

MERCERTRIGIANI

2021 VIRGINIA GENERAL ASSEMBLY SESSION

Legislative Tracking Chart
as of March 1, 2021

Bill Number & Patron	Bill Name & Summary	Current Status
COMMUNITY ASSOCIATION LEGISLATION		
HB 1816 David L. Bulova (D) District 37 Fairfax	Property Owners' Association Act; Condominium Act; use of electronic means for meetings and voting. Allows meetings of property owners' associations, boards of directors, unit owners' associations, executive boards, and committees to be held entirely or partially by electronic means, provided that the board of directors, unit owners' association, or executive board, as applicable, has adopted guidelines for the use of electronic means for such meetings. The bill requires that such guidelines ensure that persons accessing such meetings are authorized to do so and that persons entitled to participate in such meetings have an opportunity to do so. The bill grants authority for determining whether any such meeting may be held entirely or partially by electronic means with the board of directors or executive board, as applicable. Under current law, if a meeting of a board of directors or executive board is conducted by telephone conference or video conference, at least two members of the board of directors or executive board, as applicable, are required to be physically present at the meeting place included in the meeting notice. The bill amends the definition of "electronic means" to provide that meeting conducted by electronic means includes a meeting conducted via teleconference, videoconference, Internet exchange, or other electronic methods. The bill allows members of property owners' associations or unit owners' associations to vote at meetings of such associations by absentee ballot, and allows such members to vote in person, by proxy, or by absentee ballot by electronic means, provided that the board of directors or executive board, as applicable, has adopted guidelines for such voting. Finally, the bill provides that if a vote, consent, or approval required to be obtained by secret ballot is accomplished through electronic means, the electronic means shall protect the identity of the voter, and that if the electronic means cannot protect the identity of the voter, another means of voting shall be used. https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=hb1816	1/19/21 House: Passed House 98-0 in block vote, uncontested calendar. 2/15/21 Senate: Passed Senate 39-0. 2/25/21 Governor: Approved by Governor, effective 7/1/21.

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 1842</p> <p>Mark L. Keam (D) District 35 Vienna</p>	<p>Property Owners' Association Act; Condominium Act; rulemaking authority of property owners' associations and unit owners' associations; smoking. Permits (i) except to the extent that the declaration provides otherwise, the board of directors of a property owners' association to establish reasonable rules that restrict smoking in the development, including (a) rules that prohibit smoking in the common areas and, (b) for developments that include attached private dwelling units, rules that prohibit smoking within such dwelling units, and (ii) except to the extent that the condominium instruments provide otherwise, the executive board of a condominium unit owners' association to establish reasonable rules that restrict smoking in the condominium, including rules that prohibit smoking in the common elements and within units. The bill clarifies the authority of executive boards of condominium unit owners' associations to establish, adopt, and enforce rules and regulations with respect to the use of the common elements of the condominium and with respect to such other areas of responsibility assigned to the unit owners' association by the condominium instruments, except where expressly reserved by the condominium instruments to the unit owners. The bill also permits unit owners, by a majority of votes cast at a meeting of the unit owners' association, to repeal or amend any rule or regulation adopted by the executive board. This bill is a recommendation of the Virginia Housing Commission.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=hb1842</p>	<p>2/17/21 House: Senate amendment agreed to by House 68-31.</p> <p>2/15/21 Senate: Passed Senate with amendment 27-12.</p> <p>2/25/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
SB 1183 Siobhan S. Dunnavant (R) District 12 Henrico	<p>Property Owners' Association Act; Condominium Act; use of electronic means for meetings and voting. Allows meetings of property owners' associations, boards of directors, unit owners' associations, executive boards, and committees to be held entirely or partially by electronic means, provided that the board of directors, unit owners' association, or executive board, as applicable, has adopted guidelines for the use of electronic means for such meetings. The bill requires that such guidelines ensure that persons accessing such meetings are authorized to do so and that persons entitled to participate in such meetings have an opportunity to do so. The bill grants authority for determining whether any such meeting may be held entirely or partially by electronic means with the board of directors or executive board, as applicable. Under current law, if a meeting of a board of directors or executive board is conducted by telephone conference or video conference, at least two members of the board of directors or executive board, as applicable, are required to be physically present at the meeting place included in the meeting notice. The bill amends the definition of "electronic means" to provide that meeting conducted by electronic means includes a meeting conducted via teleconference, videoconference, Internet exchange, or other electronic methods. The bill allows members of property owners' associations or unit owners' associations to vote at meetings of such associations by absentee ballot, and allows such members to vote in person, by proxy, or by absentee ballot by electronic means, provided that the board of directors or executive board, as applicable, has adopted guidelines for such voting. Finally, the bill provides that if a vote, consent, or approval required to be obtained by secret ballot is accomplished through electronic means, the electronic means shall protect the identity of the voter, and that if the electronic means cannot protect the identity of the voter, another means of voting shall be used.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=sb1183</p>	<p>2/2/21 Senate: Passed Senate 39-0.</p> <hr/> <p>2/16/21 House: Passed House 99-0.</p> <hr/> <p>2/24/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
OTHER RELATED LEGISLATION		
<p>HB 1778</p> <p>Jeion A. Ward (D) District 92 Hampton</p>	<p>Removal of clutter from property; civil penalty. Provides that a locality may by ordinance require the removal of clutter from property, or may, whenever the governing body deems it necessary, after reasonable notice, have such clutter removed by its own agents or employees, in which event the cost or expenses thereof shall be chargeable to and paid by the owners of such property and may be collected by the locality as taxes are collected. The bill defines "clutter" as including mechanical equipment, household furniture, containers, and similar items that may be detrimental to the well-being of a community when they are left in public view for an extended period or are allowed to accumulate. Violations of the bill are subject to the existing civil penalty applicable to violations of provisions relating to the removal of trash, garbage, refuse, litter, and similar substances from property.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=hb1778</p>	<p>2/22/21 House: Senate amendments agreed to by House 52-43.</p> <p>2/18/21 Senate: Passed Senate with amendments 21-18.</p> <p>3/1/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.</p>
<p>HB 2053</p> <p>Ibraheem S. Samirah (D) District 86 Herndon</p>	<p>Department of Housing and Community Development; stakeholder advisory group; accessory dwelling units. Directs the Department of Housing and Community Development (Department) to convene a stakeholder advisory group to evaluate the construction of internal, attached, and detached accessory dwelling units as a strategy to address the Commonwealth's growing demand for affordable and market-rate housing. The bill requires the stakeholder advisory group to report its findings and recommendations, including any legislative recommendations, to the Director of the Department, the Secretary of Commerce and Trade, the commissioners of the Virginia Housing Development Authority, and the Virginia Housing Commission no later than November 1, 2021.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=hb2053</p>	<p>2/5/21 House: Committee substitute passed House 55-45.</p> <p>2/25/21 Senate: Passed Senate 22-17.</p> <p>3/1/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 2064</p> <p>Marcus B. Simon (D) District 53 Falls Church</p>	<p>Recording an electronic document; electronic notarial certificate; emergency. Requires a clerk's office to record a paper copy of an electronic document, provided that such copy otherwise meets the requirements for recordation and is certified to be a true and correct copy of the electronic original by the party who submits the document for recordation. The bill requires an electronic notarial certificate to include the county or city in the Commonwealth where the notary public was physically located and indicate whether the notarization was done in person or by remote online notarization, defined in the bill as an electronic notarization where the signer is not in the physical presence of the notary. The bill also adds additional forms of "satisfactory evidence of identity" when a notary is using video and audio communication. The bill contains an emergency clause.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=hb2064</p>	<p>2/3/21 House: Committee substitute passed House in block vote 99-0.</p> <p>2/17/21 Senate: Passed Senate 39-0.</p> <p>2/25/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline</p>
<p>HB 2099</p> <p>Carrie E. Coyner (R) District 62 Richmond</p>	<p>Limitations on enforcement of judgments; judgment liens; settlement agents. Reduces from 20 years to 10 years from the date of a judgment the period of time within which an execution may be issued or action may be taken on such judgment. The bill further reduces from 10 years to five years the period of time within which a suit to enforce the lien of any judgment may be brought. The bill allows a settlement agent or title insurance company to release a judgment lien, in addition to a deed of trust as provided under current law, provided that the obligation secured by such judgment lien has been satisfied by payment made by the settlement agent and whether or not the settlement agent or title insurance company is named as a trustee under such lien or received authority to release such lien.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=hb2099</p>	<p>2/25/21 House: Senate substitute with amendment agreed to by House 99-0.</p> <p>2/25/21 Senate: Passed Senate with substitute with amendment 27-12.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 2175</p> <p>Luke E. Torian (D) District 52 Dumfries</p>	<p>Housing Bill of Rights; housing protections; foreclosures; manufactured housing. Provides for various protections for homeowners and tenants of manufactured home parks, including (i) restricting the circumstances under which a court may order a person's primary residence to be sold to enforce a judgment lien; (ii) requiring localities to incorporate into their comprehensive plans strategies to promote manufactured housing as a source of affordable housing; (iii) requiring the Director of Housing and Community Development to develop a statement of tenant rights and responsibilities explaining in plain language the rights and responsibilities of tenants under the Virginia Manufactured Home Lot Rental Act; (iv) prohibiting a trustee from selling a property in a foreclosure sale without sending notice of the sale to the owner and signing an affidavit attesting to such notification; (v) increasing the notice period for a foreclosure sale from 14 to 60 days and requiring such notice to provide the grantor with information regarding housing counseling; and (vi) requiring the landlord of a manufactured home park to provide tenants who own their manufactured home information about housing assistance and legal aid organizations. The bill also requires the Department of Housing and Community Development to convene a stakeholder group to assist in the development of the statement of tenant rights and responsibilities.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=hb2175</p>	<p>2/17/21 House: Senate substitute agreed to by House 67-32.</p> <p>2/15/21 Senate: Passed Senate with substitute 35-4.</p> <p>2/25/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline</p>
<p>SB 1108</p> <p>William M. Stanley, Jr. (R) District 20 Glade Hill</p>	<p>General district courts; jurisdictional limits. Increases from \$25,000 to \$50,000 the maximum civil jurisdictional limit of general district courts.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=sb1108</p>	<p>2/23/21 Senate: House amendments agreed to by Senate 38-1.</p> <p>2/22/21 House: Passed House with amendments 98-0.</p> <p>2/26/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>SB 1135</p> <p>David W. Marsden (D) District 37 Burke</p>	<p>Dangerous dogs; procedure for adjudication; penalty. Restructures the procedure for adjudication of a dog as a dangerous dog to provide for (i) written notice by an animal control officer to the owner of the dog that he has applied for a summons, and a prohibition on disposal of the dog by the owner for 30 days; (ii) the issuance of a summons with an option rather than a requirement that the officer confine the dog, a prohibition on the disposal of the dog other than by euthanasia, and an authorization for the court to compel the implanting of electronic identification; (iii) the holding of a hearing within 30 days unless good cause is shown; (iv) the authority of the court if deferring further proceedings without adjudicating to compel the implanting of electronic identification; and (v) a limit of 30 days for any appeal of a dangerous dog adjudication.</p> <p>The bill authorizes an officer to obtain a summons for a hearing to determine whether a dog that has been surrendered is a dangerous dog and provides that any dangerous dog not reclaimed from the animal control officer within 10 days of notice shall be considered abandoned.</p> <p>The bill imposes new requirements for the transfer of dangerous dogs, requiring a releasing agency that is transferring or releasing for adoption a dangerous dog in the Commonwealth to notify the receiving party of the legal requirements for keeping a dangerous dog. If the agency is transferring the dog outside the Commonwealth, it is required to notify the appropriate animal control officer of the dog's adjudication as dangerous. An owner who is bringing a dog found to be dangerous in another state to reside in the Commonwealth shall notify the local animal control officer. Any owner who disposes of a dangerous dog by gift, sale, transfer, trade, or surrender shall notify the receiver in writing of the dog's adjudication as dangerous, with a violation penalized as a Class 3 misdemeanor.</p> <p>Finally, the bill provides that if a dangerous dog adjudication occurred within 60 days of the end of the calendar year, the first renewal of the dangerous dog registration shall be included in the initial registration at no additional charge. The bill contains technical amendments.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=sb1135</p>	<p>2/23/21 Senate: House amendment agreed to by Senate 36-2.</p> <p>2/17/21 House: Passed House with amendment 77-23.</p> <p>2/26/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>SB 1327</p> <p>Jennifer L. McClellan (D) District 9 Richmond</p>	<p>Housing Bill of Rights; housing protections; foreclosures; manufactured housing. Provides for various protections for homeowners and tenants of manufactured home parks, including (i) restricting the circumstances under which a court may order a person's primary residence to be sold to enforce a judgment lien; (ii) requiring localities to incorporate into their comprehensive plans strategies to promote manufactured housing as a source of affordable housing; (iii) requiring the Director of Housing and Community Development to develop a statement of tenant rights and responsibilities explaining in plain language the rights and responsibilities of tenants under the Virginia Manufactured Home Lot Rental Act; (iv) prohibiting a trustee from selling a property in a foreclosure sale without sending notice of the sale to the owner and signing an affidavit attesting to such notification; (v) increasing the notice period for a foreclosure sale from 14 to 60 days and requiring such notice to provide the grantor with information regarding housing counseling; and (vi) requiring the landlord of a manufactured home park to provide tenants who own their manufactured home information about housing assistance and legal aid organizations. The bill also requires the Department of Housing and Community Development to convene a stakeholder group to assist in the development of the statement of tenant rights and responsibilities.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=sb1327</p>	<p>2/18/21 Senate: House substitute agreed to by Senate 37-1.</p> <p>2/16/21 House: Passed House with substitute 63-35.</p> <p>2/25/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.</p>
FAIR HOUSING		
<p>HB 1971</p> <p>Betsy B. Carr (D) District 69 Richmond</p>	<p>Virginia Fair Housing Law; reasonable accommodations; disability-related requests for parking. Provides that for the purposes of the Virginia Fair Housing Law, when a person receives a request for accessible parking to accommodate a disability, the person receiving the request shall treat such request as a reasonable accommodation, and any costs, fees, or charges related to the installation, designation, marking, or reconfiguration of a parking space related to such reasonable accommodation request shall be borne by the person receiving the request. The bill provides that it is declarative of existing law.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=hb1971</p>	<p>1/29/21 House: Committee substitute passed house 77-22.</p> <p>2/15/21 Senate: Passed Senate 38-1.</p> <p>2/25/21 Governor: Approved by Governor, effective 7/1/21.</p>

Bill Number & Patron	Bill Name & Summary	Current Status
<p>HB 2046</p> <p>Jeffrey M. Bourne (D) District 71 Richmond</p>	<p>Virginia Fair Housing Law; unlawful discriminatory housing practices. Prohibits any locality, its employees, or its appointed commissions from discriminating (i) in the application of local land use ordinances or guidelines, or in the permitting of housing developments, on the basis of race, color, religion, national origin, sex, elderliness, familial status, or handicap or (ii) in the permitting of housing developments because the housing development contains or is expected to contain affordable housing units occupied or intended for occupancy by families or individuals with incomes at or below 80 percent of the median income of the area where the housing development is located or is proposed to be located. The bill also requires the Fair Housing Board, after determining the existence of an unlawful discriminatory housing practice and after consultation with the Attorney General, to immediately refer the matter to the Attorney General for civil action.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=hb2046</p>	<p>2/17/21 House: Senate amendment agreed to by House 72-27.</p> <p>2/17/21 Senate: Passed Senate with amendment 27-11-1.</p> <p>2/25/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.</p>
<p>HB 2161</p> <p>Kathy K.L. Tran (D) District 42 Springfield</p>	<p>Prohibited discrimination; status as active military or a military spouse. Prohibits discrimination in public accommodations, employment, and housing on the basis of a person's status as active military or a military spouse.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=hb2161</p>	<p>2/3/21 House: Floor substitute passed House 99-0.</p> <p>2/15/21 Senate: Passed Senate 39-0.</p> <p>2/24/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.</p>
<p>SB 1410</p> <p>John J. Bell (D) District 13 Broadlands</p>	<p>Prohibited discrimination; status as active military or a military spouse. Prohibits discrimination in public accommodations, employment, and housing on the basis of a person's status as active military or a military spouse.</p> <p>https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=sb1410</p>	<p>2/18/21 Senate: House substitute agreed to by enate 39-0.</p> <p>2/16/21 House: Passed House with substitute 99-0.</p> <p>2/25/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.</p>