

Governor's Amendments and Vetoes

2023 Session of the General Assembly

The Governor vetoed three bills and recommended amendments to 77 bills passed by the 2023 Session of the General Assembly. The Division of Legislative Services staff prepared the following summaries of the Governor's recommendations to assist General Assembly members during their deliberations at the Reconvened Session on April 12. Not summarized in this publication are the Governor's recommended amendments to the budget bill.

Governor's Amendments

House Bills

HB 1438. Oyster Replenishment Fund. The enrolled bill adds the recycling of oyster shells to the list of activities eligible to receive funds from the Oyster Replenishment Fund. The bill also allows the Fund to be used for the encouragement of oyster shell donations for oyster replenishment projects. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) directs the Marine Resources Commission to determine the aggregate amount of funds available specifically for use in encouraging the donation of oyster shells, not to exceed \$250,000, and the method of distribution of those funds. SB 997 has the same Governor's Substitute. If the Governor's Substitutes to HB 1438 and SB 997 are adopted, the bills will be identical.

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HB 1550. Child abuse or neglect; findings of local department of social services; appeal. The Governor's Amendment in the Nature of a Substitute provides that in the case of a teacher who is the subject of a founded complaint of child abuse or neglect and whose license has been revoked by the Board of Education, in the event that a court reverses such finding of abuse or neglect and the individual submits to the Department of Education an application for the reinstatement of his license as a teacher, the Board of Education shall consider and act upon such application no later than 90 days after the date of submission.

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HB 1595. Conformity of the Commonwealth's taxation system with the Internal Revenue Code; emergency. The enrolled bill advances Virginia's date of conformity with the Internal Revenue Code from December 31, 2021, to December 31, 2022. The Governor's amendment clarifies that the bill shall override any contrary provision in the appropriation act.

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HB 1598. Medical cannabis program; transition from Board of Pharmacy to Virginia Cannabis Control Authority. The Governor's amendment adds a delayed effective date of January 1, 2024, to the second enactment of the enrolled bill. This is a technical amendment in that the delay of the second enactment is necessary in order for administration of the medical

cannabis program to move in sync from the Board of Pharmacy to the Virginia Cannabis Control Authority. SB 788, which is identical as enrolled, has the same Governor's amendment.

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HB 1637. Electric utilities; pilot program for underground transmission or distribution lines; additional projects. The enrolled bill adds one project to the existing pilot program for underground transmission lines and adds one project to place underground an electric distribution mainline as part of a transportation infrastructure improvement project incorporating transit that has been initially accepted for partial funding of at least \$250 million pursuant to a federal program. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes certain criteria related to the primary purpose of a qualifying project for such pilot program and eliminates certain required information from the State Corporation Commission's annual report regarding such pilot program. The Governor's Substitute also removes provisions directing the Commission to approve a rate adjustment clause related to qualifying projects that are not fully recoverable as charges for new transmission facilities. The provisions of the enrolled bill related to the underground distribution mainline expire on July 1, 2028; the Governor's Substitute instead limits the pilot program to petitions filed for approval with the Commission prior to December 31, 2024.

SB 1370, which is identical as enrolled, has the same Governor's Substitute.

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HB 1730. Alcoholic beverage control; grounds for suspension or revocation of license; exception. The enrolled bill allows a licensee to employ a person who has been convicted of a felony or a crime involving moral turpitude if two years have elapsed following the conviction and the person has been released from probation or parole; however, the enrolled bill provides that such hiring allowance shall not apply if the person was convicted of adulterating food, drink, or other substances with the intent to kill or injure. The Governor's amendment provides that such hiring allowance shall also not apply if the person was convicted of administering or attempting to administer poison in food, drink, or certain other substances or poisoning certain water sources with the intent to kill or injure.

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HB 1770. Virginia Electric Utility Regulation Act. The enrolled bill authorizes Dominion Energy Virginia, on or before July 1, 2024, to petition the State Corporation Commission for a financing order for deferred fuel costs and makes various changes to procedures under which the Commission reviews the earnings and sets the rates of investor-owned incumbent electric utilities. The Governor's amendments (i) expand the exempt retail access customer exemption for deferred fuel costs, (ii) make changes to the Commission's authority to make performance-based adjustments, and (iii) make various technical changes.

The enrolled bill requires that a financing order for deferred fuel costs include a requirement that deferred fuel cost charges are non-bypassable and paid by all retail customers of the electric

utility, except for exempt retail access customers. The Governor's fourth amendment expands the definition of "exempt retail access customer" to include, in addition to retail customers that purchased electric energy exclusively from a licensed supplier other than the electric utility, retail customers that purchased electric energy from the utility pursuant to a Commission-approved market-based tariff.

The enrolled bill provides that the Commission is authorized to increase or decrease an electric utility's combined rate of return for generation and distribution services by up to 50 basis points based on factors that may include various performance-based factors. The Governor's eighth and ninth amendments eliminate load forecasting as one such factor. Additionally, the fifth enactment of the enrolled bill provides that the Commission will hold a proceeding to review and determine the protocols and standards regarding such performance-based adjustments and that, until such protocols and standards are applicable, the Commission will have the authority to increase or decrease the utility's combined rate of return based on the utility's performance. The Governor's seventeenth amendment provides that the Commission's authority to make such increases or decreases before the performance-based adjustment standards and protocols are applicable begins on January 1, 2024, rather than upon the effective date of the enrolled bill.

SB 1265, which is identical as enrolled, has the same Governor's amendments.

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HB 1777. Phase I Utilities; deferred fuel costs; biennial reviews. The enrolled bill authorizes Appalachian Power to petition the State Corporation Commission (the Commission) for a financing order for deferred fuel costs and makes various changes to procedures under which the Commission reviews the earnings and sets the rates of Appalachian Power. The Governor's amendments (i) expand the exempt retail access customer exemption for deferred fuel costs, (ii) require certain information to be included in a Commission report, (iii) make changes to the Commission's authority to make performance-based adjustments, (iv) require the Commission to consider nationally recognized standards when determining certain costs, and (v) make various technical changes.

The enrolled bill requires that a financing order for deferred fuel costs include a requirement that deferred fuel cost charges are non-bypassable and paid by all retail customers of the electric utility, except for an exempt retail access customer. The Governor's fourth amendment expands the definition of "exempt retail access customer" to include retail customers that purchased electric energy from the utility pursuant to a market-based tariff in addition to those that purchased electric energy exclusively from a licensed supplier other than the utility.

The enrolled bill requires the Commission to include in its required annual report to the Commission on Electric Utility Regulation and the Governor any information concerning the reliability impacts of generation unit additions and retirement determinations by Appalachian Power or Dominion Energy Virginia. The Governor's seventh amendment requires the Commission to also include information concerning the potential impact on the purchase of

power from generation assets outside the Virginia jurisdiction used to serve the utility's native load.

The enrolled bill authorizes the Commission to increase or decrease a utility's combined rate of return for generation and distribution services by up to 50 basis points based on certain performance-based factors. The Governor's eighth and ninth amendments provide that the performance-based factors listed are discretionary and non-exhaustive and that any such performance-based adjustment will include a consideration of appropriate nationally recognized standards. Additionally the fourth enactment of the enrolled bill provides that the Commission will hold a proceeding to review and determine the protocols and standards regarding such performance-based adjustments and that until such standards and protocols are applicable the Commission will have the authority to increase or decrease the utility's combined rate of return based on the utility's performance. The Governor's thirteenth amendment provides that the Commission's authority to make such increases or decreases before the performance-based adjustment standards and protocols are applicable begins on January 1, 2024, rather than upon the bill's effective date as in the enrolled bill.

The enrolled bill requires the Commission to authorize deferred recovery for reasonable actual costs associated with severe weather events and provides that the Commission shall allow the utility to amortize and recover such deferred costs over future periods as determined by the Commission. The Governor's tenth amendment requires the Commission, for the purposes of determining such severe-weather-associated costs, to consider nationally recognized standards. The Governor's amendments also include technical amendments.

SB 1075, which is identical as enrolled, has the same Governor's amendments.

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HB 1807. State agency compliance with flood plain management regulations. The enrolled bill requires any state agency or department, when developing a facility on state-owned property located in a flood plain, to either adhere to all local flood plain management regulations or receive Department of Conservation and Recreation approval of compliance with the applicable state standard for development in a flood plain. The enrolled bill allows the Department to issue a variance if no feasible alternative to developing a facility in the flood plain exists and if one of several other conditions provided in the enrolled bill is met. The Governor's amendments make a technical correction and change the term "variance" to "permit." SB 1392, which is identical as enrolled, has the same Governor's amendments.

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HB 1840. Eastern Virginia Medical School; establishment of Eastern Virginia Health Sciences Center at Old Dominion University. The enrolled bill requires four members of the board of visitors of Old Dominion University to be physicians or other medical or health professionals who have administrative and clinical experience in an academic medical center. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) only requires such members to have administrative or clinical experience in an academic medical center. The

Governor's Substitute also (i) adjusts the member qualifications and powers and duties of the standing committee appointed by the board of visitors of Old Dominion University to serve as the board of directors of the Eastern Virginia Health Sciences Center at Old Dominion University; (ii) requires Old Dominion University to ensure that all tuition, funds appropriated, and clinical-affiliated financial support for the continued operation of the schools and divisions previously existing as the Eastern Virginia Medical School remain with those schools and divisions for their continued operation; and (iii) replaces the enrolled bill's delayed effective date of January 1, 2024, with a provision that requires the provisions of the Governor's Substitute to become effective on the date after July 1, 2023, on which the Governor and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations provide written approval for Old Dominion University and Eastern Virginia Medical School to complete a merger to create the Eastern Virginia Health Sciences Center at Old Dominion University. SB 1211, which is identical as enrolled, has the same Governor's Substitute.

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HB 1842. Economic development; Virginia Business Ready Sites Acquisition Fund and Program. The enrolled bill creates the Virginia Business Ready Sites Acquisition Program for the purposes of (i) acquiring sites for the purpose of creating and maintaining a portfolio of project-ready sites to promote economic development in the Commonwealth, (ii) developing such sites to increase their marketability, and (iii) entering into development agreements with private employers for large-scale economic development projects. The Governor's amendments (a) increase the minimum size of an eligible site from 250 to 500 acres, (b) require an overview of eligible expenses to be included in the program guidelines, (c) provide specific procedures for the right of first refusal provided to the locality in which a potential development site is located, (d) require an itemized list of administrative costs to be included in the annual report, and (e) clarify that administrative costs are a permissible use of program funds.

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HB 1846. Medical marijuana program; product, registration, dispensing, and recordkeeping requirements; advertising. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes provisions in the enrolled bill that (i) allow practitioners to issue written certifications via telemedicine to patients located on the premises of a pharmaceutical processor or cannabis dispensing facility and (ii) allow pharmaceutical processors and cannabis dispensing facilities to make technology available to patients to facilitate such telemedicine consultations. The Governor's Substitute removes provisions in the enrolled bill that extend from six months to 12 months the allowable expiration period of a cannabis product before stability testing is required and that allow such expiration period to begin on the date of packaging and labeling if such occurred later than the product's registration approval. The Governor's Substitute removes the enrolled bill's imposition of a 14-day limit on the amount of time the Board of Pharmacy has (a) to register a cannabis product or notify the applicant of product deficiencies after an application for product registration is submitted or (b) to respond to a request for modification of an existing product registration. The Governor's Substitute also removes provisions that deem an application for product registration or a request

for a modification automatically approved if the Board fails to respond within 14 days. The Governor's Substitute also adds a requirement that all advertising and marketing by pharmaceutical processors and cannabis dispensing facilities comply with Board regulations. SB 1337, which is identical as enrolled, has the same Governor's Substitute.

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HB 1900. Provisional licensees issued to providers of behavioral health and developmental services; notice requirement; waiver of appeal right by consent agreement. The enrolled bill requires the Department of Behavioral Health and Developmental Services to direct any provider who is issued a provisional license to review all pertinent state and federal regulations and other contractual agents with payor sources to determine any limitations that may be placed on such provider by any other agency of the Commonwealth, including restrictions on reimbursement that may be imposed by the Department of Medical Assistance Services. The enrolled bill requires that a consent agreement signed by such provider waiving his right to appeal a provisional license issuance decision shall direct the provider to review all pertinent state and federal regulations and contractual agents to determine any restrictions on reimbursement that may be imposed by other state agencies or payor sources and that a copy of the signed consent agreement be provided to the Department of Medical Assistance Services.

The Governor's Amendment in the Nature of a Substitute removes a provision of the bill requiring the Department of Behavioral Health and Developmental Services and the Department of Medical Assistance Services to develop a joint agency protocol that requires the Department of Medical Assistance Services to collaborate and consult with the Department of Behavioral Health and Developmental Services prior to imposing limitations on a provider that could lead to restrictions on reimbursement.

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HB 1924. Minimum wage; employees with disabilities. Current law excludes individuals with disabilities that are paid a subminimum wage pursuant to the federal Fair Labor Standards Act from the definition of employee for the purposes of the Virginia Minimum Wage Act. The enrolled bill eliminates such exclusion and requires employers of such individuals to pay such individuals at a rate that increases yearly until July 1, 2026, when every employer is required to pay such individuals at a rate equivalent to all other employees covered by the Virginia Minimum Wage Act. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) narrows the existing exclusion to only those individuals with disabilities paid a subminimum wage prior to July 1, 2023, by an employer that was authorized to pay a subminimum wage prior to July 1, 2023. Under the Governor's Substitute, this narrower exclusion is in effect until July 1, 2030, when the exclusion is eliminated entirely.

The Governor's Substitute also requires the Department for Aging and Rehabilitative Services and the Department of Behavioral Health and Developmental Services to (i) prioritize efforts to support individuals with disabilities who desire to transition from subminimum wage employment to competitive integrated employment and (ii) submit a report by May 1, 2024, to the Governor and the General Assembly on the number of individuals with disabilities employed

in subminimum wage employment and the movement of individuals from subminimum wage employment to competitive integrated employment.

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HB 1929. Educational opportunities for children of certain foreign service employees and civilian employees of the Armed Forces of the United States. The enrolled bill requires the provisions of the Interstate Compact on Educational Opportunity for Military Children to apply to school-age children who are dependents of foreign service employees and civilian members of the Armed Forces of the United States under federal orders. The Governor's Amendment in the Nature of a Substitute directly establishes rights and privileges for such children who relocate to and enroll in a school division in the Commonwealth that are analogous to those afforded to children to whom the provisions of the Interstate Compact on Educational Opportunity for Military Children apply.

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HB 1943. Crime victim rights; notification from the attorney for the Commonwealth. The enrolled bill requires an attorney for the Commonwealth to consult with a crime victim in a felony case to (i) inform the victim of the contents of a proposed plea agreement and (ii) obtain the victim's views about the disposition of the case. The enrolled bill provides that the victim shall be notified of any proceeding in which the plea agreement will be tendered to the court. Under current law, such consultation and notification is required only upon the victim's request. The Governor's amendments provide that the attorney for the Commonwealth may satisfy his responsibility to consult with a crime victim by consulting with a parent or guardian of an unemancipated minor victim, if the parent or guardian is not a suspect, person of interest, or defendant in the criminal investigation of the proceeding. The Governor's amendments also provide that a crime victim's failure to provide an address or phone number to the attorney for the Commonwealth may constitute good cause for which a court may accept a plea agreement when a crime victim has not been consulted. SB 989, which is identical as enrolled, has the same Governor's amendments.

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HB 1948. Elections; absentee voting; witness requirements; required information on return ballot envelope; unique identifier. The enrolled bill removes the witness requirement for absentee ballots and replaces it with the requirement that an absentee voter provide his full date of birth and the last four digits of his social security number. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) requires an absentee voter to provide only his year of birth instead of his full date of birth. The enrolled bill also provides that a unique identifier provided by the Department of Elections may be used in place of the requirement that an absentee voter provide the last four digits of his social security number. The Governor's Substitute limits the ability to use such unique identifier to those voters whose voter registration application includes a statement of affirmation that they have never been issued a social security number.

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HB 1949. Riparian assignments; transfer fee. The enrolled bill increases the fee for transferring a riparian assignment for planting or gathering oysters and clams from \$5 to \$100 when ownership of such riparian assignment is transferred with ownership of the adjacent highland. The Governor's amendment preserves such fee of \$5. SB 899, which is identical as enrolled, has the same Governor's amendment.

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HB 1987. Charitable gaming; temporary permits; limitations; definitions. The enrolled bill authorizes the Department of Agriculture and Consumer Services to issue a temporary permit to certain qualified organizations authorizing such organizations to sell instant bingo, pull tabs, or seal cards upon premises located anywhere in the Commonwealth during a convention, conference, or related event lasting no more than seven days held by the organization's affiliated state, regional, or national organization up to four times per year, as designated in the temporary permit. The Governor's amendments clarify that any such convention, conference, or related event can last no more than seven consecutive days and may be held no more than once per quarter, as designated in the temporary permit.

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HB 1992. Juvenile and domestic relations district courts; notice of appeal to the circuit court. The enrolled bill requires a copy of a notice of appeal from a final order or judgment of the juvenile and domestic relations court to be served by the appealing party upon the opposing party or each counsel of record. The Governor's first amendment clarifies that such procedure for serving a copy of the notice of appeal shall be consistent with the applicable Rules of the Supreme Court of Virginia. The Governor's second amendment provides that, upon a determination that the appealing party failed to properly serve a copy of the notice of an otherwise proper appeal, the court may, on its own motion, (i) continue any hearing on such appeal or (ii) dismiss such appeal absent a showing of good cause by the appealing party.

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HB 2024. Personal information of judges and magistrates; penalty. The enrolled bill adds active or retired federal or Virginia justices, judges, and magistrates to the list of people for which an enhanced punishment applies for the crime of using such person's identity with the intent to coerce, intimidate, or harass. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) clarifies that the definition of "judge" means any justice or judge. The Governor's Substitute (i) provides that any person who, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing or intimidating in the discharge of his duty any judge, juror, witness, court officer, or court employee, pickets or parades in or near a residence occupied or used by such person or any immediate family member of such person is guilty of a Class 1 misdemeanor and (ii) specifies that the provisions of relevant law regarding the issuance and service of summons in place of a warrant do not apply to such violations. SB 1310, which is identical as enrolled, has the same Governor's Substitute.

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HB 2026. Renewable energy; biomass-fired facilities; Department of Forestry advisory panel; report. The enrolled bill removes the renewable energy requirement for each Phase I and Phase II Utility to retire all biomass-fired electric generating units that do not co-fire with coal by December 31, 2028, and provides that biomass-fired electric generating units may qualify as renewable energy portfolio standard (RPS) eligible sources under certain circumstances. The Governor's amendments add zero-emission hydrogen and certain nuclear technology to the list of RPS eligible sources.

The Governor's amendments prohibit a Phase I or Phase II Utility from permanently retiring an electric power generation facility without first obtaining an order from the State Corporation Commission that the retirement is reasonable and prudent. The Governor's amendments permit the Commission to extend certain timeframes as necessary if compliance with such timeframes would threaten the reliability or security of electric service to customers. The Governor's amendments specify that a non-fossil-fueled waste-wood biomass electric generating facility operated by a non-Phase I or non-Phase II Utility, or its wholly owned affiliate, shall qualify as an RPS eligible source under certain circumstances. SB 1231, which is identical as enrolled, has the same Governor's amendments.

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HB 2071. Persons other than ministers who may perform rites of marriage; clerk; issuance of order; bond requirement. The enrolled bill allows a circuit court clerk instead of the circuit court judge to issue an order authorizing an individual to celebrate the rites of marriage and to waive the required bond under certain circumstances. The Governor's amendments (i) revert to the original statutory language, thereby allowing only a circuit court judge to issue such an order and (ii) allow the court to waive the required bond under certain circumstances. The Governor's amendments also include technical amendments.

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HB 2169. Parole Board; eligibility determinations; reports. The enrolled bill amends the powers and duties of the Parole Board. The Governor's amendment provides that when the Parole Board is conducting the required investigation to determine if a prisoner will be released on parole, the Board shall notify the attorney for the Commonwealth and a representative of the crime victim and witness assistance program in each jurisdiction in which an offense occurred for which the prisoner is incarcerated and provides that the attorney for the Commonwealth and a representative of the crime victim and witness assistance program may submit input to the Board regarding the impact that the release of the prisoner will have on the jurisdiction. The Governor's amendment provides that such input shall remain in the prisoner's parole file and be considered by the Board at every parole review but shall not infringe on the Board's authority to exercise its decision-making authority. The bill has a delayed effective date of July 1, 2024. SB 1361, which is identical as enrolled, has the same Governor's amendment.

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HB 2185. Community services boards; behavioral health authorities; performance contracts. The Governor's amendment changes the delayed effective date for certain provisions of the enrolled bill from July 1, 2025, to July 1, 2024. SB 1169, which is identical as enrolled, has the same Governor's amendment.

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HB 2193. Income tax; rolling conformity; report. The enrolled bill provides that Virginia shall generally conform to federal tax laws on a rolling basis, meaning that Virginia tax laws incorporate changes to federal income tax law as soon as Congress enacts them on or after January 1, 2023, except when certain revenue thresholds are met. The Governor's amendments clarify that the provisions of the enrolled bill apply to taxable years beginning on and after January 1, 2023, and do not apply to taxable years beginning before that date. SB 1405, which is identical as enrolled, has the same Governor's amendments.

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HB 2222. Surgical assistants; practice prior to licensure. The enrolled bill allows persons who have successfully completed an accredited surgical assistant training program to practice under certain conditions prior to licensure. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) maintains the provisions related to surgical assistants and adds additional pathways for certification for surgical technologists. In addition to current pathways to certification, the Governor's Substitute requires the Board of Medicine to certify applicants who have (i) successfully completed a surgical technologist apprenticeship program registered with the U.S. Department of Labor, (ii) successfully completed a hospital-based surgical technologist training program approved by the Board, or (iii) successfully completed a surgical technologist training program through an institution or program accredited by a nationally recognized accreditation organization and hold a current credential as a surgical technologist from an entity approved by the Board. In addition, the Governor's Substitute extends the certification grandfathering registration deadline for persons who have practiced as a surgical technologist or attended a surgical technologist training program at any time prior to October 1, 2022, to December 31, 2023, and directs the Board of Medicine to communicate to stakeholders, including hospitals and related practitioner organizations, the availability of the certification grandfathering process for surgical technologists that have practiced as a surgical technologist or attended a surgical technologist training program at any time prior to October 1, 2022.

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HB 2275. Energy planning and electric utility oversight. The enrolled bill increases from 10 to 13 the membership of the Commission on Electric Utility Regulation (the Commission) by adding three nonlegislative citizen members and requires newly appointed members of the Commission to receive an orientation on electric utility regulation from the State Corporation Commission. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) increases from 10 to 14 the membership of the Commission by also adding the Attorney General or his designee as an ex officio member and requires all members of the Commission to receive

the orientation annually. The Governor's Substitute requires that nonlegislative citizen members have expertise in ratepayer advocacy and that any Attorney General designee is an attorney employed within the Department of Law's Division of Consumer Counsel.

The Governor's Substitute requires the Commission, upon the request by the Chairman of the House Committee on Commerce and Energy or the Senate Committee on Commerce and Labor, to prepare a ratepayer impact statement for any proposed legislation related to electric utility regulation specified by such Chairman. The Governor's Substitute provides that each such Chairman may request up to five ratepayer impact statements in any given regular or special session of the General Assembly. Additionally, the Governor's Substitute provides that the Commission, upon the request of any other member of the General Assembly and at the Commission's discretion, may prepare a ratepayer impact statement for any proposed legislation related to electric utility regulation specified by such member. The Governor's Substitute requires that upon request of the Commission, the State Corporation Commission, the Office of the Attorney General, and all agencies of the Commonwealth will expeditiously provide the Commission with assistance in the preparation of any ratepayer impact statement and requires the Commission to ensure that any ratepayer impact statement provides a neutral and accurate analysis of the proposed legislation's potential impact on ratepayers' electric bills.

The Governor's Substitute eliminates the requirement in the enrolled bill for the Division of Renewable Energy and Energy Efficiency of the Department of Energy to present a draft of the Virginia Energy Plan or any updates to the Plan to the Virginia Coal and Energy Commission and the Commission at a public meeting but maintains the requirement in the enrolled bill that the Division present the final Virginia Energy Plan to the Commission at a public meeting.

SB 1166, which is identical as enrolled, has the same Governor's Substitute.

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HB 2294. Tetrahydrocannabinol; hemp products; packaging, labeling, and testing; penalties. The enrolled bill limits the amount of tetrahydrocannabinol (THC) that a hemp product or industrial hemp extract may contain at the time of sale to 0.3 percent and two milligrams per package. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) provides that such THC limits apply only to retail sales and allows a hemp product or industrial hemp extract to contain more than two milligrams of THC if the product or extract contains an amount of cannabidiol (CBD) that is at least 25 times greater than the amount of THC; however, the Governor's Substitute prohibits hemp processors from selling industrial hemp or a substance containing an industrial hemp extract to a person if the processor knows or has reason to know that such person will use the industrial hemp or substance in a substance that violates the aforementioned THC limits.

The Governor's Substitute creates a regulated hemp product retail facility registration, which carries an annual fee of \$1,000, and requires persons to obtain such registration from the Commissioner (the Commissioner) of the Department of Agriculture and Consumer Services (the Department) prior to offering for sale or selling regulated hemp products, as defined in the Governor's Substitute, or any substance intended for consumption, orally or by inhalation, that is

advertised or labeled as containing an industrial hemp-derived cannabinoid. The Governor's Substitute creates certain packaging, labeling, and testing requirements for regulated hemp products and requires that topical hemp products bear a label stating that the product is not intended for human consumption. The Governor's Substitute provides the Commissioner with the authority to access registered regulated hemp product retail facilities and any business that offers for sale or sells at retail a substance intended for human consumption, orally or by inhalation that is advertised or labeled as containing a cannabinoid for the purpose of inspections and securing samples. The Governor's Substitute also imposes a civil penalty of up to \$10,000 per day for the following violations: (i) offering for sale or selling at retail without a regulated hemp product retail facility registration a regulated hemp product or a substance intended for human consumption, orally or by inhalation, that is advertised or labeled as containing an industrial hemp-derived cannabinoid; (ii) continuing to offer for sale or selling at retail a regulated hemp product after revocation or suspension of such registration; (iii) offering for sale or selling at retail a substance intended for human consumption, orally or by inhalation, that contains THC in excess of the applicable limits; or (iv) offering for sale or selling at retail a regulated hemp product that does not meet the applicable packaging, labeling, and testing requirements.

The enrolled bill requires industrial hemp extracts and foods containing an industrial hemp extract to be enclosed in child-resistant packaging and equipped with a label that states the number of milligrams of THC per serving and the number of milligrams and percent of THC per package. The Governor's Substitute provides that such packaging and labeling requirements apply only to industrial hemp extracts and foods containing an industrial hemp extract that contains THC. The Governor's Substitute removes the requirement in the enrolled bill that testing labs be registered with the U.S. Drug Enforcement Administration in order to produce certificates of analysis for industrial hemp extracts, foods containing an industrial hemp extract, and substances intended for human consumption that contain THC. The Governor's Substitute also removes provisions in the enrolled bill that, under the provisions of the Consumer Protection Act, required topical hemp products to contain a bittering agent and exempted topical hemp products from the THC limit of two milligrams per package.

The Governor's Substitute provides that certain regulated hemp product provisions related to retail facility registrations, packaging, labeling, and testing and associated civil penalty provisions shall become effective when the Commissioner provides notice to the Virginia Code Commission that the Department has established the registration process. The Governor's Substitute also contains technical amendments.

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HB 2296. Secretary of Finance; assess licensing scheme for liquid nicotine; report. The enrolled bill directs the Secretary of Finance, in consultation with stakeholders, to assess (i) a potential licensing scheme for manufacturers, distributors, and retail dealers of liquid nicotine in the Commonwealth and (ii) the most appropriate manner and entity to enforce and administer licensing, age verification, product verification, and advertising restrictions related to the sale of liquid nicotine. The Governor's amendments direct the Virginia Alcoholic Beverage Control

Authority instead of the Secretary of Finance to make such assessments. SB 1350, which is identical as enrolled, has the same Governor's amendments.

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HB 2325. Agricultural land; acquisition or transfer by foreign adversaries prohibited; report. The enrolled bill prohibits any foreign adversary, as defined in the enrolled bill, from acquiring or transferring any interest in agricultural land, as defined in federal law, beginning January 1, 2023. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) extends this effective date to July 1, 2023, allows the Commonwealth to have a vested interest in the agricultural land that was acquired by the foreign adversary in violation of the provisions of the Governor's Substitute, and prohibits such foreign adversary from seeking any restitution against any party. The Governor's Substitute further clarifies that if such interest in agricultural land is sold or transferred by the foreign adversary to a non-foreign adversary, the title remains vested in the subsequent purchaser or transferee. The Governor's Substitute allows an attorney for the locality in which the agricultural land is located, the Attorney General, or any non-foreign adversary person that was a party to the void transaction or is a subsequent holder of such interest to file certain actions related to the purported transaction in the circuit court where the subject property is located. SB 1438, which is identical as enrolled, has the same Governor's Substitute.

Contact: Anissa Cottrell | acottrell@dls.virginia.gov | 804-698-1814

HB 2332. Economic Development Partnership Authority; eligible site for site development grant; minimum acreage requirement. The enrolled bill reduces from 100 acres to 50 acres the minimum number of contiguous acres required for a site that is not a brownfield to satisfy the acreage requirement to be considered eligible to receive a site development grant from the Virginia Business Ready Sites Program Fund by the Virginia Economic Development Partnership Authority. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) reverts to the original statutory language and adds localities that do not have a site with at least 100 contiguous acres to the list of sites that the Authority may consider eligible for a site development grant. SB 1308, which is identical as enrolled, has the same Governor's Substitute.

Contact: Joanne Frye | jfrye@dls.virginia.gov | 804-698-1868

HB 2338. Transit Ridership Incentive Program; funds; improving accessibility; transition to zero-emissions. The enrolled bill directs the Commonwealth Transportation Board to use up to 30 percent of available funds in the Transit Ridership Incentive Program to support local, regional, and state entities in improving the accessibility of transit bus passenger facilities and transitioning public transit bus fleets and infrastructure to zero-emission bus fleets and infrastructure. The Governor's amendments remove the direction of the use of such funds to support such entities in transitioning public transit bus fleets and infrastructure to zero-emission bus fleets and infrastructure and instead direct the use of such funds to support such entities in improving crime prevention and public safety for transit passengers, operators, and employees. SB 1326, which is identical as enrolled, has the same Governor's amendments.

Contact: Nikhil Edward | nedward@dls.virginia.gov | 804-698-1865

HB 2343. Mutual liability for necessities; furnishing of medical care. The enrolled bill provides that liability shall not be imposed upon one spouse for medical care furnished to the other spouse by a physician licensed to practice medicine in the Commonwealth or in a hospital located in the Commonwealth while both spouses are living together. The Governor's amendments provide that such liability shall not be imposed on one spouse for health care furnished to the patient spouse when such patient spouse predeceases the nonpatient spouse.

Contact: Sabrina Miller-Bryson | smiller-bryson@dls.virginia.gov | 804-698-1876

HB 2368. Medical marijuana program; product requirements; certifications; reporting. The Governor's amendments remove provisions in the enrolled bill that limit the Prescription Monitoring Program to include, in the case of cannabis products, only the information required by law when a dispenser reports the dispensing of covered substances. The Governor's amendments also require that labels affixed to cannabis products by pharmaceutical processors comply with any requirements imposed by the Board of Pharmacy.

Contact: David May | dmay@dls.virginia.gov | 804-698-1825

HB 2375. Provisional teacher licensure; permissive extension; satisfactory performance evaluations during years of actual employment. The Governor's amendment clarifies that the Board of Education is required to extend for at least one additional year, but for no more than two additional years, the three-year provisional license of a teacher upon receiving from the division superintendent (i) a recommendation for such extension and (ii) satisfactory performance evaluations for such teacher for each year during the original three-year provisional license that such teacher was actually employed and received a filed performance evaluation. The enrolled bill references the receipt of such satisfactory performance evaluations for each year during the original three-year provisional license that such teacher was actually employed but is silent on the receipt of a filed performance evaluation by the teacher during each such year. SB 1052 has conforming Governor's amendments.

Contact: Ryan Brimmer | rbrimmer@dls.virginia.gov | 804-698-1820

HB 2393. Coastal resilience policy; research university collaborative. The enrolled bill authorizes the Secretary of Natural and Historic Resources and all relevant agencies, when setting coastal resilience policies, to seek input and consultation from the Commonwealth's research university collaborative, including the Virginia Coastal Policy Center, Virginia Sea Grant, Virginia Cooperative Extension, and Institute for Coastal Adaptation and Resilience. The Governor's amendments remove the Virginia Coastal Policy Center and the Institute for Coastal Adaptation and Resilience from such list and name Virginia Sea Grant as the leading member of the collaborative.

Contact: Anissa Cottrell | acottrell@dls.virginia.gov | 804-698-1814

HB 2444. Development of offshore wind capacity; cost recovery. The enrolled bill requires the State Corporation Commission, in conducting its review of requests for cost recovery by a

Phase II Utility for costs associated with generating facilities utilizing energy derived from offshore wind, to give due consideration to the economic development benefits of the project for the Commonwealth, including capital investments and job creation, arising from project construction and operation and the manufacture of wind turbine generator components and subcomponents. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) adds submarine export and interarray cables to the definition of "wind turbine generator" and requires that any additional purchase or development of offshore wind be subject to a competitive solicitation process overseen by the Commission. The Governor's Substitute also creates an advisory council composed of representatives of the Department of Energy, the Virginia Economic Development Partnership, and their designees for the purposes of developing and issuing the solicitation.

SB 1441, which is identical as enrolled, has the same Governor's Substitute.

Contact: Marvi Ali | mali@dls.virginia.gov | 804-698-1816

Senate Bills

SB 788. Medical cannabis program; transition from Board of Pharmacy to Virginia Cannabis Control Authority. The Governor's amendment adds a delayed effective date of January 1, 2024, to the second enactment of the enrolled bill. This is a technical amendment in that the delay of the second enactment is necessary in order for administration of the medical cannabis program to move in sync from the Board of Pharmacy to the Virginia Cannabis Control Authority. HB 1598, which is identical as enrolled, has the same Governor's amendment.

Contact: Chandler Brooks | cbrooks@dls.virginia.gov | 804-698-1843

SB 810. Review of injunctions; petitions for review. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) is technical in nature, moving language regarding the review of appeals of orders granting or denying a plea of sovereign, absolute, or qualified immunity to the appropriate chapter governing appeals to the Supreme Court of Virginia. Under current law, the Supreme Court of Virginia has jurisdiction over such appeals. The Governor's Substitute also adds an emergency clause.

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SB 895. Appeals of certain interlocutory decrees or orders; report. The Governor's amendment adds an emergency clause to the provisions of the first enactment of the enrolled bill.

Contact: Britt Olwine | bolwine@dls.virginia.gov | 804-698-1815

SB 899. Riparian assignments; transfer fee. The enrolled bill increases the fee for transferring a riparian assignment for planting or gathering oysters and clams from \$5 to \$100 when ownership of such riparian assignment is transferred with ownership of the adjacent highland. The Governor's amendment preserves such fee of \$5. HB 1949, which is identical as enrolled, has the same Governor's amendment.

Contact: Nathan Smith | nsmith@dls.virginia.gov | 804-698-1840

SB 903. Tetrahydrocannabinol; hemp products; packaging, labeling, and testing; penalties. The enrolled bill limits the amount of tetrahydrocannabinol (THC) that a hemp product or industrial hemp extract may contain at the time of sale to 0.3 percent and two milligrams per package. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) provides that such THC limits apply only to retail sales and allows a hemp product or industrial hemp extract to contain more than two milligrams of THC if the product or extract contains an amount of cannabidiol (CBD) that is at least 25 times greater than the amount of THC; however, the Governor's Substitute prohibits hemp processors from selling industrial hemp or a substance containing an industrial hemp extract to a person if the processor knows or has reason to know that such person will use the industrial hemp or substance in a substance that violates the aforementioned THC limits.

The Governor's Substitute creates a regulated hemp product retail facility registration, which carries an annual fee of \$1,000, and requires persons to obtain such registration from the

Commissioner (the Commissioner) of the Department of Agriculture and Consumer Services (the Department) prior to offering for sale or selling regulated hemp products, as defined in the Governor's Substitute, or any substance intended for consumption, orally or by inhalation, that is advertised or labeled as containing an industrial hemp-derived cannabinoid. The Governor's Substitute creates certain packaging, labeling, and testing requirements for regulated hemp products and requires that topical hemp products bear a label stating that the product is not intended for human consumption. The Governor's Substitute provides the Commissioner with the authority to access registered regulated hemp product retail facilities and any business that offers for sale or sells at retail a substance intended for human consumption, orally or by inhalation that is advertised or labeled as containing a cannabinoid for the purpose of inspections and securing samples. The Governor's Substitute also imposes a civil penalty of up to \$10,000 per day for the following violations: (i) offering for sale or selling at retail without a regulated hemp product retail facility registration a regulated hemp product or a substance intended for human consumption, orally or by inhalation, that is advertised or labeled as containing an industrial hemp-derived cannabinoid; (ii) continuing to offer for sale or selling at retail a regulated hemp product after revocation or suspension of such registration; (iii) offering for sale or selling at retail a substance intended for human consumption, orally or by inhalation, that contains THC in excess of the applicable limits; or (iv) offering for sale or selling at retail a regulated hemp product that does not meet the applicable packaging, labeling, and testing requirements.

The enrolled bill requires industrial hemp extracts and foods containing an industrial hemp extract to be enclosed in child-resistant packaging and equipped with a label that states the number of milligrams of THC per serving and the number of milligrams and percent of THC per package. The Governor's Substitute provides that such packaging and labeling requirements apply only to industrial hemp extracts and foods containing an industrial hemp extract that contains THC. The Governor's Substitute removes the requirement in the enrolled bill that testing labs be registered with the U.S. Drug Enforcement Administration in order to produce certificates of analysis for industrial hemp extracts, foods containing an industrial hemp extract, and substances intended for human consumption that contain THC. The Governor's Substitute also removes provisions in the enrolled bill that, under the provisions of the Consumer Protection Act, required topical hemp products to contain a bittering agent and exempted topical hemp products from the THC limit of two milligrams per package.

The Governor's Substitute provides that certain regulated hemp product provisions related to retail facility registrations, packaging, labeling, and testing and associated civil penalty provisions shall become effective when the Commissioner provides notice to the Virginia Code Commission that the Department has established the registration process. The Governor's Substitute also contains technical amendments.

Contact: David May | dmay@dls.virginia.gov | 804-698-1825

SB 956. Localities; business improvement and recruitment districts. The enrolled bill authorizes any locality to create a local business improvement and recruitment district plan, consisting of fees charged to businesses and used to fund business improvements, business promotions, and business recruitment activities. The Governor's amendments narrow the

applicability of the provisions to areas within a "Main Street District" and define such districts as "a physical setting that includes a commercial area focusing on economic development through locally owned businesses and structures that would benefit from rehabilitation." The Governor's amendments also alter the definition of "majority share of benefited businesses" by removing a reference to a weighted methodology and instead referring to a simple majority of such businesses.

Contact: Jeff Sharp | jsharp@dls.virginia.gov | 804-698-1864

SB 989. Crime victim rights; notification from the attorney for the Commonwealth. The enrolled bill requires an attorney for the Commonwealth to consult with a crime victim in a felony case to (i) inform the victim of the contents of a proposed plea agreement and (ii) obtain the victim's views about the disposition of the case. The enrolled bill provides that the victim shall be notified of any proceeding in which the plea agreement will be tendered to the court. Under current law, such consultation and notification is required only upon the victim's request. The Governor's amendments provide that the attorney for the Commonwealth may satisfy his responsibility to consult with a crime victim by consulting with a parent or guardian of an unemancipated minor victim, if the parent or guardian is not a suspect, person of interest, or defendant in the criminal investigation of the proceeding. The Governor's amendments also provide that a crime victim's failure to provide an address or phone number to the attorney for the Commonwealth may constitute good cause for which a court may accept a plea agreement when a crime victim has not been consulted. HB 1943, which is identical as enrolled, has the same Governor's amendments.

Contact: Charles Quagliato | cquagliato@dls.virginia.gov | 804-698-1813

SB 997. Oyster Shell Waste Diversion Fund; created. The enrolled bill creates the Oyster Shell Waste Diversion Fund for the purpose of diverting oyster shells from landfills and promoting the beneficial reuse of such shells in oyster restoration activities. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) replaces the enrolled language and conforms the bill to HB 1438 as amended by the Governor, which (i) adds the recycling of oyster shells to the list of activities eligible to receive funds from the Oyster Replenishment Fund; (ii) allows the Fund to be used for the encouragement of oyster shell donations for oyster replenishment projects; and (iii) directs the Marine Resources Commission to determine the method of distribution of funds and the aggregate amount of funds available specifically for use in encouraging the donation of oyster shells, not to exceed \$250,000 in a calendar year. HB 1438 has the same Governor's Substitute. If the Governor's Substitutes to HB 1438 and SB 997 are adopted, the bills will be identical.

Contact: Keelin Cronin | kcronin@dls.virginia.gov | 804-698-1832

SB 1035. Bridges; state of good repair; allocation of funds. The enrolled bill removes the requirement that each highway construction district receive at least 5.5 percent of the total state of good repair funding allocated in any given year. The Governor's amendments preserve this requirement.

Contact: Emma Buck | ebuck@dls.virginia.gov | 804-698-1818

SB 1052. Advisory Board on Teacher Education and Licensure; teacher licensure, recruitment, and retention. The Governor's amendments clarify that the Board of Education is required to extend for at least one additional year, but for no more than two additional years, the three-year provisional license of a teacher upon receiving from the division superintendent (i) a recommendation for such extension and (ii) satisfactory performance evaluations for such teacher for each year during the original three-year provisional license that such teacher was actually employed and received a filed performance evaluation. The enrolled bill references the receipt of such satisfactory performance evaluations for each year during the original three-year provisional license that such teacher was actually employed but is silent on the receipt of a filed performance evaluation by the teacher during each such year. HB 2375 has a conforming Governor's amendment.

Contact: Ryan Brimmer | rbrimmer@dls.virginia.gov | 804-698-1820

SB 1075. Phase I Utilities; deferred fuel costs; biennial reviews. The enrolled bill authorizes Appalachian Power to petition the State Corporation Commission (the Commission) for a financing order for deferred fuel costs and makes various changes to procedures under which the Commission reviews the earnings and sets the rates of Appalachian Power. The Governor's amendments (i) expand the exempt retail access customer exemption for deferred fuel costs, (ii) require certain information to be included in a Commission report, (iii) make changes to the Commission's authority to make performance-based adjustments, (iv) require the Commission to consider nationally recognized standards when determining certain costs, and (v) make various technical changes.

The enrolled bill requires that a financing order for deferred fuel costs include a requirement that deferred fuel cost charges are non-bypassable and paid by all retail customers of the electric utility, except for an exempt retail access customer. The Governor's fourth amendment expands the definition of "exempt retail access customer" to include retail customers that purchased electric energy from the utility pursuant to a market-based tariff in addition to those that purchased electric energy exclusively from a licensed supplier other than the utility.

The enrolled bill requires the Commission to include in its required annual report to the Commission on Electric Utility Regulation and the Governor any information concerning the reliability impacts of generation unit additions and retirement determinations by Appalachian Power or Dominion Energy Virginia. The Governor's seventh amendment requires the Commission to also include information concerning the potential impact on the purchase of power from generation assets outside the Virginia jurisdiction used to serve the utility's native load.

The enrolled bill authorizes the Commission to increase or decrease a utility's combined rate of return for generation and distribution services by up to 50 basis points based on certain performance-based factors. The Governor's eighth and ninth amendments provide that the performance-based factors listed are discretionary and non-exhaustive and that any such

performance-based adjustment will include a consideration of appropriate nationally recognized standards. Additionally, the fourth enactment of the enrolled bill provides that the Commission will hold a proceeding to review and determine the protocols and standards regarding such performance-based adjustments and that until such standards and protocols are applicable the Commission will have the authority to increase or decrease the utility's combined rate of return based on the utility's performance. The Governor's thirteenth amendment provides that the Commission's authority to make such increases or decreases before the performance-based adjustment standards and protocols are applicable begins on January 1, 2024, rather than upon the bill's effective date as in the enrolled bill.

The enrolled bill requires the Commission to authorize deferred recovery for reasonable actual costs associated with severe weather events and provides that the Commission shall allow the utility to amortize and recover such deferred costs over future periods as determined by the Commission. The Governor's tenth amendment requires the Commission, for the purposes of determining such severe-weather-associated costs, to consider nationally recognized standards. The Governor's amendments also include technical amendments.

HB 1777, which is identical as enrolled, has the same Governor's amendments.

Contact: Tom Stevens | tstevens@dls.virginia.gov | 804-698-1821

SB 1081. Office of the Children's Ombudsman. The enrolled bill clarifies that the records of the Office of the Children's Ombudsman are exempt from the Virginia Freedom of Information Act. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) specifies that any statements, documentation, and other evidence received or maintained by the Office or its agents in connection with complaints made to or for investigations undertaken pursuant to the Ombudsman's enumerated powers are not subject to the Virginia Freedom of Information Act. The Governor's Substitute also makes a technical amendment.

Contact: Joanne Frye | jfrye@dls.virginia.gov | 804-698-1868

SB 1086. Living organ donors; unpaid leave; civil penalty. The Governor's amendment is technical in nature and changes the term "regulations" to "guidance" regarding the authority of the Commissioner of Labor and Industry to implement and enforce the provisions of the enrolled bill.

Contact: Sarah Kinzer | skinzer@dls.virginia.gov | 804-698-1838

SB 1124. Board of Education; standards for the maintenance and operations, renovation, and new construction of public elementary and secondary school buildings. The Governor's amendments extend from December 1, 2023, to July 1, 2024, the deadline by which the Board of Education is required to submit to the Chairmen of the House Committee on Education and the Senate Committee on Education and Health its recommendations for amendments to the Standards of Quality to establish standards for the maintenance and operations, renovation, and new construction of public elementary and secondary school buildings.

Contact: Ryan Brimmer | rbrimmer@dls.virginia.gov | 804-698-1820

SB 1166. Energy planning and electric utility oversight. The enrolled bill increases from 10 to 13 the membership of the Commission on Electric Utility Regulation (the Commission) by adding three nonlegislative citizen members and requires newly appointed members of the Commission to receive an orientation on electric utility regulation from the State Corporation Commission. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) increases from 10 to 14 the membership of the Commission by also adding the Attorney General or his designee as an ex officio member and requires all members of the Commission to receive the orientation annually. The Governor's Substitute requires that nonlegislative citizen members have expertise in ratepayer advocacy and that any Attorney General designee is an attorney employed within the Department of Law's Division of Consumer Counsel.

The Governor's Substitute requires the Commission, upon the request by the Chairman of the House Committee on Commerce and Energy or the Senate Committee on Commerce and Labor, to prepare a ratepayer impact statement for any proposed legislation related to electric utility regulation specified by such Chairman. The Governor's Substitute provides that each such Chairman may request up to five ratepayer impact statements in any given regular or special session of the General Assembly. Additionally, the Governor's Substitute provides that the Commission, upon the request of any other member of the General Assembly and at the Commission's discretion, may prepare a ratepayer impact statement for any proposed legislation related to electric utility regulation specified by such member. The Governor's Substitute requires that upon request of the Commission, the State Corporation Commission, the Office of the Attorney General, and all agencies of the Commonwealth will expeditiously provide the Commission with assistance in the preparation of any ratepayer impact statement and requires the Commission to ensure that any ratepayer impact statement provides a neutral and accurate analysis of the proposed legislation's potential impact on ratepayers' electric bills.

The Governor's Substitute eliminates the requirement in the enrolled bill for the Division of Renewable Energy and Energy Efficiency of the Department of Energy to present a draft of the Virginia Energy Plan or any updates to the Plan to the Virginia Coal and Energy Commission and the Commission at a public meeting but maintains the requirement in the enrolled bill that the Division present the final Virginia Energy Plan to the Commission at a public meeting.

HB 2275, which is identical as enrolled, has the same Governor's Substitute.

Contact: Tom Stevens | tstevens@dls.virginia.gov | 804-698-1821

SB 1169. Community services boards; behavioral health authorities; performance contracts. The Governor's amendment changes the delayed effective date for certain provisions of the enrolled bill from July 1, 2025, to July 1, 2024. HB 2185, which is identical as enrolled, has the same Governor's amendment.

Contact: Chandler Brooks | cbrooks@dls.virginia.gov | 804-698-1843

SB 1209. Charitable gaming; temporary permits; limitations. The enrolled bill authorizes the Department of Agriculture and Consumer Services to issue a temporary permit to certain qualified organizations authorizing such organizations to sell instant bingo, pull tabs, or seal cards upon

premises located anywhere in the Commonwealth during a convention, conference, or related event lasting no more than seven days held by the organization's affiliated state, regional, or national organization up to four times per year, as designated in the temporary permit. The Governor's amendments clarify that any such convention, conference, or related event can last no more than seven consecutive days and may be held no more than once per quarter, as designated in the temporary permit.

Contact: Ashley Binns | abinns@dls.virginia.gov | 804-698-1812

SB 1211. Eastern Virginia Medical School; establishment of Eastern Virginia Health Sciences Center at Old Dominion University. The enrolled bill requires four members of the board of visitors of Old Dominion University to be physicians or other medical or health professionals who have administrative and clinical experience in an academic medical center. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) only requires such members to have administrative or clinical experience in an academic medical center. The Governor's Substitute also (i) adjusts the member qualifications and powers and duties of the standing committee appointed by the board of visitors of Old Dominion University to serve as the board of directors of the Eastern Virginia Health Sciences Center at Old Dominion University; (ii) requires Old Dominion University to ensure that all tuition, funds appropriated, and clinical-affiliated financial support for the continued operation of the schools and divisions previously existing as the Eastern Virginia Medical School remain with those schools and divisions for their continued operation; and (iii) replaces the enrolled bill's delayed effective date of January 1, 2024, with a provision that requires the provisions of the Governor's Substitute to become effective on the date after July 1, 2023, on which the Governor and the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations provide written approval for Old Dominion University and Eastern Virginia Medical School to complete a merger to create the Eastern Virginia Health Sciences Center at Old Dominion University. HB 1840, which is identical as enrolled, has the same Governor's Substitute.

Contact: Ryan Brimmer | rbrimmer@dls.virginia.gov | 804-698-1820

SB 1231. Renewable energy; biomass-fired facilities; Department of Forestry advisory panel; report. The enrolled bill removes the renewable energy requirement for each Phase I and Phase II Utility to retire all biomass-fired electric generating units that do not co-fire with coal by December 31, 2028, and provides that biomass-fired electric generating units may qualify as renewable energy portfolio standard (RPS) eligible sources under certain circumstances. The Governor's amendments add zero-emission hydrogen and certain nuclear technology to the list of RPS eligible sources.

The Governor's amendments prohibit a Phase I or Phase II Utility from permanently retiring an electric power generation facility without first obtaining an order from the State Corporation Commission that the retirement is reasonable and prudent. The Governor's amendments permit the Commission to extend certain timeframes as necessary if compliance with such timeframes would threaten the reliability or security of electric service to customers. The Governor's amendments specify that a non-fossil-fueled waste-wood biomass electric generating facility operated by a non-Phase I or non-Phase II Utility, or its wholly owned affiliate, shall qualify as

an RPS eligible source under certain circumstances. HB 2026, which is identical as enrolled, has the same Governor's amendments.

Contact: Sarah Kinzer | skinzer@dls.virginia.gov | 804-698-1838

SB 1265. Virginia Electric Utility Regulation Act. The enrolled bill authorizes Dominion Energy Virginia, on or before July 1, 2024, to petition the State Corporation Commission for a financing order for deferred fuel costs and makes various changes to procedures under which the Commission reviews the earnings and sets the rates of investor-owned incumbent electric utilities. The Governor's amendments (i) expand the exempt retail access customer exemption for deferred fuel costs, (ii) make changes to the Commission's authority to make performance-based adjustments, and (iii) make various technical changes.

The enrolled bill requires that a financing order for deferred fuel costs include a requirement that deferred fuel cost charges are non-bypassable and paid by all retail customers of the electric utility, except for exempt retail access customers. The Governor's fourth amendment expands the definition of "exempt retail access customer" to include, in addition to retail customers that purchased electric energy exclusively from a licensed supplier other than the electric utility, retail customers that purchased electric energy from the utility pursuant to a Commission-approved market-based tariff.

The enrolled bill provides that the Commission is authorized to increase or decrease an electric utility's combined rate of return for generation and distribution services by up to 50 basis points based on factors that may include various performance-based factors. The Governor's eighth and ninth amendments eliminate load forecasting as one such factor. Additionally, the fifth enactment of the enrolled bill provides that the Commission will hold a proceeding to review and determine the protocols and standards regarding such performance-based adjustments and that, until such protocols and standards are applicable, the Commission will have the authority to increase or decrease the utility's combined rate of return based on the utility's performance. The Governor's seventeenth amendment provides that the Commission's authority to make such increases or decreases before the performance-based adjustment standards and protocols are applicable begins on January 1, 2024, rather than upon the effective date of the enrolled bill.

HB 1770, which is identical as enrolled, has the same Governor's amendments.

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SB 1280. Public institutions of higher education; degree programs; integration of internship or work-based learning experiences; policies. The enrolled bill requires the governing board of each public institution of higher education to adopt policies requiring that participation in an internship or work-based learning experience be integrated into a student's degree program so as not to extend the time to complete the degree and applies to both baccalaureate and associate-degree-granting public institutions of higher education. The Governor's amendments limit the scope of the enrolled bill by specifying that such requirement applies only to the governing board of each baccalaureate public institution of higher education.

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SB 1308. Economic Development Partnership Authority; eligible site for site development grant; minimum acreage requirement. The enrolled bill reduces from 100 acres to 50 acres the minimum number of contiguous acres required for a site that is not a brownfield to satisfy the acreage requirement to be considered eligible to receive a site development grant from the Virginia Business Ready Sites Program Fund by the Virginia Economic Development Partnership Authority. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) reverts to the original statutory language and adds localities that do not have a site with at least 100 contiguous acres to the list of sites that the Authority may consider eligible for a site development grant. HB 2332, which is identical as enrolled, has the same Governor's Substitute.

Contact: Joanne Frye | jfrye@dls.virginia.gov | 804-698-1868

SB 1310. Personal information of judges and magistrates; penalty. The enrolled bill adds active or retired federal or Virginia justices, judges, and magistrates to the list of people for which an enhanced punishment applies for the crime of using such person's identity with the intent to coerce, intimidate, or harass. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) clarifies that the definition of "judge" means any justice or judge. The Governor's Substitute (i) provides that any person who, with the intent of interfering with, obstructing, or impeding the administration of justice, or with the intent of influencing or intimidating in the discharge of his duty any judge, juror, witness, court officer, or court employee, pickets or parades in or near a residence occupied or used by such person or any immediate family member of such person is guilty of a Class 1 misdemeanor and (ii) specifies that the provisions of relevant law regarding the issuance and service of summons in place of a warrant do not apply to such violations. HB 2024, which is identical as enrolled, has the same Governor's Substitute.

Contact: Troy Hatcher | thatcher@dls.virginia.gov | 804-698-1829

SB 1326. Transit Ridership Incentive Program; funds; improving accessibility; transition to zero-emissions. The enrolled bill directs the Commonwealth Transportation Board to use up to 30 percent of available funds in the Transit Ridership Incentive Program to support local, regional, and state entities in improving the accessibility of transit bus passenger facilities and transitioning public transit bus fleets and infrastructure to zero-emission bus fleets and infrastructure. The Governor's amendments remove the direction of the use of such funds to support such entities in transitioning public transit bus fleets and infrastructure to zero-emission bus fleets and infrastructure and instead direct the use of such funds to support such entities in improving crime prevention and public safety for transit passengers, operators, and employees. HB 2338, which is identical as enrolled, has the same Governor's amendments.

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SB 1337. Medical marijuana program; product, registration, dispensing, and recordkeeping requirements; advertising. The Governor's Amendment in the Nature of a

Substitute (Governor's Substitute) removes provisions in the enrolled bill that (i) allow practitioners to issue written certifications via telemedicine to patients located on the premises of a pharmaceutical processor or cannabis dispensing facility and (ii) allow pharmaceutical processors and cannabis dispensing facilities to make technology available to patients to facilitate such telemedicine consultations. The Governor's Substitute removes provisions in the enrolled bill that extend from six months to 12 months the allowable expiration period of a cannabis product before stability testing is required and that allow such expiration period to begin on the date of packaging and labeling if such occurred later than the product's registration approval. The Governor's Substitute removes the enrolled bill's imposition of a 14-day limit on the amount of time the Board of Pharmacy has (a) to register a cannabis product or notify the applicant of product deficiencies after an application for product registration is submitted or (b) to respond to a request for modification of an existing product registration. The Governor's Substitute also removes provisions that deem an application for product registration or a request for a modification automatically approved if the Board fails to respond within 14 days. The Governor's Substitute also adds a requirement that all advertising and marketing by pharmaceutical processors and cannabis dispensing facilities comply with Board regulations. HB 1846, which is identical as enrolled, has the same Governor's Substitute.

Contact: David May | dmay@dls.virginia.gov | 804-698-1825

SB 1350. Secretary of Finance; assess licensing scheme for liquid nicotine; report. The enrolled bill directs the Secretary of Finance, in consultation with stakeholders, to assess (i) a potential licensing scheme for manufacturers, distributors, and retail dealers of liquid nicotine in the Commonwealth and (ii) the most appropriate manner and entity to enforce and administer licensing, age verification, product verification, and advertising restrictions related to the sale of liquid nicotine. The Governor's amendments direct the Virginia Alcoholic Beverage Control Authority instead of the Secretary of Finance to make such assessments. HB 2296, which is identical as enrolled, has the same Governor's amendments.

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SB 1361. Parole Board; eligibility determinations; reports. The enrolled bill amends the powers and duties of the Parole Board. The Governor's amendment provides that when the Parole Board is conducting the required investigation to determine if a prisoner will be released on parole, the Board shall notify the attorney for the Commonwealth and a representative of the crime victim and witness assistance program in each jurisdiction in which an offense occurred for which the prisoner is incarcerated and provides that the attorney for the Commonwealth and a representative of the crime victim and witness assistance program may submit input to the Board regarding the impact that the release of the prisoner will have on the jurisdiction. The Governor's amendment provides that such input shall remain in the prisoner's parole file and be considered by the Board at every parole review but shall not infringe on the Board's authority to exercise its decision-making authority. The bill has a delayed effective date of July 1, 2024. HB 2169, which is identical as enrolled, has the same Governor's amendment.

Contact: Taylor Mey | tmey@dls.virginia.gov | 804-698-1870

SB 1370. Electric utilities; pilot program for underground transmission or distribution lines; additional projects. The enrolled bill adds one project to the existing pilot program for underground transmission lines and adds one project to place underground an electric distribution mainline as part of a transportation infrastructure improvement project incorporating transit that has been initially accepted for partial funding of at least \$250 million pursuant to a federal program. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes certain criteria related to the primary purpose of a qualifying project for such pilot program and eliminates certain required information from the State Corporation Commission's annual report regarding such pilot program. The Governor's Substitute also removes provisions directing the Commission to approve a rate adjustment clause related to qualifying projects that are not fully recoverable as charges for new transmission facilities. The provisions of the enrolled bill related to the underground distribution mainline expire on July 1, 2028; the Governor's Substitute instead limits the pilot program to petitions filed for approval with the Commission prior to December 31, 2024.

HB 1637, which is identical as enrolled, has the same Governor's Substitute.

Contact: Marvi Ali | mali@dls.virginia.gov | 804-698-1816

SB 1392. State agency compliance with flood plain management regulations. The enrolled bill requires any state agency or department, when developing a facility on state-owned property located in a flood plain, to either adhere to all local flood plain management regulations or receive Department of Conservation and Recreation approval of compliance with the applicable state standard for development in a flood plain. The enrolled bill allows the Department to issue a variance if no feasible alternative to developing a facility in the flood plain exists and if one of several other conditions provided in the enrolled bill is met. The Governor's amendments make a technical correction and change the term "variance" to "permit." HB 1807, which is identical as enrolled, has the same Governor's amendments.

Contact: Nathan Smith | nsmith@dls.virginia.gov | 804-698-1840

SB 1405. Income tax; rolling conformity; report. The enrolled bill provides that Virginia shall generally conform to federal tax laws on a rolling basis, meaning that Virginia tax laws incorporate changes to federal income tax law as soon as Congress enacts them on or after January 1, 2023, except when certain revenue thresholds are met. The Governor's amendments clarify that the provisions of the enrolled bill apply to taxable years beginning on and after January 1, 2023, and do not apply to taxable years beginning before that date. HB 2193, which is identical as enrolled, has the same Governor's amendments.

Contact: Josh Kaplan | jkaplan@dls.virginia.gov | 804-698-1817

SB 1427. Campaign finance; political action committees; certain large pre-election expenditures. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) aligns the filing requirements for political action committees created shortly before a primary or general election to the dates through which campaign finance activity must be reported by all political action committees under new reporting deadlines created by the enrolled bill. The

enrolled bill also raises from \$500 to \$1,000 the reporting requirements threshold for political action committees created shortly before a primary or general election, which means those special reporting requirements are subsumed by the enrolled bill's broader reporting requirements for all political action committees. The Governor's Substitute removes those special reporting requirements for political action committees created shortly before a primary or general election.

Contact: Brooks C. Braun | bbraun@dls.virginia.gov | 804-698-1861

SB 1438. Agricultural land; acquisition or transfer by foreign adversaries prohibited; report. The enrolled bill prohibits any foreign adversary, as defined in the enrolled bill, from acquiring or transferring any interest in agricultural land, as defined in federal law, beginning January 1, 2023. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) extends this effective date to July 1, 2023, allows the Commonwealth to have a vested interest in the agricultural land that was acquired by the foreign adversary in violation of the provisions of the Governor's Substitute, and prohibits such foreign adversary from seeking any restitution against any party. The Governor's Substitute further clarifies that if such interest in agricultural land is sold or transferred by the foreign adversary to a non-foreign adversary, the title remains vested in the subsequent purchaser or transferee. The Governor's Substitute allows an attorney for the locality in which the agricultural land is located, the Attorney General, or any non-foreign adversary person that was a party to the void transaction or is a subsequent holder of such interest to file certain actions related to the purported transaction in the circuit court where the subject property is located. HB 2325, which is identical as enrolled, has the same Governor's Substitute.

Contact: Anissa Cottrell | acottrell@dls.virginia.gov | 804-698-1814

SB 1441. Development of offshore wind capacity; cost recovery. The enrolled bill requires the State Corporation Commission, in conducting its review of requests for cost recovery by a Phase II Utility for costs associated with generating facilities utilizing energy derived from offshore wind, to give due consideration to the economic development benefits of the project for the Commonwealth, including capital investments and job creation, arising from project construction and operation and the manufacture of wind turbine generator components and subcomponents. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) adds submarine export and interarray cables to the definition of "wind turbine generator" and requires that any additional purchase or development of offshore wind be subject to a competitive solicitation process overseen by the Commission. The Governor's Substitute also creates an advisory council composed of representatives of the Department of Energy, the Virginia Economic Development Partnership, and their designees for the purposes of developing and issuing the solicitation.

HB 2444, which is identical as enrolled, has the same Governor's Substitute.

Contact: Marvi Ali | mali@dls.virginia.gov | 804-698-1816

SB 1452. Certificate of public need exemption; nursing home facility in Amherst County. The enrolled bill directs the State Health Commissioner to accept and review applications and

issue a certificate of public need for a nursing home facility on the property of the former Central Virginia Training Center (CVTC) in Amherst County. The Governor's amendment adds stipulations for the sale of CVTC property in the event that such property is declared surplus to the needs of the Commonwealth, including requirements that must be met by the offeror and information that must be included in the property sale request for offer.

Contact: Hannah Yates | hyates@dls.virginia.gov | 804-698-1873

SB 1453. Public elementary and secondary schools; automated external defibrillators required. The enrolled bill requires each local school board to develop a plan for the placement, care, and use of an automated external defibrillator in every public elementary and secondary school in the local school division and to place an automated external defibrillator in every public elementary and secondary school in the local school division. The Governor's amendment requires the Department of Education to compile and make publicly available on its website by August 1, 2024, a list of public and private programs, grants, or funding sources available to each local school board for fulfilling the requirements of the enrolled bill.

Contact: Julia Bergamini | jbergamini@dls.virginia.gov | 804-698-1867

SB 1459. Administration of state government; prohibited applications and websites. The enrolled bill authorizes the Superintendent of State Police or the chief law-enforcement officer of the appropriate county or city to grant an exception to the prohibitions on the downloading or use of certain applications or the accessing of certain websites, as provided in the enrolled bill, for the purpose of allowing any employee, agent, person, or entity to participate in any law-enforcement-related matters. The Governor's amendment authorizes the chief law-enforcement officer of the appropriate locality or institution of higher education to grant such exception.

Contact: Nikhil Edward | nedward@dls.virginia.gov | 804-698-1865

SB 1492. Carrying a firearm or explosive material within Capitol Square and the surrounding area; exceptions for State Police officers. The enrolled bill adds an exception for off-duty State Police officers and retired State Police officers to the prohibition on carrying a firearm within Capitol Square and the surrounding area, any building owned or leased by the Commonwealth or any agency thereof, or any office where employees of the Commonwealth or any agency thereof are regularly present for the purpose of performing their official duties. The Governor's amendments add the same exception for off-duty Capitol Police officers and retired Capitol Police officers.

Contact: Taylor Mey | tmey@dls.virginia.gov | 804-698-1870

SB 1515. Civil liability for publishing or distributing material harmful to minors on the Internet. The enrolled bill creates a civil cause of action for any commercial entity that knowingly or intentionally publishes or distributes on the Internet material harmful to minors, as defined in the enrolled bill, and that does not take reasonable steps to verify that the age of a person attempting to access such material harmful to minors is 18 years of age or older. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) clarifies that the

definition of "minor" means the same as "child" as that term is defined in the Consumer Data Protection Act and raises from 13 years of age to 18 years of age the age in such definition of "child". The Governor's Substitute also adds the definitions of "parent or guardian" and "verifiable parental consent" to the Consumer Data Protection Act (the Act).

The Governor's Substitute removes the provision of the Act allowing controllers and processors that comply with the verifiable parental consent requirements of the federal Children's Online Privacy Protection Act to be deemed compliant with any obligation to obtain parental consent under the Consumer Data Protection Act and prohibits a controller from knowingly processing personal data of a child for the purposes of targeted advertising, the sale of such personal data, or profiling in furtherance of decisions that produce legal or similarly significant effects concerning a consumer.

Lastly, the Governor's Substitute requires a controller or processor to (i) obtain verifiable parental consent prior to registering any child with the controller's or processor's product or service, or before collecting, using, or disclosing such child's personal data that has been verified by such child's parent or guardian; (ii) provide the parent or guardian the option to consent to the collection and use of such child's personal data without consenting to the disclosure of such child's personal data to third parties; and (iii) make reasonable efforts to obtain verifiable parental consent by taking into consideration available technology to ensure that the person providing such consent is the child's parent or guardian, including by (a) providing a signed consent form to the controller or processor; (b) using a credit card, debit card, or other online payment system that provides notification of any transaction with the controller or processor to the primary account holder; or (c) providing a form of government-issued identification to the controller or processor.

Contact: Troy Hatcher | thatcher@dls.virginia.gov | 804-698-1829

SB 1533. Medical marijuana program; additional cultivation facility. The enrolled bill permits a pharmaceutical processor to authorize one additional location at which the pharmaceutical processor may cultivate cannabis plants. The Governor's amendments clarify that a pharmaceutical processor may establish an additional cultivation location only if authorized by the Board of Pharmacy and add a reenactment clause.

Contact: Chandler Brooks | cbrooks@dls.virginia.gov | 804-698-1843

Governor's Vetoes

HB 1536. Department of Human Resource Management; *Grievance Procedure Manual*. The enrolled bill directs the Department of Human Resource Management to update the *Grievance Procedure Manual* to require the Office of Equal Employment and Dispute Resolution to review and issue a written decision when a party is noncompliant with any of the requirements of the grievance procedure. The Governor's veto explanation states:

"Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto House Bill 1536, which requires the Department of Human Resource Management to update the Grievance Procedure Manual to require the Office of Employment Dispute Resolution to review and issue a written decision when a party fails to comply with the grievance procedures.

The current Grievance Procedure Manual provides a process to address party noncompliance. There is a collaborative process for notifying the other party of noncompliance and providing time for the party to rectify it. In the event that noncompliance continues, the Office of Employment Dispute Resolution may be requested to issue a ruling. During the hearing phase, parties may also raise any alleged noncompliance, which will be reviewed by the hearing officer and resolved by the Office of Employment Dispute Resolution.

However, the proposed legislation would require the Office of Employment Dispute Resolution to review all aspects of the grievance process, including all decision made by hearing officers, to determine noncompliance regardless of whether both parties are satisfied with the outcome. This would lead to increased workload and possible delays, ultimately hindering the efficiency of the current collaborative process. Additionally, the Department of Human Resources Management issues such rulings routinely, pursuant to the authority provided in §§ 2.2-1202.1(5) and 2.2-3003(G).

The legislation does not achieve its intended goals and will have unintended consequences such as increased workloads and delays in resolving complaints.

Accordingly, I veto this bill."

Contact: Taylor Mey | tmey@dls.virginia.gov | 804-698-1870

SB 1051. Vehicles left on private property; public utility company and broadband provider service vehicles; removal or towing. The enrolled bill allows public utility company or broadband provider service vehicles to be left temporarily on private property without the consent of the property owner, provided that service or maintenance is being conducted by an employee of the company or provider on the property and such vehicle does not block the entry or exit of the property. The enrolled bill prohibits removal or towing of such vehicle for a period of 72 hours. The Governor's veto explanation states:

"Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto Senate Bill 1051, which allows public utility and broadband service vehicles to be temporarily left on private property without the owner's consent.

Although I understand the need to ensure the necessary maintenance of services, this bill violates the fundamental rights of property owners. As a cornerstone of our society, property rights must not be eroded for convenience or expediency.

Furthermore, this bill may result in disputes between property owners and service providers, leading to unnecessary conflict and animosity. The Commonwealth would be better served by encouraging communication between service providers and property owners rather than enacting legislation that undermines individual liberty.

Accordingly, I veto this bill."

Contact: Emma Buck | ebuck@dls.virginia.gov | 804-698-1818

SB 1085. Study; motor vehicle noise; report. The enrolled bill directs the Superintendent of State Police to convene a work group to examine the issue of vehicle noise in the Commonwealth and to report its findings and recommendations to the Chairmen of the Senate and House Committees on Transportation by November 1, 2023. The Governor's veto explanation states:

"Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto Senate Bill 1085, which directs the Superintendent of State Police to convene a work group to examine the issue of vehicle noise in the Commonwealth.

The Commonwealth made a significant bipartisan step by enforcing a primary offense for exhaust systems that are not in good working order last year. The proposed legislation is unnecessary.

Accordingly, I veto this bill."

Contact: Emma Buck | ebuck@dls.virginia.gov | 804-698-1818

Bills Returned by the Governor (2004–2023)

Session	Governor	Amendments	Vetoes*	Total Sent to Governor
2004	Warner	60	2	1,035
2005		45	1	949
2006	Kaine	123	7	958
2007		106	10	958
2008		36	1	889
2009		101	12	886
2010	McDonnell	102	0	871
2011		132	5	892
2012		113	7	855
2013		85	6	812
2014	McAuliffe	57	5	834
2015		68	17	800
2016		57	29	811
2017		83	40	880
2018	Northam	30	10	874
2019		47	17	883
2020		102	1	1,291
2021 Special I		37	0	552
2022	Youngkin	116	26	843
2023		77	3	819

*This column represents the number of vetoes considered by the General Assembly during the Regular and Reconvened Sessions for each year. The final number of vetoed bills can be found in the Legislative Information System statistics for each session.