to Senate substitute (56-Y 42-N) 2/26/21: Governor - Action Deadline 3/31/21
HB1925	<p>Virginia Brownfield and Coal Mine Renewable Energy Grant Fund and Program; handbook. Establishes the Virginia Brownfield and Coal Mine Renewable Energy Grant Fund and Program (the Fund and Program). The bill provides that no allocation of funds shall be made to the Fund or Program unless federal funds are available to cover the cost of such allocation. The Fund and Program shall be administered by the Department of Mines, Minerals and Energy for the purpose of awarding grants to renewable energy projects that are located on brownfields or previously coal mined lands, both defined in the bill. Grants are to be awarded on a basis of \$500 per kilowatt of nameplate capacity from renewable energy sources that are located on previously coal mined lands and \$100 per kilowatt of nameplate capacity from renewable energy sources that are located on brownfields.</p>	Kilgore	1/28/21: House - - Block Vote Passage (100-Y 0-N) 2/18/21: Senate - Passed (39-Y 0-N) 2/25/21: Governor - Action Deadline 3/31/21
HB2148	<p>Small renewable energy projects; energy storage. Includes in the definition of a "small renewable energy project" certain energy storage facilities and projects that include storage facility components. Such facilities are eligible for special permitting, review, and inspection requirements. The bill directs the Department of Environmental Quality to promulgate initial regulations to implement the provisions of the bill by January 1, 2022.</p>	Willett	2/1/21: House - Read third time and passed House (89-Y 9-N) 2/25/21: Senate - Passed (38-Y 0-N 1-A) 3/15/21: Governor - Action Deadline 3/31/21

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Bill	Summary	Patron	Status
HB2201	Solar and energy storage projects; siting agreements throughout the Commonwealth. Expands existing provisions related to siting agreements for solar projects located in an opportunity zone to include energy storage projects and makes the provisions statewide. The bill provides that its provisions shall not apply to any energy storage project that has received zoning and site plan approval, preliminary or otherwise, from the host locality before January 1, 2021. The bill also provides that its provisions shall not become effective with respect to energy storage projects unless the General Assembly approves legislation that authorizes localities to adopt an ordinance for taxation of energy storage projects such as solar projects with a local option for machinery and tools tax or solar revenue share. The bill further provides that a locality may grant a special exception for an energy storage project.	Jones	1/27/21: House - Vote - Passage (71-Y 29-N) 2/17/21: Senate - Passed (34-Y 3-N 1-A) 3/11/21: Governor - Approved - Chapter 57 (effective 7/1/21)
HB2269	Revenue share for solar energy projects and energy storage systems. Allows localities to assess a revenue share of up to \$1,400 per megawatt on energy storage systems. The bill provides that on July 1, 2026, and every five years thereafter, the maximum amount of the revenue share that a locality may impose on certain solar energy projects and energy storage systems shall be increased by 10 percent. No increase may be made to any revenue share imposed by a locality on a solar energy project or energy storage systems for which an application has been filed with the locality and such application has been approved prior to January 1, 2021.	Heretick	2/1/21: House - Read third time and passed House (91-Y 8-N) 2/18/21: Senate - Passed (37-Y 1-N 1-A) 2/25/21: Governor - Action Deadline 3/31/21
SB1207	Solar and energy storage projects; siting agreements and special exceptions throughout the Commonwealth. Expands existing provisions related to siting agreements and zoning special exceptions for solar projects located in an opportunity zone to include energy storage projects and makes the provisions statewide. The bill provides that its provisions shall not apply to any energy storage project that has received zoning and site plan approval, preliminary or otherwise, from the host locality before January 1, 2021. The bill also provides that its provisions shall not become effective with respect to energy storage projects unless the General Assembly approves legislation that authorizes localities to adopt an ordinance for taxation of energy storage projects such as solar projects with a local option for machinery and tools tax or solar revenue share.	Barker	1/29/21: Senate - Read third time and passed (37-Y 0-N) 2/24/21: House - Vote - Passage (81-Y 15-N 2-A) 3/11/21: Governor - Approved - Chapter 58 (effective 7/1/21)
SB1258	Solar projects; erosion and sediment control plan review. Requires any locality that does not operate a regulated MS4 and for which the Department did not administer a VSMP as of July 1, 2020, to notify the Department of Environmental Quality (the Department) if it decides to have the Department provide the locality with (i) review of a required erosion and sediment control plan and (ii) a recommendation on the plan's compliance with the requirements of the Erosion and Sediment Control Law and the State Water Control Board's regulations, for any solar project and its associated infrastructure with a rated electrical generation capacity exceeding five megawatts. The bill provides certain procedural steps for the Department and VESCP authority for a locality to take in reviewing the plan and making recommendations and decisions. The provisions of the bill are contingent on funding in a general appropriation act.	Marsden	2/4/21: Senate - Passed (39-Y 0-N) 2/24/21: House - Block Vote Passage with amendments (97-Y 0-N) 2/25/21: Senate - Agreed to House amendments (28-Y 10-N) 3/15/21: Governor - Action Deadline 3/31/21

2021 General Assembly Special Session - Summary of HRPDC-Related Bills and Budget Amendments

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Bill	Summary	Patron	Status
SB1282	Greenhouse gas emissions inventory; regulations. Directs the Department of Environmental Quality to conduct a statewide baseline and projection inventory of all greenhouse gas emissions and to update such inventory every four years. The bill requires that the inventory be published and included in the annual report of the State Air Pollution Control Board. The bill also authorizes the Board to adopt regulations necessary to collect data needed to conduct, update, and maintain the inventory. The bill exempts proprietary information collected by the Department from the mandatory disclosure requirements of the Virginia Freedom of Information Act.	Morrissey	2/5/21: Senate - Read third time and passed Senate (22-Y 16-N) 2/22/21: House - Vote - Passage (56-Y 4-N) 3/12/21: Governor - Approved - Chapter 98 (effective 7/1/21)
SB1284	Commonwealth Clean Energy Policy. Establishes the Commonwealth Clean Energy Policy, replacing the Commonwealth Energy Policy. The bill sets out the energy policy and objectives of the Commonwealth Clean Energy Policy, which include: (i) the Commonwealth recognizes that effectively addressing climate change and enhancing resilience will advance the health, welfare, and safety of the residents of the Commonwealth and that addressing climate change requires reducing greenhouse gas emissions across the Commonwealth's economy sufficient to reach net-zero emission by 2045 in all sectors, including the electric power, transportation, industrial, agricultural, building, and infrastructure sectors; (ii) the Commonwealth recognizes the need to promote environmental justice and ensure that it is carried out throughout the Commonwealth and the need to address and prevent energy inequities in historically economically disadvantaged communities; and (iii) the Commonwealth must continue to prioritize economic competitiveness and workforce development in an equitable manner. must continue to prioritize economic competitiveness and workforce development in an equitable manner.	Favola	2/5/21: Senate - Read third time and passed Senate (21-Y 18-N) 2/19/21: House - Vote - Passage (55-Y 45-N) 2/26/21: Governor - Action Deadline 3/31/21
SB1295	Electric utilities; procurement. Requires a utility, in the construction of certain onshore wind, solar, and energy storage facilities, to procure, subject to a competitive process, equipment from a Virginia-based or United States-based manufacturer using materials or product components made in Virginia or the United States, if reasonably available and competitively priced. Additionally, the bill requires a utility, in the construction of certain offshore wind projects, to develop and submit a plan for review to the State Corporation Commission that includes considerations for the procurement of equipment from a Virginia-based or United States-based manufacturer using materials or product components made in Virginia or the United States, if reasonably available and competitively priced.	DeSteph	2/4/21: Senate - Passed (37-Y 0-N 2-A) 2/19/21: House - Block Vote Passage (100-Y 0-N) 2/26/21: Governor - Action Deadline 3/31/21
SB1374	Carbon Sequestration Task Force; report. Directs the Secretary of Natural Resources, jointly with the Secretary of Agriculture and Consumer Services, to convene a task force for the purpose of studying carbon sequestration in the Commonwealth and submit a report of its findings before the first day of the 2022 Session of the General Assembly. The bill directs the task force to (i) consider possible methods of increasing carbon sequestration within the natural environment through state land and marine resources use policies; agricultural, aquacultural, and silvicultural practices; and other practices to achieve restoration of natural resources and long-term conservation; (ii) recommend short-term and long-term benchmarks for increasing carbon sequestration; (iii) develop a standardized methodology to establish baseline carbon levels and account for increases in carbon sequestration over time; (iv) identify existing carbon markets and considerations relevant to potential participation by the Commonwealth; and (v) identify other potential funding mechanisms to encourage carbon sequestration practices in the Commonwealth.	Lewis	2/5/21: Senate - Passed (38-Y 0-N) 2/16/21: House - Vote - Passage (79-Y 20-N) 2/18/21: Senate - Agreed to House amendments (38-Y 0-N) 2/25/21: Governor - Action Deadline 3/31/21

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Bill	Summary	Patron	Status
HB1800 220#2c	VCCS - Solar Hands-On Instructional Network of Excellence (SHINE), Southside Virginia Community College. This amendment requests funding for Southside Virginia Community College to implement the Solar Hands-On Instructional Network of Excellence (SHINE) initiative. The initiative is a public-private partnership that provides training for those seeking employment opportunities in the solar industry. The program identifies the timing and location of solar project development in Virginia and uses that information to focus its training toward job openings as they become available. This targeted approach to workforce training/development maximizes SHINE's ability to connect program graduates with sought-after jobs upon completion of the program.		Conference Report
HB1100 135#1c	Virginia Nuclear Energy Consortium Planning Grant. This amendment would provide \$100,000 GF the first year to the Virginia Nuclear Energy Consortium Authority as a one-time planning grant to develop a nuclear research and innovation hub in Virginia.		Conference Report
HB1100 377#3c	Energy Storage Projects: HB 2148 / SB 1207. This amendment provides \$115,000 the second year from the general fund and one position for the Department of Environmental Quality to administer permit-by-rule applications for energy storage projects pursuant to the provisions of House Bill 2148 and Senate Bill 1207 of the 2021 General Assembly.		Conference Report
<i>Environment/Recycling</i>			
HB1801	Disposing of litter; penalty. Increases the minimum fine for dumping or disposing of litter, trash, or other unsightly matter on public or private property from \$250 to \$500.	Edmunds	2/3/21: House - Vote - Passage (65-Y 32-N) 2/17/21: Senate - Passed (23-Y 14-N) 2/25/21: Governor - Action Deadline 3/31/21
HB2159	Release of balloon prohibited; civil penalty. Prohibits any individual 16 years of age or older or other person, including a corporation, from intentionally releasing, discarding, or causing to be released or discarded any nonbiodegradable balloon outdoors and provides that any person convicted of such violation is liable for a civil penalty of \$25 per balloon, to be paid into the Game Protection Fund. The bill provides that if a person under the age of 16 releases a balloon at the instruction of an adult, the adult shall be liable for the civil penalty. Current law prohibits a person from knowingly releasing 50 or more such balloons within an hour and sets the civil penalty at \$5 per balloon, with the proceeds deposited into the Lifetime Hunting and Fishing Endowment Fund.	Guy	1/25/21: House - Vote - Passage (59-Y 40-N 1-A) 2/18/21: Senate - Passed (22-Y 17-N) 2/25/21: Governor - Action Deadline 3/31/21
HJ527	Study; Department of Conservation and Recreation and Virginia Department of Agriculture and Consumer Services; invasive plant species work group; report. Requests the Department of Conservation and Recreation, jointly with the Department of Agriculture and Consumer Services, to establish a work group to study the sale and use of invasive plant species. The resolution requests that the departments work with several state agencies, conservation nonprofits, plant industry and agriculture groups, local government associations, and other stakeholders to develop recommendations regarding statutory and regulatory changes intended to reduce or eliminate the sale and use of invasive plant species in the Commonwealth and promote the sale and use of native plants.	Bulova	1/26/21: House - Vote - Agree to (98-Y 0-N) 2/16/21: Senate - Agreed to by Senate with amendments by voice vote 2/18/21: House - Vote - Adoption (98-Y 2-N)

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Bill	Summary	Patron	Status
HJ538	Access to water; human right. Recognizing that access to clean, potable, and affordable water is a necessary human right.	Aird	1/26/21: House - Vote - Agree to (61-Y 33-N) 2/22/21: Senate - Reading waived (39-Y 0-N)
SB1164	Advanced recycling; not considered solid waste management; definition. Defines, for purposes of the Virginia Waste Management Act, "advanced recycling" as a manufacturing process for the conversion of post-use polymers and recovered feedstocks into basic hydrocarbon raw materials and other materials. The bill also defines "gasification," "post-use polymer," and other terms related to advanced recycling.	Hanger	2/5/21: Senate - Passed (34-Y 4-N) 2/22/21: House - Vote - Passage (90-Y 8-N) 3/1/21: Governor - Action Deadline 3/31/21
SB1290	ConserveVirginia program; established. Establishes in the Department of Conservation and Recreation a data-driven Geographical Information Systems model to prioritize potential conservation areas across the Commonwealth that would provide quantifiable benefits to the citizens of Virginia, known as ConserveVirginia. Aspects of the program include (i) the synthesis of multiple mapped data inputs, divided into categories, each representing a different overarching conservation value, and periodic revision of such values; (ii) access to the model by the public and all state and federal agencies; and (iii) incorporation of the model into acquisition or grant decisions when appropriate. The bill requires the Virginia Land Conservation Foundation to report on the success of the program and incorporate the program into needs assessments for expenditures from the Virginia Land Conservation Fund.	Mason	1/25/21: Senate - Read third time and passed (39-Y 0-N) 2/22/21: House - Vote - Passage (55-Y 45-N) 3/12/21: Governor - Approved - Chapter 99 (effective 7/1/21)
SB1319	Waste Diversion and Recycling Task Force. Requests the Department of Environmental Quality to continue and expand the scope of the Waste Diversion and Recycling Task Force.	Hashmi	2/4/21: Senate - Constitutional reading dispensed (38-Y 0-N) 2/25/21: House - Passed with substitute (55-Y 44-N); Senate - agreed to House substitute (21-Y 17-N) 3/15/21: Governor - Action Deadline - 3/31/21
HB1800 373#1c	Environmental Literacy. This amendment restores \$170,000 from the general fund the second year that was unallotted in Chapter 1289 for the environmental education experiences identified in Item 373, Paragraph K. This request recognizes the commitment Virginia made to its students and the importance environmental education plays developing and nurturing watershed stewards. These funds provide for meaningful interactions and learning opportunities for students throughout the Chesapeake Bay watershed.		Conference Report
HB1800 376#1c	Study of Advanced Recycling (language only). This amendment directs the Department of Environmental Quality to study Advanced Recycling, and report its findings to the Chairs of the House Agriculture, Chesapeake and Natural Resources and Senate Agriculture, Conservation, and Natural Resources Committees by December 31, 2021.		Conference Report

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Bill	Summary	Patron	Status
<i>Environmental Justice</i>			
HB2074	Environmental justice; interagency working group. Establishes the Interagency Environmental Justice Working Group as an advisory council in the executive branch of state government to further environmental justice in the Commonwealth and directs each of the Governor's Secretaries to designate at least one environmental justice coordinator to represent the secretariat as a member of the Working Group. The bill directs the Working Group to focus its work during its first year on the environmental justice of current air quality monitoring practices in Virginia and provides that the Working Group shall expire on July 1, 2031.	Simonds	2/5/21: House - Vote - Passage (56-Y 44-N) 2/25/21: Senate - Passed with substitute (21-Y 18-N) 2/25/21: House - Vote - Rejected (1-Y 97-N); Conference committee requested 3/1/21: No further action taken; failed to pass
HB2221	Environmental permits; community and environmental justice outreach. Requires the applicant for any (i) new or major modified stationary air pollution source, (ii) new landfill or transfer station, (iii) certification of site approval for a hazardous waste facility, (iv) new individual Virginia Pollutant Discharge Elimination System permit, (v) new individual Virginia Water Protection permit, (vi) new individual Virginia Stormwater Management Program permit, (vii) new individual Virginia Pollution Abatement permit, or (viii) individual ground water withdrawal permit for a new ground water withdrawal to complete certain public notice requirements, including (a) holding a public hearing; (b) publishing notices in English and Spanish in a newspaper, on social media, and on signage at the site location at least 60 days prior to such public meeting; (c) mailing notices to interested parties; (d) accepting written comments; (e) transcribing meeting information; and (f) responding to community concerns to the satisfaction of the Department of Environmental Quality.	Hayes	2/5/21: House - Vote - Passage (56-Y 43-N) 2/23/21: Senate - Left in ACNR
SB1318	Environmental justice; interagency working group. Establishes the Interagency Environmental Justice Working Group as an advisory council in the executive branch of state government to further environmental justice in the Commonwealth and directs each of the Governor's Secretaries to designate at least one environmental justice coordinator to represent the secretariat as a member of the Working Group. The bill provides that the Working Group shall expire on July 1, 2031.	Hashmi	2/5/21: Senate - Read third time and passed (27-Y 17-N) 2/25/21: House - Passed with substitute (55-Y 44-N) 2/25/21: Senate - Vote - Rejected (3-Y 35-N); Conference committee requested 3/1/21: No further action taken; failed to pass

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Bill	Summary	Patron	Status
Housing			
HB2072	Virginia Housing Development Authority; work group to establish Virginia Good Neighbor Next Door program. Requires the Virginia Housing Development Authority to report to the Governor, the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology, and the Virginia Housing Commission no later than July 1, 2022, on recommendations for the creation of a Virginia Good Neighbor Next Door program, similar to the Good Neighbor Next Door program administered by the U.S. Department of Housing and Urban Development, to provide financial incentives for law-enforcement officers, firefighters, emergency medical services personnel, and teachers to purchase homes within designated revitalization areas in the localities in which they are employed.	Convirs-Fowler	1/29/21: House - Block Vote Passage (99-Y 0-N) 2/22/21: Senate - Passed (38-Y 0-N 1-A) 3/1/21: Governor - Action Deadline 3/31/21
HB1100 4-14#4c	Update Eviction Moratorium Language (language only). This amendment updates the language included in Chapter 56, 2020 Special Session I, Acts of Assembly to clarify the requirements for landlords and tenants to apply for rental assistance prior to any evictions-related action occurring. The amendment also includes technical changes.	Hashmi	Conference Report
Retirement			
HB2181	Virginia Retirement System; technical amendments. Makes technical amendments to provisions of the Code of Virginia relating to the Virginia Retirement System to reflect recent changes to federal law and conform terminology to federal law.	King	1/25/21: House - Block Vote Passage (100-Y 0-N) 2/17/21: Senate - Passed (39-Y 0-N) 3/11/21: Governor - Approved - Chapter 53 (effective 7/1/21)
SB1251	Virginia Retirement System; technical amendments. Makes technical amendments to provisions of the Code of Virginia relating to the Virginia Retirement System to reflect recent changes to federal law and conform terminology to federal law.	Newman	1/29/21: Senate - Read third time and passed (37-Y 0-N) 2/12/21: House - Block Vote Passage (100-Y 0-N) 3/11/21: Governor - Approved - Chapter 54 (effective 7/1/21)

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Bill	Summary	Patron	Status
Water Resources: Flooding and Resiliency			
HB1836	Secretary of Natural Resources. Renames the Secretary of Natural Resources as the Secretary of Natural and Cultural Resources. The bill also designates the Secretary as the Chief Resilience Officer and removes the Virginia Museum of Natural History from the purview of the Secretary.	Plum	1/19/21: House - VOTE: Passage (69-Y 30-N) 2/19/21: Senate - Passed with substitute (25-Y 13-N) 2/23/21: House - Vote - Rejected (0-Y 96-N) 2/25/21: Conference Committee 2/27/21: Senate - Agreed to conference report (32-Y 7-N); House - Agreed to (64-Y 34-N) 3/15/21: Governor - Action Deadline 3/31/21
HB2187	Commonwealth Center for Recurrent Flooding Resiliency; development of Flood Resiliency Clearinghouse Program. Directs the Commonwealth Center for Recurrent Flooding Resiliency (the Center) to evaluate the development of a Flood Resiliency Clearinghouse Program and to work with the Department of Conservation and Recreation to evaluate solutions that manage both water quality and flooding and emphasize nature-based solutions. The bill requires the Center to report its findings by November 1, 2021.	Hodges	1/28/21: House - Block Vote Passage (100-Y 0-N) 2/19/21: Senate - Passed (39-Y 0-N) 2/26/21: Governor - Action Deadline 3/31/21
HB2320	Virginia Residential Property Disclosure Act; required disclosures; repetitive risk loss structure; flood risk information form. Requires the Real Estate Board to make available on its website a flood risk information form, the details of which are outlined in the bill. The bill also provides that an owner of residential real property located in the Commonwealth who has actual knowledge that the dwelling unit is a repetitive risk loss structure, as defined in the bill, shall disclose such fact to the purchaser on a form provided by the Real Estate Board on its website. The bill has a delayed effective date of January 1, 2022.	Convirs-Fowler	2/5/21: House - Vote - Passage (88-Y 11-N) 2/15/21: Senate - Passed Senate with substitute (39-Y 0-N) 2/17/21: House - Agreed to Senate substitute (94-Y 5-N) 2/25/21: Governor - Action Deadline 3/31/21
SB1309	Local stormwater assistance; flood mitigation and protection. Authorizes grants from a local Stormwater Management Fund to be used for flood mitigation and protection measures that are part of a comprehensive flood mitigation and protection plan adopted by the locality, and requires such grants, where practicable, to prioritize projects that include nature-based practices. Current law allows such funds to be used only for the construction, improvement, or repair of a stormwater management facility or for erosion and sediment control.	Ebbin	1/21/21: Senate - Read third time and passed Senate (39-Y 0-N) 2/17/21: House - Block Vote Passage (99-Y 0-N) 2/24/21: Governor - Action Deadline 3/31/21

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Bill	Summary	Patron	Status
SB1389	Property; flood risk information form. Requires the Real Estate Board to make available on its website a flood risk information form, the details of which are outlined in the bill. The bill also provides that an owner of residential real property located in the Commonwealth who has actual knowledge that the dwelling unit is a repetitive risk loss structure, as defined in the bill, shall disclose such fact to the purchaser on a form provided by the Real Estate Board on its website. The bill has a delayed effective date of January 1, 2022.	Lewis	2/4/21: Senate - Passed (39-Y 0-N) 2/16/21: House - Vote - Passage (94-Y 5-N) 2/24/21: Governor - Action Deadline 3/31/21
HB1800 114#1c	Elevated Septic System Pilot Project in Rural Coastal Virginia. This amendment provides \$120,000 over the biennium from the general fund to fund an elevated septic system pilot program at the Middle Peninsula Planning District Commission. Septic systems in coastal Virginia suffer from a constant threat of sea level rise, storm surges, and chronic flooding which can cause catastrophic failures of inground septic systems due to water inundation. The Middle Peninsula Planning District Commission plans to contribute \$10,000 to this pilot project. A companion amendment in Item 302 establishes the parameters of the pilot program .		Conference Report
HB1800 302#3c	Pilot Program to Study Use of Vertically Elevated Septic System (language only). This amendment adds language directing the Virginia Department of Health (VDH) and Department of Environmental Quality, in partnership with the Middle Peninsula Planning District Commission, to initiate a three-year pilot program designed to study the use of engineered septic systems that house and treat sewage effluent in an elevated, self-contained unit suitable for areas with high water tables and susceptible to flooding in Coastal Virginia. A companion amendment in Item 114 provides funding to Middle Peninsula Planning District Commission for costs associated with the pilot program.		Conference Report
HB1800 446#2c	Coastal Virginia Transportation Infrastructure Inundation Study (language only). This amendment includes language requiring VDOT to report annually on the status of what transportation infrastructure in the Coastal Shore region is at risk to inundation from sea-level rise and what is being done to address the concerns.		Conference Report
Water Resources - Stormwater/Water Supply/Water Quality			
HB1982	Nutrient credits; use by facility with certain stormwater discharge permit. Authorizes a facility that has been issued a Virginia Pollution Discharge Elimination System (VPDES) permit regulating stormwater discharges to acquire, use, and transfer nutrient credits for compliance with any waste load allocation established as an effluent limitation in its VPDES permit. Current law allows only a facility registered under the Industrial Stormwater General Permit to use nutrient credits for such purpose.	Bulova	1/25/21: House - Block Vote Passage (100-Y 0-N) 2/19/21: Senate - Passed (39-Y 0-N) 2/26/21: Governor - Action Deadline 3/31/21
HB2129	Chesapeake Bay; wastewater treatment; Enhanced Nutrient Removal Certainty Program. Requires the State Water Control Board to adopt regulations establishing a Phase III Watershed Implementation Plan Enhanced Nutrient Removal Certainty Program (ENRC Program), consisting of a number of total nitrogen and total phosphorous waste load allocation reductions assigned to particular water treatment facilities with schedules for compliance. The bill provides that the ENRC Program shall operate in lieu of certain Chesapeake Bay waste load regulations. The bill directs the Board to modify affected discharge permits to incorporate the provisions of the ENRC Program and requires certain compliance plans due from treatment works beginning February 1, 2023, to address the requirements of the ENRC Program.	Lopez	2/3/21: House - Vote - Passage (58-Y 39-N) 2/25/21: Senate - Passed with substitute (38-Y 1-N) House - Vote - Adoption (63-Y 34-N) 3/15/21: Governor - Action Deadline 3/31/21

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Bill	Summary	Patron	Status
HB2257	Hampton Roads Sanitation District. Makes numerous changes to the enabling act for the Hampton Roads Sanitation District related to the addition of Northampton and Accomack Counties to the district, including realignment of the residency requirements for Commissioners. Other changes include (i) defining the term "associated water system" and inserting it as appropriate throughout the bill; (ii) amending certain eminent domain powers related to procurement of lands contiguous to the site of an existing sewage disposal system for construction and operation of an expanded sewage disposal system to meet new regulatory requirements, including nutrient removal technology; (iii) altering authority related to rates; and (iv) making various technical and clarifying updates.	Bloxom	2/3/21: House - Vote - Passage (98-Y 0-N) 2/17/21: Senate - Passed (39-Y 0-N) 2/25/21: Governor - Action Deadline 3/31/21
SB1210	Environmental permit fees. Directs the Director of the Department of Environmental Quality to convene working groups for the purpose of developing annual fee schedules for nonhazardous solid waste management facilities and annual maintenance fees for certain water withdrawal permits to replace the current annual fee schedules.	Petersen	2/4/21: Senate - Passed (39-Y 0-N) 2/15/21: House - Block Vote Passage (100-Y 0-N) 2/22/21: Governor - Action Deadline 3/31/21
SB1311	Water quality standards; modification of permits and certifications. Requires an applicant for a natural gas transmission pipeline greater than 36 inches inside diameter to submit in the application a detailed erosion and sediment control plan and stormwater management plan subject to Department of Environmental Quality (the Department) review and approval. After receipt of such application, the bill directs the Department to issue a request for information about how the erosion and sediment control plan and stormwater management plan will address activities in or related to upland areas, and requires the applicant to respond. The bill directs the Department to consider such information in developing a draft certification or denial, and to take certain additional public notice steps. The bill prohibits the Department and the State Water Control Board from expressly waiving certification of a natural gas transmission pipeline of greater than 36 inches inside diameter under § 401 of the federal Clean Water Act and requires the Department or Board to act on any certification request within a reasonable period of time pursuant to federal law.	McClellan	2/5/21: Senate - Passed (20-Y 17-N) 2/24/21: House - Vote - Passage (56-Y 42-N) 2/24/21: Senate - Agreed to House amendments (20-Y 19-N) 3/1/21: Governor - Action Deadline 3/31/21
SB1354	Chesapeake Bay; wastewater treatment; Enhanced Nutrient Removal Certainty Program. Requires the State Water Control Board to adopt regulations establishing a Phase III Watershed Implementation Plan Enhanced Nutrient Removal Certainty Program (ENRC Program), consisting of a number of total nitrogen and total phosphorous waste load allocation reductions assigned to particular water treatment facilities with schedules for compliance. The bill provides that the ENRC Program shall operate in lieu of certain Chesapeake Bay waste load regulations. The bill directs the Board to modify affected discharge permits to incorporate the provisions of the ENRC Program and requires certain compliance plans due from treatment works beginning February 1, 2023, to address the requirements of the ENRC Program.	Hanger	2/5/21: Senate - Passed (38-Y 0-N) 2/18/21: House - Vote - Passed with substitute (65-Y 35-N) 2/22/21: Senate - Agreed to House substitute (39-Y 0-N) 3/1/21: Governor - Action Deadline 3/31/21

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Bill	Summary	Patron	Status
SB1396	Sewage; Onsite Sewage Indemnification Fund; Wastewater Infrastructure Policy Working Group; report. Authorizes the State Board of Health to use the Onsite Sewage Indemnification Fund to provide grants and loans to property owners with income at or below 200 percent of the federal poverty guidelines to repair failing onsite sewage systems or install onsite sewage systems on properties that lack adequate sewage disposal. The bill provides that no expenses shall be paid from the Fund to support the program for training and recognition of onsite soil evaluators, or to provide grants or loans to repair failing onsite sewage systems or install onsite sewage systems on properties that lack adequate sewage disposal in lieu of payment to any owner or owners qualified to receive payment from the Fund. The bill also directs the Board to adopt regulations that include consideration of the impacts of climate change on proposed treatment works. The bill sets out the policy of the Commonwealth regarding wastewater infrastructure and establishes the four-member Wastewater Infrastructure Policy Working Group as an advisory board in the executive branch of state government to continually assess wastewater infrastructure needs and develop policy recommendations. The bill provides that the Working Group shall expire in 2030. The bill also directs the Department of Environmental Quality, in partnership with the Virginia Department of Health and in consultation with stakeholders, to estimate and report every four years the amount of wastewater infrastructure funding that is necessary to meet policy goals but is not eligible to be covered by grant funding pursuant to the Virginia Water Quality Improvement Act of 1997.	Hashmi	2/5/21: Senate - Read third time and passed (22-Y 16-N) 2/25/21: House - Vote - Passage (71-Y 27-N) 3/15/21: Governor - Action Deadline 3/31/21
SB1404	Stormwater Local Assistance Fund; grant requirements. Authorizes grants from the Stormwater Local Assistance Fund awarded for projects related to Chesapeake Bay total maximum daily load (TMDL) requirements to take into account total phosphorus reductions or total nitrogen reductions. The bill authorizes grants awarded for eligible projects in localities with high or above average fiscal stress as reported by the Commission on Local Government to account for more than 50 percent of the costs of a project.	Lewis	2/5/21: Senate - Passed (38-Y 0-N) 2/15/21: House - Block Vote Passage (100-Y 0-N) 2/22/21: Governor - Action Deadline 3/31/21
HB1800 304#1c	Lead Water Testing Program. This amendment provides \$250,000 the second year from the general fund and three positions for the Virginia Department of Health to handle testing plans and test results of lead water testing by local schools and provides funding for the department to handle the testing plans and test results of lead water testing submitted to the agency from child care facilities.		Conference Report
HB1100 307#2c	Study of Certain Substances in Drinking Water. This amendment provides \$60,000 the second year from the general fund for the continued work of the Virginia Department of Health's Office of Drinking Water to continue its study of the occurrence of perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), and other perfluoroalkyl and polyfluoroalkyl substances (PFAS) in the Commonwealth's public drinking water and to develop recommendations for specific maximum contaminant levels for PFOA, PFOS, and other PFAS for inclusion in regulations of the Board of Health applicable to waterworks.		Conference Report
HB1800 377#1c	Research to Reduce Salt in Surface and Groundwater Resources. This amendment provides \$175,000 the second year for a field test of using native plants to capture and remove salt from paved surface stormwater runoff..		Conference Report

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Bill	Summary	Patron	Status
HB1800 377#2c	Stormwater Management Fund. This amendment provides \$1.1 million from the general fund the second year to be deposited in the Virginia Stormwater Management Fund, and directs the State Water Control Board to adopt a schedule that sets fees at an amount of at least 60 percent of the direct costs for the Department of Environmental Quality's administration, compliance, and enforcement activities in its stormwater management programs.		Conference Report
HB1100 377#5c	Nutrient Credit Program Workgroup (language only). This amendment directs the creation of a multi-agency workgroup to review the practice of retiring agricultural land for the generation of nutrient credits and determine its impact on agricultural sustainability, farmland retention, farmland preservation, and functions of the nutrient credit exchange in the Virginia portion of the Chesapeake Bay watershed and its subwatersheds.		Conference Report
HB1100 377#6c	Harmful Algae Bloom Mitigation (language only). This amendment directs DEQ, VDACS, and VDH to convene a joint workgroup to provide a report on the prevalence of harmful algae blooms in Virginia waters and strategies to address their occurrence.		Conference Report
HB1800 379#1c	Stormwater Local Assistance Fund. This amendment provides \$25.0 million from the general fund the second year for deposit in the Stormwater Local Assistance Fund for stormwater quality retrofits and upgrades.		Conference Report
Water Resources - Other			
HB1983	Wetland and stream mitigation banks; proximity of impacted site. Provides that when a water protection permit applicant is required to purchase wetland or stream mitigation bank credits but no credits are available (i) in any mitigation provider's primary service area or (ii) at a cost of less than 200 percent of the price of credits available from a fund dedicated to achieving no net loss of wetland acreage and functions, the applicant may purchase or use credits from a mitigation provider's secondary service area. The bill provides certain requirements that the permit applicant must comply with in order to purchase or use such credits from a secondary service area, including minimum tree canopy requirements.	Bulova	1/25/21: House - Vote - Passage (84-Y 15-N 1-A) 2/19/21: Senate - Passed (39-Y 0-N) 2/26/21: Governor - Action Deadline 3/31/21
HB2042	Replacement and conservation of trees during development. Gives a locality the ability to exceed general requirements in its tree replacement and conservation ordinances in specific circumstances, including development that impacts stormwater permit requirements, recurrent flooding, formerly redlined areas, and comprehensive plan compliance. The bill also directs the Secretary of Natural Resources and Secretary of Agriculture and Forestry to convene a stakeholder work group for the purpose of developing and providing recommendations to state and local governments related to policies that encourage the conservation of mature trees and tree cover on sites being developed, increase tree canopy cover in communities, and encourage the planting of trees. The bill will not become effective unless reenacted by the 2022 Session of the General Assembly, but the stakeholder work group is effective in due course.	Guy	1/27/21: House - Vote - Passage (57-Y 43-N) 2/17/21: Senate - Passed with amendments (26-Y 11-N) 2/19/21: House - Agreed to Senate amendments (57-Y 43-N) 3/12/21: Governor - Approved - Chapter 89 (effective - see bill)
SB1143	Extension of certain wetlands permits through 2021. Retroactively extends until January 1, 2022, certain wetlands permits set to expire between March 1, 2020, and July 1, 2021.	Cosgrove	2/1/21: Senate - Passed (39-Y 0-N) 2/15/21: House - Block Vote Passage (100-Y 0-N) 2/22/21: Governor - Action Deadline 3/31/21

2021 General Assembly Special Session - Summary of HRPDC-Related Bills and Budget Amendments

March 19, 2021

Bill	Summary	Patron	Status
SB1291	Virginia Water Protection Permit; withdrawal of surface water or ground water; plans for water auditing and leak detection and repair. Requires that any application for a permit to withdraw surface water or ground water include a water auditing plan and a leak detection and repair plan that comply with regulations adopted by the State Water Control Board pursuant to the provisions of the bill. The provisions of the bill shall not become effective until 30 days after the adoption by the Board of such regulations.	Mason	1/26/21: Senate - Read third time and passed Senate (22-Y 17-N) 2/22/21: House - Vote - Passage (56-Y 44-N) 3/12/21: Governor - Approved - Chapter 100 (effective 7/1/21 - see bill)
SB1393	Replacement and conservation of trees during development. Gives a locality the ability to exceed general requirements in its tree replacement and conservation ordinances in specific circumstances, including development that impacts stormwater permit requirements, recurrent flooding, formerly redlined areas, and comprehensive plan compliance. The bill also directs the Secretary of Natural Resources and Secretary of Agriculture and Forestry to convene a stakeholder work group for the purpose of developing and providing recommendations to state and local governments related to policies that encourage the conservation of mature trees and tree cover on sites being developed, increase tree canopy cover in communities, and encourage the planting of trees. The bill will not become effective unless reenacted by the 2022 Session of the General Assembly, but the stakeholder work group is effective in due course.	Marsden	2/1/21: Senate - Read third time and passed (26-Y 13-N) 2/15/21: House - Vote - Adoption (56-Y 43-N) 2/17/21: Senate - House amendments agreed to by Senate (31-Y 8-N) 3/12/21: Governor - Approved - Chapter 90 (effective - see bill)
HB1100 107#1c	Tree Conservation Workgroup (language only). This amendment directs the Department of Forestry to convene a stakeholder workgroup to provide recommendations for policies which encourage increased tree cover in communities, and the preservation of mature trees and tree cover on sites being developed.		Conference Report
HB1100 168#1c	VIMS - Manage Aquatic Diseases. This amendment provides funding for science-based guidance on the management of existing and emerging disease threats to critical fishery and aquaculture resources in the Commonwealth and Chesapeake Bay region. This initiative was funded in the 2020 General Assembly Session but subsequently unallotted. Recent outbreaks of disease have damaged economically important and ecologically sensitive marine resources in the Commonwealth and nation. The pathogens responsible for these outbreaks are not well known, their risks to marine life and potential to spread remain poorly understood, and their ecological impacts have been difficult to assess with existing resources. To meet the challenge of diseases in marine systems, this initiative will provide science-based guidance on the management of existing and emerging disease threats to critical fishery and aquaculture resources in the Commonwealth and Chesapeake Bay region.		Conference Report
HB1100 168#2c	VIMS - Restore Saltwater Fisheries Surveys. This amendment provides funding to provide scientific data for the management of saltwater fisheries in the Commonwealth. This initiative was funded in the 2020 General Assembly Session but subsequently unallotted. Long-standing VIMS fisheries surveys have provided scientific data for the management of saltwater fisheries in the Commonwealth of Virginia. Recent reductions in state and federal funds resulted in reductions in five of the most crucial surveys.		Conference Report

2021 General Assembly Special Session - Summary of HRPDC-Related Bills and Budget Amendments

March 19, 2021

Bill	Summary	Patron	Status
Other			
HB1804	State parks; Department of Conservation and Recreation; recommendations for funding. Directs the Department of Conservation and Recreation to develop recommendations for dedicated sources of funding for state parks that will be relatively stable from year to year. The Department shall submit its recommendations to the Chairmen of the House Committee on Agriculture, Chesapeake and Natural Resources, the House Committee on Appropriations, the Senate Committee on Agriculture, Conservation and Natural Resources, and the Senate Committee on Finance and Appropriations by November 1, 2021.	Orrock	1/25/21: House - Block Vote Passage (100-Y 0-N) 2/19/21: Senate - Passed (39-Y 0-N) 2/26/21: Governor - Action Deadline 3/31/21
HB2217	Liability of public access authorities. Grants public access authorities, including the land holdings and facilities of such authorities, certain liability protections that are currently given to localities in relation to parks, recreational facilities, and playgrounds.	Hodges	2/3/21: House - Vote - Passage (84-Y 14-N) 2/17/21: Senate - Passed (33-Y 6-N) 2/25/21: Governor - Action Deadline 3/31/21
SB1141	Hampton Roads area refuse collection authority; financial planning. Changes various requirements of the Southeastern Public Service Authority (the Authority) when budgeting or incurring debt, including (i) changing the required five-year overall strategic plan to a financial plan, (ii) specifying that detailed financial plans be made only when incurring long-term debt or issuing new debt, (iii) authorizing other qualified financial consultants instead of a certified public accountant to assist in the creation of the detailed financial plan, (iv) changing from the Authority's Board of Directors to the Authority the body that performs a due diligence investigation of the appropriateness of issuing new debt, and (v) and raising the permissible threshold for the executive director of the authority to execute or commit the authority to a contract, memorandum of agreement, or memorandum of understanding without acquiring Board approval.	Cosgrove	1/21/21: Senate - Read third time and passed Senate (39-Y 0-N) 2/24/21: House - Block Vote Passage (97-Y 0-N) 3/1/21: Governor - Action Deadline 3/31/21
SB1270	Eminent domain; notice of intent to file certificate. Provides that the notice required to be sent to a landowner prior to an authorized condemnor recording a certificate of take or certificate of deposit shall state that (i) the certificate of take or certificate of deposit will be recorded between 30 and 45 days from the date of the notice and (ii) that the property will transfer to the condemnor upon recordation and that the owner has the right to petition the court for distribution of the funds represented in the certificate.	Cosgrove	1/21/21: Senate - Read third time and passed Senate (39-Y 0-N) 2/22/21: House - Block Vote Passage (98-Y 0-N) 3/1/21: Governor - Action Deadline 3/31/21
SB1274	Government planning; wildlife corridors. Directs various agencies to consider and incorporate, where applicable, wildlife corridors and any recommendation of the Wildlife Corridor Action Plan. The bill directs the Department of Wildlife Resources to publish the Plan and subsequent updates on its website and to assist state agencies and political subdivisions, and by request any federal agency, in considering and incorporating, where applicable, wildlife corridors and the recommendations of the Plan when developing any governmental strategic plan, map, or action.	Marsden	1/25/21: Senate - Read third time and passed (29-Y 10-N) 2/22/21: House - Vote - Passage (89-Y 10-N) 2/23/21: Senate - Agreed to House amendments (33-Y 6-N) 3/1/21: Governor - Action Deadline 3/31/21

2021 General Assembly Special Session - Summary of HRPDC-Related Bills and Budget Amendments

March 19, 2021

Bill	Summary	Patron	Status
SB1298	<p>Tourism improvement districts. Authorizes any locality to create a local tourism improvement district plan, consisting of fees charged to businesses and used to fund tourism promotion activities and capital improvements. Under the bill, the locality is authorized to contract with a nonprofit entity to administer the activities and improvements.</p>	Bell	<p>1/29/21: Senate - Read third time and passed (37-Y 0-N) 2/17/21: House - Passed (62-Y 36-N) 2/24/21: Governor - Action Deadline 3/31/21</p>
SB1398	<p>Retail sales and transient occupancy taxes on room rentals. Provides that retail sales and hotel taxes on transient room rentals shall be computed on the basis of the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill requires the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The bill requires an amount equal to the estimated state sales tax revenue generated from the tax on accommodations fees to be appropriated to the Virginia Tourism Authority each fiscal year to be used for promoting tourism.</p>	Norment	<p>2/4/21: Senate - Passed (34-Y 5-N) 2/19/21: House - Passed with amendments (66-Y 34-N) 2/19/21: Senate - Agreed to House amendments (31-Y 6-N) 2/26/21: Governor - Action Deadline 3/31/21</p>
HB1800 114#6c	<p>Restore Additional Support for Planning District Commissions. This amendment provides an additional \$294,000 the second year from the general fund to provide each of the 21 Planning District Commissions with an increase of \$14,000 per year. The 2020 Appropriation Act provided this amount in both years of the biennium; however, the increase was unallotted due to COVID-19 impacts to the state budget.</p>		Conference Report