

Governor's Amendments and Vetoes

2026 Session of the General Assembly

The Governor vetoed eight bills and recommended amendments to 180 bills passed by the 2026 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 22. Not summarized in this publication are four bills (HB 168, HB 187, SB 51, and SB 681) that were returned from the Governor with recommended amendments and acted upon by the members during the 2026 Regular Session.

Governor's Amendments

House Bills

HB 2. Phase I and Phase II Utilities; energy efficiency upgrades, low-income residents; report. The enrolled bill requires Appalachian Power and Dominion Energy Virginia to make best, reasonable efforts to provide by December 31, 2031, prescriptive efficiency measures and related efficiency improvements to (i) at least 30 percent of the qualifying households identified by such utilities or (ii) for Appalachian Power, 2,000 qualifying households or, for Dominion Energy Virginia, 8,400 qualifying households, whichever is less. The enrolled bill prohibits the State Corporation Commission from penalizing a utility for not meeting the 30 percent target. The Governor's amendment extends such penalty prohibition to include the alternative targets of 2,000 or 8,400. SB 72, which is identical as enrolled, has the same Governor's amendment.

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HB 5. Employment; paid sick leave; civil penalties; civil actions; report. The enrolled bill requires one hour of paid sick leave for every 30 hours worked for all employees of private employers and state and local governments, with certain exceptions. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) (i) revises the definition of "family member" for the bill's purposes, (ii) excludes a student intern from qualifying for paid sick leave under the bill, (iii) amends the requirements for an employee to request paid sick leave, (iv) provides that the bill's provisions do not apply to a crewmember as defined in federal law, and (v) revises provisions relating to an employee's ability to bring a civil action in response to a violation of the bill's provisions. SB 199, which is identical as enrolled, has the same Governor's Substitute.

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HB 26. Modification of sentence for marijuana-related offenses. The enrolled bill creates a process by which a person adjudicated delinquent or convicted of certain felony offenses involving, or violations of probation or community supervision related to, the possession, manufacture, selling, giving, distribution, transportation, or delivery of marijuana committed prior to July 1, 2021, who remains incarcerated or on probation or community supervision on July 1, 2026, may receive an automatic hearing to consider modification of such person's sentence. The Governor's amendments remove the automatic hearing process and instead require

such person to file a petition for reconsideration by July 1, 2027, on a form provided by the Office of the Executive Secretary of the Supreme Court of Virginia.

SB 62, which is identical as enrolled, has the same Governor's amendments.

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HB 27. Overtime for certain employees; domestic workers. The enrolled bill adds domestic workers, as defined in the bill, to provisions related to overtime pay and has a delayed effective date of July 1, 2027. The Governor's amendments add a reenactment clause and change the delayed effective date to July 1, 2028. SB 28, which is identical as enrolled, has the same Governor's amendments.

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HB 41. Elections; administration; procedures for removal of electoral board members and general registrars. The enrolled bill allows the State Board of Elections to remove any member of an electoral board or general registrar by a recorded two-thirds majority vote of all its members after a public hearing on related matters, with such decision being final and not subject to appeal. The Governor's amendment removes the absolute prohibition on appeal and clarifies that such decision is subject to judicial review only in accordance with the Administrative Process Act.

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HB 61. Department of Small Business and Supplier Diversity; Small SWaM Business Procurement Enhancement Program established. The enrolled bill requires the Department of Small Business and Supplier Diversity to conduct a disparity study every five years and utilize the results of the disparity study to update a statewide goal for SWaM business procurement and similar individual goals for women-owned and minority-owned businesses for the purpose of closing any disparity demonstrated by such study. The Governor's amendments add a reenactment clause to the provisions of the enrolled bill not related to the conducting of disparity studies and strike the provisions of the enrolled bill related to the utilization of such studies to update statewide and individual goals. The Governor's amendments also add the State Council of Higher Education for Virginia in a relevant provision to provide consistency with the entities reflected in other provisions.

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HB 77. Enforcement of federal traffic infractions by state and local law-enforcement officers; Planning District 8. The enrolled bill provides that state and local law-enforcement officers may enforce federal traffic infractions on any highway within Planning District 8. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) additionally provides that a state or local law-enforcement agency may place and operate a photo speed monitoring device on a National Park highway, as defined in the Governor's Substitute, for the purpose of recording vehicle speed violations, provided that such law-enforcement agency has been authorized by the federal government or the National Park Service to place such photo

speed monitoring device on such National Park highway. SB 81, which is identical as enrolled, has the same Governor's Substitute.

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HB 95. Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan. The enrolled bill requires a landlord who owns more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units, before terminating a rental agreement due to nonpayment of rent if the exact amount of rent owed is less than or equal to one month's rent plus any late charges contracted for in the rental agreement and as provided by law, to serve upon such tenant a written notice informing the tenant of the exact amount due and owed and offer the tenant a payment plan under which the tenant must pay the exact amount due and owed in equal monthly installments over a period of the lesser of six months or the time remaining under the rental agreement. The Governor's amendments (i) extend from five to 14 days the time following receipt of notice of rent due for the tenant to pay the rent in full or enter into a payment plan with the landlord, (ii) make the offering of such payment plans permissive rather than required, (iii) direct the Department of Housing and Community Development to develop a publicly available sample payment plan for use by landlords, and (iv) extend the effective date of the bill from January 1, 2027, to July 1, 2027.

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HB 101. Applications for concealed handgun permits. The enrolled bill allows for alternate methods of submission of applications for concealed handgun permits by removing the requirement that such applications be submitted in writing. The Governor's amendments clarify that such applications may be submitted in writing or electronically.

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HB 111. Voter registration; cancellation of registration, sources of data. The Governor's amendment adds a reenactment clause.

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HB 112. Department of Wildlife Resources; premature separation and hybridization of mammalian wildlife prohibited; exceptions. The Governor's amendments (i) strike one instance of the word "prematurely" in the prohibition of separating mammalian wildlife offspring born in captivity from the mother prior to the offspring turning four months of age; (ii) provide that the Board of Wildlife Resources may prescribe by regulation a species-specific age other than four months for such separation prohibition; and (iii) as it relates to the qualifications of licensed veterinarians making a determination of a medical necessity-related separation, replace the phrase "with appropriate species-specific experience and expertise" with the phrase "and has received training or experience in the care and management of the species being attended." SB 344, which is identical as enrolled, has the same Governor's amendments.

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

HB 172. Criminal cases; request for a jury to ascertain punishment. The Governor's amendment adds a reenactment clause.

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

HB 196. Department of Housing and Community Development; loans for the construction of mixed income housing; report. The enrolled bill requires that any funding for the pilot program offering certain loan origination and servicing activities, subject to provisions in the appropriation act, shall be utilized from up to 15 percent of the annual deposit made to the Virginia Housing Trust Fund. The Governor's amendment removes that funding restriction. HB 820 and SB 490, which are identical as enrolled, have the same Governor's amendment.

Contact: Stephen Kindermann | skindermann@dls.virginia.gov | 804-698-1880

HB 215. Voter registration; list maintenance; third-party data exchanges; approval by State Board of Elections. The enrolled bill requires the Commissioner of Elections, prior to entering into or terminating a memorandum of understanding or modifying the terms of an existing memorandum of understanding with any third party for the exchange of voter registration data, to submit the proposed memorandum of understanding, the reason for termination, or the proposed modifications, as appropriate, to the State Board of Elections for review and approval. The Governor's amendment provides that such requirements do not apply to any data sharing agreements established between the Department of Elections and any other entity mandated by law to exchange data with the Department in order to operate and maintain the Virginia voter registration system.

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HB 217. Purchase, sale, transfer, etc., of assault firearms and certain ammunition feeding devices prohibited; penalties. The enrolled bill creates a Class 1 misdemeanor for any person who imports, sells, manufactures, purchases, or transfers an assault firearm, as that term is defined in the enrolled bill with some exceptions, and prohibits a person who has been convicted of such violation from purchasing, possessing, or transporting a firearm for a period of three years from the date of conviction. The enrolled bill also prohibits the sale of a large capacity ammunition feeding device, as that term is defined in the enrolled bill. The enrolled bill provides that any person who willfully and intentionally (i) sells an assault firearm to another person or (ii) purchases an assault firearm from another person is guilty of a Class 1 misdemeanor and that any person who imports, sells, barter, transfers, or purchases a large capacity ammunition feeding device is guilty of a Class 1 misdemeanor. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes (a) use of the word "fixed" in reference to magazine capacity and (b) language referencing a thumbhole stock or pistol grip attached to a shotgun. The Governor's Substitute also includes several technical amendments. SB 749, which is identical as enrolled, has the same Governor's Substitute.

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HB 229. Weapons; possession prohibited in a hospital that provides mental health services or developmental services; penalty. The enrolled bill makes it a Class 1 misdemeanor for any

person to knowingly and intentionally possess in the building of any hospital that provides mental health services or developmental services in the Commonwealth, including an emergency department or other facility rendering emergency medical care, a (i) firearm, (ii) knife with a blade over three and one-half inches, or (iii) other dangerous weapon, including explosives and stun weapons. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) limits exceptions to (a) a law-enforcement officer as defined in relevant law or (b) any person while in the actual discharge of his official duties as a correctional officer or jail officer or a correctional officer employed at a juvenile correction facility. SB 173, which is identical as enrolled, has the same Governor's Substitute.

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HB 234. Elections; general provisions; electoral board members to wear identification; civil penalty. The enrolled bill requires electoral board members to wear an identification badge while conducting their official duties on the day of an election subject to a civil penalty in an amount not to exceed \$1,000. The Governor's amendment reduces the maximum penalty to \$250.

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HB 238. Labor and employment; payment of wages; minimum wage and overtime wages; misclassification of workers; prevailing wage rate; civil actions. The enrolled bill provides that an employer that violates provisions relating to minimum wage, overtime wages provisions, the misclassification of workers, or the prevailing wage rate is subject to civil actions for the applicable remedies, damages, or other relief available in an action brought pursuant to the civil action provisions currently available for the nonpayment of wages. The Governor's Substitute (i) removes provisions from the enrolled bill amending the current law on retaliatory action by an employer; (ii) removes references to lower tier additional subcontracts from current law regarding required provisions in construction contracts; (iii) reinstates the knowledge requirement for general contractor liability when a subcontractor does not pay its employees; (iv) replaces provisions in the enrolled bill authorizing the Commissioner of Labor and Industry to enter an employer's premise premises to review records during the course of investigation with provisions authorizing the Commissioner to require submission of statements, examine witnesses, and issue subpoenas; (v) prohibits any additional damages or penalties beyond unpaid wages when an employer acted in good faith, prohibits an employer from using good faith as a defense to the nonpayment of wages unless the employer has cured its violation within 14 days, and removes the enrolled bill's definition of "good faith" and "reasonable grounds"; and (vi) prohibits an employee, the Commissioner of Labor and Industry, or the Attorney General from being awarded an amount already recovered for the same violation. Additionally, the enrolled bill authorizes the Commissioner of Labor and Industry to bring a civil action to enforce the bill's provisions. The Governor's Substitute provides that the Commissioner may refer the matter to the Attorney General to bring any such civil action.

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HB 246. Affirmative defense or reduced penalty for mental illness, neurocognitive disorder, or intellectual or developmental disability. The enrolled bill provides an affirmative defense to prosecution of a person for assault or assault and battery against certain specified persons for which the enhanced Class 6 felony and six-month mandatory minimum apply if such person proves, by a preponderance of the evidence, that at the time of the assault or assault and battery (i) the person's behaviors were a result of (a) mental illness or (b) a neurocognitive disorder, including dementia, or an intellectual disability or a developmental disability such as autism spectrum disorder, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, or (ii) the person met the criteria for issuance of an emergency custody order.

The enrolled bill requires such person or his counsel to give notice in writing to the attorney for the Commonwealth at least 60 days prior to his trial in circuit court, or at least 14 days if the trial date is set within 21 days of his last court appearance, of his intention to present such evidence. Additionally, if such notice is not given, and the person proffers such evidence at his trial as a defense, then the court may in its discretion either allow the Commonwealth a continuance or, under appropriate circumstances, bar such person from presenting such evidence; any such continuance shall not be counted for speedy trial purposes pursuant to relevant law.

Lastly, the enrolled bill provides that if such person does not prove that his behaviors were a result of his mental illness, intellectual disability, developmental disability, or neurocognitive disorder but the evidence establishes that his mental illness, intellectual disability, developmental disability, or neurocognitive disorder otherwise contributed to his behaviors, the finder of fact may find such person guilty of a Class 1 misdemeanor.

The Governor's amendments (a) remove the preponderance of the evidence standard; (b) require such person to prove that he did not have the intent required at the time the alleged offense was committed because (1) the person's behaviors were a result of (A) mental illness or (B) a neurocognitive disorder, including dementia, or an intellectual disability or a developmental disability such as autism spectrum disorder, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, or (2) the person met the criteria for issuance of an emergency custody order; and (c) remove the ability of the finder of fact to find such person guilty of a Class 1 misdemeanor if such person does not prove that his behaviors were a result of his mental illness, intellectual disability, developmental disability, or neurocognitive disorder but the evidence establishes that his mental illness, intellectual disability, developmental disability, or neurocognitive disorder otherwise contributed to his behaviors.

SB 335, which is identical as enrolled, has the same Governor's amendments.

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HB 281. Virginia Residential Landlord and Tenant Act; noncompliance as defense to action for possession for nonpayment of rent. The Governor's amendment removes the bill's January 1, 2027, delayed enactment making the bill effective in due course.

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HB 285. Distributed Energy Resources Task Force established; reports; sunset. The Governor's amendments specify that the Chief Energy Officer, or his designee, shall serve as chair of the Distributed Energy Resources Task Force established by the enrolled bill. SB 223, which is identical as enrolled, has the same Governor's amendments.

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HB 286. Virginia National Guard; reports to the General Assembly; state militias; work group; report. The enrolled bill requires the Adjutant General to submit an annual report to the General Assembly detailing federal and state deployments of the Virginia National Guard and other matters relating to retention, readiness, funding, and resources. The enrolled bill also prohibits the Governor from calling forth the Virginia National Guard for the purpose of intimidating, threatening, or coercing, or attempting to intimidate, threaten, or coerce, a person in giving his vote or ballot or to deter or prevent such person from voting. The enrolled bill directs the Secretary of Veterans and Defense Affairs to convene a work group to assess the most appropriate manner and process by which the Governor and members of the General Assembly should respond to deployments of the Virginia National Guard.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes from the annual report details regarding any shortfall or misuse of federal funding and adds that the annual report will include a comprehensive overview of yearly federal funding, detailing the appropriations for key areas while also identifying any existing unfunded requirements.

The Governor's Substitute also removes (i) the prohibition for armed militia from another state, territory, or district from entering the Commonwealth for the purpose of active military duty over the objection of the Governor and (ii) the option for the General Assembly to request that the Attorney General assess the legality of the deployment of the National Guard of another state or of the Virginia National Guard. The Governor's Substitute also removes the specified composition of the work group from the enrolled bill and directs the work group as constituted by the Secretary of Veterans and Defense Affairs to assess what safeguards, if any, are necessary to ensure that the Virginia National Guard does not interfere with any person voting. SB 337, which is identical as enrolled, has the same Governor's Substitute.

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HB 290. Department of Education; compliance with and enforcement of prohibition on false statements as to school division or attendance zone residency; evaluation; report. The enrolled bill directs the Department of Education, in consultation with the Virginia State Crime Commission and such other stakeholders as the Department deems appropriate, to evaluate and make recommendations on compliance with and enforcement of the provisions of applicable law prohibiting any person from knowingly making a false statement concerning the residency of a child in a particular school division or school attendance zone for the purpose of improving the efficacy of enforcing statutory residency requirements for enrollment in a particular school division while ensuring consequences or penalties for violations of such requirements are

commensurate with such violations. The Governor's Amendment in the Nature of a Substitute changes from the Virginia State Crime Commission to the Virginia High School League the entity with which the Department of Education is directed to consult in conducting the evaluation in accordance with the provisions of the bill.

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HB 308. Virginia Alcoholic Beverage Control Authority; permitting of retail tobacco product retailers; purchase, possession, and sale of retail tobacco products; penalties; report. The enrolled bill transitions and provides a more comprehensive structure for the current licensing and enforcement responsibilities related to liquid nicotine and retail tobacco products from the Department of Taxation to a permitting system administered by the Virginia Alcoholic Beverage Control Authority. The enrolled bill also requires the Board of Directors of the Virginia Alcoholic Beverage Control Authority to conduct an unannounced buyer operation at least once every 24 months to verify a permittee, defined in the enrolled bill, is not selling retail tobacco products to persons younger than 21 years of age. Portions of the enrolled bill have a delayed effective date of October 1, 2026.

The Governor's Amendment in the Nature of a Substitute makes technical updates, amends a current section of the Code to clarify forfeiture provisions for counterfeit and contraband cigarettes, and adds a section regarding the seizure of contraband liquid nicotine and nicotine vapor products. SB 620, which is identical as enrolled, has the same Governor's Amendment in the Nature of a Substitute.

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HB 312. Motor vehicle glass repair and replacement; emissions inspection; penalties. The enrolled bill establishes various notice requirements for motor vehicle glass repair shops, as defined in the enrolled bill, and provides that a violation of such requirements is a prohibited practice under the Virginia Consumer Protection Act and thereby subject to enforcement by the Attorney General as well as through individual civil actions for relief. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes the bill's provisions from the Virginia Consumer Protection Act and instead provides that a violation of the bill's provisions shall be subject to enforcement by the Attorney General under the authority and procedures applicable to violations of the Virginia Consumer Protection Act. SB 767, which is identical as enrolled, has the same Governor's Substitute.

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HB 318. Virginia Parole Board; powers and duties; juvenile offenders; parole procedures and considerations. The enrolled bill increases the number of members of the Virginia Parole Board (the Board) and specifies the qualifications and the appointing authorities for such new members. The enrolled bill also requires the Board to provide a meaningful opportunity for release to certain juvenile offenders eligible for parole and specifies various factors the Board shall give substantial weight to when making a determination on whether to grant parole to such juvenile offenders.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes the requirement that the Board increase its membership. The Governor's Substitute adds significant professional experience working in mental health and adolescent development to the list of qualifications for Board members for the Governor to consider when making appointments to the Board. The Governor's Substitute removes the prohibition on the Board to deny parole for a juvenile offender based principally on factors outside of his demonstrated ability to change but requires the Board to give significant consideration to the juvenile offender's ability to change when making a parole consideration. SB 60, which is identical as enrolled, has the same Governor's Substitute.

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HB 320. Live streaming while driving; prohibited; penalty. The enrolled bill prohibits any person, while driving a moving motor vehicle on the highways in the Commonwealth, from initiating, participating in, or interacting with any live stream. The Governor's amendment limits the prohibition on interacting with any live stream to a prohibition on manipulating an electronic device in order to interact with any live stream.

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HB 328. Health insurance; essential health benefits benchmark plan. Certain provisions of the enrolled bill have a delayed effective date pursuant to approval by the Centers for Medicare and Medicaid Services of certain coverage as outlined in the enrolled bill. The Governor's amendment adds an emergency clause applicable to all other provisions of the enrolled bill.

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HB 329. Virginia Residential Landlord and Tenant Act; Manufactured Home Lot Rental Act; retaliatory conduct prohibited. The enrolled bill includes two references to provisions that govern nonresidential rental properties and multifamily residential buildings within provisions related to manufactured home lot rental agreements. The Governor's amendments strike such references for relevancy and remove the enrolled bill's January 1, 2027, delayed effective date.

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HB 333. Public schools; programs and courses of instruction; instruction on January 6 insurrection; requirements and limitations. The enrolled bill permits a school board to provide a program of instruction on or relating to the January 6, 2021, insurrection at the United States Capitol to public school students only in accordance with the provisions of the enrolled bill.

The Governor's Amendment in the Nature of a Substitute does not establish requirements relating to providing a program of instruction on or relating to the January 6, 2021, insurrection at the United States Capitol and, instead, directs the Board of Education to consider, during its next regularly scheduled revision of the history and social science Standards of Learning and Curriculum Framework and in its subsequent selection of associated textbooks and high-quality

instructional materials, whether it would be necessary to include in such Standards of Learning and Curriculum Framework additional instructional emphasis on recent, twenty-first century history and current events, including the events on or related to the January 6, 2021, insurrection at the United States Capitol.

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HB 379. Virginia Residential Landlord and Tenant Act; application; notice, deposit, fee, and additional information. The Governor's amendment extends the enrolled bill's delayed effective date from January 1, 2027, to July 1, 2027.

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HB 391. Medical cannabis program; product labels; delivery. The enrolled bill defines "delivery agent," as used in Chapter 16 of Title 4.1 of the Code of Virginia related to the Medical Cannabis Program, as an independent contractor that transports or delivers usable cannabis, botanical cannabis, cannabis oil, or cannabis products on behalf of a pharmaceutical processor or cannabis dispensing facility. The enrolled bill also provides that all such transportation or delivery, whether by an employee or delivery agent, shall comply with the law and regulations of the Board of Directors of the Virginia Cannabis Control Authority (the Board) and that the Board may suspend or revoke the privileges of any employee or delivery agent for failure to comply with the law or Board regulations.

The Governor's amendments remove the definition of "delivery agent" and instead define "marijuana delivery operator" as an entity licensed by the Board to take possession of usable cannabis, botanical cannabis, cannabis oil, or cannabis products from a pharmaceutical processor or cannabis dispensing facility and deliver such products only in person to patients at their residence or business. The Governor's amendments also replace references to "delivery agents" with "marijuana delivery operators," provide that delivery may be conducted by either an employee or a marijuana delivery operator, and specify that the Board may suspend or revoke the license of any marijuana delivery operator for failure to comply with the law or Board regulations.

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HB 395. Electric utilities; small portable solar generation devices; local regulation; installation by tenants; consumer protection; report. The enrolled bill includes provisions related to the installation of small portable solar generation devices, including directing the Secretary of Commerce and Trade to convene a work group to evaluate and develop recommendations regarding the safety standards and requirements applicable to such devices. The Governor's amendments allow the Secretary to select a designee to lead the work group. SB 250, which is identical as enrolled, has the same Governor's amendments.

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

HB 449. Civil actions filed on behalf of multiple persons; class actions; violations of Virginia Consumer Protection Act; award of damages. The Governor's Amendment in the

Nature of a Substitute (Governor's Substitute) removes from the enrolled bill the practical ability of individual class members to pursue their claims without certification from the considerations a court may use when determining if a class action is superior to other litigation measures. The Governor's Substitute further (i) allows for the utilization of summary judgment actions in class actions; (ii) removes the ability for the court to award attorney fees as a percentage of the common fund; (iii) adds a specification that the venue lies only in the circuit courts of the Cities of Norfolk, Richmond, and Roanoke and Fairfax County; (iv) removes the ability to recover the greater of actual damages or \$500 or three times the actual damage or \$1,000, as applicable, "per violation" of the relevant provisions of the Virginia Consumer Protection Act, which maintains existing law allowing for recovery of the same amounts but not per violation; (v) removes retroactivity provisions of the enrolled bill; and (vi) directs the Office of the Executive Secretary of the Supreme Court of Virginia to amend the Rules of the Supreme Court of Virginia to adopt Federal Rule of Civil Procedure 56 as the governing procedural rules for summary judgment practice in class action cases. SB 229, which is identical as enrolled, has the same Governor's Substitute.

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

HB 455. Virginia Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund; grant procedures. The enrolled bill requires the grant procedure to govern funds awarded to local and regional jails for the planning or operation of substance use disorder treatment services and transition services for persons with substance use disorder who are incarcerated in local and regional jails to include requirements that (i) any grant awarded shall be made for up to three years and (ii) an applicant for a grant submit a plan demonstrating how such applicant will become independently financially viable within the time period for which the grant is awarded. The Governor's amendments remove the requirement that any grant awarded shall be made for up to three years. SB 599, which is identical as enrolled, has the same Governor's amendments.

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HB 460. Department of Small Business and Supplier Diversity; employment services organizations. The enrolled bill amends provisions related to the powers and duties of the Department of Small Business and Supplier Diversity to allow the Department to implement any remediation or enhancement measure for employment services organizations as may be authorized by the Governor pursuant to existing law and develop regulations for program implementation. The enrolled bill also directs the Department to amend relevant regulations of the Virginia Administrative Code to reflect the intent of the General Assembly to specifically reference "employment services organizations" in such regulations.

The Governor's Amendment in the Nature of a Substitute removes such provisions from the enrolled bill and instead requires the Department to coordinate with the Department of General Services and other state agencies with procurement responsibility to enhance the participation of employment services organizations and service disabled veteran-owned and military family-owned businesses in procurement transactions.

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HB 483. Prescription Drug Affordability Advisory Panel established; maximum fair price; annual reports; civil penalties. The enrolled bill directs the Secretary of Health and Human Resources to establish the Prescription Drug Affordability Advisory Panel to conduct data analyses, develop policy recommendations, and identify implementation barriers related to strategies to improve prescription drug affordability, enhance price transparency, and strengthen data collection practices for prescription drugs across public and private payers. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) adds the Commissioner of the Bureau of Insurance as an ex officio member of the panel, requires the Panel to hire an executive director, establishes a four-year term for nonlegislative citizen members, prohibits a nonlegislative citizen member from serving for more than two consecutive terms, amends the qualifications for nonlegislative citizen members, and staggers the initial terms of nonlegislative citizen members.

The enrolled bill requires data suppliers to provide the All Payer Claims Database with non-claims payment data, in addition to paid claims data already required under current law. The Governor's Substitute defines "non-claims payment data" as payment and rebate data that does not necessarily originate from a claim, including incentive payments, capitation payments, rebates that a carrier received from a drug manufacturer, and data elements consistent with national standards for non-claims-based payment data collection.

The enrolled bill requires the nonprofit organization that administers the All Payer Claims Database to submit an annual report to the Panel. The Governor's Substitute requires such report to include information on each prescription drug that is designated as a high-cost drug by the Department of Medical Assistance Services; or that is subject to certain reporting requirements by drug manufacturers.

The enrolled bill provides that the Panel shall have access to data reported by the All Payer Claims Database at no cost. The Governor's Substitute requires that the Panel additionally have access to certain information reported by drug manufacturers and requires the Attorney General to have access to such data at no cost. Additionally, the Governor's Substitute authorizes the Attorney General to utilize any such data obtained to enforce or further investigate violations of the Virginia Antitrust Act, the Virginia Consumer Protection Act, or any other applicable state or federal law.

The bill prohibits prescription drug manufacturers or wholesale distributors permitted or licensed in the Commonwealth from accepting payment at an amount higher than the maximum fair price established by the U.S. Secretary of Health and Human Services pursuant to federal law for the sale of a referenced drug intended for use by individuals in the Commonwealth and prohibits a manufacturer subject to its provisions from removing a referenced drug from sale distribution in the Commonwealth for the purpose of avoiding the impact of the bill's rate limitations without providing certain prior notice. The Governor's Substitute provides that such provisions shall not become effective unless reenacted by the 2027 Session of the General Assembly.

The Governor's Substitute requires the Panel to submit a report, in collaboration with the Bureau of Insurance and the Office of the Attorney General, to the Governor, the Chairs of the Senate Committees on Commerce and Labor and Education and Health, and the Chairs of the House Committees on Labor and Commerce and Health and Human Services that includes the legal implications of, operational recommendations for, evidence of effectiveness of, and any other relevant information related to the provisions that are subject to the reenactment. The Governor's Substitute contains technical amendments.

SB 271, which is identical as enrolled, has the same Governor's Substitute.

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HB 484. Health insurance; ethics and fairness in carrier business practices; downcoded claims. The enrolled bill prohibits a carrier, intermediary, administrator, or representative of a carrier from downcoding a claim unless the decision to downcode is determined by a person or electronic system that meets certain standards and requires certain notice to the provider. The Governor's amendments (i) change the procedure for providing certain information regarding the downcoded claim and the dispute process to providers and (ii) replace the term "application program interface" with "application programming interface." The Governor's amendments make the bill identical to SB 164, which passed the General Assembly and was approved by the Governor.

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

HB 505. Local government; certain towns; suspension of officers, study, remedial plan, and meeting requirements. The enrolled bill, in part, requires a court to suspend from office certain officers that are subject to criminal proceedings alleging the commission of a felony offense. The Governor's amendments remove the requirement that such officer's salary be held in a separate account while he is suspended and paid back to him when the judicial proceedings are resolved in his favor or otherwise paid back to the entity that paid the salary.

The Governor's amendments also add an emergency clause.

SB 648, which is identical as enrolled, has the same Governor's amendments.

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

HB 518. Streaming advertisement volume control; civil penalty. The enrolled bill defines the term "normalization" as it relates to volume control. The Governor's amendments provide consistency with such term throughout the bill and clarify the definition of "video programming" to mean programming provided by, or generally considered comparable to programming provided by, a television broadcast station.

Contact: Casey Nelson | cnelson@dls.virginia.gov | 804-698-1825

HB 547. Private companies providing public transportation services; employee protections; report. The enrolled bill addresses employee protections, including compensation and benefits, for employees of private transportation services contracted by the governing body of any county

or city. The enrolled bill only applies to actions occurring on or after the effective date and excludes any action taken, contract signed, liability incurred, or right accrued prior to July 1, 2026, from the requirements. The enrolled bill finally directs the Director of the Department of Rail and Public Transportation to convene a work group to develop recommendations and report its findings and recommendations to the Chairs of the House Committee on Labor and Commerce and Senate Committee on Local Government by November 1, 2026. The Governor's amendments change the date of the application of the requirements from July 1, 2026, to July 1, 2027, and the due date of the report from November 1, 2026, to December 1, 2026. The Governor's amendments further provide that the provisions of the enrolled bill, except for the report, shall not become effective unless reenacted by the 2027 Session of the General Assembly. SB 731, which is identical as enrolled, has the same Governor's amendments.

Contact: Doug Weimer | dweimer@dls.virginia.gov | 804-698-1881

HB 553. Department of Corrections; language services for offenders. The enrolled bill provides that the Department of Corrections shall take reasonable steps to provide offenders with limited English proficiency meaningful access to Department facilities, services, programs, and activities to ensure that language does not prevent Department employees from communicating effectively with such offenders.

The Governor's amendments remove the prohibition on using the internet or machine translation for such language services and provide that internet, machine-learning, and artificial-intelligence based translation services may be used where the service is certified or otherwise specifically built for the purpose of providing accurate translations.

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

HB 561. Driving while intoxicated; refusal of tests; repeat offenders; ignition interlocks. The Governor's amendment adds a reenactment clause to the substantive portions of the enrolled bill, excepting provisions directing the Commission on the Virginia Alcohol Safety Action Program to convene a work group.

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

HB 569. Prevailing wage rate for public works contracts; localities. The enrolled bill requires each state agency or locality, when procuring services or letting contracts for public works paid for in whole or in part by state or local funds, or when overseeing or administering such contracts for public works, to ensure that its bid specifications or other public contracts applicable to the public works require bidders, offerors, contractors, and subcontractors to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract for public works at a rate no less than the prevailing wage rate. The enrolled bill also amends the definition of "public works" to include work performed at certain institutions of higher education and to exclude work performed at a non-governmental property or facility used to provide broadband or other telecommunications services. The enrolled bill also requires institutions of higher education to expressly agree to comply with the public works contract requirements and includes factors for

the Commissioner of Labor and Industry (the Commissioner) to consider in determining a prevailing wage rate.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) requires the survey of wages and benefits paid in each area, based on which the Commissioner shall determine the prevailing wage, to be conducted every three years rather than every two years. The Governor's Substitute also removes liability for liquidated damages for failure to pay the prevailing wage rate and removes civil penalty provisions for failure to file certified payroll forms. The Governor's Substitute also (i) changes the date by which the Commissioner shall effectuate regulations from January 1, 2028, to July 1, 2027, and (ii) requires the Commissioner to convene a work group to review logistics for establishing a certified payroll reporting portal and database for use by employers and to submit a report of the work group's findings to the General Assembly by July 1, 2027. SB 518, which is identical as enrolled, has the same Governor's Substitute.

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

HB 614. Department of Education; history and social science Standards of Learning and Curriculum Framework and associated instructional guides and materials; inclusion of quality, accurate, and complete instruction on the contributions and roles of all peoples; comprehensive review; report. The enrolled bill directs the Department of Education to (i) conduct a comprehensive review of the history and social science Standards of Learning and Curriculum Framework and any associated instructional guides and materials for the purpose of ensuring the inclusion of quality, accurate, and complete instruction on the contributions and roles of all peoples included in such Standards of Learning and Curriculum Framework and (ii) submit to the Chairs of the Senate Committee on Education and Health and the House Committee on Education by November 1, 2028, a report on the findings of such comprehensive review.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) (a) changes from the Department of Education to the Board of Education (the Board) the entity the bill directs to conduct the review and submit the report and (b) directs the Board to conduct the review during its next regularly scheduled revision of the history and social science Standards of Learning and Curriculum Framework and, if necessary, supplement such Standards of Learning and Curriculum Framework to ensure the inclusion of quality, accurate, and complete instruction on the contributions and roles of all peoples included in such Standards of Learning and Curriculum Framework. Finally, the Governor's Substitute modifies the reporting requirement by directing the Board to (1) submit the report upon completing the regularly scheduled revision of the history and social science Standards of Learning and Curriculum Framework and (2) include in the report a summary of how the Board updated or supplemented any areas of such Standards of Learning and Curriculum Framework identified as needing improvement in the quality, accuracy, or completeness of instruction on the contributions and roles of all peoples included in such Standards of Learning and Curriculum Framework.

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

HB 627. Covenants not to compete; health care professionals; civil penalty. The enrolled bill adds health care professionals as a category of employee with or upon whom no employer shall enter into, enforce, or threaten to enforce a covenant not to compete. The enrolled bill specifies that its provisions do not limit the ability of employers of health care professionals to include narrow provisions in employment agreements requiring a health care professional to refrain from soliciting business from the employer's customers. The Governor's amendments provide that such provisions shall not preclude a health care professional from disclosing to a patient to whom the health care professional was providing consultation or treatment before departure from an employer the health care professional's continuing practice of medicine, the health care professional's new contact information, and the patient's right to choose a health care professional. SB 128, which is identical as enrolled, has the same Governor's amendments.

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

HB 630. Elections; conduct of election; ranked choice voting; locally elected offices; report. The enrolled bill expands the option to use ranked choice voting to town councils and adds a number of requirements for conducting such elections. In addition to those requirements, the Governor's Amendment in the Nature of a Substitute (Governor's Substitute) adds the requirement that (i) in any election conducted by ranked choice voting, the final tabulation of votes be conducted at the meeting of the electoral board held to ascertain the results of the election and (ii) the Department of Elections make public the total number and percentage of votes each candidate received in each round of the official tabulation and ballot-level ranking data on an election-by-election basis to the extent feasible and consistent with the need to maintain voter privacy.

The enrolled bill allows local electoral boards to request a risk-limiting audit of an election conducted by ranked-choice voting. The Governor's Substitute requires that any such risk-limiting audit be limited to an audit of first rankings reported by voting systems.

SB 176, which is identical as enrolled, has the same Governor's Substitute.

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

HB 636. Prohibiting employer seeking wage or salary history of prospective employees; wage or salary range transparency; cause of action. The enrolled bill prohibits various actions by an employer related to wage and salary history and transparency. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) makes changes to provisions of the bill related to the liability of an employer for violating the bill's provisions. Under the enrolled bill, an aggrieved prospective employee or employee may bring an action, individually, jointly with other aggrieved prospective employees or employees, or on behalf of similarly situated prospective employees or employees as a collective action against the employer within two years from when the prohibited action occurred to recover statutory damages between \$1,000 and \$10,000 or actual damages, whichever is greater, reasonable attorney fees and costs, and any other legal and equitable relief as may be appropriate. Under the Governor's Substitute, the Attorney General may bring a cause of action to enforce the provisions of the bill and an employer that violates the bill's provisions is subject to a civil penalty of up to \$1,000 for the first

violation and up to \$5,000 for any subsequent violation, and an aggrieved prospective employee or employee may bring an action to recover actual damages and any other legal and equitable relief as may be appropriate within one year of when his rights were violated. SB 215, which is identical as enrolled, has the same Governor's Substitute.

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

HB 639. Elections; administration; acceptance of certain gifts and funding; approval required. The enrolled bill removes the prohibition on accepting property and services provided by a private individual or nongovernmental entity for the purpose of funding voter education and outreach programs, voter registration programs, or any other expense incurred in the conduct of elections and conditions the acceptance of money or grants of greater than \$1,000 given by a private individual or nongovernmental entity for the purpose of funding voter education and outreach programs, voter registration programs, or any other expense incurred in the conduct of elections on approval of such funding by a two-thirds majority vote of all members of the State Board of Elections or the local governing body. The Governor's amendments (i) reinstate the prohibition on accepting property and services; (ii) clarify that the prohibition only applies to such money, grants, property, or services with a value of more than \$1,000 annually; (iii) removes the local governing body as an entity that can approve gifts exceeding the \$1,000 threshold, making the State Board of Elections the only entity that can grant such approval; (iv) requires that the recipient of any such gifts report the gift to the Department of Elections, and (v) requires the Department of Elections to publish and distribute guidance on acceptable uses of such gifts.

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

HB 640. Elections; challenges to a voter or voter's registration. The enrolled bill prohibits a petition challenging the registration of a voter from being filed within 60 days of a primary or general election. The Governor's amendments remove this prohibition.

The enrolled bill also requires that petitioners give fifteen days' notice to any person whose registration is objected to. The Governor's amendments stipulate that this notice requirement is subject to a contrary court order.

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HB 642. Cannabis control; retail market; penalties. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes, relocates, and revises numerous provisions from the enrolled bill.

The enrolled bill allocates 50 percent of the Cannabis Equity Reinvestment Fund to the Virginia Cannabis Equity Business Loan Fund and authorizes action by a majority of the Cannabis Equity Reinvestment Board if the position of Director of Diversity, Equity, and Inclusion is vacant. The Governor's Substitute removes these provisions from the bill.

The enrolled bill creates a new chapter in Title 2.2 of the Code of Virginia authorizing the Governor to enter into marijuana-related compacts with Virginia tribal governments. The Governor's Substitute removes this chapter from the bill.

The enrolled bill includes a statement of purpose that the General Assembly finds that laws prohibiting the use and sale of marijuana have been ineffective and have had devastating collateral consequences for individuals and communities across the Commonwealth, disproportionately impacting African Americans, and that the purpose of the Cannabis Control Act is to create an approach to marijuana regulation that is rooted in principles of restorative justice, economic equity, and public health in order to generate significant revenue dedicated to community reinvestment, create small and local businesses, strengthen the Commonwealth's vital agriculture sector, end the racially disparate impacts of prohibition, and protect the health and safety of all citizens of the Commonwealth. The Governor's Substitute removes this statement of purpose.

The enrolled bill requires the Virginia Alcoholic Beverage Control Authority (ABC) to establish and administer a tip line for unlicensed marijuana activity, authorizes ABC enforcement based on complaints received through the tip line, and requires the CCA to train ABC on Cannabis Control Act enforcement. The Governor's Substitute removes these provisions from the bill, but requires ABC to enter into a memorandum of understanding with the CCA no later than January 1, 2027, which shall provide that ABC shall support and assist the CCA in developing its enforcement capabilities, including through the temporary assignment or use of ABC special agents, until the CCA is fully operational for enforcement purposes.

The Governor's Substitute revises several provisions related to the CCA's powers and duties. The enrolled bill requires the CCA to establish a Cannabis Impact Business Support Team (the Team) and specifies certain responsibilities of the Team. The Governor's Substitute removes the provisions specifying those certain responsibilities of the Team. The enrolled bill allows the Board of Directors of the CCA to employ or retain legal counsel of its choice, while providing that the Attorney General shall provide legal services for the CCA upon request. The Governor's Substitute provides that legal services for the CCA shall be provided by the Attorney General, unless the Attorney General determines it is impracticable or uneconomical, in which case the CCA may employ special counsel. The enrolled bill requires the CCA to issue a quarterly report containing certain specified information. The Governor's Substitute removes that quarterly reporting requirement and instead requires the specified information to be included in the CCA's existing annual report.

The enrolled bill requires the CCA to promulgate regulations on certain specified regulatory topics. The Governor's Substitute makes the CCA's promulgation of regulations on those topics discretionary rather than mandatory. The enrolled bill includes language addressing outdoor advertising restrictions using a "reasonable time, place, and manner" standard and statements of purpose related to the illicit market and public awareness of legal retailers. The Governor's Substitute removes the "reasonable time, place, and manner" language and related purpose statements for outdoor advertising restrictions. The enrolled bill provides for impact licensees and microbusinesses to enter into cooperative agreements, lease space and equipment on another

licensee's premises, and process in shared processing spaces. The Governor's Substitute revises such language to instead reference the CCA establishing operating processes for impact licensees and microbusinesses that may include cooperative agreements. The enrolled bill includes provisions directing that certain financial interests not be considered undue influence. The Governor's Substitute removes such language specifying that certain financial interests are not undue influence.

The enrolled bill limits the number of retail marijuana store licenses to be issued before January 1, 2028 to 350. The Governor's Substitute reduces such limit to 200 retail marijuana store licenses to be issued before January 1, 2029.

The enrolled bill increases the membership of the Board of Directors of the CCA (the Board) from five to seven, with four members appointed by the Governor, two members appointed by the Speaker of the House, and one member appointed by the Senate Committee on Rules. The enrolled bill also requires at least two members to be actively engaged in agricultural production. The Governor's Substitute also increases the membership of the Board from five to seven, but all members are appointed by the Governor and at least one member shall be actively engaged in agricultural production.

The enrolled bill specifies that the net profits derived under the provisions of the Cannabis Control Act shall be appropriated as follows: 40 percent to support early childhood care and early childhood education in the Commonwealth; 30 percent to the Cannabis Equity Reinvestment Fund; 25 percent to the Department of Behavioral Health and Developmental Services to be distributed to community services for the purpose of administering substance use disorder prevention and treatment programs; and five percent to public health programs, including public awareness campaigns that are designed to prevent drugged driving, discourage consumption by persons younger than 21 years of age, and inform the public of other potential risks. The Governor's Substitute removes the specific percentage designations and provides that such net profits shall be appropriated for purposes such as early childhood education, behavioral health, public health awareness, prevention, treatment, and recovery services, workforce development, reentry, indigent criminal defense, and targeted reinvestment in historically disadvantaged communities.

The Governor's Substitute allows a locality to adopt an ordinance that decreases the minimum distance requirements as promulgated in Board regulations (i) between retail marijuana stores and microbusinesses or (ii) between a retail marijuana store or microbusiness and any hospital; public, private, or parochial school or institution of higher education; or child day program.

The Governor's Substitute shifts multiple statutory requirements to a regulatory framework to be established by the CCA. The enrolled bill creates Chapter 7 (Administration of licenses; general provisions), consisting of §§ 4.1-700, 4.1-701, and 4.1-702, Chapter 8 (Administration of licenses; licenses granted by board), consisting of §§ 4.1-800 through 4.1-811, Chapter 9 (Administration of licenses; denial, suspension, and revocation), consisting of §§ 4.1-900 through 4.1-904, and Chapter 10 (Administration of licenses; applications for licenses; fees; taxes), consisting of §§ 4.1-1000 through 4.1-1010, and creates new §§ 4.1-1403 through 4.1-

1407 in Chapter 14 of Title 4.1, which is an existing chapter related to testing and advertising. The Governor's Substitute removes Chapters 7, 8, and 9 and certain sections of Chapters 10 and 14 from the bill and instead creates a new Chapter 7, consisting of two sections that provide that the Board shall promulgate regulations for the administration of licenses or permits for marijuana establishments and the establishment of a testing program for marijuana and marijuana programs and labeling, packaging, and product registration requirements. These two sections in the Governor's Substitute specify, at a minimum, what such regulations shall establish and ensure. The Governor's Substitute also includes a sixteenth enactment clause requiring that the initial regulations promulgated by the CCA shall include regulations that, to the extent possible, are in accordance and consistent with the Code sections of the enrolled versions of House Bill 642 and Senate Bill 542 during the 2026 Regular Session that are removed from the Governor's Substitute.

The enrolled bill sets the state marijuana tax rate at six percent. The Governor's Substitute sets the state marijuana tax rate at six percent prior to July 1, 2029, and eight percent beginning July 1, 2029.

The enrolled bill increases the amount of marijuana a person 21 years of age or older may lawfully possess from one ounce to two and one-half ounces. The Governor's Substitute decreases the amount allowed for lawful possession to two ounces.

The enrolled bill creates a Class 6 felony for the illegal cultivation or processing of marijuana or marijuana products. The Governor's Substitute includes additional escalated penalties for illegal cultivation based on plant count.

The enrolled bill punishes the illegal sale of marijuana or marijuana products as (i) a Class 2 misdemeanor for a first offense; (ii) a Class 1 misdemeanor for a second offense; and (iii) a Class 6 felony for a third and any subsequent offense. The Governor's Substitute retains those penalties for the illegal sale of less than five pounds of marijuana or marijuana products, but includes additional escalated penalties for the illegal sale of amounts over five pounds.

The Governor's Substitute includes a new section making it a Class 1 misdemeanor for the unlicensed cultivation, processing, sale, or distribution of or possession of with intent to sell, give, or distribute marijuana or marijuana products while on or near certain school-related properties and state hospitals, psychiatric institutes, or other institutions that provide care and treatment for persons with mental illness.

The enrolled bill prohibits the sale of marijuana or marijuana products to persons younger than 21 years of age or persons who are intoxicated. The Governor's Substitute also prohibits the sale of marijuana paraphernalia to such persons.

The enrolled bill includes penalties for underage consumption, purchase, or possession of marijuana or marijuana products consistent with current law, including that a person 18 years of age or older is subject to a civil penalty of up to \$25 and shall enter a substance abuse treatment or education program, or both, if available, as determined appropriate by the court and that a juvenile is subject to the same \$25 civil penalty and program requirement but may be proceeded

against informally or subject to existing juvenile dispositions for delinquency. The Governor's Substitute aligns such penalties with the penalties for underage consumption, purchase, or possession of alcohol by increasing such penalties to a Class 1 misdemeanor with a mandatory minimum fine of \$500 or a mandatory minimum of 50 hours of community service and a license suspension of at least six months for persons 18 years of age or older. The Governor's Substitute includes an option for a deferred disposition for a first offense upon the completion of certain conditions.

The Governor's Substitute increases the penalty for public consumption of marijuana from a \$25 civil penalty to a Class 4 misdemeanor.

The Governor's Substitute also includes a new section making it a Class 2 felony to transport into the Commonwealth with intent to sell or distribute 50 pounds or more of marijuana or marijuana products.

The enrolled bill removes the existing Class 6 felony, which carries a mandatory minimum term of five years' imprisonment, for possessing, using, attempting to use, or displaying a firearm in a threatening manner while committing or attempting to commit the illegal manufacture, sale, distribution, or possession with intent to manufacture, sell, or distribute more than one pound of marijuana. The Governor's Substitute removes this section from the bill, thereby retaining current law.

The Governor's Substitute includes mandatory license revocations in the penalties for certain prohibited practices by licensees, including illegal cultivation by licensees and certain provisions related to the failure of a licensee to pay required marijuana taxes.

The enrolled bill prohibits outdoor signs placed on the property of a marijuana establishment from drawing undue attention to the facility. The Governor's Substitute replaces this provision with one prohibiting such outdoor signs from targeting or appealing to persons younger than 21 years of age, including by use of cartoons.

The enrolled bill defines "delivery agent," as used in Chapter 16 of Title 4.1 related to the Medical Cannabis Program, as an independent contractor that transports or delivers usable cannabis, botanical cannabis, cannabis oil, or cannabis products on behalf of a pharmaceutical processor or cannabis dispensing facility and allows delivery by such delivery agents or employees of the pharmaceutical processor. The Governor's Substitute revises such provisions to remove references to "delivery agents" and require delivery by licensed marijuana delivery operators or employees of the pharmaceutical processor.

Effective July 1, 2026, the enrolled bill narrows the definition of a regulated hemp product by removing the allowance for a substance that contains at least a 25:1 ratio of cannabidiol (CBD) to tetrahydrocannabinol (THC) in the package, even if the substance does not meet other statutory THC limits, to be considered a hemp product. The Governor's Substitute delays the effective date of such provisions that narrow the definition to November 1, 2026.

The enrolled bill transfers oversight of the retail sale of regulated hemp products from the Virginia Department of Agriculture and Consumer Services (VDACS) to the CCA effective

January 1, 2027, by creating a new Chapter 17 in Title 4.1 related to regulated hemp products. The Governor's Substitute retains the transfer of oversight to the CCA effective January 1, 2027, but removes a provision establishing a designated Virginia Regulated Hemp Product Fund. Additionally, the Governor's Substitute adds provisions from SB 543 as enrolled into the new Chapter 17, including provisions addressing repeated sales of illegal products without a decal, providing a cure period prior to assessing certain civil penalties, prohibiting penalties against sellers for labeling violations controlled by a manufacturer, and prohibiting the stacking of penalties based on individual items or identical packages.

In the enrolled bill, retail sales of marijuana or marijuana products may begin on January 1, 2027. Accordingly, the enrolled bill requires the CCA to issue certain licenses by December 1, 2026, to specified applicants, including (i) up to 100 microbusiness licenses to certain industrial hemp processors or growers, impact applicants, and qualified farmers; (ii) 20 licenses consisting of 10 marijuana cultivation facility licenses and 10 marijuana processing facility licenses to certain industrial hemp processors or growers; and (iii) at least 55 additional licenses distributed among impact licensees and other license types determined by the Board. The enrolled bill also requires the CCA to verify the dual-use privileges of pharmaceutical processors and cannabis dispensing facilities by December 1, 2026.

The Governor's Substitute allows retail sales to begin on July 1, 2027. Accordingly, the dates by which the CCA shall issue certain licenses and verify the dual-use privileges of pharmaceutical processors and cannabis dispensing facilities are changed. The Governor's Substitute requires the 20 licenses be issued to certain industrial hemp processors or growers and at least 55 additional licenses to be issued by February 1, 2027, and specifies that the additional licenses shall include marijuana cultivation licenses. The Governor's Substitute requires the CCA verify the dual-use privileges of pharmaceutical processors and cannabis dispensing facilities by May 1, 2027. The Governor's Substitute does not require the CCA to issue up to 100 of the microbusiness licenses by a certain date, but does require the CCA to begin accepting applications from the same specified applicants on or after September 1, 2026.

The enrolled bill requires that from July 1, 2026, to July 1, 2027, the CCA shall deposit 75 percent of all funds collected through marijuana establishment annual license fees into the Cannabis Equity Business Loan Fund. The Governor's Substitute removes such requirement.

The enrolled bill requires the Joint Commission to Oversee the Transition of the Commonwealth into a Cannabis Retail Market (the Joint Commission) to consider and make recommendations on (i) the establishment and implementation of (a) on-site consumption licenses allowing adults to use cannabis on the premises of a licensed marijuana establishment and (b) microbusiness cannabis event permits allowing microbusiness licensees to hold temporary age-restricted sales events at approved venues such as farmers markets or pop-up locations where such licensees may sell marijuana or marijuana products directly to consumers outside of their licensed premises and (ii) the benefits, limitations, and feasibility of ABC's involvement in the enforcement of laws and regulations related to the cannabis retail market in the Commonwealth. The Governor's Substitute does not require the Joint Commission to consider such topics and instead requires the Joint Commission consider and make recommendations on the benefits,

limitations, and feasibility of creating, operating, and maintaining a testing facility for marijuana and marijuana products operated by the Commonwealth.

The Governor's Substitute includes additional technical changes.

SB 542, which is identical as enrolled, has the same Governor's Substitute.

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

HB 650. Prohibiting certain acts in furtherance of federal immigration enforcement in certain protected areas; exceptions; penalties. The enrolled bill (i) prohibits certain federal civil immigration enforcement activities in certain protected areas; (ii) prohibits any civil arrest in a courthouse pursuant to a civil administrative warrant, subject to certain exceptions; (iii) includes provisions authorizing a local school board to adopt a procedure for notifying school board employees and parents of enrolled students of the presence of certain individuals on school property for immigration enforcement purposes; and (iv) requires each public institution of higher education to adopt a policy that requires an individual present on campus for certain immigration enforcement purposes to present a valid judicial warrant or judicial subpoena before accessing any nonpublic area of the campus.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) prohibits any person with the lawful authority to conduct a civil immigration arrest from doing so in the same or similar protected areas as the enrolled bill unless such person has in his possession at the time of such arrest a valid judicial warrant.

SB 351, which is identical as enrolled, has the same Governor's Substitute.

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

HB 670. Labor and employment provisions; application of law; protection of employees; definition of employer. The Governor's amendment adds a reenactment clause.

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

HB 675. Protection of employees; coercion or threat based on immigration status; civil penalty. The enrolled bill prohibits an employer from using coercion or issuing a threat to an employee based on immigration status in furtherance of committing a violation of the Virginia Minimum Wage Act or provisions related to the payment of wages.

The Governor's Amendment in the Nature of a Substitute prohibits an employer from discharging, disciplining, penalizing, discriminating against, using coercion against, or issuing a threat to an employee in furtherance of committing a violation of certain protected activities, including child labor.

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HB 678. Virginia Residential Landlord and Tenant Act; terms and conditions of rental agreement; notice of rent increase. The Governor's amendments extend the enrolled bill's

delayed effective date from January 1, 2027, to July 1, 2027, and strike a redundant clause that was relocated to appear earlier in the same sentence for clarity.

Contact: Casey Nelson | cnelson@dls.virginia.gov | 804-698-1825

HB 702. Local law-enforcement agencies; firearm give-back or buy-back programs. The enrolled bill allows for any county or city law-enforcement agency and any town law-enforcement agency to develop policies and procedures to implement either a firearm give-back program or a firearm buy-back program by January 1, 2028, and annually thereafter. The Governor's amendments replace the use of the word "buy-back" with "sell-back."

Contact: Anthony Sargent | asargent@dls.virginia.gov | 804-698-1855

HB 711. Local regulation of solar facilities; special exceptions. The enrolled bill provides that the location of certain ground-mounted solar energy generation facilities on property zoned agricultural, commercial, industrial, or institutional be considered pursuant to various criteria to be included in a local ordinance, such as specifications for setbacks, fencing, solar panel height, visual impacts, and grading and a decommissioning plan for solar energy equipment and facilities, unless otherwise permitted by right. The Governor's amendments replace a definition of "agrivoltaics" with a cross-reference to a similar definition that will become effective July 1, 2026, and make other technical amendments. SB 347, which is identical as enrolled, has the same Governor's amendments.

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

HB 768. Custody and visitation arrangements for minor; custody evaluation; report. The enrolled bill provides that a circuit or district court may order a custody evaluation to assist with determining the custody or visitation arrangements for a minor and directs the Board of Psychology, in consultation with the Board of Medicine, to convene a stakeholder advisory group to study the availability of qualified mental health professionals willing to serve as court-appointed experts in family law proceedings. The Governor's amendments (i) extend the date by which the advisory group is directed to submit a report of its findings and recommendations from November 1, 2026, to November 1, 2027, and (ii) requires the advisory group to submit an executive summary of its meetings no later than January 15, 2027.

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HB 773. Elections; absentee voting; cure process. The enrolled bill has a delayed effective date of September, 1 2026. The Governor's amendment extends the delayed effective date to January 1, 2027.

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

HB 774. Elections; absentee and provisional ballots; cure process. The enrolled bill requires the general registrar to contact a voter whose provisional ballot form contains a material error after the electoral board has determined that the person was not entitled to vote as a result of such error. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) requires the general registrar to review provisional ballot forms prior to the determination of their validity

by the electoral board in order find material errors and notify persons whose provisional ballot forms contain such errors of how to correct them.

The Governor's Substitute also requires the State Board to promulgate regulations regarding the uniform review and processing of voter registration applications, including those submitted after the close of registration records, that are incomplete or missing information, including a uniform period of review. The Governor's Substitute provides that the Secretary of Administration must convene a work group for the purpose of studying potential changes to the same day registration provisional vote process.

The enrolled bill has a delayed effective date of September, 1 2026. The Governor's Substitute extends the delayed effective date to January 1, 2027.

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

HB 796. Professions and occupations; adjustment of fees by regulatory boards; recovery of disciplinary and monitoring costs. The enrolled bill makes it permissive for the regulatory boards within the Department of Professional and Occupational Regulation (the DPOR) or the Department of Health Professions (the DHP) to annually revise the fees levied by it for certification, licensure, registration, or permit and renewal so that the fees are sufficient, but not excessive, to cover expenses.

The Governor's Amendment in the Nature of a Substitute specifies that each regulatory board must report such revisions to the DPOR or DHP and requires each agency to report such revisions to the Chairs of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations by November 1, 2026, and annually thereafter. As amended, this bill is now identical to SB 680 as enrolled.

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HB 820. Department of Housing and Community Development; loans for the construction of mixed income housing; report. The enrolled bill requires that any funding for the pilot program offering certain loan origination and servicing activities subject to provisions in the appropriation act shall be utilized from up to 15 percent of the annual deposit made to the Virginia Housing Trust Fund. The Governor's amendment removes that funding restriction. HB 196 and SB 490, which are identical as enrolled, have the same Governor's amendment.

Contact: Stephen Kindermann | skindermann@dls.virginia.gov | 804-698-1880

HB 834. Virginia Residential Landlord and Tenant Act; fire or casualty damage; termination by landlord. The Governor's amendment removes the bill's January 1, 2027 delayed enactment, making the bill effective in due course.

Contact: Marley Manjarrez | mmanjarrez@dls.virginia.gov | 804-698-1853

HB 848. Virginia Residential Landlord and Tenant Act; material noncompliance by landlord; rent escrow; relief. The Governor's amendment removes the bill's January 1, 2027 delayed enactment, making the bill effective in due course.

Contact: Marley Manjarrez | mmanjarrez@dls.virginia.gov | 804-698-1853

HB 857. Home/electronic incarceration program. The enrolled bill provides that any court having jurisdiction for the trial of a pregnant person or a postpartum person who still has contact with their infant child and is charged with certain offenses shall assign the offender to a home/electronic incarceration program unless there is probable cause to believe that (i) the offender will not appear for trial or hearing or at such other time and place as may be directed or (ii) the offender's liberty will constitute an unreasonable danger to such person, such person's family or household members, or the public.

The Governor's amendment reiterates the same criteria for a person to be ineligible for home/electronic incarceration.

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

HB 871. Storage of firearms in a residence where a minor or person prohibited from possessing a firearm is present; penalty. The enrolled bill provides any person who possesses a firearm in a residence where such person knows that a minor or a person who is prohibited by law from possessing a firearm is present shall store such firearm and the ammunition for such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person. Under the enrolled bill, any person who violates this provision is guilty of a Class 4 misdemeanor. The enrolled bill also requires any dealer, as that term is defined in current law, to post a written notice informing the public of the penalty imposed for failure to comply with the enrolled bill's provisions. The Governor's amendments (i) remove the reference to ammunition, (ii) provide the option to use a gun locking device to render a firearm incapable of being fired, and (iii) change the penalty to a Class 2 misdemeanor. SB 348, which is identical as enrolled, has the same Governor's amendments.

Contact: Anthony Sargent | asargent@dls.virginia.gov | 804-698-1855

HB 872. Possession of portable electronic device in district or circuit court. The Governor's amendment adds a reenactment clause.

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

HB 888. Minimum off-street parking requirements in certain areas. The enrolled bill provides that a locality shall not require, as a condition of zoning approval, minimum off-street parking for residential, multifamily, or mixed-use development located within a designated area, as defined in the enrolled bill, in amounts exceeding (i) 0.5 parking spaces per dwelling unit for multifamily or mixed-use residential development and (ii) one parking space per dwelling unit for one-family and two-family dwellings and townhouses. The enrolled bill also provides that no locality shall adopt or enforce any provision of a zoning ordinance that imposes minimum off-street parking requirements for residential, multifamily, or mixed-use development located within a designated area in excess of such limitations. The enrolled bill requires that any locality with a population greater than 20,000 shall, by ordinance, provide for an administrative reduction of minimum off-street parking requirements of not less than 20 percent for residential, multifamily, or mixed-use development proposed on parcels not located within a designated area.

The Governor's amendments (i) narrow the definition of "designated area" by removing certain areas where the definition will apply, (ii) define the phrase "mass transit or public transportation station or facility" as a building or enhanced structure where members of the general public board or disembark mass transit or public transportation, (iii) remove an existing section from the enrolled bill in which a reference to local regulation of off-street parking is stricken, and (iv) make other technical and clarifying changes.

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

HB 891. Siting of battery energy storage projects; commercial solar photovoltaic generation facilities; permitted accessory use. The enrolled bill deems battery energy storage projects as a permitted accessory use in all zoning districts on any parcel of land that is subject to an approved special exception, as defined in the enrolled bill, for a commercial solar photovoltaic generation facility, if such battery energy storage project is located within the boundaries of the parcel covered by the existing special exception and complies with any applicable federal, state, and local safety or fire codes and environmental regulations. The enrolled bill also prohibits a host locality from requiring a special exception or any other local land use approval on such battery energy storage project. The enrolled bill finally clarifies that nothing in the provisions of the enrolled bill shall be construed to (i) limit the authority of a host locality to enforce compliance with applicable codes or ensure the safe operation of the battery energy storage project or (ii) preclude the developer of a battery energy storage project from negotiating a siting agreement with the host locality.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) retains the provisions that deem battery storage projects as a permitted accessory use but also adds that such battery energy storage project must not have a rated storage capacity that exceeds 100 percent of the nameplate generating capacity of the associated solar energy facility. The Governor's Substitute also changes the existing clarification that provides that nothing in the provisions of the enrolled bill shall be construed to preclude the developer of a battery energy storage project from negotiating a siting agreement with the host locality to clarify that nothing in the provisions of the bill shall be construed to preclude the developer or host locality of a battery energy storage project from negotiating a siting agreement. SB 443, which is identical as enrolled, has the same Governor's Substitute.

Contact: Doug Weimer | dweimer@dls.virginia.gov | 804-698-1881

HB 892. Electric utilities; integrated resource plans; State Corporation Commission to investigate electric load forecasting practices. The enrolled bill requires Dominion Energy to provide information related to forecasting its compliance with renewable energy portfolio standards in its integrated resource plan submitted to the State Corporation Commission. The enrolled bill also directs the Commission to initiate a proceeding no later than March 1, 2027, to investigate electric load forecasting practices by Dominion Energy, Appalachian Power Company, and electric distribution cooperatives. The Governor's amendments remove language in the enrolled bill that provides that if the Commission determines that customer-level or location-specific information is necessary for purposes of such proceeding, such information

shall be anonymized prior to disclosure and shall only be disclosed to the Commission, its staff, or a third party under contract with the Commission and subject to a protective order.

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

HB 909. Elections administration; certain activities or conduct prohibited at polling places applicable to locations for absentee voting in person; prohibited possession of firearm within 100 feet of certain locations. The enrolled bill prohibits any person, with certain exceptions, from (i) knowingly carrying any firearm and (ii) knowingly doing so within 100 feet of the entrance of a polling place, the building used as an additional registration site. The Governor's amendment clarifies that the prohibition only applies while the building or part thereof is being used for such purpose.

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

HB 925. Virginia Human Rights Act; unlawful discriminatory practices; civil actions; statute of limitations. The enrolled bill amends the filing requirement for a complaint alleging discrimination in employment in violation of the Virginia Human Rights Act from 300 days to two years. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) changes the filing date to no later than one year from the day upon which the alleged discriminatory practice occurred.

The enrolled bill further provides that if 180 days have passed since a complaint was filed in a local human rights commission, an aggrieved person may commence a timely civil action in an appropriate general district or circuit court. The Governor's Substitute eliminates such provision, maintaining current law that limits such allowance to complaint filings made in the Office of Civil Rights of the Department of Law.

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

HB 931. Recovery residences; regulations. The enrolled bill establishes certain requirements for recovery residences and directs the State Board of Behavioral Health and Developmental Services (the Board) to promulgate regulations to establish minimum certification standards for recovery residences.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) (i) replaces the term "credentialing agencies" with "credentialing entities" throughout; (ii) specifies that the Board, rather than the Department of Behavioral Health and Developmental Services (the Department), is responsible for promulgating regulations establishing a process for recovery residences to apply for certification; (iii) requires the Department and the Virginia Housing Commission to submit their recommendations for regulation of licensed providers of clinical substance use treatment services that offer housing as a benefit on November 1, 2026 instead of November 1, 2027; and (iv) adds an expiration date of July 1, 2031 for the recovery residence work group established in Chapter 608 of the Acts of Assembly of 2025. SB 270, which is identical as enrolled, has the same Governor's Substitute.

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

HB 952. Department of Environmental Quality; Chesapeake Bay Watershed Nutrient Credit Exchange Program; certain industrial stormwater permits; nutrient credits. The enrolled bill provides that for the purposes of the industrial stormwater general permit nutrient reduction compliance for calendar years 2025 and 2026, the term "nutrient credit" shall include nutrient credits generated by point sources in accordance with the Chesapeake Bay Watershed Nutrient Credit Exchange Program, subject to certain conditions. The Governor's Amendment in the Nature of a Substitute contains technical amendments to reorganize provisions regarding when a permittee may use point source credits for compliance. These changes are intended to improve the clarity of the existing language.

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

HB 964. Voter registration; restoration of political rights upon release from incarceration; certain adjudications. The enrolled bill directs the Department of Corrections and the State Board of Local and Regional Jails to transmit to the Department of Elections certain information for incarcerated persons with a pending date of release and requires the Department of Elections to process the information and make the necessary changes to the voter registration system to permit such persons to register to vote by the person's scheduled date of release. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) (i) removes the role of the State Board of Local and Regional Jails and gives that role to the Compensation Board, (ii) requires that the information required to be transmitted be transmitted within the half of the month in which the person is released from incarceration, and (iii) removes the requirement that the Department of Elections make such changes prior to the scheduled release date of the incarcerated person. The enrolled bill also requires the appropriate state authority to provide an official release document to a person upon release from incarceration. The Governor's Substitute removes the requirement that such document be "certified" and "official" and requires only that the person being released from incarceration be given some document that states that he has been released from incarceration for a specified felony conviction. The Governor's Substitute provides that such documentation shall be sufficient for any person stating that he has been released from incarceration for a felony conviction to register to vote. SB 162, which is identical as enrolled, has the same Governor's Substitute.

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

HB 969. Secretary of Public Safety; firearm violence. The enrolled bill directs the Secretary of Public Safety to convene a work group to develop policy and legislative recommendations to establish the Virginia Gun Violence Prevention Center. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) adds the requirement that certain representatives in the work group have experience in gun violence prevention and community safety. SB 364, which is identical as enrolled, has the same Governor's Substitute.

Contact: Anthony Sargent | asargent@dls.virginia.gov | 804-698-1855

HB 972. Voter registration; list maintenance activities, cancellation procedures, required record matches. The enrolled bill provides that the Department of Elections may only use the Systematic Alien Verification for Entitlements Program (SAVE Program) operated by U.S.

Citizenship and Immigration Services of the U.S. Department of Homeland Security for the sole purpose of individually verifying that voters listed in the Virginia voter registration system are United States citizens. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes the stipulation that verification of citizenship be the sole purpose for using the SAVE Program or that such verification only be done individually.

The enrolled bill provides that, in using a third-party list, record, or other information for voter registration purposes, a potential match of a registration record with such information cannot be grounds for cancellation of the registration record if there is not a match of the full social security number or a match of the Virginia Department of Motor Vehicles customer identifier number. The Governor's Substitute adds an alternative to this restriction that requires a match of both the last four digits of the voter's social security number and the voter's date of birth.

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

HB 1007. Virginia Birth-Related Neurological Injury Compensation Program and Fund; board of directors; plan of operation; filing of claims; awards and coverage for expenses or services. The enrolled bill makes various changes to the Virginia Birth-Related Neurological Injury Compensation Program (the Program) and Fund. The enrolled bill provides that a civil action arising out of or related to a birth-related neurological injury against a participating hospital or physician shall be referred to the Virginia Workers' Compensation Commission and increases from \$100,000 to \$500,000 the amount that may be awarded to families whose infant has sustained a birth-related neurological injury.

The Governor's amendments remove a provision exempting compromise or settlements approved by the Program from approval by the Attorney General or the Governor. The Governor's amendments also remove the treble damages provision in the case of delayed payment or reimbursement of a covered benefit without reasonable grounds. SB 398, which is identical as enrolled, has the same Governor's amendments.

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

HB 1011. Local competitive bidding for compost and other products containing organic soil amendments; waste disposal infrastructure; civil penalty. The enrolled bill provides that any locality may by ordinance require that certain generators, as defined in the enrolled bill, of large quantities of organic waste separate the organic waste from other solid waste and ensure that the organic waste is diverted from final disposal in a refuse disposal system by any of a variety of specified waste diversion activities. The Governor's amendments (i) remove a reference to "a cafeteria operated by or on behalf of the Commonwealth" from the definition of "generator," (ii) allow a business to demonstrate in writing that a permitted facility will not accept organic waste if the business is otherwise required to compost such organic waste at the facility, and (iii) remove a directive to the Department of Environmental Quality to study certain issues related to composting. SB 226, which is identical as enrolled, has the same Governor's amendments.

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

HB 1015. Possession or transportation of firearms, firearms ammunition, stun weapons, or explosives or carrying of concealed weapons by persons convicted of a misdemeanor hate crime prohibited; penalty. The enrolled bill prohibits any person who, on or after July 1, 2026, commits assault or assault and battery against a person he intentionally selected because of his race, religious conviction, gender, disability, gender identity, sexual orientation, color, or ethnic or national origin and is subsequently adjudicated delinquent or convicted of such offense from knowingly and intentionally possessing or transporting any firearm or ammunition for a firearm, any stun weapon, or any explosive material or carrying a concealed weapon, a violation of which is a Class 1 misdemeanor. The Governor's Amendment in the Nature of a Substitute prohibits a person convicted of such offense from purchasing, possessing, or transporting any firearm for three years following the date of such conviction.

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HB 1030. Discretionary parole eligibility guidelines. The Governor's amendment adds a delayed effective date of July 1, 2027.

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

HB 1037. Board of Education; instructional materials on climate change and environmental literacy; model policies and procedures for selection. The enrolled bill directs the Board of Education to (i) make available to each school board instructional materials on climate change and environmental literacy that are based on and include peer-reviewed scientific sources and (ii) develop, adopt, and make available to each school board model policies and procedures, based on peer-reviewed scientific sources, pertaining to the selection of instructional materials on climate change and environmental literacy, including a requirement for any such selected material to accurately portray changes in weather and climate patterns over time, the impacts of human activity on changes in weather and climate patterns, and the effects of climate change on people and resources.

The Governor's Amendment in the Nature of a Substitute modifies the bill by changing it to a Section 1 bill directing the Board, during its next regularly scheduled revision of the Science Standards of Learning and Curriculum Framework and in its subsequent selection of associated textbooks and high-quality instructional materials, to (a) include instructional materials on climate change and environmental literacy that are based on and include peer-review scientific sources relating to changes in weather and climate patterns over time, the impacts of human activity on changes in weather and climate patterns, and the effects of climate change on people and resources and (b) provide to each school board guidance on the selection of such instructional materials on climate change and environmental literacy.

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

HB 1043. Department of Housing and Community Development; Affordable and Special Needs Housing program; Virginia Housing Trust Fund Homeless Reduction Grant program; applicant notification. The enrolled bill directs the Department of Housing and Community Development to review all applications for the Affordable and Special Needs

Housing program and the Virginia Housing Trust Fund Homeless Reduction Grant program and formally notify each applicant of an award or a denial no later than 90 days after the application submission deadline. Such provision sunsets on July 1, 2027. The Governor's amendment expands the sunset to include the enrolled bill's additional provision that designates the Department to be responsible for providing applicants initial notice of award or denial under such programs prior to any public announcement because such provision is tied to the first provision.

Contact: Casey Nelson | cnelson@dls.virginia.gov | 804-698-1825

HB 1046. Virginia Public Procurement Act; additional public works contract

requirements; report. The enrolled bill includes a definition of "employee" defining workers on certain construction contracts subject to the Virginia Public Procurement Act. The Governor's amendments remove such definition. The enrolled bill provides that, if a construction contract with a state public body is valued at an amount greater than \$5 million, no contractor, subcontractor, or party to such contract shall provide remuneration to more than one independent contractor for the performance of construction work on such contract. The Governor's amendments further specify such limit as no more than one independent contractor for each contractor, subcontractor, or party to such contract. The Governor's amendments also change the party that is required to receive written authorization from the state public body to remunerate independent contractors from the remunerating party to the prime contractor. The Governor's amendments further provide that the enrolled bill's additional public works contract requirements shall not apply to transportation-related construction projects. SB 324, which is identical as enrolled, has the same Governor's amendments.

Contact: Marley Manjarrez | mmanjarrez@dls.virginia.gov | 804-698-1853

HB 1065. Electric utilities; surplus interconnection service sites. The enrolled bill directs Appalachian Power and Dominion Energy Virginia to undertake a comprehensive assessment of available interconnection capacity at each such utility's existing and planned intermittent electric generation facilities located in the Commonwealth. The enrolled bill directs such utilities to establish pilot programs for energy storage resources and solar generation facilities that utilize surplus interconnection service, as defined in the enrolled bill, with a capacity of 100 megawatts for Appalachian Power and 500 megawatts for Dominion Energy Virginia. The Governor's amendments provide that such pilot programs shall have a capacity of up to 100 megawatts for Appalachian Power and up to 500 megawatts for Dominion Energy Virginia. SB 508, which is identical as enrolled, has the same Governor's amendments.

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

HB 1100. Wage garnishments; treasurers' liens for unpaid taxes and charges. The enrolled bill limits a treasurer's lien issued with respect to wages or salary to 25 percent of the delinquent taxpayer's disposable earnings in a single pay period subject to certain exceptions, including if the treasurer determines, by clear and convincing evidence, that the delinquent taxpayer or the property assessed with such taxes is no longer in the jurisdiction, or the taxpayer is attempting to

flee the jurisdiction or is improperly disposing of assets with the intent to hinder or delay the collection of the delinquent taxes.

The Governor's amendments authorize a court of appropriate jurisdiction to make such determination and authorizes such court of appropriate jurisdiction to make such determination based on clear and convincing evidence that the delinquent taxpayer may flee or attempt to flee the jurisdiction or is improperly disposing of assets with the intent to hinder or delay the collection of the delinquent obligations. SB 597, which is identical as enrolled, has the same Governor's amendments.

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HB 1165. Board of Education; regulations; qualifications of division superintendents. The enrolled bill requires the Board of Education to amend its regulation establishing the qualifications for division superintendents to amend Option IV by requiring the candidate to have completed five years of successful educational experience in a public school or an accredited nonpublic school, two years of which shall have been full-time teaching experience at the preK-12 level and two years of which shall have been in administration and supervision.

The Governor's Amendment in the Nature of a Substitute modifies the amendments the bill directs the Board to make to Option IV by requiring the candidate to have either (i) completed five years of successful educational experience in a public school or an accredited nonpublic school, two years of which shall have been full-time teaching experience at the preK-12 level and two years of which shall have been in administration and supervision, or (ii) gone before the Board for further review of such individual's qualifications and, upon such review, been granted a waiver for such requirement by the Board.

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HB 1173. Virginia Human Rights Act; menopause or perimenopause; discrimination prohibited; report. The enrolled bill prohibits discrimination under the Virginia Human Rights Act on the basis of menopause or perimenopause for purposes of nondiscrimination in government programs, public accommodation, employment hiring, and reasonable employer accommodation. The enrolled bill also directs the Commissioner of Labor and Industry, in consultation with the Commissioner of Health, to conduct a study on menopause and perimenopause in the workforce, menopause and perimenopause accommodations in employment environments, and the scope of existing menopause-related and perimenopause-related policies and to develop best practices related to menopause and perimenopause accommodations in employment environments. The enrolled bill directs the Commissioners to submit such report to the Governor and General Assembly by July 1, 2028, and to post such report on the Department of Labor and Industry's website.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) amends the enrolled bill to include only the portions requiring the Commissioner of Labor and Industry, in consultation with the Commissioner of Health, to conduct the aforementioned study and report to

the Governor and General Assembly on its findings. SB 258, which is identical as enrolled, has the same Governor's Substitute.

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

HB 1182. Health insurance; coverage for contraceptive drugs and devices. The enrolled bill (i) requires health insurance carriers to provide coverage, under any health insurance contract, policy, or plan that includes coverage for prescription drugs on an outpatient basis, for contraceptive drugs and contraceptive devices approved by the U.S. Food and Drug Administration, including those available over-the-counter; (ii) prohibits a health insurance carrier from imposing upon any person receiving prescription contraceptive benefits pursuant to the provisions of the enrolled bill any copayment, coinsurance payment, or fee, except in certain circumstances; and (iii) requires any health benefit plan that provides coverage for hormonal contraceptives to provide point-of-sale coverage without cost-sharing at in-network pharmacies for hormonal contraceptives available over-the-counter. The Governor's amendments provide that an exceptions form for coverage of non-preferred products with no cost-sharing may be a permissible requirement for coverage and require each insurer to provide information about contraceptive coverage on its website and by mail upon request. SB 361, which is identical as enrolled, has the same Governor's amendments.

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

HB 1207. Paid family and medical leave insurance program; notice requirements; civil action. The enrolled bill requires the Virginia Employment Commission (VEC) to establish and administer a paid family and medical leave insurance program with benefits beginning April 1, 2028. Under the program, benefits are paid to covered individuals, as defined in the enrolled bill, for family and medical leave. Funding for the program is provided through premiums assessed to employers and employees beginning April 1, 2028. The enrolled bill provides that the amount of a benefit is 80 percent of the employee's average weekly net earnings, not to exceed 100 percent of the statewide average weekly net earnings, which amount is required to be adjusted annually to reflect changes in the statewide average weekly wage. The enrolled bill caps the duration of paid leave at 12 weeks in any application year and provides self-employed individuals the option of participating in the program.

The Governor's Amendment in the Nature of a Substitute (the Governor's Substitute) limits the amount of paid leave available to claimants seeking leave for safety services to four weeks and requires certification, including (i) medical records or a statement from a health care provider; (ii) a protection order, police report, or court order; (iii) a statement from a victim service's provider; or (iv) other documentation required by the VEC. The Governor's Substitute provides that an individual who willfully or with intent to defraud makes any false statement with the intent to obtain benefits is guilty of a Class 1 misdemeanor and shall be disqualified from family and medical leave benefits for five years. The Governor's Substitute also removes the Paid Family and Medical Leave Advisory Board from the enrolled bill. SB 2, which is identical as enrolled, has the same Governor's Substitute.

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HB 1222. Local departments of social services; child abuse and neglect; recorded interviews. The enrolled bill requires local departments of social services, unless otherwise demonstrated by good cause shown, to record any child welfare interview, defined in the enrolled bill. It also permits any person to record any communications between themselves and child protective services personnel that take place during the course of an investigation or family assessment.

The Governor's Amendment in the Nature of a Substitute makes audio or audiovisual recording of interviews with children permissive rather than mandatory, removes the definition of the term "child welfare interview" from the bill, and specifies that interviews of alleged child victims related to human trafficking assessments may also be recorded.

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

HB 1263. Collective bargaining by public employees; individual home care providers; Virginia Home Care Council established; Public Employee Relations Board established; exclusive bargaining representatives. The enrolled bill repeals the existing prohibition on collective bargaining by public employees, defined in the enrolled bill to include state and local government employees, and creates the Public Employee Relations Board, which shall determine appropriate bargaining units and provide for certification and decertification elections for exclusive bargaining representatives of public employees. The enrolled bill establishes the Virginia Home Care Council within the Department of Medical Assistance Services to serve as the public employer of individual providers for purposes of the enrolled bill.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) (i) makes the creation of the Virginia Home Care Council effective July 1, 2027; (ii) makes certain provisions applicable to local governments and local government employees beginning January 1, 2030; (iii) defines "public institution of higher education" for the bill's purposes; (iv) exempts certain employees of the University of Virginia Medical Center and the Virginia Commonwealth University Health System Authority from the bill's provisions; (v) provides that no provision of the bill shall be construed as a waiver of the Commonwealth's sovereign immunity with respect to monetary damages; (vi) provides that arbitration under the bill shall result in an advisory decision; and (vii) directs the Department of Labor and Industry and the Public Employee Relations Board to adopt regulations regarding mandatory and permissive subjects of collective bargaining, authorized payroll deductions, reasonable access to public employees, furnishing data, proceedings related to alleged violations of the bill's provisions, timing and conduct of elections, and various other subjects under the bill. SB 378, which is identical as enrolled, has the same Governor's Substitute.

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

HB 1270. Transportation network companies; publishing and disclosure requirements. The Governor's amendments (i) change from five to seven business days the time within which any funds remaining in a deactivated TNC partner's account must be deposited to the TNC partner after deactivation and (ii) authorize, instead of require, the amount earned from each category of service to be specified when a transportation network company combines in its weekly summary

amounts earned by a TNC partner for prearranged rides with other amounts earned on a transportation network company's digital platform. SB 550, which is identical as enrolled, has the same Governor's amendments.

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HB 1273. Transportation network companies; requirements; civil penalties. The Governor's amendment removes the reenactment clause included in the enrolled bill.

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

HB 1279. Affordable housing; religious organizations and other nonprofit tax-exempt properties. The enrolled bill allows for the administrative approval of development and construction of housing on land owned by property tax-exempt religious organizations or certain property tax-exempt nonprofit organizations and provides that zoning ordinances shall allow the by-right development and construction of housing on real property owned by such organizations, subject to various conditions and limitations. The enrolled bill also provides that all such housing is subject to local real property taxation following completion, unless explicitly exempted by the locality. The enrolled bill has a delayed effective date of January 1, 2027, and expires on January 1, 2031.

The Governor's amendments (i) exclude from the criteria for determining allowable building height certain existing buildings granted additional height above what is permitted by right in the zoning district, (ii) change provisions related to the maximum building height within designated historic districts by providing that the maximum building height shall be controlled by the regulations governing the historic district, (iii) expand the areas in which a locality may establish higher minimum residential densities above what would otherwise be permitted by including transit areas and areas within a small area plan, (iv) provide that any residential or mixed-use project built pursuant to the provisions of the bill shall be deemed to be substantially in accord with the comprehensive plan of the locality, (v) encourage property tax-exempt religious organizations and nonprofit organizations to consult resources available on the Department of Housing and Community Development's website regarding affordable housing and strategies on property owned by a property tax-exempt nonprofit organization, and (vi) make several other technical and clarifying changes. SB 388, which is identical as enrolled, has the same Governor's amendments.

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

HB 1377. Virginia Military Institute; task force. The enrolled bill establishes a task force to examine higher education at the Virginia Military Institute (VMI) and directs the task force to determine VMI's responsiveness to the State Council of Higher Education for Virginia's 2021 report on the institution. The enrolled bill also requires the task force to complete its meetings by November 30, 2026, and to report on any findings and recommendations to the Governor and the General Assembly no later than the first day of the 2027 Regular Session of the General Assembly.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) does not establish a task force and instead directs the VMI Board of Visitors to examine higher education at VMI and to determine VMI's responsiveness to the State Council of Higher Education for Virginia's 2021 report on the institution. The Governor's Substitute also removes the deadlines for (i) meetings and (ii) reporting on any findings and recommendations to the Governor and General Assembly.

Contact: Stephen Kindermann | skindermann@dls.virginia.gov | 804-698-1880

HB 1385. Public institutions of higher education; governing boards; membership and duties; work groups. The enrolled bill revises the membership and duties of the governing board of each public institution of higher education by, among other things, increasing from four years to six years the terms of each member of the governing board and requiring the governing board of each public institution of higher education to adopt policies defining and implementing shared governance among the components of the institution's organizational structure. The enrolled bill also directs the State Council of Higher Education for Virginia to convene work groups for the purpose of (i) developing model shared governance policies, in accordance with the provisions of the enrolled bill, and (ii) in conjunction with the Office of the Attorney General, studying and making recommendations on institutional structures and processes relating to legal counsel.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) makes several changes, including (a) changing the total membership and composition of and quorum requirements for the Virginia Commission on Higher Education, (b) removing the provisions of the enrolled bill that would have increased from four years to six years the terms of each member of the governing board of each public institution of higher education, (c) adjusting the provisions of the enrolled bill relating to the appointment and confirmation of members of the governing board of each public institution of higher education and delaying the effective date of such provisions until January 1, 2027, (d) removing the provisions in the enrolled bill that would have required the executive committee of the governing board of each public institution of higher education to establish a board member code of ethics, and (e) removing the Office of the Attorney General as the co-convenor of the aforementioned legal counsel work group. SB 494, which is identical as enrolled, has the same Governor's Substitute.

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HB 1392. Powers and duties for operation of local and regional correctional facilities and courthouse security; attorney access to courthouses and communication and visitation with incarcerated clients; penalty. The Governor's amendment adds a reenactment clause.

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HB 1393. Electric utilities; pilot programs for energy assistance and weatherization for certain individuals. The enrolled bill authorizes Dominion Energy Virginia (Dominion) to recover costs associated with certain electrical facilities that have been approved by the State Corporation Commission (the Commission) as of December 1, 2033, provided that certain

requirements are met and notwithstanding any limitations on such cost recovery in current law. The Governor's amendments provide that Dominion may recover such costs provided that the Commission shall, in its sole discretion, determine whether any proposed costs for tap line conversion are reasonable and prudent and no such costs exceed certain limitations and that Dominion does not seek an increase in the level of certain investments that exceeds two percent.

The Governor's amendments remove provisions directing Dominion to propose to the Commission, in any proceeding to determine rates for generation and distribution services commencing after January 1, 2027, and before July 1, 2033, that certain costs related to capacity procurement requirements and distribution infrastructure investments are allocated to the utility's customer class approved to serve customers with a contracted or measured electric demand of 25 megawatts or greater and an anticipated or measured average annual electric load factor of 75 percent or greater. The Governor's amendments instead provide that in any biennial review proceedings to determine Dominion's rates for generation and distribution services conducted by the Commission, the Commission is required to, in approving rates for generation and distribution services and determining appropriate customer class cost allocations, take all measures to reasonably ensure that costs associated with customers taking service under the terms and conditions for customers with a contracted or measured electric demand of 25 megawatts or greater and an anticipated or measured average annual electric load factor of 75 percent or greater (high load customers) are not being subsidized by other customers of the utility, and that such other customers' approved rates are not being adversely impacted by such customers taking service under the terms and conditions for high load customers.

The enrolled bill authorizes certain high load customers of Dominion to elect to remain on their existing rate schedule. The Governor's amendments increase the number of full-time employees such a customer is required to maintain from 200 to 10,000 in order to qualify for such election.

The Governor's amendments remove provisions requiring Dominion, in connection with its first proceeding to determine rates for generation and distribution services commencing after July 1, 2026, to include in its petition to the Commission a proposal to revise its tariff for supplementary, maintenance, or standby service for customers with power plants, effective as of January 1, 2028.

The enrolled bill authorizes Dominion to file a petition for the securitization of certain deferred fuel costs. The Governor's amendments provide that the Commission is required to, in its sole discretion, determine whether such financing order is in the public interest.

Finally, the Governor's amendments provide that, in any biennial review proceeding for Dominion conducted by the Commission commencing in 2027, if the Commission determines that such utility has a combined rate of return of 9.3 percent or greater, the Commission is required to direct that any such earnings that were above 9.3 percent be credited to customers' bills.

SB 253, which is similar as enrolled, has the same Governor's amendments.

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HB 1441. Law-enforcement agencies; agreements with federal authority for immigration enforcement; requirements. The enrolled bill prohibits any state or local law-enforcement agency, defined in the enrolled bill, from maintaining, renewing, or entering into any federal

immigration agreement unless such agreement contains certain provisions. The enrolled bill specifies that the enrolled bill's provisions shall not apply to the transfer of custody of an adult convicted of certain violent felonies from a state, local, or regional correctional facility upon such correctional facility's receipt of a federal immigration detainer. The Governor's amendment removes the requirement that such adult who is the subject of such immigration detainer have been convicted of such violent felonies.

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

HB 1444. Virginia Clean Energy Innovation Bank; established; report. The enrolled bill creates the Virginia Clean Energy Innovation Bank to finance qualified projects through grants, loans, credit enhancements, and other financing mechanisms and creates an advisory board consisting of nonlegislative citizen members and ex officio members to oversee the Bank and provide recommendations related to the Bank and its effectiveness. The Governor's amendments (i) establish the Virginia Clean Energy Innovation Bank Fund with related subfunds that consists of funds used to implement the bill's provisions, (ii) add an additional nonlegislative citizen member appointed by the Governor to the advisory board, and (iii) make technical corrections. SB 225, which is identical as enrolled, has the same Governor's amendments.

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

HB 1450. Health insurance; claims experience information. The Governor's amendment adds a reenactment clause.

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

HB 1457. Vehicle weight limits; violations; owner of commercial motor vehicle hauling coal. The enrolled bill assigns liability for violations of certain vehicle weight limits for commercial motor vehicles hauling coal to the owner of the vehicle in violation of such weight limits. The Governor's amendments also authorize such liability to be assigned to the lessee of such vehicle.

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

HB 1482. Law-enforcement officers; restrictions on wearing of facial coverings; exceptions; penalty. The enrolled bill prohibits any law-enforcement officer, defined in the enrolled bill, from wearing a facial covering, defined in the enrolled bill, while engaged in the performance of his official duties and sets out several exceptions to such prohibition. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) creates a civil cause of action for any person injured by certain law-enforcement officers while such law-enforcement officer was wearing a facial covering in violation of the provisions of the bill.

The enrolled bill subjects the law-enforcement officer to disciplinary action, including dismissal, demotion, suspension, transfer, or decertification, and creates a Class 1 misdemeanor for any law-enforcement officer who wears a facial covering in violation of the enrolled bill. The Governor's Substitute removes the Class 1 misdemeanor.

SB 352, which is identical as enrolled, has the same Governor's Substitute.

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

HB 1524. Carrying assault firearms in public areas prohibited; penalty. The enrolled bill makes it a Class 1 misdemeanor to carry certain semi-automatic center-fire rifles, pistols, and shotguns or any firearm modified to be operable as an assault firearm on any public street, road, alley, sidewalk, or public right-of-way or in any public park or any other place of whatever nature that is open to the public, with certain exceptions. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) narrows the prohibition to the carrying of an assault firearm as defined in current Code. The Governor's Substitute also removes an exception for licensed security guards and clarifies that the exception for law-enforcement officers applies to such officers in the performance of their official duties. SB 727, which is similar as enrolled, has the same Governor's Substitute.

Contact: Anthony Sargent | asargent@dls.virginia.gov | 804-698-1855

HB 1525. Possession, transportation, or purchase of certain firearms by certain persons; penalty; emergency. The enrolled bill provides additional exceptions for persons younger than 18 years of age to possess or transport handguns or assault firearms anywhere in the Commonwealth. The enrolled bill also makes it a Class 1 misdemeanor for persons younger than 21 years of age to purchase a handgun or assault firearm anywhere in the Commonwealth.

The Governor's Amendment in the Nature of a Substitute adds an emergency clause, amends the definitions for "assault firearm" and "handgun," and requires the Department of State Police to administer, enforce, and otherwise implement current law regarding criminal history record information checks.

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

Senate Bills

SB 2. Paid family and medical leave insurance program; notice requirements; civil action.

The enrolled bill requires the Virginia Employment Commission (VEC) to establish and administer a paid family and medical leave insurance program with benefits beginning April 1, 2028. Under the program, benefits are paid to covered individuals, as defined in the enrolled bill, for family and medical leave. Funding for the program is provided through premiums assessed to employers and employees beginning April 1, 2028. The enrolled bill provides that the amount of a benefit is 80 percent of the employee's average weekly net earnings, not to exceed 100 percent of the statewide average weekly net earnings, which amount is required to be adjusted annually to reflect changes in the statewide average weekly wage. The enrolled bill caps the duration of paid leave at 12 weeks in any application year and provides self-employed individuals the option of participating in the program.

The Governor's Amendment in the Nature of a Substitute (the Governor's Substitute) limits the amount of paid leave available to claimants seeking leave for safety services to four weeks and requires certification, including (i) medical records or a statement from a health care provider; (ii) a protection order, police report, or court order; (iii) a statement from a victim service's provider; or (iv) other documentation required by the VEC. The Governor's Substitute provides that an individual who willfully or with intent to defraud makes any false statement with the intent to obtain benefits is guilty of a Class 1 misdemeanor and shall be disqualified from family and medical leave benefits for five years. The Governor's Substitute also removes the Paid Family and Medical Leave Advisory Board from the enrolled bill. HB 1207, which is identical as enrolled, has the same Governor's Substitute.

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

SB 24. Discovery; methods of delivery; report. The enrolled bill requires the Commonwealth, upon request by the accused or his counsel, to copy or photograph any discovery materials or evidence the accused is permitted to inspect and review, including relevant police reports, criminal records, dashboard camera footage, and body-worn camera footage, and requires the Commonwealth to provide copies to the accused or his counsel, subject to the redaction, restricted dissemination, and protective order provisions of the relevant Rules of the Supreme Court of Virginia and unless such material is prohibited from being distributed by law. The enrolled bill also directs the Department of Criminal Justice Services to evaluate and report, no later than November 1, 2026, the feasibility, costs, and other impacts with requiring the attorney for the Commonwealth to provide counsel of record for the accused a copy of any relevant police report at least 10 days prior to trial or preliminary hearing.

The Governor's amendments (i) remove the provision directing the Department of Criminal Justice Services to evaluate and report on certain impacts and (ii) (a) require the attorney for the Commonwealth in any district court to provide to counsel of record for the accused, if requested, a copy of any relevant police report, subject to limitations on dissemination, at least 10 days prior to the date the case is set for trial or preliminary hearing and (b) provide that if such materials are provided to counsel of record for the accused in district court for a preliminary hearing, the

circuit court shall order such counsel to provide discovery to the attorney for the Commonwealth subject to the relevant Rules of the Supreme Court of Virginia prior to trial in circuit court.

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

SB 28. Overtime for certain employees; domestic workers. The enrolled bill adds domestic workers, as defined in the bill, to provisions related to overtime pay and has a delayed effective date of July 1, 2027. The Governor's amendments add a reenactment clause and change the delayed effective date to July 1, 2028. HB 27, which is identical as enrolled, has the same Governor's amendments.

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

SB 60. Virginia Parole Board; powers and duties; juvenile offenders; parole procedures and considerations. The enrolled bill increases the number of members of the Virginia Parole Board (the Board) and specifies the qualifications and the appointing authorities for such new members. The enrolled bill also requires the Board to provide a meaningful opportunity for release to certain juvenile offenders eligible for parole and specifies various factors the Board shall give substantial weight to when making a determination on whether to grant parole to such juvenile offenders.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes the requirement that the Board increase its membership. The Governor's Substitute adds significant professional experience working in mental health and adolescent development to the list of qualifications for Board members for the Governor to consider when making appointments to the Board. The Governor's Substitute removes the prohibition on the Board to deny parole for a juvenile offender based principally on factors outside of his demonstrated ability to change but requires the Board to give significant consideration to the juvenile offender's ability to change when making a parole consideration. HB 318, which is identical as enrolled, has the same Governor's Substitute.

Contact: Anthony Sargent | asargent@dls.virginia.gov | 804-698-1855

SB 62. Modification of sentence for marijuana-related offenses. The enrolled bill creates a process by which a person adjudicated delinquent or convicted of certain felony offenses involving, or violations of probation or community supervision related to, the possession, manufacture, selling, giving, distribution, transportation, or delivery of marijuana committed prior to July 1, 2021, who remains incarcerated or on probation or community supervision on July 1, 2026, may receive an automatic hearing to consider modification of such person's sentence. The Governor's amendments remove the automatic hearing process and instead require such person to file a petition for reconsideration by July 1, 2027, on a form provided by the Office of the Executive Secretary of the Supreme Court of Virginia.

HB 26, which is identical as enrolled, has the same Governor's amendments.

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

SB 72. Phase I and Phase II Utilities; energy efficiency upgrades; low-income residents; report. The enrolled bill requires Appalachian Power and Dominion Energy Virginia to make best, reasonable efforts to provide by December 31, 2031, prescriptive efficiency measures and related efficiency improvements to (i) at least 30 percent of the qualifying households identified by such utilities or (ii) for Appalachian Power, 2,000 qualifying households or, for Dominion Energy Virginia, 8,400 qualifying households, whichever is less. The enrolled bill prohibits the State Corporation Commission from penalizing a utility for not meeting the 30 percent target. The Governor's amendment extends such penalty prohibition to include the alternative targets of 2,000 or 8,400. HB 2, which is identical as enrolled, has the same Governor's amendment.

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

SB 81. Enforcement of federal traffic infractions by state and local law-enforcement officers; Planning District 8. The enrolled bill provides that state and local law-enforcement officers may enforce federal traffic infractions on any highway within Planning District 8. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) additionally provides that a state or local law-enforcement agency may place and operate a photo speed monitoring device on a National Park highway, as defined in the Governor's Substitute, for the purpose of recording vehicle speed violations, provided that such law-enforcement agency has been authorized by the federal government or the National Park Service to place such photo speed monitoring device on such National Park highway. HB 77, which is identical as enrolled, has the same Governor's Substitute.

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

SB 83. Possession of portable electronic device in district or circuit court. The Governor's amendment adds a reenactment clause.

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

SB 106. Selling, giving, or distributing a tianeptine product; civil penalty. The enrolled bill provides that a retail establishment that sells, gives, or distributes a tianeptine product, without a prescription, is subject to a civil penalty in the amount of \$2,500 for a first violation and a civil penalty in the amount of \$5,000 for a second or subsequent violation within a three-year period. The enrolled bill also provides that such provisions shall not preclude prosecution under any other statute.

The Governor's amendment clarifies that tianeptine is classified as a Schedule I controlled substance pursuant to relevant law.

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

SB 107. Exemptions from jury service upon request; certain caretakers of persons with serious health conditions. The Governor's amendments are technical in nature to clarify the enrolled bill and maintain current law providing that a person who has legal custody of and is necessarily and personally responsible for a child 16 years of age or younger is exempt from jury

service upon request if such child requires continuous care by such person during normal court hours.

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

SB 125. Office of the Children's Ombudsman; powers and duties; report; recommendations. The Governor's amendments are technical in nature to clarify that the Children's Ombudsman may refer any complaints related to a child receiving protective or foster care services in any facility to the Office of the State Inspector General.

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

SB 126. Elections; primary election; when filings to be made; extension for incumbents failure to file. The enrolled bill provides that if an incumbent office holder fails to file the necessary paperwork to qualify to be on the ballot for a primary election for the office he holds by the deadline for filing such paperwork, then the deadline for such paperwork is extended by five days for any filer other than the incumbent. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) adds to this a change to the way in which primary filings are handled by requiring that the State Board of Elections notify the state chairmen of the parties that the filings are available for pickup rather than requiring the State Board of Elections to transmit the filings itself. The Governor's Substitute also makes changes to certain primary deadlines for the State Board and party chairmen to accommodate the potential extension of the filing deadline.

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

SB 128. Covenants not to compete; health care professionals; civil penalty. The enrolled bill adds health care professionals as a category of employee with or upon whom no employer shall enter into, enforce, or threaten to enforce a covenant not to compete. The enrolled bill specifies that its provisions do not limit the ability of employers of health care professionals to include narrow provisions in employment agreements requiring a health care professional to refrain from soliciting business from the employer's customers. The Governor's amendments provide that such provisions shall not preclude a health care professional from disclosing to a patient to whom the health care professional was providing consultation or treatment before departure from an employer the health care professional's continuing practice of medicine, the health care professional's new contact information, and the patient's right to choose a health care professional. HB 627, which is identical as enrolled, has the same Governor's amendments.

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

SB 137. Obstructing reproductive health care facility; penalties. The enrolled bill creates a Class 1 misdemeanor for any person who performs certain actions obstructing a reproductive health care facility, defined in the enrolled bill, because such facility provides reproductive health services. The enrolled bill also provides that its provisions shall not be construed to place any restriction on the content of any message that anyone may wish to communicate to anyone else, either inside or outside the regulated areas. The Governor's amendment replaces "the regulated areas" with "a reproductive health care facility."

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

SB 162. Voter registration; restoration of political rights upon release from incarceration; certain adjudications. The enrolled bill directs the Department of Corrections and the State Board of Local and Regional Jails to transmit to the Department of Elections certain information for incarcerated persons with a pending date of release and requires the Department of Elections to process the information and make the necessary changes to the voter registration system to permit such persons to register to vote by the person's scheduled date of release. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) (i) removes the role of the State Board of Local and Regional Jails and gives that role to the Compensation Board, (ii) requires that the information required to be transmitted be transmitted within the half of the month in which the person is released from incarceration, and (iii) removes the requirement that the Department of Elections make such changes prior to the scheduled release date of the incarcerated person. The enrolled bill also requires the appropriate state authority to provide an official release document to a person upon release from incarceration. The Governor's Substitute removes the requirement that such document be "certified" and "official" and requires only that the person being released from incarceration be given some document that states that he has been released from incarceration for a specified felony conviction. The Governor's Substitute provides that such documentation shall be sufficient for any person stating that he has been released from incarceration for a felony conviction to register to vote. HB 964, which is identical as enrolled, has the same Governor's Substitute.

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

SB 173. Weapons; possession prohibited in a hospital that provides mental health services or developmental services; penalty. The enrolled bill makes it a Class 1 misdemeanor for any person to knowingly and intentionally possess in the building of any hospital that provides mental health services or developmental services in the Commonwealth, including an emergency department or other facility rendering emergency medical care, a (i) firearm, (ii) knife with a blade over three and one-half inches, or (iii) other dangerous weapon, including explosives and stun weapons. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) limits exceptions to (a) a law-enforcement officer as defined in relevant law or (b) any person while in the actual discharge of his official duties as a correctional officer or jail officer or a correctional officer employed at a juvenile correction facility. HB 229, which is identical as enrolled, has the same Governor's Substitute.

Contact: Anthony Sargent | asargent@dls.virginia.gov | 804-698-1855

SB 176. Elections; conduct of election; ranked choice voting; locally elected offices; report. The enrolled bill expands the option to use ranked choice voting to town councils and adds a number of requirements for conducting such elections. In addition to those requirements, the Governor's Amendment in the Nature of a Substitute (Governor's Substitute) adds the requirement that (i) in any election conducted by ranked choice voting, the final tabulation of votes be conducted at the meeting of the electoral board held to ascertain the results of the election and (ii) the Department of Elections make public the total number and percentage of

votes each candidate received in each round of the official tabulation and ballot-level ranking data on an election-by-election basis to the extent feasible and consistent with the need to maintain voter privacy.

The enrolled bill allows local electoral boards to request a risk-limiting audit of an election conducted by ranked-choice voting. The Governor's Substitute requires that any such risk-limiting audit be limited to an audit of first rankings reported by voting systems.

HB 630, which is identical as enrolled, has the same Governor's Substitute.

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SB 181. Real property tax; partial exemption for repurposing underutilized structures for residential use; local incentives. The enrolled bill requires the original building owner of certain property for which the enrolled bill permits localities to provide partial real estate taxation exemptions to provide written notification of the partial exemption to the purchaser in the event that the original building owner sells such property. The Governor's amendment requires subsequent building owners to also provide such written notification.

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

SB 197. Virginia Community Flood Preparedness Fund; loan and grant program; deferment of interest accrual and repayment obligations. The enrolled bill provides that for funds disbursed to localities, federally recognized tribes, and Virginia recognized tribes primarily for the purpose of implementing flood prevention and protection projects and studies in areas that are subject to recurrent flooding, interest on loans shall not accrue and repayment obligations shall not come into effect for loans or grants until completion of the project or study for which such funds are disbursed.

The Governor's amendment provides that interest shall not accrue and repayment obligations shall not come into effect until completion or cancellation of such project or study.

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

SB 199. Employment; paid sick leave; civil penalties; civil actions; report. The enrolled bill requires one hour of paid sick leave for every 30 hours worked for all employees of private employers and state and local governments, with certain exceptions. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) (i) revises the definition of "family member" for the bill's purposes, (ii) excludes a student intern from qualifying for paid sick leave under the bill, (iii) amends the requirements for an employee to request paid sick leave, (iv) provides that the bill's provisions do not apply to a crewmember as defined in federal law, and (v) revises provisions relating to an employee's ability to bring a civil action in response to a violation of the bill's provisions. HB 5, which is identical as enrolled, has the same Governor's Substitute.

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

SB 215. Prohibiting employer seeking wage or salary history of prospective employees; wage or salary range transparency; cause of action. The enrolled bill prohibits various actions

by an employer related to wage and salary history and transparency. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) makes changes to provisions of the bill related to the liability of an employer for violating the bill's provisions. Under the enrolled bill, an aggrieved prospective employee or employee may bring an action, individually, jointly with other aggrieved prospective employees or employees, or on behalf of similarly situated prospective employees or employees as a collective action against the employer within two years from when the prohibited action occurred to recover statutory damages between \$1,000 and \$10,000 or actual damages, whichever is greater, reasonable attorney fees and costs, and any other legal and equitable relief as may be appropriate. Under the Governor's Substitute, the Attorney General may bring a cause of action to enforce the provisions of the bill and an employer that violates the bill's provisions is subject to a civil penalty of up to \$1,000 for the first violation and up to \$5,000 for any subsequent violation, and an aggrieved prospective employee or employee may bring an action to recover actual damages and any other legal and equitable relief as may be appropriate within one year of when his rights were violated. HB 636, which is identical as enrolled, has the same Governor's Substitute.

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

SB 218. Director of the Department of Corrections; placement of inmates. The Governor's amendment adds a reenactment clause.

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

SB 223. Distributed Energy Resources Task Force established; reports; sunset. The Governor's amendments specify that the Chief Energy Officer, or his designee, shall serve as chair of the Distributed Energy Resources Task Force established by the enrolled bill. HB 285, which is identical as enrolled, has the same Governor's amendments.

Contact: Lily Jones | ljones@dls.virginia.gov | 804-698-1888

SB 225. Virginia Clean Energy Innovation Bank; established; reports; sunset. The enrolled bill creates the Virginia Clean Energy Innovation Bank to finance qualified projects through grants, loans, credit enhancements, and other financing mechanisms and creates an advisory board consisting of nonlegislative citizen members and ex officio members to oversee the Bank and provide recommendations related to the Bank and its effectiveness. The Governor's amendments (i) establish the Virginia Clean Energy Innovation Bank Fund with related subfunds that consists of funds used to implement the bill's provisions, (ii) add an additional nonlegislative citizen member appointed by the Governor to the advisory board, and (iii) make technical corrections. HB 1444, which is identical as enrolled, has the same Governor's amendments.

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

SB 226. Local competitive bidding for compost and other products containing organic soil amendments; waste disposal infrastructure; civil penalty. The enrolled bill provides that any locality may by ordinance require that certain generators, as defined in the enrolled bill, of large quantities of organic waste separate the organic waste from other solid waste and ensure that the organic waste is diverted from final disposal in a refuse disposal system by any of a variety of

specified waste diversion activities. The Governor's amendments (i) remove a reference to "a cafeteria operated by or on behalf of the Commonwealth" from the definition of "generator," (ii) allow a business to demonstrate in writing that a permitted facility will not accept organic waste if the business is otherwise required to compost such organic waste at the facility, and (iii) remove a directive to the Department of Environmental Quality to study certain issues related to composting. HB 1011, which is identical as enrolled, has the same Governor's amendments.

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

SB 229. Civil actions filed on behalf of multiple persons; class actions; violations of Virginia Consumer Protection Act; award of damages. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes from the enrolled bill the practical ability of individual class members to pursue their claims without certification from the considerations a court may use when determining if a class action is superior to other litigation measures. The Governor's Substitute further (i) allows for the utilization of summary judgment actions in class actions; (ii) removes the ability for the court to award attorney fees as a percentage of the common fund; (iii) adds a specification that the venue lies only in the circuit courts of the Cities of Norfolk, Richmond, and Roanoke and Fairfax County; (iv) removes the ability to recover the greater of actual damages or \$500 or three times the actual damage or \$1,000, as applicable, "per violation" of the relevant provisions of the Virginia Consumer Protection Act, which maintains existing law allowing for recovery of the same amounts but not per violation; (v) removes retroactivity provisions of the enrolled bill; and (vi) directs the Office of the Executive Secretary of the Supreme Court of Virginia to amend the Rules of the Supreme Court of Virginia to adopt Federal Rule of Civil Procedure 56 as the governing procedural rules for summary judgment practice in class action cases. SB 449, which is identical as enrolled, has the same Governor's Substitute.

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

SB 230. Expungement of police and court records. The enrolled bill permits the expungement of police and court records relating to an initial charge when a person is arrested, charged, summonsed, or indicted for the commission of an infraction, a crime, or a civil offense and such person is not ultimately convicted, provided that no stipulation of facts sufficient to find guilt was entered or the court did not determine the facts sufficient to find guilt but deferred adjudication or disposition to a later date.

The Governor's amendments change certain requirements enumerated in the enrolled bill related to such expungement to provide that (i) the attorney for the Commonwealth, if he files an objection to the petition for expungement, shall provide the basis for such objection instead of requiring the "factual basis" as provided in the enrolled bill and (ii) the court, if it finds manifest injustice to the petitioner, as provided in current law, shall order expungement instead of finding "potential manifest injustice" as provided in the enrolled bill.

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

SB 250. Electric utilities; small portable solar generation devices; local regulation; installation by tenants; consumer protection; report. The enrolled bill includes provisions related to the installation of small portable solar generation devices, including directing the Secretary of Commerce and Trade to convene a work group to evaluate and develop recommendations regarding the safety standards and requirements applicable to such devices. The Governor's amendments allow the Secretary to select a designee to lead the work group. HB 395, which is identical as enrolled, has the same Governor's amendments.

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

SB 253. Electric utilities; pilot programs for energy assistance and weatherization for certain individuals. The enrolled bill authorizes Dominion Energy Virginia (Dominion) to recover costs associated with certain electrical facilities that have been approved by the State Corporation Commission (the Commission) as of December 1, 2033, provided that certain requirements are met and notwithstanding any limitations on such cost recovery in current law. The Governor's amendments provide that Dominion may recover such costs provided that the Commission shall, in its sole discretion, determine whether any proposed costs for tap line conversion are reasonable and prudent and no such costs exceed certain limitations and that Dominion does not seek an increase in the level of certain investments that exceeds two percent.

The Governor's amendments remove provisions directing Dominion to propose to the Commission, in any proceeding to determine rates for generation and distribution services commencing after January 1, 2027, and before July 1, 2033, that certain costs related to capacity procurement requirements and distribution infrastructure investments are allocated to the utility's customer class approved to serve customers with a contracted or measured electric demand of 25 megawatts or greater and an anticipated or measured average annual electric load factor of 75 percent or greater. The Governor's amendments instead provide that in any biennial review proceedings to determine Dominion's rates for generation and distribution services conducted by the Commission, the Commission is required to, in approving rates for generation and distribution services and determining appropriate customer class cost allocations, take all measures to reasonably ensure that costs associated with customers taking service under the terms and conditions for customers with a contracted or measured electric demand of 25 megawatts or greater and an anticipated or measured average annual electric load factor of 75 percent or greater (high load customers) are not being subsidized by other customers of the utility, and that such other customers' approved rates are not being adversely impacted by such customers taking service under the terms and conditions for high load customers.

The enrolled bill authorizes certain high load customers of Dominion to elect to remain on their existing rate schedule. The Governor's amendments increase the number of full-time employees such a customer is required to maintain from 200 to 10,000 in order to qualify for such election.

The Governor's amendments remove provisions requiring Dominion, in connection with its first proceeding to determine rates for generation and distribution services commencing after July 1, 2026, to include in its petition to the Commission a proposal to revise its tariff for

supplementary, maintenance, or standby service for customers with power plants, effective as of January 1, 2028.

The enrolled bill authorizes Dominion to file a petition for the securitization of certain deferred fuel costs. The Governor's amendments provide that the Commission is required to, in its sole discretion, determine whether such financing order is in the public interest.

Finally, the Governor's amendments provide that, in any biennial review proceeding for Dominion conducted by the Commission commencing in 2027, if the Commission determines that such utility has a combined rate of return of 9.3 percent or greater, the Commission is required to direct that any such earnings that were above 9.3 percent be credited to customers' bills.

HB 1393, which is similar as enrolled, has the same Governor's amendments.

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SB 256. Minimum energy and water conservation standards; heating, ventilation, and air conditioning facilities and home appliances; Department of Energy; prohibited practices; penalty. The Governor's amendment (i) provides that certain provisions of the bill shall become effective 12 months following the date on which a product or category under the federal Energy Policy and Conservation Act of 1975 is removed by the U.S. Secretary of Energy or the federal government and (ii) requires the Department of Energy to submit a report by December 1, 2026, on any costs and requisite findings necessary to implement and administer the provisions of the bill. The Governor's amendment makes this bill identical to HB 672 as enrolled.

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SB 258. Virginia Human Rights Act; menopause or perimenopause; discrimination prohibited; report. The enrolled bill prohibits discrimination under the Virginia Human Rights Act on the basis of menopause or perimenopause for purposes of nondiscrimination in government programs, public accommodation, employment hiring, and reasonable employer accommodation. The enrolled bill also directs the Commissioner of Labor and Industry, in consultation with the Commissioner of Health, to conduct a study on menopause and perimenopause in the workforce, menopause and perimenopause accommodations in employment environments, and the scope of existing menopause-related and perimenopause-related policies and to develop best practices related to menopause and perimenopause accommodations in employment environments. The enrolled bill directs the Commissioners to submit such report to the Governor and General Assembly by July 1, 2028, and to post such report on the Department of Labor and Industry's website.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) amends the enrolled bill to include only the portions requiring the Commissioner of Labor and Industry, in consultation with the Commissioner of Health, to conduct the aforementioned study and report to the Governor and General Assembly on its findings. HB 1173, which is identical as enrolled, has the same Governor's Substitute.

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

SB 270. Recovery residences; regulations. The enrolled bill establishes certain requirements for recovery residences and directs the State Board of Behavioral Health and Developmental Services (the Board) to promulgate regulations to establish minimum certification standards for recovery residences.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) (i) replaces the term "credentialing agencies" with "credentialing entities" throughout; (ii) specifies that the Board, rather than the Department of Behavioral Health and Developmental Services (the Department), is responsible for promulgating regulations establishing a process for recovery residences to apply for certification; (iii) requires the Department and the Virginia Housing Commission to submit their recommendations for regulation of licensed providers of clinical substance use treatment services that offer housing as a benefit on November 1, 2026 instead of November 1, 2027; and (iv) adds an expiration date of July 1, 2031 for the recovery residence work group established in Chapter 608 of the Acts of Assembly of 2025. HB 931, which is identical as enrolled, has the same Governor's Substitute.

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

SB 271. Prescription Drug Affordability Advisory Panel established; maximum fair price; annual reports; civil penalties. The enrolled bill directs the Secretary of Health and Human Resources to establish the Prescription Drug Affordability Advisory Panel to conduct data analyses, develop policy recommendations, and identify implementation barriers related to strategies to improve prescription drug affordability, enhance price transparency, and strengthen data collection practices for prescription drugs across public and private payers. The Governor's Amendment in the Nature of a Substitute adds the Commissioner of the Bureau of Insurance as an ex officio member of the panel, requires the Panel to hire an executive director, establishes a four-year term for nonlegislative citizen members, prohibits a nonlegislative citizen member from serving for more than two consecutive terms, amends the qualifications for nonlegislative citizen members, and staggers the initial terms of nonlegislative citizen members.

The enrolled bill requires data suppliers to provide the All Payer Claims Database with non-claims payment data, in addition to paid claims data already required under current law. The Governor's Substitute defines "non-claims payment data" as payment and rebate data that does not necessarily originate from a claim, including incentive payments, capitation payments, rebates that a carrier received from a drug manufacturer, and data elements consistent with national standards for non-claims-based payment data collection.

The enrolled bill requires the nonprofit organization that administers the All Payer Claims Database to submit an annual report to the Panel. The Governor's Substitute requires such report to include information on each prescription drug that is designated as a high-cost drug by the Department of Medical Assistance Services or that is subject to certain reporting requirements by drug manufacturers.

The enrolled bill provides that the Panel shall have access to data reported by the All Payer Claims Database at no cost. The Governor's Substitute requires that the Panel additionally have access to certain information reported by drug manufacturers and requires the Attorney General to have access to such data at no cost. Additionally, the Governor's Substitute authorizes the Attorney General to utilize any such data obtained to enforce or further investigate violations of the Virginia Antitrust Act, the Virginia Consumer Protection Act, or any other applicable state or federal law.

The bill prohibits prescription drug manufacturers or wholesale distributors permitted or licensed in the Commonwealth from accepting payment at an amount higher than the maximum fair price established by the U.S. Secretary of Health and Human Services pursuant to federal law for the sale of a referenced drug intended for use by individuals in the Commonwealth and prohibits a manufacturer subject to its provisions from removing a referenced drug from sale distribution in the Commonwealth for the purpose of avoiding the impact of the bill's rate limitations without providing certain prior notice. The Governor's Substitute provides that such provisions shall not become effective unless reenacted by the 2027 Session of the General Assembly.

The Governor's Substitute requires the Panel to submit a report, in collaboration with the Bureau of Insurance and the Office of the Attorney General, to the Governor, the Chairs of the Senate Committees on Commerce and Labor and Education and Health, and the Chairs of the House Committees on Labor and Commerce and Health and Human Services that includes the legal implications of, operational recommendations for, evidence of effectiveness of, and any other relevant information related to the provisions that are subject to the reenactment. The Governor's Substitute contains technical amendments.

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

SB 285. Department of Housing and Community Development; administration of Urban Public-Private Partnership Redevelopment grant program; report. The enrolled bill directs the Department of Housing and Community Development to review and develop criteria and guidelines for the administration of the Urban Public-Private Partnership Redevelopment grant program. The Governor's amendments change the entity conducting the review and developing criteria and guidelines to the Board of Housing and Community Development.

Contact: Lily Jones | ljones@dls.virginia.gov | 804-698-1888

SB 324. Virginia Public Procurement Act; additional public works contract requirements; report. The enrolled bill includes a definition of "employee" defining workers on certain construction contracts subject to the Virginia Public Procurement Act. The Governor's amendments remove such definition. The enrolled bill provides that, if a construction contract with a state public body is valued at an amount greater than \$5 million, no contractor, subcontractor, or party to such contract shall provide remuneration to more than one independent contractor for the performance of construction work on such contract. The Governor's amendments further specify such limit as no more than one independent contractor for each contractor, subcontractor, or party to such contract. The Governor's amendments also change the party that is required to receive written authorization from the state public body to remunerate

independent contractors from the remunerating party to the prime contractor. The Governor's amendments further provide that the enrolled bill's additional public works contract requirements shall not apply to transportation-related construction projects. HB 1046, which is identical as enrolled, has the same Governor's amendments.

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SB 335. Affirmative defense or reduced penalty for mental illness, neurocognitive disorder, or intellectual or developmental disability. The enrolled bill provides an affirmative defense to prosecution of a person for assault or assault and battery against certain specified persons for which the enhanced Class 6 felony and six-month mandatory minimum apply if such person proves, by a preponderance of the evidence, that at the time of the assault or assault and battery (i) the person's behaviors were a result of (a) mental illness or (b) a neurocognitive disorder, including dementia, or an intellectual disability or a developmental disability such as autism spectrum disorder, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, or (ii) the person met the criteria for issuance of an emergency custody order.

The enrolled bill requires such person or his counsel to give notice in writing to the attorney for the Commonwealth at least 60 days prior to his trial in circuit court, or at least 14 days if the trial date is set within 21 days of his last court appearance, of his intention to present such evidence. Additionally, if such notice is not given, and the person proffers such evidence at his trial as a defense, then the court may in its discretion either allow the Commonwealth a continuance or, under appropriate circumstances, bar such person from presenting such evidence; any such continuance shall not be counted for speedy trial purposes pursuant to relevant law.

Lastly, the enrolled bill provides that if such person does not prove that his behaviors were a result of his mental illness, intellectual disability, developmental disability, or neurocognitive disorder but the evidence establishes that his mental illness, intellectual disability, developmental disability, or neurocognitive disorder otherwise contributed to his behaviors, the finder of fact may find such person guilty of a Class 1 misdemeanor.

The Governor's amendments (a) remove the preponderance of the evidence standard; (b) require such person to prove that he did not have the intent required at the time the alleged offense was committed because (1) the person's behaviors were a result of (A) mental illness or (B) a neurocognitive disorder, including dementia, or an intellectual disability or a developmental disability such as autism spectrum disorder, as defined in the most recent edition of the Diagnostic and Statistical Manual of Mental Disorders of the American Psychiatric Association, or (2) the person met the criteria for issuance of an emergency custody order; and (c) remove the ability of the finder of fact to find such person guilty of a Class 1 misdemeanor if such person does not prove that his behaviors were a result of his mental illness, intellectual disability, developmental disability, or neurocognitive disorder but the evidence establishes that his mental illness, intellectual disability, developmental disability, or neurocognitive disorder otherwise contributed to his behaviors.

HB 246, which is identical as enrolled, has the same Governor's amendments.

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

SB 337. Virginia National Guard; reports to the General Assembly; state militias; work group; report. The enrolled bill requires the Adjutant General to submit an annual report to the General Assembly detailing federal and state deployments of the Virginia National Guard and other matters relating to retention, readiness, funding, and resources. The enrolled bill also prohibits the Governor from calling forth the Virginia National Guard for the purpose of intimidating, threatening, or coercing, or attempting to intimidate, threaten, or coerce, a person in giving his vote or ballot or to deter or prevent such person from voting. The enrolled bill directs the Secretary of Veterans and Defense Affairs to convene a work group to assess the most appropriate manner and process by which the Governor and members of the General Assembly should respond to deployments of the Virginia National Guard.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes from the annual report details regarding any shortfall or misuse of federal funding and adds that the annual report will include a comprehensive overview of yearly federal funding, detailing the appropriations for key areas while also identifying any existing unfunded requirements.

The Governor's Substitute also removes (i) the prohibition for armed militia from another state, territory, or district from entering the Commonwealth for the purpose of active military duty over the objection of the Governor and (ii) the option for the General Assembly to request that the Attorney General assess the legality of the deployment of the National Guard of another state or of the Virginia National Guard. The Governor's Substitute also removes the specified composition of the work group from the enrolled bill and directs the work group as constituted by the Secretary of Veterans and Defense Affairs to assess what safeguards, if any, are necessary to ensure that the Virginia National Guard does not interfere with any person voting. HB 286, which is identical as enrolled, has the same Governor's Substitute.

Contact: Anthony Sargent | asargent@dls.virginia.gov | 804-698-1855

SB 342. Condemnation of conservation or open-space easement; compensation. The Governor's amendment adds a reenactment clause.

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

SB 344. Department of Wildlife Resources; premature separation and hybridization of mammalian wildlife prohibited; exceptions. The Governor's amendments (i) strike one instance of the word "prematurely" in the prohibition of separating mammalian wildlife offspring born in captivity from the mother prior to the offspring turning four months of age; (ii) provide that the Board of Wildlife Resources may prescribe by regulation a species-specific age other than four months for such separation prohibition; and (iii) as it relates to the qualifications of licensed veterinarians making a determination of a medical necessity-related separation, replace the phrase "with appropriate species-specific experience and expertise" with the phrase "and has received training or experience in the care and management of the species being attended." HB 112, which is identical as enrolled, has the same Governor's amendments.

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SB 347. Local regulation of solar facilities; special exceptions. The enrolled bill provides that certain ground-mounted solar energy generation facilities to be located on property zoned agricultural, commercial, industrial, or institutional shall be considered pursuant to various criteria to be included in a local ordinance, such as specifications for setbacks, fencing, solar panel height, visual impacts, grading, and a decommissioning plan for solar energy equipment and facilities, unless otherwise permitted by right. The Governor's amendments replace a definition of "agrivoltaics" with a cross-reference to a similar definition that will become effective July 1, 2026, and make other technical amendments. HB 711, which is identical as enrolled, has the same Governor's amendments.

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

SB 348. Storage of firearms in a residence where a minor or person prohibited from possessing a firearm is present; penalty. The enrolled bill provides any person who possesses a firearm in a residence where such person knows that a minor or a person who is prohibited by law from possessing a firearm is present shall store such firearm and the ammunition for such firearm in a locked container, compartment, or cabinet that is inaccessible to such minor or prohibited person. Under the enrolled bill, any person who violates this provision is guilty of a Class 4 misdemeanor. The enrolled bill also requires any dealer, as that term is defined in current law, to post a written notice informing the public of the penalty imposed for failure to comply with the enrolled bill's provisions. The Governor's amendments (i) remove the reference to ammunition, (ii) provide the option to use a gun locking device to render a firearm incapable of being fired, and (iii) change the penalty to a Class 2 misdemeanor. HB 871, which is identical as enrolled, has the same Governor's amendments.

Contact: Anthony Sargent | asargent@dls.virginia.gov | 804-698-1855

SB 351. Prohibiting certain acts in furtherance of federal immigration enforcement in certain protected areas; exceptions; penalties. The enrolled bill (i) prohibits certain federal civil immigration enforcement activities in certain protected areas; (ii) prohibits any civil arrest in a courthouse pursuant to a civil administrative warrant, subject to certain exceptions; (iii) includes provisions authorizing a local school board to adopt a procedure for notifying school board employees and parents of enrolled students of the presence of certain individuals on school property for immigration enforcement purposes; and (iv) requires each public institution of higher education to adopt a policy that requires an individual present on campus for certain immigration enforcement purposes to present a valid judicial warrant or judicial subpoena before accessing any nonpublic area of the campus.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) prohibits any person with the lawful authority to conduct a civil immigration arrest from doing so in the same or similar protected areas as the enrolled bill unless such person has in his possession at the time of such arrest a valid judicial warrant.

HB 650, which is identical as enrolled, has the same Governor's Substitute.

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SB 352. Law-enforcement officers; restrictions on wearing of facial coverings; exceptions; penalty. The enrolled bill prohibits any law-enforcement officer, defined in the enrolled bill, from wearing a facial covering, defined in the enrolled bill, while engaged in the performance of his official duties and sets out several exceptions to such prohibition. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) creates a civil cause of action for any person injured by certain law-enforcement officers while such law-enforcement officer was wearing a facial covering in violation of the provisions of the bill.

The enrolled bill subjects the law-enforcement officer to disciplinary action, including dismissal, demotion, suspension, transfer, or decertification, and creates a Class 1 misdemeanor for any law-enforcement officer who wears a facial covering in violation of the enrolled bill. The Governor's Substitute removes the Class 1 misdemeanor.

HB 1482, which is identical as enrolled, has the same Governor's Substitute.

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SB 361. Health insurance; coverage for contraceptive drugs and devices. The enrolled bill (i) requires health insurance carriers to provide coverage, under any health insurance contract, policy, or plan that includes coverage for prescription drugs on an outpatient basis, for contraceptive drugs and contraceptive devices approved by the U.S. Food and Drug Administration, including those available over-the-counter; (ii) prohibits a health insurance carrier from imposing upon any person receiving prescription contraceptive benefits pursuant to the provisions of the enrolled bill any copayment, coinsurance payment, or fee, except in certain circumstances; and (iii) requires any health benefit plan that provides coverage for hormonal contraceptives to provide point-of-sale coverage without cost-sharing at in-network pharmacies for hormonal contraceptives available over-the-counter. The Governor's amendments provide that an exceptions form for coverage of non-preferred products with no cost-sharing may be a permissible requirement for coverage and require each insurer to provide information about contraceptive coverage on its website and by mail upon request. HB 1182, which is identical as enrolled, has the same Governor's amendments.

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SB 364. Secretary of Public Safety; firearm violence. The enrolled bill directs the Secretary of Public Safety to convene a work group to develop policy and legislative recommendations to establish the Virginia Gun Violence Prevention Center. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) adds the requirement that certain representatives in the work group have experience in gun violence prevention and community safety. HB 969, which is identical as enrolled, has the same Governor's Substitute.

Contact: Anthony Sargent | asargent@dls.virginia.gov | 804-698-1855

SB 378. Collective bargaining by public employees; individual home care providers; Virginia Home Care Council established; Public Employee Relations Board established; exclusive bargaining representatives. The enrolled bill repeals the existing prohibition on collective bargaining by public employees, defined in the enrolled bill to include state and local

government employees, and creates the Public Employee Relations Board, which shall determine appropriate bargaining units and provide for certification and decertification elections for exclusive bargaining representatives of public employees. The enrolled bill establishes the Virginia Home Care Council within the Department of Medical Assistance Services to serve as the public employer of individual providers for purposes of the enrolled bill.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) (i) makes the creation of the Virginia Home Care Council effective July 1, 2027; (ii) makes certain provisions applicable to local governments and local government employees beginning January 1, 2030; (iii) defines "public institution of higher education" for the bill's purposes; (iv) exempts certain employees of the University of Virginia Medical Center and the Virginia Commonwealth University Health System Authority from the bill's provisions; (v) provides that no provision of the bill shall be construed as a waiver of the Commonwealth's sovereign immunity with respect to monetary damages; (vi) provides that arbitration under the bill shall result in an advisory decision; and (vii) directs the Department of Labor and Industry and the Public Employee Relations Board to adopt regulations regarding mandatory and permissive subjects of collective bargaining, authorized payroll deductions, reasonable access to public employees, furnishing data, proceedings related to alleged violations of the bill's provisions, timing and conduct of elections, and various other subjects under the bill. HB 1263, which is identical as enrolled, has the same Governor's Substitute.

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

SB 388. Affordable housing; religious organizations and other nonprofit tax-exempt properties. The enrolled bill allows for the administrative approval of development and construction of housing on land owned by property tax-exempt religious organizations or certain property tax-exempt nonprofit organizations and provides that zoning ordinances shall allow the by-right development and construction of housing on real property owned by such organizations, subject to various conditions and limitations. The enrolled bill also provides that all such housing is subject to local real property taxation following completion, unless explicitly exempted by the locality. The enrolled bill has a delayed effective date of January 1, 2027, and expires on January 1, 2031.

The Governor's amendments (i) exclude from the criteria for determining allowable building height certain existing buildings granted additional height above what is permitted by right in the zoning district, (ii) change provisions related to the maximum building height within designated historic districts by providing that the maximum building height shall be controlled by the regulations governing the historic district, (iii) expand the areas in which a locality may establish higher minimum residential densities above what would otherwise be permitted by including transit areas and areas within a small area plan, (iv) provide that any residential or mixed-use project built pursuant to the provisions of the bill shall be deemed to be substantially in accord with the comprehensive plan of the locality, (v) encourage property tax-exempt religious organizations and nonprofit organizations to consult resources available on the Department of Housing and Community Development's website regarding affordable housing and strategies on property owned by a property tax-exempt nonprofit organization, and (vi) make several other

technical and clarifying changes. HB 1279, which is identical as enrolled, has the same Governor's amendments.

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SB 398. Virginia Birth-Related Neurological Injury Compensation Program and Fund; board of directors; plan of operation; filing of claims; awards and coverage for expenses or services. The enrolled bill makes various changes to the Virginia Birth-Related Neurological Injury Compensation Program (the Program) and Fund. The enrolled bill provides that a civil action arising out of or related to a birth-related neurological injury against a participating hospital or physician shall be referred to the Virginia Workers' Compensation Commission and increases from \$100,000 to \$500,000 the amount that may be awarded to families whose infant has sustained a birth-related neurological injury.

The Governor's amendments remove a provision exempting compromise or settlements approved by the Program from approval by the Attorney General or the Governor. The Governor's amendments also remove the treble damages provision in the case of delayed payment or reimbursement of a covered benefit without reasonable grounds. HB 1007, which is identical as enrolled, has the same Governor's amendments.

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SB 443. Siting of battery energy storage projects; commercial solar photovoltaic generation facilities; permitted accessory use. The enrolled bill deems battery energy storage projects as a permitted accessory use in all zoning districts on any parcel of land that is subject to an approved special exception, as defined in the enrolled bill, for a commercial solar photovoltaic generation facility, if such battery energy storage project is located within the boundaries of the parcel covered by the existing special exception and complies with any applicable federal, state, and local safety or fire codes and environmental regulations. The enrolled bill also prohibits a host locality from requiring a special exception or any other local land use approval on such battery energy storage project. The enrolled bill finally clarifies that nothing in the provisions of the enrolled bill shall be construed to (i) limit the authority of a host locality to enforce compliance with applicable codes or ensure the safe operation of the battery energy storage project or (ii) preclude the developer of a battery energy storage project from negotiating a siting agreement with the host locality.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) retains the provisions that deem battery storage projects as a permitted accessory use but also adds that such battery energy storage project must not have a rated storage capacity that exceeds 100 percent of the nameplate generating capacity of the associated solar energy facility. The Governor's Substitute also changes the existing clarification that provides that nothing in the provisions of the enrolled bill shall be construed to preclude the developer of a battery energy storage project from negotiating a siting agreement with the host locality to clarify that nothing in the provisions of the bill shall be construed to preclude the developer or host locality of a battery energy storage project from negotiating a siting agreement. HB 891, which is identical as enrolled, has the same Governor's Substitute.

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SB 490. Department of Housing and Community Development; loans for the construction of mixed income housing; report. The enrolled bill requires that any funding for the pilot program offering certain loan origination and servicing activities, subject to provisions in the appropriation act, shall be utilized from up to 15 percent of the annual deposit made to the Virginia Housing Trust Fund. The Governor's amendment removes that funding restriction. HB 196 and HB 820, which are identical as enrolled, have the same Governor's amendment.

Contact: Stephen Kindermann | skindermann@dls.virginia.gov | 804-698-1880

SB 494. Public institutions of higher education; governing boards; membership and duties; work groups. The enrolled bill revises the membership and duties of the governing board of each public institution of higher education by, among other things, increasing from four years to six years the terms of each member of the governing board and requiring the governing board of each public institution of higher education to adopt policies defining and implementing shared governance among the components of the institution's organizational structure. The enrolled bill also directs the State Council of Higher Education for Virginia to convene work groups for the purpose of (i) developing model shared governance policies, in accordance with the provisions of the enrolled bill, and (ii) in conjunction with the Office of the Attorney General, studying and making recommendations on institutional structures and processes relating to legal counsel.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) makes several changes, including (a) changing the total membership and composition of and quorum requirements for the Virginia Commission on Higher Education, (b) removing the provisions of the enrolled bill that would have increased from four years to six years the terms of each member of the governing board of each public institution of higher education, (c) adjusting the provisions of the enrolled bill relating to the appointment and confirmation of members of the governing board of each public institution of higher education and delaying the effective date of such provisions until January 1, 2027, (d) removing the provisions in the enrolled bill that would have required the executive committee of the governing board of each public institution of higher education to establish a board member code of ethics, and (e) removing the Office of the Attorney General as the co-convenor of the aforementioned legal counsel work group. HB 1385, which is identical as enrolled, has the same Governor's Substitute.

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SB 508. Electric utilities; surplus interconnection service sites. The enrolled bill directs Appalachian Power and Dominion Energy Virginia to undertake a comprehensive assessment of available interconnection capacity at each such utility's existing and planned intermittent electric generation facilities located in the Commonwealth. The enrolled bill directs such utilities to establish pilot programs for energy storage resources and solar generation facilities that utilize surplus interconnection service, as defined in the enrolled bill, with a capacity of 100 megawatts for Appalachian Power and 500 megawatts for Dominion Energy Virginia. The Governor's amendments provide that such pilot programs shall have a capacity of up to 100 megawatts for

Appalachian Power and up to 500 megawatts for Dominion Energy Virginia. HB 1065, which is identical as enrolled, has the same Governor's amendments.

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SB 518. Prevailing wage rate for public works contracts; localities. The enrolled bill requires each state agency or locality, when procuring services or letting contracts for public works paid for in whole or in part by state or local funds, or when overseeing or administering such contracts for public works, to ensure that its bid specifications or other public contracts applicable to the public works require bidders, offerors, contractors, and subcontractors to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract for public works at a rate no less than the prevailing wage rate. The enrolled bill also amends the definition of "public works" to include work performed at certain institutions of higher education and to exclude work performed at a non-governmental property or facility used to provide broadband or other telecommunications services. The enrolled bill also requires institutions of higher education to expressly agree to comply with the public works contract requirements and includes factors for the Commissioner of Labor and Industry (the Commissioner) to consider in determining a prevailing wage rate.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) requires the survey of wages and benefits paid in each area, based on which the Commissioner shall determine the prevailing wage, to be conducted every three years rather than every two years. The Governor's Substitute also removes liability for liquidated damages for failure to pay the prevailing wage rate and removes civil penalty provisions for failure to file certified payroll forms. The Governor's Substitute also (i) changes the date by which the Commissioner shall effectuate regulations from January 1, 2028, to July 1, 2027, and (ii) requires the Commissioner to convene a work group to review logistics for establishing a certified payroll reporting portal and database for use by employers and to submit a report of the work group's findings to the General Assembly by July 1, 2027. HB 569, which is identical as enrolled, has the same Governor's Substitute.

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SB 536. Medical malpractice information disclosures; report. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) adds a requirement to the enrolled bill to require insurers who issue medical malpractice liability insurance policies to disclose the identity of named insureds under such policies. The Governor's Substitute further requires every medical care facility or other health care provider, as opposed to every hospital or health system as required in the enrolled bill, maintaining certain types of insurance or retained financial risk to disclose information as specified in the enrolled bill. The Governor's Substitute further specifies that a health care provider shall not be required to make any report of information already included in a report submitted by a person or entity providing such insurance or retained financial risk for the medical malpractice liability of the health care provider.

The enrolled bill provides that such required disclosures and information be submitted to the Chairs of the House and Senate Committees for Courts of Justice and to the ranking Delegate and Senator of the minority party serving on such Committees on or before September 1, 2026, for the 2025 calendar year and on or before March 31 of each year thereafter for the preceding calendar year. The Governor's Substitute instead directs that the disclosures and information be submitted to the State Corporation Commission's Bureau of Insurance (the Bureau) in a uniform format prescribed by the Bureau by such dates. The Governor's Substitute directs the Bureau in its report aggregate summaries of such information and, to the extent practicable, to present such data in a manner that allows comparison among health care providers by size, region, or type of facility and specifies that the Bureau shall utilize anonymized or de-identified formats to facilitate comparison, provided that no individual health care provider is identified and that, to the extent practicable, no information is presented that reasonably could be expected to reveal the identity of any individual health care provider, in any public report. The Governor's Substitute directs the Bureau to compile and analyze the information submitted and prepare a report summarizing such information in aggregate form without identifying any individual physician, hospital, insurer, patient, or specific claim. The Governor's Substitute directs the Bureau to submit the report to the Chairs of the House and Senate Committees for Courts of Justice and to the ranking members of the minority party serving on such committees and to make the report publicly available on the General Assembly's website as soon as practicable after receipt of the required disclosures. The Governor's Substitute specifies that such report shall also include disclaimer language stating that the report shall be used to inform evaluation of the medical malpractice damages cap framework and other related policy considerations.

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SB 542. Cannabis control; retail market; penalties. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes, relocates, and revises numerous provisions from the enrolled bill.

The enrolled bill allocates 50 percent of the Cannabis Equity Reinvestment Fund to the Virginia Cannabis Equity Business Loan Fund and authorizes action by a majority of the Cannabis Equity Reinvestment Board if the position of Director of Diversity, Equity, and Inclusion is vacant. The Governor's Substitute removes these provisions from the bill.

The enrolled bill creates a new chapter in Title 2.2 of the Code of Virginia authorizing the Governor to enter into marijuana-related compacts with Virginia tribal governments. The Governor's Substitute removes this chapter from the bill.

The enrolled bill includes a statement of purpose that the General Assembly finds that laws prohibiting the use and sale of marijuana have been ineffective and have had devastating collateral consequences for individuals and communities across the Commonwealth, disproportionately impacting African Americans, and that the purpose of the Cannabis Control Act is to create an approach to marijuana regulation that is rooted in principles of restorative justice, economic equity, and public health in order to generate significant revenue dedicated to community reinvestment, create small and local businesses, strengthen the Commonwealth's

vital agriculture sector, end the racially disparate impacts of prohibition, and protect the health and safety of all citizens of the Commonwealth. The Governor's Substitute removes this statement of purpose.

The enrolled bill requires the Virginia Alcoholic Beverage Control Authority (ABC) to establish and administer a tip line for unlicensed marijuana activity, authorizes ABC enforcement based on complaints received through the tip line, and requires the CCA to train ABC on Cannabis Control Act enforcement. The Governor's Substitute removes these provisions from the bill, but requires ABC to enter into a memorandum of understanding with the CCA no later than January 1, 2027, which shall provide that ABC shall support and assist the CCA in developing its enforcement capabilities, including through the temporary assignment or use of ABC special agents, until the CCA is fully operational for enforcement purposes.

The Governor's Substitute revises several provisions related to the CCA's powers and duties. The enrolled bill requires the CCA to establish a Cannabis Impact Business Support Team (the Team) and specifies certain responsibilities of the Team. The Governor's Substitute removes the provisions specifying those certain responsibilities of the Team. The enrolled bill allows the Board of Directors of the CCA to employ or retain legal counsel of its choice, while providing that the Attorney General shall provide legal services for the CCA upon request. The Governor's Substitute provides that legal services for the CCA shall be provided by the Attorney General, unless the Attorney General determines it is impracticable or uneconomical, in which case the CCA may employ special counsel. The enrolled bill requires the CCA to issue a quarterly report containing certain specified information. The Governor's Substitute removes that quarterly reporting requirement and instead requires the specified information to be included in the CCA's existing annual report.

The enrolled bill requires the CCA to promulgate regulations on certain specified regulatory topics. The Governor's Substitute makes the CCA's promulgation of regulations on those topics discretionary rather than mandatory. The enrolled bill includes language addressing outdoor advertising restrictions using a "reasonable time, place, and manner" standard and statements of purpose related to the illicit market and public awareness of legal retailers. The Governor's Substitute removes the "reasonable time, place, and manner" language and related purpose statements for outdoor advertising restrictions. The enrolled bill provides for impact licensees and microbusinesses to enter into cooperative agreements, lease space and equipment on another licensee's premises, and process in shared processing spaces. The Governor's Substitute revises such language to instead reference the CCA establishing operating processes for impact licensees and microbusinesses that may include cooperative agreements. The enrolled bill includes provisions directing that certain financial interests not be considered undue influence. The Governor's Substitute removes such language specifying that certain financial interests are not undue influence.

The enrolled bill limits the number of retail marijuana store licenses to be issued before January 1, 2028 to 350. The Governor's Substitute reduces such limit to 200 retail marijuana store licenses to be issued before January 1, 2029.

The enrolled bill increases the membership of the Board of Directors of the CCA (the Board) from five to seven, with four members appointed by the Governor, two members appointed by the Speaker of the House, and one member appointed by the Senate Committee on Rules. The enrolled bill also requires at least two members to be actively engaged in agricultural production. The Governor's Substitute also increases the membership of the Board from five to seven, but all members are appointed by the Governor and at least one member shall be actively engaged in agricultural production.

The enrolled bill specifies that the net profits derived under the provisions of the Cannabis Control Act shall be appropriated as follows: 40 percent to support early childhood care and early childhood education in the Commonwealth; 30 percent to the Cannabis Equity Reinvestment Fund; 25 percent to the Department of Behavioral Health and Developmental Services to be distributed to community services for the purpose of administering substance use disorder prevention and treatment programs; and five percent to public health programs, including public awareness campaigns that are designed to prevent drugged driving, discourage consumption by persons younger than 21 years of age, and inform the public of other potential risks. The Governor's Substitute removes the specific percentage designations and provides that such net profits shall be appropriated for purposes such as early childhood education, behavioral health, public health awareness, prevention, treatment, and recovery services, workforce development, reentry, indigent criminal defense, and targeted reinvestment in historically disadvantaged communities.

The Governor's Substitute allows a locality to adopt an ordinance that decreases the minimum distance requirements as promulgated in Board regulations (i) between retail marijuana stores and microbusinesses or (ii) between a retail marijuana store or microbusiness and any hospital; public, private, or parochial school or institution of higher education; or child day program.

The Governor's Substitute shifts multiple statutory requirements to a regulatory framework to be established by the CCA. The enrolled bill creates Chapter 7 (Administration of licenses; general provisions), consisting of §§ 4.1-700, 4.1-701, and 4.1-702, Chapter 8 (Administration of licenses; licenses granted by board), consisting of §§ 4.1-800 through 4.1-811, Chapter 9 (Administration of licenses; denial, suspension, and revocation), consisting of §§ 4.1-900 through 4.1-904, and Chapter 10 (Administration of licenses; applications for licenses; fees; taxes), consisting of §§ 4.1-1000 through 4.1-1010, and creates new §§ 4.1-1403 through 4.1-1407 in Chapter 14 of Title 4.1, which is an existing chapter related to testing and advertising. The Governor's Substitute removes Chapters 7, 8, and 9 and certain sections of Chapters 10 and 14 from the bill and instead creates a new Chapter 7, consisting of two sections that provide that the Board shall promulgate regulations for the administration of licenses or permits for marijuana establishments and the establishment of a testing program for marijuana and marijuana programs and labeling, packaging, and product registration requirements. These two sections in the Governor's Substitute specify, at a minimum, what such regulations shall establish and ensure. The Governor's Substitute also includes a sixteenth enactment clause requiring that the initial regulations promulgated by the CCA shall include regulations that, to the extent possible, are in accordance and consistent with the Code sections of the enrolled versions of House Bill 642 and

Senate Bill 542 during the 2026 Regular Session that are removed from the Governor's Substitute.

The enrolled bill sets the state marijuana tax rate at six percent. The Governor's Substitute sets the state marijuana tax rate at six percent prior to July 1, 2029, and eight percent beginning July 1, 2029.

The enrolled bill increases the amount of marijuana a person 21 years of age or older may lawfully possess from one ounce to two and one-half ounces. The Governor's Substitute decreases the amount allowed for lawful possession to two ounces.

The enrolled bill creates a Class 6 felony for the illegal cultivation or processing of marijuana or marijuana products. The Governor's Substitute includes additional escalated penalties for illegal cultivation based on plant count.

The enrolled bill punishes the illegal sale of marijuana or marijuana products as (i) a Class 2 misdemeanor for a first offense; (ii) a Class 1 misdemeanor for a second offense; and (iii) a Class 6 felony for a third and any subsequent offense. The Governor's Substitute retains those penalties for the illegal sale of less than five pounds of marijuana or marijuana products, but includes additional escalated penalties for the illegal sale of amounts over five pounds.

The Governor's Substitute includes a new section making it a Class 1 misdemeanor for the unlicensed cultivation, processing, sale, or distribution of or possession of with intent to sell, give, or distribute marijuana or marijuana products while on or near certain school-related properties and state hospitals, psychiatric institutes, or other institutions that provide care and treatment for persons with mental illness.

The enrolled bill prohibits the sale of marijuana or marijuana products to persons younger than 21 years of age or persons who are intoxicated. The Governor's Substitute also prohibits the sale of marijuana paraphernalia to such persons.

The enrolled bill includes penalties for underage consumption, purchase, or possession of marijuana or marijuana products consistent with current law, including that a person 18 years of age or older is subject to a civil penalty of up to \$25 and shall enter a substance abuse treatment or education program, or both, if available, as determined appropriate by the court and that a juvenile is subject to the same \$25 civil penalty and program requirement but may be proceeded against informally or subject to existing juvenile dispositions for delinquency. The Governor's Substitute aligns such penalties with the penalties for underage consumption, purchase, or possession of alcohol by increasing such penalties to a Class 1 misdemeanor with a mandatory minimum fine of \$500 or a mandatory minimum of 50 hours of community service and a license suspension of at least six months for persons 18 years of age or older. The Governor's Substitute includes an option for a deferred disposition for a first offense upon the completion of certain conditions.

The Governor's Substitute increases the penalty for public consumption of marijuana from a \$25 civil penalty to a Class 4 misdemeanor.

The Governor's Substitute also includes a new section making it a Class 2 felony to transport into the Commonwealth with intent to sell or distribute 50 pounds or more of marijuana or marijuana products.

The enrolled bill removes the existing Class 6 felony, which carries a mandatory minimum term of five years' imprisonment, for possessing, using, attempting to use, or displaying a firearm in a threatening manner while committing or attempting to commit the illegal manufacture, sale, distribution, or possession with intent to manufacture, sell, or distribute more than one pound of marijuana. The Governor's Substitute removes this section from the bill, thereby retaining current law.

The Governor's Substitute includes mandatory license revocations in the penalties for certain prohibited practices by licensees, including illegal cultivation by licensees and certain provisions related to the failure of a licensee to pay required marijuana taxes.

The enrolled bill prohibits outdoor signs placed on the property of a marijuana establishment from drawing undue attention to the facility. The Governor's Substitute replaces this provision with one prohibiting such outdoor signs from targeting or appealing to persons younger than 21 years of age, including by use of cartoons.

The enrolled bill defines "delivery agent," as used in Chapter 16 of Title 4.1 related to the Medical Cannabis Program, as an independent contractor that transports or delivers usable cannabis, botanical cannabis, cannabis oil, or cannabis products on behalf of a pharmaceutical processor or cannabis dispensing facility and allows delivery by such delivery agents or employees of the pharmaceutical processor. The Governor's Substitute revises such provisions to remove references to "delivery agents" and require delivery by licensed marijuana delivery operators or employees of the pharmaceutical processor.

Effective July 1, 2026, the enrolled bill narrows the definition of a regulated hemp product by removing the allowance for a substance that contains at least a 25:1 ratio of cannabidiol (CBD) to tetrahydrocannabinol (THC) in the package, even if the substance does not meet other statutory THC limits, to be considered a hemp product. The Governor's Substitute delays the effective date of such provisions that narrow the definition to November 1, 2026.

The enrolled bill transfers oversight of the retail sale of regulated hemp products from the Virginia Department of Agriculture and Consumer Services (VDACS) to the CCA effective January 1, 2027, by creating a new Chapter 17 in Title 4.1 related to regulated hemp products. The Governor's Substitute retains the transfer of oversight to the CCA effective January 1, 2027, but removes a provision establishing a designated Virginia Regulated Hemp Product Fund. Additionally, the Governor's Substitute adds provisions from SB 543 as enrolled into the new Chapter 17, including provisions addressing repeated sales of illegal products without a decal, providing a cure period prior to assessing certain civil penalties, prohibiting penalties against sellers for labeling violations controlled by a manufacturer, and prohibiting the stacking of penalties based on individual items or identical packages.

In the enrolled bill, retail sales of marijuana or marijuana products may begin on January 1, 2027. Accordingly, the enrolled bill requires the CCA to issue certain licenses by December 1, 2026, to specified applicants, including (i) up to 100 microbusiness licenses to certain industrial hemp processors or growers, impact applicants, and qualified farmers; (ii) 20 licenses consisting of 10 marijuana cultivation facility licenses and 10 marijuana processing facility licenses to certain industrial hemp processors or growers; and (iii) at least 55 additional licenses distributed among impact licensees and other license types determined by the Board. The enrolled bill also requires the CCA to verify the dual-use privileges of pharmaceutical processors and cannabis dispensing facilities by December 1, 2026.

The Governor's Substitute allows retail sales to begin on July 1, 2027. Accordingly, the dates by which the CCA shall issue certain licensees and verify the dual-use privileges of pharmaceutical processors and cannabis dispensing facilities are changed. The Governor's Substitute requires the 20 licenses be issued to certain industrial hemp processors or growers and at least 55 additional licenses to be issued by February 1, 2027, and specifies that the additional licenses shall include marijuana cultivation licenses. The Governor's Substitute requires the CCA verify the dual-use privileges of pharmaceutical processors and cannabis dispensing facilities by May 1, 2027. The Governor's Substitute does not require the CCA to issue up to 100 of the microbusiness licenses by a certain date, but does require the CCA to begin accepting applications from the same specified applicants on or after September 1, 2026.

The enrolled bill requires that from July 1, 2026, to July 1, 2027, the CCA shall deposit 75 percent of all funds collected through marijuana establishment annual license fees into the Cannabis Equity Business Loan Fund. The Governor's Substitute removes such requirement.

The enrolled bill requires the Joint Commission to Oversee the Transition of the Commonwealth into a Cannabis Retail Market (the Joint Commission) to consider and make recommendations on (i) the establishment and implementation of (a) on-site consumption licenses allowing adults to use cannabis on the premises of a licensed marijuana establishment and (b) microbusiness cannabis event permits allowing microbusiness licensees to hold temporary age-restricted sales events at approved venues such as farmers markets or pop-up locations where such licensees may sell marijuana or marijuana products directly to consumers outside of their licensed premises and (ii) the benefits, limitations, and feasibility of ABC's involvement in the enforcement of laws and regulations related to the cannabis retail market in the Commonwealth. The Governor's Substitute does not require the Joint Commission to consider such topics and instead requires the Joint Commission consider and make recommendations on the benefits, limitations, and feasibility of creating, operating, and maintaining a testing facility for marijuana and marijuana products operated by the Commonwealth.

The Governor's Substitute includes additional technical changes.

HB 642, which is identical as enrolled, has the same Governor's Substitute.

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

SB 543. Marijuana and hemp products; enforcement. The provisions of the enrolled bill are effective in due course. The Governor's amendments add a delayed effective date of November 1, 2026, for the provisions of the bill (i) creating a civil action pursuant to the Virginia Fraud Against Taxpayers Act for the unlicensed sale of substances that contain more than the allowable amount of tetrahydrocannabinol (THC) and (ii) making the sale of such substances a prohibited practice under the Virginia Consumer Protection Act.

The Governor's amendments require the Board of Directors of the Cannabis Control Authority (the Authority) to establish, advertise, and administer a tip line, which may be accessed by phone and by internet, for members of the public to anonymously report concerns about, or suspected instances of, illicit retail marijuana practices.

The Governor's amendments also make technical changes, including amendments clarifying that the Authority's required decal for retail marijuana stores also applies to microbusinesses, pharmaceutical processors, and cannabis dispensing facilities where marijuana, marijuana products, marijuana paraphernalia, immature marijuana plants, or marijuana seeds are sold to consumers.

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SB 550. Transportation network companies; publishing and disclosure requirements. The Governor's amendments (i) change from five to seven business days the time within which any funds remaining in a deactivated TNC partner's account must be deposited to the TNC partner after deactivation and (ii) authorize, instead of require, the amount earned from each category of service to be specified when a transportation network company combines in its weekly summary amounts earned by a TNC partner for prearranged rides with other amounts earned on a transportation network company's digital platform. HB 1270, which is identical as enrolled, has the same Governor's amendments.

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SB 582. Elections; absentee and provisional ballots; process and timing for rejected absentee ballot applications, returned absentee ballots, and rejected provisional ballots.

The enrolled bill requires, in part, the general registrar to contact a voter whose provisional ballot form contains a material error after the electoral board has determined that the person was not entitled to vote as a result of such error. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) requires the general registrar to review provisional ballot forms prior to the determination of their validity by the electoral board in order find material errors and notify persons whose provisional ballot forms contain such errors of how to correct them.

The Governor's Substitute also requires the State Board to promulgate regulations regarding the uniform review and processing of voter registration applications submitted after the close of registration records that are incomplete or missing information, including a uniform period of review. The Governor's Substitute requires the Secretary of Administration to convene a work

group for the purpose of studying potential changes to the same day registration provisional vote process.

The enrolled bill has a delayed effective date of September, 1 2026. The Governor's Substitute extends the delayed effective date to January 1, 2027.

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

SB 597. Wage garnishments; treasurers' liens for unpaid taxes and charges. The enrolled bill limits a treasurer's lien issued with respect to wages or salary to 25 percent of the delinquent taxpayer's disposable earnings in a single pay period subject to certain exceptions, including if the treasurer determines, by clear and convincing evidence, that the delinquent taxpayer or the property assessed with such taxes is no longer in the jurisdiction, or the taxpayer is attempting to flee the jurisdiction or is improperly disposing of assets with the intent to hinder or delay the collection of the delinquent taxes.

The Governor's amendments authorize a court of appropriate jurisdiction to make such determination and authorizes such court of appropriate jurisdiction to make such determination based on clear and convincing evidence that the delinquent taxpayer may flee or attempt to flee the jurisdiction or is improperly disposing of assets with the intent to hinder or delay the collection of the delinquent obligations. HB 1100, which is identical as enrolled, has the same Governor's amendments.

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SB 599. Virginia Opioid Use Reduction and Jail-Based Substance Use Disorder Treatment and Transition Fund; grant procedures. The enrolled bill requires the grant procedure to govern funds awarded to local and regional jails for the planning or operation of substance use disorder treatment services and transition services for persons with substance use disorder who are incarcerated in local and regional jails to include requirements that (i) any grant awarded shall be made for up to three years and (ii) an applicant for a grant submit a plan demonstrating how such applicant will become independently financially viable within the time period for which the grant is awarded. The Governor's amendments remove the requirement that any grant awarded shall be made for up to three years. HB 455, which is identical as enrolled, has the same Governor's amendments.

Contact: Anthony Sargent | asargent@dls.virginia.gov | 804-698-1855

SB 620. Virginia Alcoholic Beverage Control Authority; permitting of retail tobacco product retailers; purchase, possession, and sale of retail tobacco products; penalties; report. The enrolled bill transitions and provides a more comprehensive structure for the current licensing and enforcement responsibilities related to liquid nicotine and retail tobacco products from the Department of Taxation to a permitting system administered by the Virginia Alcoholic Beverage Control Authority. The enrolled bill also requires the Board of Directors of the Virginia Alcoholic Beverage Control Authority to conduct an unannounced buyer operation at least once every 24 months to verify a permittee, defined in the enrolled bill, is not selling retail

tobacco products to persons younger than 21 years of age. Portions of the enrolled bill have a delayed effective date of October 1, 2026.

The Governor's Amendment in the Nature of a Substitute makes technical updates, amends a current section of the Code to clarify forfeiture provisions for counterfeit and contraband cigarettes, and adds a section regarding the seizure of contraband liquid nicotine and nicotine vapor products. HB 308, which is identical as enrolled, has the same Governor's Amendment in the Nature of a Substitute.

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

SB 648. Local government; certain towns; suspension of officers, study, remedial plan, and meeting requirements. The enrolled bill, in part, requires a court to suspend from office certain officers that are subject to criminal proceedings alleging the commission of a felony offense. The Governor's amendments remove the requirement that such officer's salary be held in a separate account while he is suspended and paid back to him when the judicial proceedings are resolved in his favor or otherwise paid back to the entity that paid the salary.

The Governor's amendments also add an emergency clause.

HB 505, which is identical as enrolled, has the same Governor's amendments.

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

SB 666. Department of Housing and Community Development; housing development database. The enrolled bill requires the Department of Housing and Community Development to collect from each locality and make available to the public, localities, state agencies, and other state and regional public entities in a centralized, machine-readable, screen reader compatible database various data for each new and existing housing development in each locality in the Commonwealth, including data related to the number of housing development plans submitted and approved by the locality and the average approval timeline for housing development plans. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) requires localities, no later than March 1 of each year, to report all data to be collected under the enrolled bill to the Department of Housing and Community Development when such locality submits information regarding total fee revenue collected by the locality over the preceding calendar year in connection with the processing, reviewing, and permitting of applications for residential land development and construction activities, as required by current law. The Governor's Substitute additionally narrows the localities required to submit such data from every locality to every locality with a population greater than 3,500.

Contact: Marley Manjarrez | mmanjarrez@dls.virginia.gov | 804-698-1853

SB 706. Department of Health; opioid antagonist distribution program; reports. The enrolled bill directs the Department of Health to maintain a list of agencies and organizations that submit requests for and receive opioid antagonists through its distribution program and requires the Department to submit a quarterly report Chairs of the House Appropriations Subcommittee on Health and Human Resources, House Health and Human Services Committee,

Senate Finance and Appropriations Subcommittee on Health and Human Resources, and Senate Subcommittee on Health, and the chair of the Virginia Opioid Abatement Authority on its distribution of opioid antagonists.

The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) changes the recipients of the quarterly report to the Chairs of the House Committees on Appropriations and Health and Human Services and the Senate Committees on Finance and Appropriations and Education and Health. The Governor's Substitute makes this bill identical to HB 1063 as enrolled.

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

SB 727. Carrying assault firearms in public areas prohibited in the Commonwealth; penalty. The enrolled bill makes it a Class 1 misdemeanor to carry certain semi-automatic center-fire rifles, pistols, and shotguns or any firearm modified to be operable as an assault firearm on any public street, road, alley, sidewalk, or public right-of-way or in any public park or any other place of whatever nature that is open to the public, with certain exceptions. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) narrows the prohibition to the carrying of an assault firearm as defined in current Code. HB 1524, which is similar as enrolled, has the same Governor's Substitute.

Contact: Anthony Sargent | asargent@dls.virginia.gov | 804-698-1855

SB 731. Private companies providing public transportation services; employee protections; report. The enrolled bill addresses employee protections, including compensation and benefits, for employees of private transportation services contracted by the governing body of any county or city. The enrolled bill only applies to actions occurring on or after the effective date and excludes any action taken, contract signed, liability incurred, or right accrued prior to July 1, 2026, from the requirements. The enrolled bill finally directs the Director of the Department of Rail and Public Transportation to convene a work group to develop recommendations and report its findings and recommendations to the Chairs of the House Committee on Labor and Commerce and Senate Committee on Local Government by November 1, 2026. The Governor's amendments change the date of the application of the requirements from July 1, 2026, to July 1, 2027, and the due date of the report from November 1, 2026, to December 1, 2026. The Governor's amendments further provide that the provisions of the enrolled bill, except for the report, shall not become effective unless reenacted by the 2027 Session of the General Assembly. HB 547, which is identical as enrolled, has the same Governor's amendments.

Contact: Doug Weimer | dweimer@dls.virginia.gov | 804-698-1881

SB 749. Purchase, sale, transfer, etc., of assault firearms and certain ammunition feeding devices prohibited; penalties. The enrolled bill creates a Class 1 misdemeanor for any person who imports, sells, manufactures, purchases, or transfers an assault firearm, as that term is defined in the enrolled bill with some exceptions, and prohibits a person who has been convicted of such violation from purchasing, possessing, or transporting a firearm for a period of three years from the date of conviction. The enrolled bill also prohibits the sale of a large capacity

ammunition feeding device, as that term is defined in the enrolled bill. The enrolled bill provides that any person who willfully and intentionally (i) sells an assault firearm to another person or (ii) purchases an assault firearm from another person is guilty of a Class 1 misdemeanor and that any person who imports, sells, barter, transfers, or purchases a large capacity ammunition feeding device is guilty of a Class 1 misdemeanor. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes (a) use of the word "fixed" in reference to magazine capacity and (b) language referencing a thumbhole stock or pistol grip attached to a shotgun. The Governor's Substitute also includes several technical amendments. HB 217, which is identical as enrolled, has the same Governor's Substitute.

Contact: Anthony Sargent | asargent@dls.virginia.gov | 804-698-1855

SB 767. Motor vehicle glass repair and replacement; emissions inspection; penalties. The enrolled bill establishes various notice requirements for motor vehicle glass repair shops, as defined in the enrolled bill, and provides that a violation of such requirements is a prohibited practice under the Virginia Consumer Protection Act and thereby subject to enforcement by the Attorney General as well as through individual civil actions for relief. The Governor's Amendment in the Nature of a Substitute (Governor's Substitute) removes the bill's provisions from the Virginia Consumer Protection Act and instead provides that a violation of the bill's provisions shall be subject to enforcement by the Attorney General under the authority and procedures applicable to violations of the Virginia Consumer Protection Act. HB 312, which is identical as enrolled, has the same Governor's Substitute.

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

SB 783. Law-enforcement agencies; agreements with federal authority for immigration enforcement; requirements. The enrolled bill prohibits any state or local law-enforcement agency, defined in the enrolled bill, from maintaining, renewing, or entering into any federal immigration agreement unless such agreement contains certain provisions. The enrolled bill specifies that the enrolled bill's provisions shall not apply to the transfer of custody of an adult convicted of certain violent felonies from a state, local, or regional correctional facility upon such correctional facility's receipt of a federal immigration detainer. The Governor's amendment removes the requirement that such adult who is the subject of such immigration detainer have been convicted of such violent felonies.

HB 1441, which is identical as enrolled, has the same Governor's amendment.

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

SB 803. Virginia Fair Housing Law; unlawful conduct. The enrolled bill directs the Fair Housing Board to promulgate regulations defining "quid pro quo harassment," "hostile environment harassment," and other terms related to unlawful conduct under the Virginia Fair Housing Law. The enrolled bill directs the Fair Housing Board to adopt emergency regulations to implement the provisions of the enrolled bill. The Governor's amendments require the Real Estate Board to also promulgate such regulations.

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

Governor's Vetoes

HB 86. Mattress Stewardship Program; report. The enrolled bill establishes the Mattress Stewardship Program that allows certain industry associations to administer the Program as a mattress recycling organization with the approval and certification from the Department of Environmental Quality. The enrolled bill requires certain producers, retailers, and renovators of mattresses to register with a certified mattress recycling organization and requires a producer to identify each mattress brand it sells or offers for sale in the Commonwealth on or before June 1, 2027. Prior to the Program going into effect, the enrolled bill requires a mattress recycling organization to submit a plan with certain criteria relating to the collection and recycling of mattresses and the implementation of the Program. The enrolled bill establishes annual reporting requirements for the mattress recycling organization. Finally, the enrolled bill establishes the powers and duties of the Department as they relate to the enrolled bill. The Governor's veto explanation states:

"Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto House Bill 86 which would require Virginians to pay a new fee for a mattress recycling program earmarked for one specific organization.

While I value the need for reliable recycling for mattresses — which crowd landfills, mandating that all mattress retailers that sell to Virginians participate in a single recycling program and increase their prices makes this program unworkable for the Commonwealth.

Accordingly, I veto this bill."

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

HB 637. Possession of an item containing residue of a controlled substance; penalty. The enrolled bill creates the offense of possession of residue of a controlled substance with a tiered system of punishment. Currently, possession of any amount of a controlled substance has a tiered system of punishment as if there is a usable amount of such controlled substance. The Governor's veto explanation states:

"Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto House Bill 637, which relates to possession of residue of a controlled substance.

House Bill 637 would prohibit charging a person with possession of a residual amount of a controlled substance under §18.2-250, including for Schedule I and Schedule II drugs. The prohibition would prevent Commonwealth's Attorneys from exercising their discretion in prosecuting serious drug offenses and remove their ability to pursue a felony conviction when the facts justify that outcome.

House Bill 637 would create a new offense with misdemeanor penalties for possession of drug residue, which would have the unintended and regrettable consequence of making offenders who are arrested for possession of residue ineligible for drug court. Drug courts in Virginia help provide comprehensive substance abuse treatment under intensive supervision to defendants who struggle with substance use disorders and have proven valuable to offenders and public safety.

Accordingly, I veto this bill."

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

HB 1288. Enforcement of vehicle liens; property value. The enrolled bill increases from \$12,500 to \$17,000 the maximum value of property that may be sold at public auction to satisfy a lien on a motor vehicle without petitioning for a court order for the sale of such property. The enrolled bill is identical to SB 17. The Governor's veto explanation states:

"Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto House Bill 1288, which would allow tow truck companies, garage keepers, mechanics, and self-storage facilities to auction off more vehicles in their possession without judicial approval.

Companies often take temporary custody of a person's vehicle, including when a car needs routine maintenance, when the person parks at the airport, when a vehicle breaks down, or in less honest cases, when a person is the victim of predatory towing. Regardless of the reason why, Virginians should not have to worry that the company with temporary possession of their vehicle can sell it without their permission or a court order.

House Bill 1288 would put more vehicle owners at risk by increasing the vehicle valuation limit from \$12,500 to \$17,000, allowing companies with temporary possession of a person's car to use an administrative process to conduct a public auction of the car. House Bill 1288 would result in a significant increase in the number of vehicles that could be sold without going through the process of getting a court order.

Accordingly, I veto this bill."

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

SB 17. Enforcement of vehicle liens; property value. The enrolled bill increases from \$12,500 to \$17,000 the maximum value of property that may be sold at public auction to satisfy a lien on a motor vehicle without petitioning for a court order for the sale of such property. This bill is identical to HB 1288. The Governor's veto explanation states:

"Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto Senate Bill 17, which would allow tow truck companies, garage keepers, mechanics, and self-storage facilities to auction off more vehicles in their possession without judicial approval.

Companies often take temporary custody of a person's vehicle, including when a car needs routine maintenance, when the person parks at the airport, when a vehicle breaks down, or in less honest cases, when a person is the victim of predatory towing. Regardless of the reason why, Virginians should not have to worry that the company with temporary possession of their vehicle can sell it without their permission or a court order.

Senate Bill 17 would put more vehicle owners at risk by increasing the vehicle valuation limit from \$12,500 to \$17,000, allowing companies with temporary possession of a person's car to use an administrative process to conduct a public auction of the car. Senate Bill 17 would result in a

significant increase in the number of vehicles that could be sold without going through the process of getting a court order.

Accordingly, I veto this bill."

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SB 23. Plea agreements and court orders; prohibited provisions. The enrolled bill prohibits plea agreements and court orders executed or entered on or after July 1, 2026, from containing any provision that purports to waive, release, or extinguish a defendant's (i) rights under the Fourth Amendment to the Constitution of the United States and Article I, Section 10 of the Constitution of Virginia; (ii) right to file a petition requesting expungement of the police records and the court records; or (iii) right to have criminal history record information and court records sealed. The enrolled bill provides that any such prohibited provision of a plea agreement or court order is void and unenforceable as against public policy.

The enrolled bill provides that such prohibition does not apply to any plea agreements, written agreements, or court orders entered into by a defendant and the Commonwealth in certain cases.

The enrolled bill further provides that any waiver, release, or extinguishment of rights under the Fourth Amendment permissible by law shall be no longer than the period of supervised probation imposed against the defendant; if the defendant is not placed on supervised probation, it shall be no longer than five years. The Governor's veto explanation states:

"Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto Senate Bill 23, which would prohibit criminal defendants from waiving their Fourth Amendment rights as a condition of a plea agreement.

Permitting a defendant to waive their Fourth Amendment rights as part of a plea agreement is a common practice in courtrooms across the Commonwealth and Virginia law sets standards for Fourth Amendment waivers to protect defendants. Senate Bill 23 would limit plea agreement options for defendants and Commonwealth's Attorneys as they seek negotiated resolutions.

Accordingly, I veto this bill."

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SB 661. Regulation and taxation of skill gaming devices; penalties. The enrolled bill authorizes and specifies the registration and licensing requirements for the manufacture, distribution, operation, hosting, and playing of electronic skill gaming devices, as defined in the enrolled bill, under the regulatory authority of the Virginia Lottery. The enrolled bill imposes a 25 percent tax on all gross profits generated from the play of such electronic skill gaming devices and provides for the use of such tax proceeds after deposit in the Virginia Gaming Commerce and Development Fund, established in the enrolled bill. The enrolled bill also imposes criminal and civil penalties for violations of the law and regulations related to electronic skill gaming devices. The Governor's veto explanation states:

"Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto Senate Bill 661, which would legalize electronic skill gaming devices in the Commonwealth of Virginia.

The rapid expansion of gaming in Virginia over the last decade has outpaced the Commonwealth's ability to provide consistent enforcement, robust public safety oversight, and meaningful assessments of the potential impacts or harms of gaming in all its forms.

Senate Bill 661 would strain an already fragmented system and introduce thousands more machines without a comprehensive regulatory structure. In the absence of a single, independent, and dedicated entity responsible for regulating all forms of gaming, Virginia is not positioned to ensure compliance, prevent illicit activity, protect consumers, or evaluate and respond to community impacts or harms.

There is already data to demonstrate the ways in which an unregulated process harms communities. Notably, when electronic skill gaming devices were legal in the Commonwealth between 2020 and 2021, the Virginia Alcoholic Beverage Control Authority collected data on device placement, wagers, and awards. The data clearly show that devices were disproportionately located in communities where higher percentages of the population live below the poverty line, communities with lower rates of educational attainment, and communities where higher percentages of the population are Black and Hispanic. The data enumerate the millions of dollars in wagers made resulting in millions of dollars flowing out of these communities, but without an entity in place to evaluate and mitigate social, economic, and public impacts, the Commonwealth is not positioned to expand gaming and legalize electronic skill gaming devices.

I remain committed to working with the General Assembly to ensure that any future approach to gaming expansion prioritizes consumer protection, public safety, public health, and the economic and social wellbeing of all our communities.

Accordingly, I veto this bill."

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SB 756. Casino gaming; eligible host localities. The enrolled bill adds Fairfax County to the list of localities eligible to host a casino in the Commonwealth and provides that any proposed site for a casino gaming establishment considered by Fairfax County shall be (i) located within one-quarter of a mile of an existing station on the Metro Silver Line, (ii) part of a coordinated mixed-use project development consisting of no less than 1.5 million square feet, (iii) within two miles of a regional enclosed mall containing not less than 1.5 million square feet of gross building area, and (iv) outside of the Interstate 495 Beltway. The Governor's veto explanation states:

"Pursuant to Article V, Section 6 of the Constitution of Virginia, I veto Senate Bill 756 as it would strip the Fairfax County Board of Supervisors of control over the local approval process, require the county to set a referendum, and set a broader precedent.

Per existing law, once the General Assembly decides a locality is "eligible" for a casino regardless of the locality's preferences, the local governing board has a non-discretionary, ministerial duty to adopt a resolution and petition the court to hold the referendum. Therefore, local governing boards should lead on proposed casino development, as has been the prior standard and process. Senate Bill 756 would effectively change this standard and eliminate local control.

While this legislation only affects Fairfax County, it would set a precedent that could be used to bring casino referendums to other localities where the local governing boards may similarly oppose such efforts.

Accordingly, I veto this bill."

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

SB 764. Deferred disposition in a criminal case; license suspension; driving while under the influence. The enrolled bill permits a trial court, with the agreement of the Commonwealth if the charge is ineligible for sealing, to suspend the driver's license of a defendant for a period of not less than 10 days nor more than six months when deferring disposition. The enrolled bill also allows a trial court to defer judgment for a violation of driving while intoxicated and require that the defendant participate in and successfully complete an alcohol safety action program and prohibit the defendant from operating a motor vehicle that is not equipped with an ignition interlock system. The enrolled bill excludes from its provisions any person with a commercial driver's license or commercial learner's permit or who was operating a commercial motor vehicle during the alleged violation. The Governor's veto explanation states:

"Pursuant to Article V, Section 6, of the Constitution of Virginia, I veto Senate Bill 764, which would significantly expand the use of deferred dispositions in criminal cases. The enrolled bill would permit the lessening or removal of penalties across a range of crimes.

Senate Bill 764 removes key guardrails that help ensure consistency and fairness, and it pre-empts a Commonwealth's Attorney's ability to prosecute some cases.

I am particularly concerned about the application of this bill to DUI offenses. Virginia has worked hard to reduce DUI-related crashes and fatalities, but impaired driving continues to take lives and devastate families across the Commonwealth.

Virginia's criminal justice system must be fair, equitable, and focused on rehabilitation as well as accountability and public safety, and Senate Bill 764 undermines accountability and public safety.

Accordingly, I veto this bill."

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Bills Returned by the Governor (2007–2026)

Session	Governor	Amendments	Vetoes*	Total Sent to Governor
2007	Kaine	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
2024		117	153	1,045
2025		160	157	916
2026	Spanberger	180	8	1,156

*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.