

MERCERTRIGIANI

2022 VIRGINIA GENERAL ASSEMBLY SESSION

Legislative Tracking Chart

as of February 17, 2022

Bill Number & Patron	Bill Name & Summary	Current Status
COMMUNITY ASSOCIATION LEGISLATION		
SB 197 (VR Bill) T. Montgomery “Monty” Mason	Common interest communities; prohibition on refusal to recognize a licensed real estate broker. Clarifies the prohibition on property owners' associations and unit owners' associations pursuant to the Property Owners' Association Act (§ 55.1-1800 et seq.) and the Virginia Condominium Act (§ 55.1-1900 et seq.), as the case may be, from refusing to recognize a licensed real estate broker that is designated by the lot owner or unit owner as such lot owner's or unit owner's authorized representative, provided that the property owners' association or unit owners' association is given a written authorization signed by the lot owner or unit owner designating such licensed individual as his authorized representative and containing certain information for such designated representative. The bill also expands the list of authorized persons that a seller or seller's authorized agent may provide a written request to for the delivery of the association disclosure packet or resale certificate. The bill contains a technical amendment. https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB197	2/1/22 Senate: Passed Senate (40-Y 0-N).
SB 217 Jeremy S. McPike	Property Owners' Association Act; access to records; generally accepted accounting principles. Provides that all financial books and records shall be kept in accordance with generally accepted accounting principles. Current law states that all financial books and records shall be kept in accordance with generally accepted accounting practices. https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB217	2/2/22 Senate: Senate: Continued to 2023 in General Laws and Technology.
SB 539 Mark J. Peake	Department of Professional and Occupational Regulation; Common Interest Community Board; enforcement jurisdiction. Makes the enforcement of regulations for common interest community managers the sole responsibility of the Common Interest Community Board. Current law delegates the enforcement of these regulations to the Real Estate Board for real estate brokers, real estate salespersons, and real estate brokerage firms who are also licensed as common interest community managers. https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB539	1/19/22 Senate: Stricken at request of Patron in General Laws and Technology.

Bill Number & Patron	Bill Name & Summary	Current Status
<p>SB 693</p> <p>J. Chapman Petersen</p>	<p>Common interest communities; association complaint procedures. Clarifies that audio and video recordings are considered records and shall be included with any final adverse decision provided by a complainant to the Common Interest Community Board.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB693</p>	<p>2/1/22 Senate: Passed Senate (40-Y 0-N).</p>
<p>SB 740</p> <p>Scott A. Surovell</p>	<p>Department of Housing and Community Development; common interest communities; standards for structural integrity and reserves for capital components; task force; report. Directs the Department of Housing and Community Development to establish a task force to study the adequacy of current laws addressing standards for structural integrity and for maintaining reserves to repair, replace, or restore capital components in common interest communities. The bill directs the task force to report its findings and recommendations, including any legislative recommendations, to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology no later than November 1, 2022.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB740</p>	<p>2/15/22 Senate: Passed Senate (35-Y 5-N).</p>
<p>HB 382</p> <p>Kelly K. Convirs-Fowler</p>	<p>Property Owners' Association Act; statement of lot owner rights. Provides that, pursuant to the Property Owners' Association Act, every lot owner who is a member in good standing of a property owners' association shall have (i) the equal right to present use and enjoyment of the property, (ii) the right to serve on the board of directors and to carry out one's specific duties with the same rights and privileges as other board members, and (iii) the right to have notice of any pending or probable litigation involving the association.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB382</p>	<p>2/15/22 House: Left in General Laws.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 470 (VR Bill)</p> <p>David L. Bulova</p>	<p>Common interest communities; prohibition on refusal to recognize a licensed real estate broker. Clarifies the prohibition on property owners' associations and unit owners' associations pursuant to the Property Owners' Association Act (§ 55.1-1800 et seq.) and the Virginia Condominium Act (§ 55.1-1900 et seq.), as the case may be, from refusing to recognize a licensed real estate broker that is designated by the lot owner or unit owner as such lot owner's or unit owner's authorized representative, provided that the property owners' association or unit owners' association is given a written authorization signed by the lot owner or unit owner designating such licensed individual as his authorized representative and containing certain information for such designated representative. The bill also expands the list of authorized persons that a seller or seller's authorized agent may provide a written request to for the delivery of the association disclosure packet or resale certificate. The bill contains a technical amendment.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB470</p>	<p>2/16/22 Senate: Reported from General Laws and Technology.</p>
<p>HB 953</p> <p>Kelly K. Convirs-Fowler</p>	<p>Department of Professional and Occupational Regulation; Common Interest Community Board; enforcement jurisdiction. Makes the enforcement of regulations for common interest community managers the sole responsibility of the Common Interest Community Board. Current law delegates the enforcement of these regulations to the Real Estate Board for real estate brokers, real estate salespersons, and real estate brokerage firms who are also licensed as common interest community managers.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB953</p>	<p>2/8/22 House: Stricken from docket by General Laws (22-Y 0-N).</p>
<p>HB 954</p> <p>Kelly K. Convirs-Fowler</p>	<p>Property Owners' Association Act; use of electronic means for meetings and voting. Provides that reasonable accommodations shall be made to allow a member of the board of directors of a property owners' association to attend a meeting by telephone or video conference if such member is incapable or otherwise unable to be physically present at such meeting and that such member shall be deemed present for quorum and voting purposes. The bill also requires any guidelines adopted by the board of directors of an association for the use of electronic means for meetings to be applied equally to all board members and lot owners.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB954</p>	<p>2/15/22 House: Left in General Laws.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 955</p> <p>Kelly K. Convirs-Fowler</p>	<p>Property Owners' Association Act; access to association records; electronic participation in association meetings. Clarifies that all books and records kept by or on behalf of an association shall be made available to a member in good standing or his authorized agent in a manner consistent with the association's routine practices and procedure for the keeping and production of such books and records, to include both physical and electronic methods of production. Current law makes no mention of the electronic production of such books and records. The bill also permits members to participate in any meeting of the association through electronic communication means if doing so has been authorized by the board of directors. Such members shall be deemed present for quorum purposes and may vote at the meeting so long as the board of directors has implemented certain policies regarding access to and participation in the meeting.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB955</p>	<p>2/15/22 House: Left in General Laws.</p>
<p>HJ 56</p> <p>Kelly K. Convirs-Fowler</p>	<p>Study; Joint Legislative Audit and Review Commission; common interest communities; report. Requests the Joint Legislative Audit and Review Commission to study the overall efficiency and effectiveness of common interest communities, with special regard to the accountability structure available for the enforcement of the provisions in the governing documents of associations subject to the Property Owners' Association Act.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HJ56</p>	<p>2/15/22 House: Left in Rules.</p>
OTHER RELATED LEGISLATION		
<p>SB 19</p> <p>John A. Cosgrove, Jr.</p>	<p>Gifts of real estate; requirements. Prohibits a clerk of court from recording a deed of gift conveying real estate unless it is accompanied by a certified copy of the existing deed showing the name of the current owner of the property.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB19</p>	<p>1/26/22 Senate: Stricken at the request of Patron in Judiciary (13-Y 0-N)</p>
<p>SB 69</p> <p>Barbara A. Favola</p>	<p>Virginia Residential Landlord and Tenant Act; prohibited provisions in rental agreements. Prohibits a rental agreement from containing provisions that prohibit the operation of properly licensed and authorized child care services.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB69</p>	<p>2/8/22 Senate: Read third time and passed Senate (40-Y 0-N).</p>
<p>SB 140</p> <p>John S. Edwards</p>	<p>Smoke alarm retrofitting; dwelling unit buildings. Expands the requirement to retrofit buildings with one or more dwelling units, hotels and motels, and rooming houses with smoke alarms without regard to the time of construction of such buildings.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB140</p>	<p>1/24/22 Senate: Failed to report (defeated) in Local Government (7-Y 8-N).</p>

Bill Number & Patron	Bill Name & Summary	Current Status
SB 173 Mark J. Peake	<p>Minimum wage. Repeals certain provisions of the Code of Virginia related to increasing the state minimum wage to more than \$11.00 per hour. The bill also repeals provisions related to increasing the state minimum wage based on an annual adjusted minimum wage determined by the Department of Labor and Industry.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=221&typ=bil&val=SB173</p>	<p>1/17/22 Senate: Passed by indefinitely in Commerce and Labor (12-Y 3-N).</p>
SB 208 J. Chapman Petersen	<p>Civil actions; standing. Provides that a person in a civil action shall be deemed to have standing if that person has a cognizable interest in the outcome of the matter, which may be represented by the ownership of an affected property interest or the suffering of an injury unique to that individual.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB208</p>	<p>2/2/22 Senate: Stricken at the request of Patron in Judiciary (15-Y 0-N).</p>
SB 279 Bill DeSteph	<p>Vicious dogs. Authorizes a law-enforcement officer or animal control officer to apply to a magistrate for a summons for a vicious dog if such officer is located in either the jurisdiction where the vicious dog resides or in the jurisdiction where the vicious dog committed one of the acts set forth in the definition. The bill also requires any evidentiary hearing or appeal to be held not less than 30 days from the date of the summons or appeal, unless good cause is found by the court.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB279</p>	<p>2/10/22 Senate: Passed Senate SB279E.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>SB 311</p> <p>Adam P. Ebbin</p>	<p>Real property; title insurance and duty to disclose ownership interest and lis pendens. Provides that a real estate licensee has an affirmative duty, upon having substantive discussions about specific real property, to disclose in writing to the purchaser, seller, lessor, or lessee if he, any member of his family, his firm, any member of his firm, or any entity in which he has an ownership interest has or will have an ownership interest to the other parties to the transaction. The bill requires a settlement agent, in connection with any transaction involving the purchase or sale of an interest in residential real property, to obtain from the purchaser a statement in writing that he has been notified by the settlement agent that the purchaser may wish to obtain owner's title insurance coverage including affirmative mechanics' lien coverage, if available, and of the general nature of such insurance coverage in accordance with the standards of the American Land Title Association, and that the purchaser does or does not desire such coverage or desires coverage not consistent with the standards of the American Land Title Association. The bill requires such written notification to substantially comply with language provided in the bill. The bill requires that an owner of residential dwelling unit who has actual knowledge of a lis pendens filed against the dwelling unit to provide to a prospective purchaser a written disclosure of such fact to the purchaser on a form provided by the Real Estate Board on its website.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB311</p>	<p>2/11/22 Senate: Passed Senate (40-Y 0-N).</p>
<p>SB 446</p> <p>Jennifer B. Boysko</p>	<p>Broadband service; new residential and commercial development. Allows localities to require broadband service and associated infrastructure be installed for new residential and commercial development.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB446</p>	<p>2/10/22 Senate: Read third time and passed Senate (40-Y 0-N).</p>
<p>SB 498</p> <p>Lynwood W. Lewis, Jr.</p>	<p>Conveyances of property; acceptance by clerk's office for recordation. Provides that there is a presumption for state and local governmental agency purposes that title to property transfers to the grantee upon acceptance of a deed conveying such property by the clerk of court in the county or city in which the property is located. Such presumption does not apply to matters litigated in the federal or state courts.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB498</p>	<p>1/28/22 Senate: Read third time and passed Senate (39-Y 0-N).</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>SB 602</p> <p>Bill DeSteph</p>	<p>Short-term rental properties; definition; locality requirements and restrictions. Prohibits, except as provided, localities from (i) requiring or allowing the approval of neighbors or the neighborhood for the operation of short-term rental properties; (ii) imposing requirements or restrictions that exceed those of regular properties, including special parking and occupancy restrictions; or (iii) restricting short-term rentals by geographic location within the locality by means other than the normal general land use and zoning authority. The bill expands the current definition of short-term rental to include any house provided for such purpose.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB602</p>	<p>1/31/22 Senate: Stricken at request of Patron in Local Government (15-Y 0-N).</p>
<p>SB 622</p> <p>Barbara A. Favola</p>	<p>Certified recovery residences. Requires every person who operates a recovery residence to disclose to potential residents whether the recovery residence is a certified recovery residence and that no health care provider or behavioral health service provider who receives public funds or state agency shall refer a person with substance abuse disorder to a recovery residence unless the recovery residence has been certified by the Department of Behavioral Health and Developmental Services (the Department) in accordance with regulations adopted by the Board of Behavioral Health and Developmental Services (the Board). The bill also provides that credentialing agencies by which the Board may require accreditation or in which the Board may require membership shall administer credentialing and certification programs in accordance with standards of the National Alliance for Recovery Residences; requires the Board to adopt regulations requiring each certified recovery residence include one or more resident or nonresident staff persons who is employed by the provider for compensation and who is responsible for oversight or management of the recovery residence; and requires the Department to provide, for each certified recovery residence included on the list maintained on the Department’s website the level of support provided by the certified recovery residence. The bill also provides that certified recovery residences shall constitute residential occupancy by a single family for zoning purposes, regardless of the number of persons residing in the certified recovery residence, and exempts certified recovery residences from the provisions of the Virginia Landlord and Tenant Act.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB622</p>	<p>2/9/22 Senate: Passed Senate (38-Y 0-N).</p>

Bill Number & Patron	Bill Name & Summary	Current Status
SB 648 Jeremy S. McPike	<p>Real property tax; exemption for the elderly and handicapped. Provides that any locality may by ordinance accept documentation establishing eligibility for the real property tax exemption for the elderly and handicapped on a rolling basis throughout the year. Current law states that localities shall accept such documentation after January 1 but before April 1 or a later date fixed by ordinance.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB648</p>	<p>1/28/22 Senate: Read third time and passed Senate (39-Y 0-N).</p>
SB 666 J. Chapman Petersen	<p>Eminent domain; lost access and lost profits. Redefines "lost access" and "lost profits" for the purposes of determining just compensation in eminent domain cases.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB666</p>	<p>2/14/22 Senate: Read third time and passed Senate (40-Y 0-N).</p>
SB 694 Mark D. Obenshain	<p>Eminent domain. Makes various changes to the laws pertaining to condemnation procedures, including (i) providing that localities shall not condition or delay the timely advancement or approval of any application for or grant of any permit or other approval for real property for the purpose of allowing the condemnation or acquisition of the property; (ii) requiring a condemnor to provide the property owner with a copy of its title report and all recorded instruments found in the title examination; (iii) requiring the clerk of court, when funds are paid into the court during a condemnation proceeding, to deposit such funds into an interest-bearing account; (iv) requiring the court to order the condemnor to reimburse the property owner for the reasonable costs and fees for a survey (under current law, this amount is capped at \$1,000); (v) requiring temporary construction easements to have an expiration date included in the recorded certificate and requiring condemnors to record a certificate of completion within 90 days upon completion of construction of any public use project for which a portion of private property was taken; (vi) requiring that a condemnor who has been sued for just compensation pursuant to a "quick-take" condemnation procedure to reimburse the property owner for his fees and costs incurred in filing the petition; (vii) permitting the owner of property that the Commissioner of Highways has taken to petition the circuit court for the appointment of commissioners or the empanelment of a jury to determine just compensation under certain circumstances and requiring the Commission of Highways to reimburse the owner for his fees and costs incurred in filing the petition; and (viii) requiring a condemnor who has taken property for purposes of a public use project to pay for the costs incurred by the property owner for a written appraisal report or experts engaged to (a) review the plans for the public use project to determine the limits of the taking of the property, (b) determine the impact of the public use project on any remaining property, or (c) determine the uses to which the property could be put in the before and after project scenarios.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB694</p>	<p>2/9/22 Senate: Passed Senate (38-Y 0-N).</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>SB 705</p> <p>David W. Marsden</p>	<p>Towing. Adds various prohibitions and responsibilities for towing and recovery operators and tow truck drivers. The bill creates a private cause of action against towing and recovery operators, expands the authority of the Office of the Attorney General in enforcing towing laws, and provides that a violation of certain towing offenses is a violation of the Virginia Consumer Protection Act.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB705</p>	<p>2/9/22 Senate: Passed Senate (38-Y 0-N).</p>
<p>SB 722</p> <p>David W. Marsden</p>	<p>Improper parking. Prohibits, in Planning District 8, the parking of a vehicle with its wheels partially or fully on the curb, or with its wheels straddling the curb. The bill provides that any vehicle parked on a curb may be removed by or under the direction of a law-enforcement officer.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB722</p>	<p>2/9/22 Senate: Read third time and passed Senate (26-Y 12-N).</p>
<p>SB 765</p> <p>Adam P. Ebbin</p>	<p>Notaries. Makes various changes to the laws related to notaries and electronic notaries, including (i) specifying information to be included in an application; (ii) specifying the reasons for which the Secretary of the Commonwealth may deny an application; (iii) requiring applicants to take a course and examination prior to application; (iv) requiring a \$25,000 bond prior to commission; (v) requiring a notary to keep a journal of notarial acts; (vi) specifying the reasons a notary may and may not decline to perform a notarial act; (vii) providing requirements for the use and manufacture of official notary seals; (viii) providing requirements for civil liability of a notary, bond surety, and employer of the notary; and (ix) specifying situations constituting conflicts of interest for a notary.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB765</p>	<p>2/2/22 Senate: Continued to 2023 in Judiciary (15-Y 0-N).</p>
<p>HB 87</p> <p>R. Lee Ware</p>	<p>Virginia Pandemic Response and Preparedness Council; report; sunset. Establishes the Virginia Pandemic Response and Preparedness Council to examine existing laws in the Commonwealth and develop recommendations regarding the pandemic response and future needs of the Governor, the General Assembly, local governments, public and private health care systems, health districts, the judicial system, K-12 and higher education systems, and the business regulatory system. The bill requires the Council to submit an annual report to the Governor and the General Assembly. The bill has an expiration date of July 1, 2024.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=221&typ=bil&val=hb87</p>	<p>2/10/22 Senate: Referred to Committee on Rules.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
HB 184 Daniel W. Marshall, III	Virginia Stormwater Management Programs; regional industrial facility authorities. Authorizes a locality that administers a Virginia Stormwater Management Program or a Virginia Erosion and Stormwater Management Program to review, approve, and administer the permits of a regional industrial facility authority of which it is a member. https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB184	2/2/22 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources.
HB 202 Michael J. Webert	Solar facilities; permit by rule. Lowers from 150 to 20 megawatts the maximum generation capacity of an electrical generation facility that generates electricity only from sunlight to qualify for issuance of a permit by rule. https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB202	2/15/22 House: Left in Agriculture, Chesapeake and Natural Resources.
HB 266 Christopher T. Head	Electric cooperatives; net energy metering; power purchase agreements; local facilities usage charges. Permits any customer, besides a farm or small agricultural generating facility and any customer selling power to the electric cooperative, to interconnect with an electric cooperative and enter an agreement for local facilities usage charges. The bill provides that electric cooperatives can seek approval from the State Corporation Commission at any time for a tariff for local facilities usage charges for the use of cooperative system facilities; however, the terms of an independent agreement for local facilities usage charges shall prevail if inconsistent with the approved tariff amount. The bill permits the board of directors of an electric cooperative to approve any voluntary tariff and associated cost recovery without filing additional information with the Commission besides an informational notice. Under the bill, the Commission may administratively approve a change in rate, tariff, or term or condition of service without notice or a hearing. The bill removes the limit on raising the cap for electric cooperatives' generating capacity beyond seven percent of system peak for the purposes of net energy metering. The bill also allows electric cooperatives to permit the use of third-party partial requirements power purchase agreements for eligible customer-generators without separate approval by the Commission; however, the cooperative is required to file a revised net energy metering compliance filing. https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB266	2/16/22 Senate: Referred to Committee on Commerce and Labor.

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 277</p> <p>Carrie E. Coyner</p>	<p>Certified recovery residences. Requires every person who operates a recovery residence to disclose to potential residents whether the recovery residence is a certified recovery residence and that no health care provider or behavioral health service provider who receives public funds or state agency shall refer a person with substance abuse disorder to a recovery residence unless the recovery residence has been certified by the Department of Behavioral Health and Developmental Services (the Department) in accordance with regulations adopted by the Board of Behavioral Health and Developmental Services (the Board). The bill also provides that credentialing agencies by which the Board may require accreditation or in which the Board may require membership shall administer credentialing and certification programs in accordance with standards of the National Alliance for Recovery Residences; requires the Board to adopt regulations requiring each certified recovery residence include one or more resident or nonresident staff persons who is employed by the provider for compensation and who is responsible for oversight or management of the recovery residence; and requires the Department to provide, for each certified recovery residence included on the list maintained on the Department’s website the level of support provided by the certified recovery residence. The bill also provides that certified recovery residences shall constitute residential occupancy by a single family for zoning purposes, regardless of the number of persons residing in the certified recovery residence, and exempts certified recovery residences from the provisions of the Virginia Landlord and Tenant Act.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB277</p>	<p>2/11/22 Senate: Referred to Committee on Local Government.</p>
<p>HB 281</p> <p>Carrie E. Coyner</p>	<p>Real property; title insurance and duty to disclose ownership interest and lis pendens. Provides that a real estate licensee has an affirmative duty, upon having substantive discussions about specific real property, to disclose in writing to the purchaser, seller, lessor, or lessee if he, any member of his family, his firm, any member of his firm, or any entity in which he has an ownership interest has or will have an ownership interest to the other parties to the transaction. The bill requires a settlement agent, in connection with any transaction involving the purchase or sale of an interest in residential real property, to obtain from the purchaser a statement in writing that he has been notified by the settlement agent that the purchaser may wish to obtain owner's title insurance coverage including affirmative mechanics' lien coverage, if available, and of the general nature of such insurance coverage in accordance with the standards of the American Land Title Association, and that the purchaser does or does not desire such coverage or desires coverage not consistent with the standards of the American Land Title Association. The bill requires such written notification to substantially comply with language provided in the bill. The bill requires that an owner of residential dwelling unit who has actual knowledge of a lis pendens filed against the dwelling unit to provide to a prospective purchaser a written disclosure of such fact to the purchaser on a form provided by the Real Estate Board on its website.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB281</p>	<p>2/10/22 Senate: Referred to Committee on General Laws and Technology.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
HB 296 Joseph P. McNamara	<p>Minimum wage. Repeals certain provisions of the Code of Virginia related to increasing the state minimum wage to more than \$11.00 per hour. The bill also repeals provisions related to increasing the state minimum wage based on an annual adjusted minimum wage determined by the Department of Labor and Industry.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=221&typ=bil&val=hb296</p>	<p>2/2/22 Senate: Referred to Committee on Commerce and Labor.</p>
HB 372 Kelly K. Convirs-Fowler	<p>Prohibiting loitering; curfew for minors; age restrictions on trick-or-treating. Prohibits localities from imposing age restrictions on trick-or-treating that exceed current loitering and curfew provisions.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB372</p>	<p>2/15/22 House: Left in Counties, Cities and Towns.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 329</p> <p>Nicholas J. Freitas</p>	<p>Administrative Process Act; regulations; public notice and economic impact; prohibition on certain regulations. Requires that an agency prepare a detailed notice of intended regulatory action for any regulation that it plans to promulgate. The bill requires that prior to publication by the Registrar of Regulations, the notice of intended regulatory action be submitted to the Attorney General for a determination as to whether the agency has the explicit authority to promulgate the regulation as proposed in the notice of intended regulatory action. The bill requires the Attorney General to report the notice of intended regulatory action and its determination to the Governor for approval. Within 10 days after publication by the Registrar of a notice of intended regulatory action for a proposed regulation, either the chairman or vice-chairman of the Joint Commission on Administrative Rules may submit a written directive to the agency that prepared the notice for the agency to hold a preliminary public hearing and comment period on the notice of intended regulatory action. The bill prescribes requirements for the conduct of such public hearings on regulatory matters. The bill requires the Department of Planning and Budget to prepare an economic impact analysis of the proposed regulation that includes a qualitative analysis of the regulation and a detailed quantitative analysis of the impact of the regulation, which must include analysis of the implementation and compliance costs that are reasonably expected to be incurred by or passed along to the businesses, localities, and individuals that may be affected by the proposed regulation. The bill requires the Department of Planning and Budget to determine whether \$10 million or more in implementation and compliance costs are reasonably expected to be incurred by or passed along to businesses, localities, and individuals over any two-year period as a result of the proposed regulation. After the Department of Planning and Budget submits an economic impact analysis for a proposed regulation to the legislature but before the agency submits the proposed regulation for final approval by the Governor, the chairman or vice-chairman of the Joint Commission on Administrative Rules may request an independent economic impact analysis to be prepared by the Joint Legislative Audit and Review Commission for the proposed regulation. The Department of Planning and Budget is required to provide a detailed explanation of any variance between estimates in the two economic impact analyses. If either economic impact analysis indicates \$10 million or more in implementation and compliance costs, the bill requires the agency proposing the regulation to stop work on the proposed regulation until the regulation is modified to reduce its costs to below the \$10 million threshold or a bill is enacted explicitly allowing the regulation to proceed.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=221&typ=bil&val=hb329</p>	<p>2/8/22 House: Continued to 2023 in General Laws by voice vote.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
HB 450 Elizabeth B. Bennett-Parker	Parking of vehicles; electric vehicle charging spots; civil penalties. Prohibits a person from parking a vehicle not capable of receiving an electric charge in a space reserved for charging electric vehicles. A violation is subject to a civil penalty of not less than \$100 nor more than \$250, and the vehicle may be towed or impounded. https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB450	2/1/22 Senate: Referred to Committee on Transportation.
HB 459 Schuyler T. VanValkenburg	Providing access to adjoining property to make improvements or repairs. Allows an owner or lessee of real property who seeks to improve, repair, or maintain his property, and the property is so situated that it is impossible to perform the improvements, repairs, or maintenance without entering adjoining property and permission to enter the adjoining property has been denied, to petition the circuit court for a license to enter the adjoining property for the purpose of performing the improvements, repairs, or maintenance. The petition and affidavits, if any, shall state the facts making such entry necessary and the date or dates on which entry is sought. The bill provides that such license shall be granted by the court in an appropriate case upon such terms as justice requires. Any such entry shall not be deemed a trespass and the licensee shall be liable to the adjoining owner or his lessee for actual damages occurring as a result of the entry. https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB459	2/15/22 House: VOTE: Defeated #2 (50-Y 50-N).
HB 465 Elizabeth B. Bennett-Parker	Affordable dwelling unit ordinances in certain localities. Provides that any project may be required, outside of an affordable housing dwelling unit program, to contribute to a county or city housing fund but not for density covered by the program. The bill's provision applies to any county where the urban county executive form of government (Fairfax County) or the county manager plan of government (Arlington County) is in effect, as well as to the Counties of Albemarle and Loudoun and the Cities of Alexandria, Charlottesville, and Fairfax. https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB465	2/15/22 House: Left in Counties, Cities and Towns.
HB 467 David L. Bulova	Dangerous and vicious dogs; civil liability; knowledge of propensity not required. Provides that a dog owner may be civilly liable for a bite or attack by his dog regardless of whether he knew or should have known of such dog's propensity for vicious, dangerous, or otherwise aggressive behavior. https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB467	2/15/22 House: Left in Agriculture, Chesapeake and Natural Resources.

Bill Number & Patron	Bill Name & Summary	Current Status
HB 512 Marie E. March	<p>COVID-19 immunization; prohibition on requirement; discrimination prohibited. Prohibits the State Health Commissioner and the Board of Health, the Board of Behavioral Health and Developmental Services, the Department of Health Professions and any regulatory board therein, and the Department of Social Services from requiring any person to undergo vaccination for COVID-19 and prohibits discrimination based on a person's COVID-19 vaccination status (i) with regard to education, employment, insurance, or issuance of a driver's license or other state identification or (ii) in numerous other contexts.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB512</p>	<p>2/15/22 House: Left in Health, Welfare and Institutions.</p>
HB 541 Kelly K. Convirs-Fowler	<p>Conservation of trees during land development process; authorized localities. Allows any locality to adopt an ordinance providing for the conservation of trees during the land development process. Under current law, only a locality within Planning District 8 that meets certain population density and nonattainment classification criteria is authorized to adopt such an ordinance.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB541</p>	<p>2/15/22 House: Left in Counties, Cities and Towns.</p>
HB 635 Betsy B. Carr	<p>Inclusionary housing; zoning. Requires cities and towns in the Commonwealth to develop and promulgate housing plans that address the supply of safe, sanitary, and affordable shelter for all current and anticipated residents of their communities. Such plans must connect economic development efforts that bring new jobs to the supply of safe, sanitary, and affordable shelter for all who will fill those jobs; the location of housing and the location of mobility resources; and the availability of accredited high-quality affordable education, parks, indoor and outdoor recreation, libraries, health care, and healthy living resources, including the availability of fresh food. Such housing plans shall be reviewed and revised no less frequently than every five years. Cities and towns that promulgate a housing plan may create, implement, and enforce inclusionary housing programs applicable to new housing development and conversions of previously nonresidential uses into residential uses. Counties utilizing the urban county executive form of government (Fairfax County) or the county manager plan of government (Arlington County) may also follow and use these provisions to provide inclusionary housing.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB635</p>	<p>2/11/22 House: Continued to 2023 in Counties, Cities and Towns by voice vote.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 669</p> <p>Patrick A. Hope</p>	<p>Public pools; regulations. Directs the Board of Health to adopt regulations governing swimming pools and other water recreational facilities operated in conjunction with a tourist facility or health spa, and provides that localities may adopt ordinances governing swimming pools that are more stringent than regulations adopted by the Board. The bill directs the Board to convene a stakeholder work group to provide recommendations related to regulations required to be adopted pursuant to the bill. Such work group is required by the bill to report its findings and recommendations to the Board by November 1, 2023.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB669</p>	<p>2/15/22 House: VOTE: (57-Y 43-N).</p>
<p>HB 678</p> <p>Patrick A. Hope</p>	<p>Person under a disability; parties unknown. Includes in the definition of "person under a disability" persons made defendants by the general description of "parties unknown" in suits involving real property. This bill is a recommendation of the Boyd-Graves Conference.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB678</p>	<p>2/16/22 Senate: Reported from Judiciary (14-Y 0-N).</p>
<p>HB 702</p> <p>Mark L. Keam</p>	<p>Residential Property Disclosure Act; required disclosures; maximum lot coverage. Requires an owner of a single-family detached residential property to disclose in writing to any prospective purchaser or lessee of the property the existing lot coverage and the maximum lot coverage for the property as permitted by zoning ordinance in the locality in which the property is located.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB702</p>	<p>2/14/22 House: VOTE: Passage (68-Y 31-N).</p>
<p>HB 757</p> <p>Paul E. Krizek</p>	<p>Employment; anti-harassment training requirement. Requires each employer with five or more employees, including the Commonwealth and its political subdivisions, to provide training regarding sexual harassment and workplace discrimination by January 1, 2023. The bill includes specific training requirements for supervisory and nonsupervisory employees, seasonal and temporary employees who are hired to work for less than six months, and migrant and seasonal agricultural workers. The training required under the bill must be provided by an educator or human resources professional and must include a method for employees to electronically save a certificate of completion. The bill requires the Department of Labor and Industry to make online training courses available on its website by January 1, 2023.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB757</p>	<p>2/15/22 House: Left in Commerce and Energy.</p>
<p>HB 885</p> <p>Alfonso H. Lopez</p>	<p>Uniform Statewide Building Code; livability standards. Expands the list of provisions in the Uniform Statewide Building Code related to recognized standards of health and safety required to be present in buildings and structures to include standards related to (i) the accumulation and growth of mold, (ii) plumbing leaks or issues, (iii) air conditioning and heating equipment and running hot water, and (iv) the removal of lead paint and paint that is flaking.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB885</p>	<p>2/8/22 House: Stricken from docket by General Laws (22-Y 0-N).</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 867</p> <p>Alfonso H. Lopez</p>	<p>Private towing; one-hour limitation. Prohibits private towing from a parking lot or area where there is no fee for parking within one hour of the vehicle's being parked. The bill creates exemptions for vehicles parked in a manner that is otherwise prohibited by law or vehicles parked in residential parking or in spaces reserved for hotel or motel guests. The bill provides that a person in violation of this requirement is civilly liable to the owner of the vehicle or his agent for double the amount of the towing and storage fees incurred. The bill requires local ordinances authorizing private towing to contain the same requirements.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=221&typ=bil&val=hb867</p>	<p>2/1/22 House: Stricken from docket by Transportation (22-Y 0-N).</p>
<p>HB 909</p> <p>Alfonso H. Lopez</p>	<p>Virginia Residential Landlord and Tenant Act; prohibited discrimination; national origin. Provides that a landlord may not discriminate against any person in the terms, conditions, or privileges with respect to the rental of a dwelling unit, or in the provision of services or facilities in the connection therewith, to any person because of such person's national origin.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB909</p>	<p>2/15/22 House: Left in General Laws.</p>
<p>HB 1040</p> <p>Phillip A. Scott</p>	<p>Minimum wage; small employers. Exempts employers that are individuals or entities with 10 or fewer employees from the state minimum wage requirements.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB1040</p>	<p>2/14/22 House: VOTE: Passage (54-Y 46-N).</p>
<p>HB 1168</p> <p>Vivian E. Watts</p>	<p>Real property tax; exemption for disabled veterans and surviving spouses. Provides that a person who is eligible for the real property tax exemption for certain disabled veterans and surviving spouses is entitled to a refund, retroactive to his date of eligibility, of taxes paid during the period of exemption, excluding interest or penalties. Under the bill, the refund is exempt from the statute of limitations for applications for correction of an assessment.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB1168</p>	<p>2/2/22 Senate: Referred to Committee on Finance and Appropriations.</p>
<p>HB 1218</p> <p>Alfonso H. Lopez</p>	<p>Towing enforcement. Provides that violations of existing provisions regarding tow truck drivers and towing and recovery operators are subject to the Virginia Consumer Protection Act. The bill repeals the \$150 civil penalty for certain towing violations in Planning District 8.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB1218</p>	<p>2/15/22 House: Left in Transportation.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 1224</p> <p>David L. Bulova</p>	<p>Stormwater management; proprietary best management practices. Directs the State Water Control Board to update its regulations providing for the use of a proprietary best management practice (BMP) if another state, regional, or national certification program has verified or certified its nutrient or sediment removal effectiveness. Currently, the BMP may only be used if another state, regional, or national certification program has verified and certified its nutrient or sediment removal effectiveness. The bill also provides that any BMP that provides appropriate documentation, as required by the bill, to the Department of Environmental Quality shall be listed on the Virginia Stormwater BMP Clearinghouse website as quickly as reasonably possible and approved for use in stormwater management plans.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB1224</p>	<p>2/9/22 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources.</p>
<p>HB 1225</p> <p>David L. Bulova</p>	<p>Energy performance-based contracts; roof replacement. Allows a roof replacement to be a part of a larger energy performance-based contract, when the roof replacement is necessary for the completion of the other conservation or efficiency measures. Current law excludes roof replacements as part of such projects.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB1225</p>	<p>2/15/22 House: VOTE: Block Vote Passage (100-Y 0-N).</p>
<p>FAIR HOUSING</p>		

Bill Number & Patron	Bill Name & Summary	Current Status
<p>SB 177</p> <p>Mark J. Peake</p>	<p>Human rights and fair housing; religious organizations; promotion of religious principles. Provides that nothing in the Virginia Human Rights Act prohibits a religious corporation, association, or society, or any nonprofit institution or organization operated, supervised, or controlled by or in conjunction with a religious organization, association, or society, from taking any action to promote the religious principles for which it is established or maintained. The bill exempts any place of accommodation owned by or operated on behalf of a religious corporation, association, or society from the nondiscrimination in public places of accommodation provisions of the Virginia Human Rights Act. Under current law, such places of accommodation are exempt only when not open to the public. The bill adds preschools to the list of educational institutions that are exempt from discriminatory hiring practices with respect to the hiring and employment of employees of a particular religion when such institutions are owned, supported, controlled, or managed by a particular religion or religious corporation, association, or society. The bill clarifies that the term "religion" includes all aspects of religious observance and practice as well as belief for the purposes of the exemption from discrimination in employment of individuals employed to perform work associated with the activities of a particular religion by a religious corporation, association, educational institution, or society. The bill removes provisions allowing (i) a court or jury in a civil action that finds unlawful discrimination has occurred to order such affirmative action as may be appropriate and (ii) the Attorney General to seek to obtain such relief as would be available to a private party when he intervenes in a civil action for unlawful discrimination. The bill also removes the provision of the exemption for religious organizations under the Virginia Fair Housing Law that denies such exemption where the membership in such religion is restricted on account of race, color, national origin, sex, elderliness, familial status, sexual orientation, gender identity, military status, or disability.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB177</p>	<p>1/26/22 Senate: Passed by indefinitely in General Laws and Technology (8-Y 7-N).</p>
<p>HB 532</p> <p>Kelly K. Convirs-Fowler</p>	<p>Public accommodations, employment, and housing; prohibited discrimination on the basis of political affiliation. Prohibits discrimination in public accommodations, employment, and housing on the basis of a person's political affiliation.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB532</p>	<p>2/8/22 House: Stricken from docket by General Laws (22-Y 0-N).</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 586</p> <p>Schuyler T. VanValkenburg</p>	<p>Virginia Fair Housing Law; use of assistance animal in a dwelling; penalties. Makes it a Class 4 misdemeanor, with respect to the Virginia Fair Housing Law, for a person to knowingly and willfully misrepresent himself as needing an assistance animal. The bill also prohibits any person from providing supporting documentation in an attempt to verify the existence of a disability or disability-related need for a person seeking a reasonable accommodation in a dwelling if he does not have a therapeutic relationship with the person requesting the reasonable accommodation and provides that a violation of this provision constitutes a prohibited practice under the Virginia Consumer Protection Act. Lastly, the bill allows for a request for a reasonable accommodation to be denied if supporting documentation of the disability or disability-related need is deemed unreliable.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB586</p>	<p>2/10/22 Senate: Referred to Committee on General Laws and Technology.</p>
<p>HB 1063</p> <p>Irene Shin</p>	<p>Public accommodations, employment, and housing; prohibited discrimination on the basis of religion; includes outward religious expression. Clarifies that "religion" as it relates to freedom of expression includes any outward expression of religious faith in contexts where discrimination on the basis of religion is prohibited.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB1063</p>	<p>2/15/22 House: VOTE: Block Vote Passage (100-Y 0-N).</p>
COVID BILLS		
<p>SB 458</p> <p>Amanda F. Chase</p>	<p>Employers; institutions of higher education; localities; public schools; face coverings. Prohibits any locality, institution of higher education, employer, school board, division superintendent, school principal, or private school from adopting, implementing, or enforcing any policy, rule, or order related to COVID-19 that requires individuals to wear a face covering.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB458</p>	<p>2/3/22 Senate: Passed by indefinitely in Education and Health (8-Y 4-N).</p>
<p>SB 601</p> <p>Amanda F. Chase</p>	<p>COVID-19 immunization; prohibition on requirement; discrimination prohibited. Prohibits the State Health Commissioner and the Board of Health, the Board of Behavioral Health and Developmental Services, the Department of Health Professions and any regulatory board therein, and the Department of Social Services from requiring any person, including any child, to undergo vaccination for COVID-19 and prohibits discrimination based on a person's COVID-19 vaccination status (i) with regard to education, employment, or issuance of a driver's license or other state identification or (ii) in numerous other contexts.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+SB601</p>	<p>2/10/22 Senate: Passed by indefinitely in Education and Health (9-Y 5-N).</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 934</p> <p>Dave A. LaRock</p>	<p>Employer-mandated vaccinations for COVID-19; required exemptions; civil penalties. Prohibits an employer from requiring its employees to receive a vaccine for the prevention of COVID-19 unless such employer provides individual exemptions that allow an employee to opt out from such requirement on the basis of (i) medical reasons, including pregnancy or anticipated pregnancy; (ii) religious reasons; (iii) immunity from COVID-19; (iv) periodic testing; or (v) the use of employer-provided personal protective equipment. The bill provides requirements for an employee to claim such exemptions. The bill prohibits an employer from discrimination against an employee who claims such an exemption. The bill also provides for civil penalties not to exceed \$10,000 by an employer with fewer than 100 employees or \$50,000 by an employer with 100 or more employees for violations of the bill's requirements.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?221+sum+HB934</p>	<p>2/15/22 House: Left in Commerce and Energy.</p>

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January 10, 2023