

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	1/19/21 House: Passed House 98-0 in block vote, uncontested calendar.
	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	2/15/21 Senate: Passed Senate 39-0.
	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.	2/25/21 Governor: Approved by Governor, effective 7/1/21.
	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=hb1816	

Bill Number & Patron	Bill Name & Summary	Current Status
HB 1842 Mark L. Keam (D) District 35 Vienna	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	2/17/21 House: Senate amendment agreed to by House 68-31.
, remit	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	2/15/21 Senate: Passed Senate with amendment 27-12.
	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.	2/25/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.
	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=hb1842	

Bill Number & Patron	Bill Name & Summary	Current Status
SB 1183 Siobhan S. Dunnavant (R) District 12 Henrico	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.	2/2/21 Senate: Passed Senate 39-0. 2/16/21 House: Passed House 99-0. 2/24/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.
	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=sb1183	
	OTHER RELATED LEGISLATION	

Bill Number & Patron	Bill Name & Summary	Current Status
HB 1778 Jeion A. Ward (D) District 92 Hampton	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	2/22/21 House: Senate amendments agreed to by House 52-43.
	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	2/18/21 Senate: Passed Senate with amendments 21-18.
	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.	3/1/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.
	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=hb1778	
HB 2053 Ibraheem S. Samirah (D) District 86 Herndon	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	2/5/21 House: Committee substitute passed House 55-45.
TRETINUON	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	2/25/21 Senate: Passed Senate 22- 17.
	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.	3/1/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.
	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=hb2053	

Bill Number & Patron	Bill Name & Summary	Current Status
HB 2064 Marcus B. Simon (D) District 53 Falls Church	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 country or city in	2/3/21 House: Committee substitute passed House in block vote 99-0.
	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	2/17/21 Senate: Passed Senate 39-0. 2/25/21 Governor: Enrolled bill
	and audio communication. The bill contains an emergency clause. https://lis.virginia.gov/cgi-bin/legp604.exe?ses=212&typ=bil&val=hb2064	communicated to Governor, March 31 action deadline
HB 2099 Carrie E. Coyner (R) District 62 Richmond	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.	2/25/21 House: Senate substitute with amendment agreed to by House 99-0. 2/25/21 Senate: Passed Senate with substitute with amendment 27-12.
HB 2143	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=hb2099 Immunity from civil claims related to the transmission of or	2/5/21 House: Bill
Jason S. Miyares (R) District 82 Virginia Beach	exposure to the COVID-19 virus and uses of personal protective equipment; emergency. Provides immunity to persons, as defined in the bill, from civil causes of action arising from any act or omission alleged to have resulted in the contraction of or exposure to the COVID-19 virus, provided such person has complied with applicable federal, state, and local policies, procedures, and guidance regarding COVID-19. The bill further provides immunity to persons who design, manufacture, label, or distribute any personal protective equipment in response to the COVID-19 virus from any civil cause of action arising out of the use of such equipment. The bill contains an emergency clause, and the immunities provided by such bill expire two years after the expiration or revocation of all states of emergency declared by the Governor related to the COVID-19 pandemic.	left in Courts of Justice.

Bill Number & Patron	Bill Name & Summary	Current Status
HB 2175 Luke E. Torian (D) District 52 Dumfries	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	2/17/21 House: Senate substitute agreed to by House 67-32.
Dumiries	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	2/15/21 Senate: Passed Senate with substitute 35-4.
	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.	2/25/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline
	bin/legp604.exe?ses=212&typ=bil&val=hb2175	
SB 1108 William M. Stanley, Jr. (R) District 20	General district courts; jurisdictional limits. Increases from \$25,000 to \$50,000 the maximum civil jurisdictional limit of general district courts.	2/23/21 Senate: House amendments agreed to by Senate 38-1.
Glade Hill	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=sb1108	2/22/21 House: Passed House with amendments 98-0.
		2/26/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.
SB 1140 John A. Cosgrove, Jr. (R) District 14 Chesapeake	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.	1/20/21 Senate: Passed by indefinitely in Judiciary.
	https://lis.virginia.gov/cgi_bin/legp604.exe?211+sum+SB1140	

Bill Number & Patron	Bill Name & Summary	Current Status
SB 1135 David W. Marsden (D) District 37 Burke	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	2/23/21 Senate: House amendment agreed to by Senate 36-2.
Durke	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	2/17/21 House: Passed House with amendment 77-23.
	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.	2/26/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.
	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.	
	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.	
	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.	
	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=sb1135	

Bill Number & Patron	Bill Name & Summary	Current Status
SB 1327 Jennifer L. McClellan (D) District 9	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	2/18/21 Senate: House substitute agreed to by Senate 37-1.
Richmond	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	2/16/21 House: Passed House with substitute 63-35.
	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.	2/25/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.
	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=sb1327	
SB 1463 John A. Cosgrove (R)	Covenants regarding solar power; planned unit developments. Provides that existing provisions prohibiting a	1/27/21 Senate: Stricken at the request of Patron.
District 14	community association from prohibiting a property owner from installing a solar energy collection device on that owner's	request of 1 atrons
Chesapeake	property do not apply to the architectural review committee of a planned unit development, provided that the recorded declaration for that property establishes that the architectural review committee has general authority over design and development standards for properties located within the planned unit development.	
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	FAIR HOUSING	

Bill Number & Patron	Bill Name & Summary	Current
HB 1971 Betsy B. Carr (D) District 69 Richmond	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	Status 1/29/21 House: Committee substitute passed house 77-22.
Aichniona	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.	2/15/21 Senate: Passed Senate 38-1.
	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=hb1971	2/25/21 Governor: Approved by Governor, effective 7/1/21.
HB 2046 Jeffrey M. Bourne (D) District 71 Richmond	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	2/17/21 House: Senate amendment agreed to by House 72-27.
Kienmond	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	2/17/21 Senate: Passed Senate with amendment 27-11- 1.
	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.	2/25/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.
	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=hb2046	
HB 2161 Kathy K.L. Tran (D)	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.	2/3/21 House: Floor substitute passed House 99-0.
District 42 Springfield	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=hb2161	2/15/21 Senate: Passed Senate 39-0.
		2/24/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.

Bill Number & Patron	Bill Name & Summary	Current Status
SB 1410 John J. Bell (D) District 13	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.	2/18/21 Senate: House substitute agreed to by enate 39-0.
Broadlands	https://lis.virginia.gov/cgi- bin/legp604.exe?ses=212&typ=bil&val=sb1410	2/16/21 House: Passed House with substitute 99-0.
		2/25/21 Governor: Enrolled bill communicated to Governor, March 31 action deadline.

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