

2024 SESSION HIGHLIGHTS

The *2024 Session Highlights* summarizes significant legislation considered by the 2024 Session of the General Assembly as selected by the staff of the Virginia Division of Legislative Services. The brief overview of the 2024 Session covers legislative actions through sine die on Saturday, March 9, 2024. Bills are differentiated as Passed, Failed, or Carried Over. Passed bills are subject to review and veto by the Governor; thus, some of the bills listed as passed in this volume may be amended and some may not become law.

Agriculture/Natural Resources

Passed

HB 47/SB 306 Invasive plant species; retail sales; civil penalty. Requires, for the retail sale of any invasive plant species for outdoor use on a list established by the Department of Conservation and Recreation, a retail establishment to post in a conspicuous manner on the property located in proximity to each invasive plant display signage identifying such plant as invasive, educating consumers regarding invasive plant species, and encouraging consumers to ask about alternatives. The bill requires the Commissioner of Agriculture and Consumer Services to designate the format, size, and content of such signage no later than October 1, 2024, and requires the Commissioner to issue a stop sale order and mark or tag a plant in a conspicuous manner when an invasive plant is for sale at a retail establishment without appropriate signage. In such case, the bill requires the Commissioner to give written notice of a finding made to the owner, tenant, or person in charge of such retail establishment and requires the stop sale order issued to remain in effect until the required signage is posted. Any retail establishment that violates the provisions of the bill is subject to a civil penalty not to exceed \$500.

HB 892/SB 616 Department of Agriculture and Consumer Services; Department of Forestry; Office of Farmland Preservation transferred. Transfers from the Department of Agriculture and Consumer Services to the Department of Forestry the Office of Farmland Preservation and its powers and duties and reporting requirements, the Virginia Farm Link Program, the Century Farm Program, and the Virginia Farmland and Forestland Preservation Fund. The bill renames the Office as the Office of Working Lands

Table of Contents

Agriculture/Natural Resources	1
Alcoholic Beverages/Cannabis	2
Constitutional Amendments	3
Corrections	3
Courts/Civil Law	4
Courts/Criminal Justice	5
Education	7
Firearms/Weapons	9
Freedom of Information Act	10
General Laws	11
Health	13
Labor and Commerce	14
Social Services.....	16
Taxation	17
Transportation/Motor Vehicles	18

Preservation. The bill makes technical amendments to effectuate the transfer and requires the Department of Environmental Quality to report to the Department of Forestry by July 1 of each year certain enumerated information about nonpoint source nutrient credits certified in the previous year that involve land use conversion.

HB 1085/SB 243 Department of Environmental Quality; Department of Health; PFAS; identification; monitoring; PFAS Expert Advisory Council established; report. Requires, for every public water system, as defined in the bill, the Department of Health (VDH) to assist the Department of Environmental Quality (the Department) by transferring to the Department quarterly all validated monitoring results available to VDH that indicate PFAS maximum containment level, as defined in the bill, exceedances. In such circumstances, the bill provides that the Department is required to develop and implement a plan to prioritize and conduct PFAS assessments for identifying significant sources of PFAS in such public water system's raw water source or sources. The bill requires any facility, if deemed by the Department to be a potentially significant source of PFAS in the public water system's raw water source, (i) to perform and promptly report the results of quarterly discharge monitoring for one year and (ii) to report to the Department, within 90 days after being directed by the Department, its manufacture or use of PFAS. The bill establishes a PFAS Expert Advisory Committee to assist the Department and VDH in its PFAS-related efforts and requires the Committee to meet at least two times per year through June 30, 2027. The bill requires the Department to annually report certain information to the Governor and the General Assembly by October 1.

HB 1531 Cruelty to elephants; pain-inflicting training tools prohibited; actions for attachment; civil penalty. Prohibits using devices such as a bullhook, axe handle, or block and tackle or engaging in certain practices in order to discipline, train, or control the behavior of an elephant. The bill provides that any person who uses such devices or engages in certain practices that inflict fear or pain on or cause

physical injury to an elephant is subject to a civil penalty not to exceed \$2,500 for the first offense and not to exceed \$5,000 for subsequent violations. Finally, the bill provides that an action in equity may be brought to request an attachment for any devices prohibited by the bill against a person violating the provisions of the bill.

Alcoholic Beverages and Cannabis

Passed

HB 688/SB 635 Alcoholic beverage control; sale and delivery of mixed beverages and pre-mixed wine for off-premises consumption; third-party delivery license; sunset; repeal. Repeals the July 1, 2024, sunset on provisions that allow (i) distillers that have been appointed as agents of the Board of Directors of the Virginia Alcoholic Beverage Control Authority, mixed beverage restaurant licensees, and limited mixed beverage restaurant licensees to sell mixed beverages for off-premises consumption and (ii) farm winery licensees to sell pre-mixed wine for off-premises consumption. The bill also repeals, effective July 1, 2026, third-party delivery licenses. The bill requires the Authority to convene a work group to review third-party delivery licenses and report its findings and recommendations to the Chairmen of the House Committee on General Laws and the Senate Committee on Rehabilitation and Social Services by November 15, 2024.

HB 698/SB 448 Cannabis control; retail market; penalties. Establishes a framework for the creation of a retail marijuana market in the Commonwealth, to be administered by the Virginia Cannabis Control Authority. The bill allows the Authority to begin issuing all marijuana licenses on September 1, 2024, but provides that no retail sales may occur prior to May 1, 2025.

Failed

SB 168 Alcoholic beverage control; food-to-beverage ratio. Reduces the current 45 percent food-to-beverage ratio for certain mixed beverage licensees.

2024 Session Highlights

The bill requires that a mixed beverage restaurant, caterer's, or limited caterer's licensee meet or exceed the following: (i) for such licensees with monthly food sales of at least \$4,000 but less than \$10,000, the food-to-beverage ratio shall be 35 percent and (ii) for such licensees with monthly food sales of at least \$10,000, there shall be no food-to-beverage ratio requirement imposed.

Constitutional Amendments

Passed

HJ 45/SJ 3 Constitutional amendment (second reference); real property tax exemption; surviving spouses of soldiers who died in the line of duty. Expands the current tax exemption for real property available to the surviving spouses of soldiers killed in action to the surviving spouses of soldiers who died in the line of duty with a Line of Duty determination from the U.S. Department of Defense.

Carried Over

HJ 9/SJ 11 Constitutional amendment (first reference); marriage between two individuals; repeal of same-sex marriage prohibition; affirmative right to marry. Repeals the constitutional provision defining marriage as only a union between one man and one woman as well as the related provisions that are no longer valid as a result of the United States Supreme Court decision in *Obergefell v. Hodges*, 576 U.S. 644 (2015). The amendment provides that the right to marry is a fundamental right inherent in the liberty of persons and prohibits the Commonwealth and its political subdivisions from denying the issuance of a marriage license to two parties contemplating a lawful marriage on the basis of the sex, gender, or race of such parties. The Commonwealth and its political subdivisions are required to recognize any lawful marriage between two parties and to treat such marriages equally under the law, regardless of the sex, gender, or race of such parties. The amendment provides that religious organizations and clergy acting in their religious

capacity have the right to refuse to perform any marriage.

Corrections

Passed

HB 159 Use of canines in correctional and juvenile correctional facilities; prohibited acts. Makes it unlawful for any correctional officer or other employee of a state correctional facility who is permitted to handle canines to use a patrol or security canine in any state correctional facility unless such correctional officer or other employee (i) reasonably believes that the use of a patrol or security canine is immediately necessary to protect any prisoner or any officer or employee from the threat of serious bodily injury or death or (ii) has the prior approval of the warden or a supervisor to use a patrol or security canine to intervene in an altercation, fight, or other incident between three or more prisoners. The bill also makes it unlawful for any juvenile correctional officer or other employee of a juvenile correctional facility to use a patrol or security canine in any juvenile correctional facility. The bill specifies that such provisions shall not apply to the training or use of detector canines or detector canine handlers.

HB 555/SB 456 Office of the Department of Corrections Ombudsman; created. Creates, within the Office of the State Inspector General, the Office of the Department of Corrections Ombudsman (the Office) headed by an Ombudsman who is selected by the State Inspector General. The bill creates the Corrections Oversight Committee (the Committee) made up of four members of the General Assembly, nine nonlegislative citizen members appointed by the Governor, subject to criteria described in the bill, and two nonvoting members, appointed as described in the bill, who monitor the activities of the Ombudsman and the Department of Corrections (the Department). The bill provides the Office with authority to conduct inspections at least once every three years, and more often when warranted, of Department facilities and requires the Office to establish a statewide toll-free telephone number, website, mailing address, and paper

and electronic forms for inmates, family members, friends, and advocates to submit complaints and inquiries. In addition, the bill requires the Committee to hold at least two public hearings per year and requires the Office to submit an annual report to be made available online and to be delivered to the Governor, the Attorney General, the Senate Committee on Rehabilitation and Social Services, the House Committee on Public Safety, the Committee, and the Director of the Department. The bill directs the Office to develop a short-term and long-term strategic plan and to provide a report on its initial activities and strategic plan to the Governor and the General Assembly on or before November 15, 2025.

HB 801 Electronic communication systems within state correctional facilities; telephone calls and communication services; lowest available rates. Requires the Department of Corrections to provide telephone systems and web-based or electronic communications systems and requires that such systems be established at the lowest available rates. The maximum number of telephone numbers permitted on an approved call list must be no fewer than 20.

HB 912 Stores and telephone systems in local correctional facilities; fees. Provides that the net profits from the operation of stores and telephonic communication systems in local correctional facilities shall be used within each facility respectively for educational, recreational, or medical purposes for the benefit of the inmates to include behavioral health, substance abuse, reentry, and rehabilitative services and may be expended to pay for the training, salaries, and benefits of employees or contractors whose primary job is to provide such programs and services to the inmates.

Failed

HB 308 Conditional release of geriatric prisoners. Expands the list of offenses that prohibit a person from petitioning the Parole Board for conditional release as a geriatric prisoner.

Courts/Civil Law

Passed

HB 174/SB 101 Marriage lawful regardless of sex, gender, or race of parties; issuance of marriage license. Provides that no person authorized to issue a marriage license shall deny the issuance of such license to two parties contemplating a lawful marriage on the basis of the sex, gender, or race of the parties. The bill also requires that such lawful marriages be recognized in the Commonwealth regardless of the sex, gender, or race of the parties. The bill provides that religious organizations or members of the clergy acting in their religious capacity shall have the right to refuse to perform any marriage.

HB 418/SB 259 Civil actions filed on behalf of multiple persons; class actions. Provides that one or more members of a class may, as representative parties on behalf of all members, bring a civil action or may be proceeded against in a civil action, provided that (i) the class is so numerous that joinder of all members or proceeding with such actions on an individual basis is impracticable or contrary to judicial economy; (ii) there are questions of law or fact common to the class; (iii) the claims or defenses of the representative parties are typical of the claims or defenses of the class; and (iv) the representative parties shall fairly and adequately protect the interests of the class. The bill further sets out the procedure to certify a class action, the duties of counsel appointed in a class action, the various orders a court may issue during the course of a class action, and the process by which a settlement, voluntary dismissal, or compromise may occur. The bill has a delayed effective date of January 1, 2025.

HB 893 Standards for attorneys appointed to represent parents or guardians; child dependency cases; compensation; multidisciplinary law offices or programs; report. Requires the Judicial Council of Virginia, in conjunction with the Virginia State Bar, beginning July 1, 2026, to adopt standards for the qualification and performance of attorneys appointed to represent a parent or guardian of a child when such child is the subject of a child dependency case, as

2024 Session Highlights

defined in the bill. The bill also requires the Judicial Council of Virginia, beginning July 1, 2026, to maintain a list of attorneys admitted to practice law in Virginia who are qualified to be appointed to represent indigent parents involved in a child dependency case. Prior to July 1, 2026, counsel must be appointed from the list of attorneys qualified to serve as guardians ad litem. The bill provides that beginning January 1, 2025, court-appointed counsel for a parent, guardian, or other adult in a child dependency case will be compensated in an amount no greater than \$330, or in a case for the termination of residual parental rights, \$680.

The bill authorizes the establishment of up to two multidisciplinary law offices or programs in localities, jurisdictions, or judicial districts that affirm they have met specified criteria for the purpose of representing parents in a child dependency court proceeding or in a child protective services assessment or investigation prior to such proceeding. During any calendar year that such an office or program is in effect for at least six months, the office or program must submit a report on program outcomes, expenses, recommendations, and other pertinent information to the Office of the Children's Ombudsman and the Chairmen of the House Committees for Courts of Justice and on Health and Human Services and Appropriations and the Senate Committees for Courts of Justice and on Education and Health and Finance and Appropriations by November 1.

Courts/Criminal Justice

Passed

HB 18/SB 7 Hate crimes and discrimination; ethnic animosity; penalties. Provides that it is the policy of the Commonwealth to safeguard all individuals within the Commonwealth from unlawful discrimination in employment and in places of public accommodation because of such individual's ethnic origin and prohibits such discrimination. The bill also adds victims who are intentionally selected because of their ethnic origin to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or

trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of ethnic origin.

HB 81 Common-law crime of suicide. Abolishes the common-law crime of suicide. Suicide is currently a common-law crime in Virginia, although there is no statutorily prescribed punishment. The bill has a delayed effective date of July 1, 2025, and also requires the Bureau of Insurance of the State Corporation Commission to review the effect and implication of abolishing the common-law crime of suicide on insurance throughout the Commonwealth and submit its findings and any recommendations by November 1, 2024, to the Chairs of the House and Senate Committees for Courts of Justice.

HB 102/SB 356 Compensation of court-appointed counsel. Raises the limitation of fees that court-appointed counsel can receive for representation on various offenses in district and circuit courts. The bill also limits the fees charged for the cost of court-appointed counsel or public defender representation to persons determined to be indigent to an amount no greater than the amount such person would have owed if such fees had been assessed on or before June 30, 2024. The bill has a delayed effective date of January 1, 2025.

HB 267/SB 357 Assault and battery; affirmative defense; penalty. Provides an affirmative defense to prosecution of an individual for assault or assault and battery of certain specified individuals for which the enhanced Class 6 felony and six-month mandatory minimum term of confinement apply if such individual proves, by a preponderance of the evidence, that at the time of the assault or assault and battery (i) the individual's behaviors were a result of (a) mental illness or (b) a neurocognitive disorder, including dementia, or a neurodevelopmental disability, including a developmental disability or intellectual 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 individual met the criteria for issuance of an emergency custody order.

The bill provides that if such individual 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 the accused guilty of a misdemeanor assault or assault and battery. The bill also provides that such affirmative defense shall not be construed to allow an affirmative defense for voluntary intoxication.

HB 1420/SB 23 Juveniles; adjudication of delinquency. Specifies that a delinquent child is a child 11 years of age or older who has committed a delinquent act. Currently, there is no minimum age for a child to be adjudicated delinquent. The bill provides that if a juvenile younger than 11 years of age is found to have committed a delinquent act, the juvenile shall not be proceeded upon as delinquent; however, the court may make any orders of disposition authorized for a child in need of services or a child in need of supervision. The bill includes in the definition of "child in need of services" a child younger than 11 years of age who has committed a delinquent act.

Finally, the bill includes in the offense of causing or encouraging acts rendering children delinquent, abused, etc., any person 18 years of age or older, including the parent of any child, who willfully contributes to, encourages, or causes any act, omission, or condition that causes a child younger than 11 years of age to commit a delinquent act. Under current law, any person who commits such offense is guilty of a Class 1 misdemeanor.

SB 334 Plea agreements; prohibited provisions. Prohibits plea agreements and court orders executed or entered on or after July 1, 2024, from containing any provision that purports to waive, release, or extinguish

a defendant's (i) rights under the Fourth Amendment to the United States Constitution 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 bill provides that any such prohibited provision of a plea agreement or court order is void and unenforceable as against public policy.

The 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 (a) as a condition for participation in a specialty docket or (b) in a case involving a sexual offense where the victim is under 18 years of age.

The 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 or post-release supervision imposed against the defendant; if the defendant is not placed on supervised probation or post-release supervision, it shall be no longer than the period of suspension of sentence or post-release incarceration imposed against such defendant.

Failed

HB 520 Promise to appear after the issuance of a summons; issuance of summons instead of warrant in certain cases; nonviolent felonies. Provides that if any person refuses to give a written promise to appear after the issuance of a summons, the arresting officer shall give such person notice of the time and place of the hearing, note such person's refusal to give his written promise to appear on the summons, and forthwith release him from custody. Under current law, any person refusing to give such written promise to appear is required to be taken immediately by the arresting officer before a magistrate or other issuing officer having jurisdiction.

The bill also provides that a law-enforcement officer, at his discretion, may issue a summons instead of a warrant for certain felony offenses, described in the

2024 Session Highlights

bill, if (i) in the judgment of the officer, the person charged will cease committing the illegal act; (ii) in the judgement of the officer, the person charged does not pose an immediate threat to public safety; and (iii) the person charged signs a written promise to appear at the time and place of the hearing. The bill prohibits a law-enforcement agency from creating a policy that requires or prohibits release for persons meeting such criteria.

HB 834 Petition for modification of a sentence; eligibility; procedures. Provides a process for a person serving a sentence for any conviction or a combination of any convictions who remains incarcerated in a state or local correctional facility or secure facility and meets certain criteria to petition the circuit court that entered the original judgment or order to (i) suspend the unserved portion of such sentence or run the unserved portion of such sentence concurrently with another sentence, (ii) place such person on probation for such time as the court shall determine, or (iii) otherwise modify the sentence imposed.

SB 52 Felony homicide; certain drug offenses; penalty. Provides that a person is guilty of felony homicide, which constitutes second degree murder and is punishable by confinement of not less than five nor more than 40 years, if the underlying felonious act that resulted in the killing of another involved the manufacture, sale, gift, or distribution of a Schedule I or II controlled substance to another and (i) such other person's death results from his use of the controlled substance and (ii) the controlled substance is the proximate cause of his death. The bill provides that venue for a prosecution of this crime shall lie in the locality where the underlying felony occurred, where the use of the controlled substance occurred, or where death occurred. The bill also provides that if a person gave or distributed a Schedule I or II controlled substance only as an accommodation to another individual who is not an inmate in a community correctional facility, local correctional facility, or state correctional facility, or in the custody of an employee thereof, and not with intent to profit thereby from any consideration received or expected nor to induce the recipient of the controlled substance to use or become

addicted to or dependent upon such controlled substance, he is guilty of a Class 5 felony.

SB 503 License plate reader systems; civil penalty. Provides requirements for the use of license plate reader systems, defined in the bill, by law-enforcement agencies. The bill limits the use of such systems to scanning, detecting, and recording data about vehicles and license plate numbers for the purpose of identifying a vehicle that is (i) associated with a wanted, missing, or endangered person or human trafficking; (ii) stolen; (iii) involved in an active law-enforcement investigation; or (iv) in the vicinity of a recent crime and may be connected to that crime. The bill authorizes and requires the Commonwealth Transportation Board to establish a permitting process for installing and using such systems in state highway rights-of-way.

Education

Passed

HB 48/SB 46 Public institutions of higher education; admissions applications; legacy admissions and admissions based on donor status prohibited. Prohibits any public institution of higher education from providing any manner of preferential treatment in the admissions decision to any student applicant on the basis of such student's legacy status, defined in the bill, or such student's familial relationship to any donor to such institution.

HB 624/SB 105 Public school staffing and funding; National Teacher Certification Incentive Reward Program and Fund; At-Risk Program; English language learner students. Renames the National Teacher Certification Incentive Reward Program and Fund as the National Board Certification Incentive Reward Program and Fund, expands eligibility for incentive grant awards from such Fund pursuant to such Program from solely teachers who have obtained national certification from the National Board for Professional Teaching Standards to all public school staff who are candidates for initial national certification or maintenance of national certification to cover certain costs of obtaining or maintaining such certification and

all public school staff who have successfully obtained or maintained such certification, and permits certain teachers to apply for additional incentive grants pursuant to such Program and Fund. The bill also establishes the At-Risk Program for the purpose of supporting programs and services for students who are educationally at risk, including prevention, intervention, or remediation activities required pursuant to relevant law, teacher recruitment programs and initiatives, programs for English language learners, the hiring of additional school counselors and other support staff, and other programs relating to increasing the success of disadvantaged students in completing a high school degree and providing opportunities to encourage further education and training. The bill also contains provisions relating to certain funding requirements for the At-Risk Program. Finally, the bill requires state funding to be provided pursuant to the general appropriation act to support ratios of instructional positions to English language learner students based on each such student's English proficiency level, as established in the general appropriation act.

HB 732/SB 726 Public schools; opioid antagonist procurement, possession, and administration; school board employee training and certification; opioid overdose prevention and reversal instruction; guidelines and requirements. Requires each local school board to develop, in accordance with the guidelines developed by the Department of Health in collaboration with the Department of Education, plans, policies, and procedures for (i) providing at each public secondary school that includes grades nine through 12 a program of instruction on opioid overdose prevention and reversal and for encouraging each student to complete such program of instruction prior to graduation; (ii) the procurement, placement, and maintenance in each public elementary and secondary school of a supply of opioid antagonists in an amount equivalent to at least two unexpired doses for the purposes of opioid overdose reversal; and (iii) the possession and administration of an opioid antagonist by any employee of the school board who is authorized by a prescriber and trained in the administration of an opioid antagonist, including policies (a) requiring each public elementary and secondary school to ensure that

at least one employee is authorized by a prescriber and trained and certified in the administration of an opioid antagonist, (b) for partnering with a program administered or approved by the Department of Health to provide such training and certification, and (c) for maintaining records of each such trained and certified employee.

The bill provides for the disciplinary, civil, and criminal immunity of any employee of a public school, school board, or local health department, regardless of whether such employee was trained or certified in opioid antagonist administration, for any act or omission made in connection with the good faith administration of an opioid antagonist for the purposes of opioid overdose reversal during regular school hours, on school premises, or during a school-sponsored activity, unless such act or omission was the result of gross neglect or willful misconduct. The bill requires each school board to adopt and each public elementary and secondary school to implement policies and procedures in accordance with the provisions of the bill and, in doing so, to utilize to the fullest extent possible programs offered by the Department of Health for the provision of opioid antagonist administration training and certification and opioid antagonist procurement.

In addition, the bill modifies the school board employees who are authorized to administer opioid antagonists to include any school board employee who has completed training and is certified in the administration of an opioid antagonist by a program administered or authorized by the Department of Health.

Finally, the bill directs the Department of Health and the Department of Education to collaborate to develop guidelines and policies for the implementation of the provisions of the bill and requires each school board to implement the provisions of the bill by the beginning of the 2025–2026 school year.

Failed

HB 1164/SB 533 Education Excellence for All Program established. Permits the parents of qualified students, defined in the bill, to apply for a one-year, renewable Education Excellence for All Savings Account, defined in the bill, that consists of an amount that is equivalent to a certain percentage of all applicable annual Standards of Quality per pupil state funds appropriated for public school purposes and apportioned to the school division in which the qualified student resides, including the per pupil share of state sales tax funding in basic aid and any per pupil share of state special education funding for which the qualified student is eligible. The bill permits the parent of the qualified student to use the moneys in such account for certain qualified expenses of the qualified student, including tuition, deposits, fees, and required textbooks at a private elementary school or secondary school that is located in the Commonwealth. The bill also contains provisions relating to program and account administration by the Department of the Treasury and a third party that serves as program administrator pursuant to a contract with the Department.

Firearms/Weapons

Passed

HB 2/SB 2 Purchase, sale, transfer, etc., of assault firearms and certain ammunition feeding devices prohibited; penalty. 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 bill, 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 bill provides that an assault firearm does not include any firearm that is an antique firearm, has been rendered permanently inoperable, is manually operated by bolt, pump, lever, or slide action, or was manufactured before July 1, 2024. The bill also prohibits the sale of a large capacity ammunition feeding device, as that term is defined in the bill. The 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, or transfers a large capacity ammunition feeding device is guilty of a Class 1 misdemeanor. The bill also makes it a Class 1 misdemeanor for any person younger than 21 years of age to import, sell, manufacture, purchase, possess, transport, or transfer an assault firearm regardless of the date of manufacture of such assault firearm.

HB 22/SB 210 Manufacture, importation, sale, etc., of auto sears; prohibition; penalty. Prohibits the manufacture, importation, sale or offer to sell, possession, transfer, or transportation of an auto sear, defined in the bill as a device, other than a trigger activator, for use in converting a semi-automatic firearm to shoot automatically more than one shot, without manual reloading, by a single function of the trigger. A violation is punishable as a Class 6 felony. The bill also provides for the forfeiture of any auto sear concealed, possessed, transported, or carried in violation of the prohibition.

HB 173/SB 100 Manufacture, import, sale, transfer, or possession of plastic firearms and unfinished frames or receivers and unserialized firearms prohibited; penalties. Creates a Class 5 felony for any person who knowingly manufactures or assembles, imports, purchases, sells, transfers, or possesses any firearm that, after removal of all parts other than a major component, as defined in the bill, is not detectable as a firearm when subjected to inspection by the types of detection devices, including X-ray machines, commonly used at airports, government buildings, schools, correctional facilities, and other locations for security screening. The bill updates language regarding the types of detection devices that are used at such locations for detecting plastic firearms. Under current law, it is unlawful to manufacture, import, sell, transfer, or possess any plastic firearm and a violation is punishable as a Class 5 felony.

The bill also creates a Class 1 misdemeanor, which is

punishable as a Class 4 felony for a second or subsequent offense, making it unlawful for any person to knowingly possess a firearm or any completed or unfinished frame or receiver that is not imprinted with a valid serial number or to knowingly import, purchase, sell, offer for sale, or transfer ownership of any completed or unfinished frame or receiver, unless the completed or unfinished frame or receiver (i) is deemed to be a firearm pursuant to federal law and (ii) is imprinted with a valid serial number. The bill creates a Class 1 misdemeanor, which is punishable as a Class 4 felony for a second or subsequent offense, making it unlawful for any person to manufacture or assemble, cause to be manufactured or assembled, import, purchase, sell, offer for sale, or transfer ownership of any firearm that is not imprinted with a valid serial number. The portions of the bill prohibiting unfinished frames or receivers and unserialized firearms have a delayed effective date of January 1, 2025; however, the portions of the bill prohibiting the knowing possession of a firearm or any completed or unfinished frame or receiver that is not imprinted with a valid serial number have a delayed effective date of July 1, 2025.

HB 175/SB 99 Carrying assault firearms in public areas prohibited; penalty. Prohibits the carrying of certain semi-automatic center-fire rifles and shotguns 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. Under current law, the current prohibition on carrying certain shotguns and semi-automatic center-fire rifles and pistols applies to a narrower range of firearms, only in certain localities, and only when such firearms are loaded.

HB 362/SB 642 Purchase, possession, or transportation of firearm; assault and battery of a family or household member or intimate partner; penalties. Adds to the existing definition of "family or household member" a person's intimate partner, defined in the bill as an individual who, within the previous 12 months, was in a romantic, dating, or sexual relationship with the person. The bill also provides that any person who knowingly and intentionally purchases, possesses, or transports any firearm following a

misdemeanor conviction for an offense that occurred on or after July 1, 2024, for the offense of assault and battery against an intimate partner or an offense substantially similar under the laws of any other state or of the United States is guilty of a Class 1 misdemeanor.

HJ 76/SB 338 Study; JLARC; effects of gun violence on communities; report. Directs the Joint Legislative Audit and Review Commission to conduct a two-year study of the social, physical, emotional, and economic effects of gun violence on communities across the Commonwealth.

Failed

HB 389 Carrying a concealed handgun; permit not required. Allows any person who is otherwise eligible to obtain a concealed handgun permit to carry a concealed handgun without a permit anywhere he may lawfully carry a handgun openly within the Commonwealth.

Freedom of Information Act

Passed

HB 816/SB 244 Virginia Freedom of Information Act; effective date of procedures for conducting meetings held through electronic communication means during declared states of emergency. Provides that the provisions for conducting a meeting by electronic means due to a state of emergency stated in the Virginia Freedom of Information Act (FOIA) are declarative of existing law since March 20, 2020, with respect to the Governor's declared state of emergency due to COVID-19. Under the bill, any meeting by a public body using electronic communication means occurring from that date until July 1, 2021, and any otherwise lawful action taken at it is validated with respect to FOIA if the body provided public notice, public access, and public comment commensurate with the requirements of existing FOIA provisions regarding electronic and closed meetings. The bill is a response to the case *Berry v. Bd. of Supervisors* (Va. 2023) and is a recommendation of the Virginia Freedom of Information Advisory Council.

HB 818/SB 36 Virginia Freedom of Information Act; definitions of meetings and public business. Exempts certain public meetings from the definition of "meeting" under the Virginia Freedom of Information Act to clarify that three or more members of a public body may appear and participate in such public meeting without violating the Act, provided that no public business is transacted or discussed. The bill also exempts members of a public body who attend a public meeting of a second public body without violating the Act, provided that no public business is transacted or discussed. Finally, the bill defines "public business" as activity that a public body has undertaken or proposed to undertake on behalf of the people it represents. The bill states that its provisions are declarative of existing law.

HB 894/SB 734 Virginia Freedom of Information Act; electronic meetings. Amends the number of all-virtual public meetings that public bodies, with certain exceptions, may convene in a calendar year to no more than two times per calendar year or 50 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. Current law limits the number of all-virtual public meetings to no more than two times per calendar year or 25 percent of the meetings held per calendar year rounded up to the next whole number, whichever is greater. The bill also provides that with respect to all-virtual public meetings, when audio-visual technology is available, a member of a public body shall, for purposes of a quorum, be considered absent from any portion of the meeting during which visual communication with the member is voluntarily disconnected or otherwise fails or during which audio communication involuntarily fails.

HB 1040/SB 85 Virginia Freedom of Information Act; definition of "caregiver"; remote participation in meetings by persons with disabilities and caregivers; remote voting. Provides that for purposes of determining whether a quorum is physically assembled, an individual member of a public body who is a person with a disability or a caregiver, defined in the bill, and uses remote participation counts toward the quorum as if the individual was physically present. The bill also provides that the participation policy adopted

by a public body, as required by the Virginia Freedom of Information Act, shall not prohibit or restrict any individual member of a public body who is participating in an all-virtual meeting or who is using remote participation from voting on matters before the public body. As introduced, the bill was a recommendation of the Virginia Freedom of Information Advisory Council.

General Laws

Passed

HB 442 Virginia Residential Landlord and Tenant Act; landlord remedies; noncompliance with rental agreement; payment plan. 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 bill prohibits the landlord from charging any additional late fees during the payment plan period in connection with the unpaid rental amount for which the tenant entered into the payment plan so long as the tenant makes timely payments in accordance with the terms of the payment plan. The bill also outlines the remedies a landlord has if a tenant fails to pay the exact amount due and owed or enter into a payment plan within five days of receiving notice or if a tenant enters into a payment plan and after such plan becomes effective fails to pay rent when due or fails to make a payment under the terms of the agreed-upon payment plan.

HB 1108/SB 18 Virginia Public Procurement Act; construction management and design-build contracting. Requires state public bodies, covered institutions, and local public bodies to provide

documentation of the processes used for the final selection of a construction contract to all the unsuccessful applicants upon request. The bill adds certain requirements for covered institutions, including posting all documents that are open to public inspection exchanged between the Department of General Services and the covered institution on the central electronic procurement website eVA. The bill requires approval by a majority vote of the covered institution's board of visitors or governing board if the covered institution chooses to proceed with construction management or design-build against the recommendation of the Department for (i) projects funded by funds other than those provided from the state general fund or (ii) projects of \$65 million or more funded in whole or in part from state general funds. For projects under \$65 million funded in whole or in part by state general funds, the bill provides that the covered institution shall obtain approval from the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, or their designees, and a representative of the Department.

The bill requires a local public body to adopt a resolution or motion to use construction management or design-build, if required by its local governing body, prior to issuing a Request for Qualifications and to publish notice of such resolution or motion on its website or eVA. The bill provides that the Department shall report annually, for any construction management or design-build project, on the qualifications that made such project complex. Finally, the bill requires the Department, with the assistance of staff of the House Committee on Appropriations and the Senate Committee on Finance and Appropriations, to assess the implementation and administration of construction management and design-build projects and report its findings and recommendations to the General Assembly by November 1, 2029.

HB 1131/SB 541 Casino gaming; eligible host city. Removes the City of Richmond as an eligible host city for casino gaming establishments in the Commonwealth.

Failed

HB 877 Virginia Social Media Regulation Act established; penalties. Establishes the Virginia Social Media Regulation Act for the purpose of prohibiting minors in Virginia from possessing an account on any social media platform, defined in the bill, without the express consent of a parent or guardian. The bill requires a social media company to provide a minor's parent or guardian with access to the minor's account and all posts and information on such account. The bill also places prohibitions on the type of data and personal information a social media platform may collect from a minor account holder and prohibits the use of any practice, design, or feature on a social media company's platform that the company knows, or should reasonably know, could cause a minor account holder to have an addiction to the social media platform. Lastly, the bill provides that any violation of the Virginia Social Media Regulation Act shall constitute a prohibited practice and be subject to the enforcement provisions of the Virginia Consumer Protection Act.

HB 1158 Administrative Process Act; executive branch agencies. Requires executive branch agencies to ensure that certain regulations and guidance documents under the Virginia Register Act and Administrative Process Act, as appropriate, are posted on the Virginia Regulatory Town Hall according to instructions issued by the Department of Planning and Budget.

HB 1478/SB 689 Casino gaming; cruise ships. Authorizes the conduct of cruise ship casino gaming in the offshore waters of the Commonwealth by a cruise ship operator that applies for and receives a permit from the Virginia Lottery. The bill sets an annual permit fee of \$50,000 for any cruise ship that uses a port or other point of anchorage in the offshore waters of the Commonwealth for the purpose of embarkation or disembarkation of cruise ship passengers and an annual permit fee of \$125,000 for any cruise ship that transits the offshore waters of the Commonwealth without making a stop in the Commonwealth and conducts casino gaming activities while in such waters.

Health

Passed

HB 188/SB 154 Advance Health Care Planning Registry; amendment of regulations. Amends the list of documents that may be submitted to the Advance Health Care Directive Registry to include any other document that supports advance health care planning. The bill also changes the name of the Advance Health Care Directive Registry to the Advance Health Care Planning Registry. The bill directs the Department of Health to amend certain Advance Health Care Planning Registry regulations.

HB 609/SB 237 Contraception; right to contraception; applicability; enforcement.

Establishes a right to obtain contraceptives and engage in contraception, as defined in the bill. The bill creates a cause of action that may be instituted against anyone who infringes on such right.

HB 909/SB 488 Department of Medical Assistance Services; Department of Behavioral Health and Developmental Services; 1915(c) Home and Community Based Services Medicaid Waivers; state plan amendments; program rule modifications.

Directs the Department of Medical Assistance Services (DMAS) and the Department of Behavioral Health and Developmental Services to seek federal authority through the necessary state plan amendments under Titles XIX and XXI of the Social Security Act to modify the program rules for certain 1915(c) Home and Community Based Services Medicaid Waivers to (i) modify the 40-hour-per-week work limit to allow legally responsible individuals with more than one waiver-receiving child to receive reimbursement for 40 hours of work per week per child receiving a waiver; (ii) eliminate the requirement that, in order for a legally responsible individual to receive reimbursement for personal care services, no one else be available to provide services to the member; and (iii) modify the program rules to allow a legally responsible individual or stepparent to be the employer of record. The bill directs DMAS to evaluate the possibility of allowing for respite services under certain 1915(c) Home and

Community Based Services Medicaid Waivers and submit its recommendations, cost estimate, and methodology used for obtaining the cost estimate to the General Assembly no later than November 1, 2024.

SB 553 Board of Nursing; certain nursing education programs; out-of-state clinical sites. Directs the Board of Nursing to amend its regulations to permit nursing education programs in the Commonwealth located within 60 miles of a bordering state or the District of Columbia to contract for an unlimited number of required clinical hours at out-of-state clinical sites. The bill requires the regulations to specify that the Board must accept such hours for licensure.

Failed

HB 970/SB 231 Comprehensive children's health care coverage program. Directs the Department of Medical Assistance Services (the Department) to establish a program to provide state-funded comprehensive health care coverage for individuals in the Commonwealth who (i) are under 19 years of age, (ii) are not covered under a group health plan or health insurance coverage, and (iii) but for their immigration status would be eligible for medical assistance services through the Commonwealth's program of medical assistance services established pursuant to Title XIX or XXI of the Social Security Act. The bill also requires the Department to ensure that all program information is made available in a manner that is accessible to individuals with limited English proficiency and individuals with disabilities through the provision of language access services, including oral interpretation and written translations, free of charge and to ensure that information obtained by the program remains confidential and is not disclosed for any purpose not related to the administration of the program or any purpose related to civil immigration enforcement unless the subject of the information consents to such disclosure or the requesting agency presents a valid judicial order, subpoena, or warrant.

The bill also requires the Department to (a) consult with individuals with direct and lived experience with the program eligibility criteria established by the bill and

individuals with experience conducting outreach to individuals who are eligible for the program established by the bill to advise and assist the Department in carrying out marketing and outreach activities required by the bill and (b) seek all federal waivers and other approvals necessary to maximize federal financial participation in the cost of carrying out the program established by the bill.

SB 499 Donor human milk banks, health insurance; coverage for donor human milk; penalty; emergency. Prohibits any person from establishing or operating a donor human milk bank, as defined in the bill, without first obtaining a license from the State Health Commissioner and makes it a Class 6 felony for any person to establish or operate a donor human milk bank in the Commonwealth without obtaining such license. The bill directs the State Board of Health to establish a regulatory and statutory scheme for the licensure and regulation of donor human milk banks operating or doing business in the Commonwealth. The bill also directs the Commissioner to implement and enforce numerous regulations relating to the issuance, renewal, denial, suspension, and revocation of such licenses. The bill specifies procedures relating to disciplinary actions, application fees, and inspections and interviews related to such donor human milk banks.

The bill requires health insurers, corporations providing health care coverage subscription contracts, and health maintenance organizations to provide coverage for expenses incurred in the provision of pasteurized donor human milk. The bill specifies that the requirement applies if the covered person is an infant younger than the age of six months and a licensed medical practitioner has issued an order for such infant who satisfies certain criteria enumerated in the bill. The bill applies to policies, contracts, and plans delivered, issued for delivery, or renewed on or after January 1, 2026. The bill also requires the state plan for medical assistance services to include a provision for payment of medical assistance services incurred in the provision of pasteurized donor human milk. The bill specifies that certain provisions will not become effective until the State Board promulgates regulations for the licensure of

donor human milk banks and directs the State Board to adopt emergency regulations to implement certain provisions of the bill.

Labor and Commerce

Passed

HB 1/SB 1 Minimum wage. Increases the minimum wage from the current rate of \$12.00 per hour to \$13.50 per hour effective January 1, 2025, and to \$15.00 per hour effective January 1, 2026. The bill satisfies a reenactment clause included in Chapters 1204 and 1242 of the Acts of Assembly of 2020.

HB 108/SB 255 Shared solar programs; American Electric Power; minimum bill; capacity. Requires the State Corporation Commission to establish by regulation a shared solar program, as defined in the bill, through which customers of American Electric Power may purchase electric power through a subscription in a shared solar facility, as defined in the bill. The bill requires the Commission to establish a minimum bill, which shall include the costs of all utility infrastructure and services used to provide electric service and administrative costs of the shared solar program, taking into account certain considerations. The bill directs the Commission to initiate a proceeding to recalculate such minimum bill within 30 days of its final order in a proceeding establishing the value of a solar renewable energy certificate as required by relevant law. The bill specifies that the Commission shall establish the shared solar program consistent with the requirements of the bill by January 1, 2025, and shall require each utility to file any associated tariffs, agreements, or forms necessary for implementing the program by July 1, 2025. Additionally, the bill requires the Department of Energy to convene a stakeholder work group to determine the amounts and forms of certain project incentives and to submit a written report to the Chairs of the House Committee on Labor and Commerce and the Senate Committee on Commerce and Labor no later than November 30, 2024.

HB 570/SB 274 Prescription Drug Affordability Board established; drug cost affordability review.

Establishes the Prescription Drug Affordability Board for the purpose of protecting the citizens of the Commonwealth and other stakeholders within the health care system from the high costs of prescription drug products. The bill requires the Board to meet in open session at least four times annually, with certain exceptions and requirements enumerated in the bill. Members of the Board are required to disclose any conflicts of interest, as described in the bill. The bill also creates a stakeholder council for the purpose of assisting the Board in making decisions related to drug cost affordability. The bill tasks the Board with identifying prescription, generic, and other drugs, as defined in the bill, that are offered for sale in the Commonwealth and, at the Board's discretion, conducting an affordability review of any prescription drug product. The bill lists factors for the Board to consider that indicate an affordability challenge for the health care system in the Commonwealth or high out-of-pocket costs for patients. The bill also provides that any person aggrieved by a decision of the Board may request an appeal of the Board's decision and that the Attorney General has authority to enforce the provisions of the bill. The bill provides that the Board shall establish no more than 12 upper payment limit amounts annually between January 1, 2025, and January 1, 2028.

The bill requires the Board to report its findings and recommendations to the General Assembly twice annually, beginning on July 1, 2025, and December 31, 2025. Provisions of the bill shall apply to state-sponsored and state-regulated health plans and health programs and obligate such policies to limit drug payment amounts and reimbursements to an upper payment limit amount set by the Board, if applicable, following an affordability review. The bill specifies that Medicare Part D plans shall not be bound by such decisions of the Board.

The bill also requires the nonprofit organization contracted by the Department of Health to provide prescription drug price transparency to provide the Board access to certain data reported by manufacturers. The bill has a delayed effective date of January 1, 2025.

HB 990/SB 370 Prohibiting employer seeking wage or salary history of prospective employees; wage or salary range transparency; cause of action.

Prohibits a prospective employer from (i) seeking the wage or salary history of a prospective employee; (ii) relying on the wage or salary history of a prospective employee in determining the wages or salary the prospective employee is to be paid upon hire; (iii) relying on the wage or salary history of a prospective employee in considering the prospective employee for employment; (iv) refusing to interview, hire, employ, or promote a prospective employee or otherwise retaliating against a prospective employee for not providing wage or salary history; and (v) failing or refusing to disclose in each public and internal posting for each job, promotion, transfer, or other employment opportunity the wage, salary, or wage or salary range. The bill establishes a cause of action for an aggrieved prospective employee or employee and provides that an employer that violates such prohibitions is liable to the aggrieved prospective employee or employee for 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.

HB 1404 Department of Small Business and Supplier Diversity; Small SWaM Business Procurement Enhancement Program established; disparity study; report.

Establishes the Small SWaM Business Procurement Enhancement Program with a statewide goal of 42 percent of certified small SWaM business utilization in all discretionary spending by executive branch agencies and covered institutions in procurement orders, prime contracts, and subcontracts, as well as a target goal of 50 percent subcontracting to small SWaM businesses in instances where the prime contractor is not a small SWaM business for all new capital outlay construction solicitations that are issued. The bill provides that executive branch agencies and covered institutions are required to increase their small SWaM business utilization rate by three percent per year until reaching the 42-percent target level or, if unable to do so, to implement achievable goals to increase their utilization rate. In addition, the bill provides for a small SWaM business set-aside for executive branch agency and covered institution

purchases of goods, services, and construction, requiring that purchases up to \$100,000 be set aside for award to certified small SWaM businesses.

The bill creates the Division of Procurement Enhancement within the Department of Small Business and Supplier Diversity for purposes of collaborating with the Department of General Services, the Virginia Information Technologies Agency, the Department of Transportation, and covered institutions to further the Commonwealth's efforts to meet the goals established under the Small SWaM Business Procurement Enhancement Program, as well as implementing initiatives to enhance the development of small businesses, microbusinesses, women-owned businesses, minority-owned businesses, and service disabled veteran-owned businesses in the Commonwealth.

Finally, the bill requires the Department of Small Business and Supplier Diversity to conduct a disparity study every five years, with the next disparity study due no later than January 1, 2026. The bill specifies that the study shall evaluate the need for enhancement and remedial measures to address the disparity between the availability and the utilization of women-owned and minority-owned businesses. The provisions of the bill other than those requiring a disparity study have a delayed effective date of January 1, 2025, and apply to covered institutions beginning July 1, 2025.

Failed

HB 107 Electric Vehicle Rural Infrastructure Program and Fund created. Creates the Electric Vehicle Rural Infrastructure Program and Fund to assist private developers with non-utility costs associated with the installation of public electric vehicle charging stations in certain localities. The bill provides that a private developer is eligible to receive grants of 70 percent of such non-utility costs for public electric vehicle charging stations installed in a city or county that meets the criteria of a distressed locality, as defined in the bill. The bill has an expiration date of July 1, 2028.

Social Services

Passed

HB 27/SB 39 Kinship foster care; alternative living arrangements; Parental Child Safety Placement Program established. Establishes the Parental Child Safety Placement Program to promote and support placements of children with relatives by local boards of social services in order to avoid foster care. The bill establishes the requirements for a parental child safety placement agreement, the procedure for assessing a proposed caregiver, and the process for terminating the placement.

HB 908/SB 676 Department of Medical Assistances Services; financial eligibility standards for certain waivers providing services to individuals with developmental disabilities. Directs the Department of Medical Assistance Services (the Department) to amend the financial eligibility standards for individuals receiving services under the Family and Individual Support Waiver, Community Living Waiver, and Building Independence Waiver (the DD Waivers). The bill requires the Department, when determining financial eligibility for the DD Waivers, to disregard any Social Security Disability Insurance income above the maximum monthly Supplemental Security Income as determined by the U.S. Social Security Administration; however, such Social Security Disability Insurance income shall not be disregarded for purposes of determining an individual's patient pay obligation. The bill also requires the Department to (i) analyze the implications of such amendments to the financial eligibility standards for individuals under the DD waivers, which shall include a determination of the costs and the number of individuals who would benefit from such amendments and (ii) report its findings to the Chairmen of the Senate Committees on Education and Health and Finance and Appropriations and the House Committees on Health and Human Services and Appropriations no later than November 1, 2024. The bill sunsets on July 1, 2026.

Failed

SB 476 Earned sentence credits; inchoate offenses; concurrent and consecutive sentences. Provides that a person who is convicted of an inchoate offense will earn sentence credits at the same rate as someone who is convicted of the completed offense for certain enumerated offenses. The bill also specifies that the provision in current law providing that a person who has been convicted of certain enumerated offenses may earn a maximum of 4.5 sentence credits for each 30 days served on any sentence for such offenses also applies to any other sentence that is to be served concurrent with or consecutive to any such sentence. The bill also clarifies that the provisions regarding the earning of credits for concurrent and consecutive sentences apply retroactively.

Taxation

Passed

HB 25/SB 116 Annual retail sales and use tax holiday. Establishes an annual retail sales and use tax holiday that takes place on the first full weekend in August beginning on July 1, 2025, through July 1, 2030. During such weekend, state retail sales and use tax will not apply to certain (i) school supplies, (ii) clothing and footwear, (iii) qualified products designated as Energy Star or WaterSense, (iv) portable generators, or (v) hurricane preparedness equipment.

HB 790/SB 582 Purchase, possession, and sale of retail tobacco products; retail tobacco products and liquid nicotine tax; penalties. Prohibits Internet sales of liquid nicotine or nicotine vapor products, except to a retail dealer, and prohibits the sale of retail tobacco products from vending machines. The bill updates, for the purpose of the crime of selling or distributing tobacco products to a person younger than 21 years of age, the definition of "retail tobacco products" by including in such definition products currently defined as "nicotine vapor products" or "alternative nicotine vapor products." The bill also removes provisions prohibiting the attempt to purchase, the purchase, or the

possession of tobacco products by persons younger than 21 years of age.

The bill provides that the punishment of a retail dealer that sells, gives, or furnishes a tobacco product to a person younger than 21 years of age or to a person who does not demonstrate that such person is at least 21 years of age is (i) a civil penalty of \$1,000 for a first offense within a 36-month period, (ii) a civil penalty of \$5,000 for a second offense within a 36-month period and becomes subject to specific age-verification requirements, (iii) a civil penalty of \$10,000 and a 30-day suspension of such establishment's distributor's license for a third offense within a 36-month period, and (iv) revocation of such license and such distributor shall be ineligible to hold a license for a period of three years following the most recent violation for a fourth offense within a 36-month period. The bill requires the Department of Taxation, in collaboration with the Virginia Alcoholic Beverage Control Authority and local law enforcement, to conduct a compliance check every 24 months on any retailer selling retail tobacco products and to use a person younger than 21 years of age to conduct such checks.

The bill also imposes a tax upon liquid nicotine in closed systems, as defined in the bill, at the rate of \$0.066 per milliliter and upon liquid nicotine in open systems, as defined in the bill, at the rate of 20 percent of the wholesale price for purchases on and after July 1, 2024. The bill applies licensing requirements to manufacturers, distributors, and retail dealers of liquid nicotine and creates new safety requirements related to the advertising, marketing, and labeling of liquid nicotine and nicotine vapor products.

HB 805/SB 14 Additional local sales and use tax to support schools; referendum. Authorizes all counties and cities to impose an additional local sales and use tax at a rate not to exceed one percent with the revenue used only for capital projects for the construction or renovation of schools if such levy is approved in a voter referendum. The bill removes the requirement that such a tax must have an expiration date on either (i) the date of the repayment of any bonds or loans used for such

capital projects or (ii) a date chosen by the governing body. Under current law, only Charlotte, Gloucester, Halifax, Henry, Mecklenburg, Northampton, Patrick, and Pittsylvania Counties and the City of Danville are authorized to impose such a tax.

Failed

HB 1514/SB 718 Virginia Sports and Entertainment Authority and Financing Fund established; report.

Establishes the Virginia Sports and Entertainment Authority as a political subdivision charged with financing the construction of a sports and entertainment campus. The Authority is composed of nine members, six of whom are appointed by the Governor and three of whom are appointed by the governing body of the City of Alexandria. Each appointed member is subject to specific criteria for appointment. The bill authorizes the Authority to hire independent contractors, enter contracts, acquire property, borrow money, and exercise other similar powers and exempts it from the Personnel Act and the Public Procurement Act. Under the bill, the Authority may issue bonds with a maximum maturity date of 40 years.

The bill entitles the Authority to the following revenues: (i) sales tax revenues from construction and transactions on the campus, defined in the bill, but certain revenues that current law dedicates to transportation and education are excluded; (ii) all pass-through entity tax revenues and corporate income tax revenues from income generated by the company, defined in the bill, or any professional sports team or any affiliates as well as in the development and construction of the campus; and (iii) all personal income tax revenues from income generated through employment and business activity on the campus. It also authorizes the City of Alexandria to appropriate tax revenues to the Authority.

The revenues shall be deposited in the Virginia Sports and Entertainment Authority Financing Fund, created in the bill, from which the Authority will deposit revenues into priority accounts for Authority revenues, debt service, subordinate debt service, reserves, and capital expenditures and maintenance. If the Authority

determines that all such accounts are sufficiently funded, the bill directs the Authority to issue the excess to the Commonwealth and the City of Alexandria if so provided for in any bond or financing agreements.

Transportation/Motor Vehicles

Passed

HB 282 Moving violations; highway work zones.

Creates a traffic infraction for any moving violation in a highway work zone punishable by a fine of not less than \$300 for the first offense and not less than \$500 for any subsequent offense. The bill provides that for any subsequent offense that occurs within the same 12-month period as another such offense such fine shall be not less than \$750.

HB 812 Special license plates; Sons of Confederate Veterans and Robert E. Lee.

Repeals authorization for the issuance of Sons of Confederate Veterans and Robert E. Lee special license plates and provides that such special license plates already in circulation will remain valid until their expiration and shall not be renewed.

HB 925 Towing; vehicles with expired registration; civil penalty.

Requires a towing operator, defined in the bill, for a parking lot of a multifamily dwelling unit, defined in the bill, to post written notice on a vehicle providing at least 48 hours' notice to a resident prior to removing a resident's vehicle, defined in the bill, from such parking lot of the multifamily dwelling unit for an expired registration or expired vehicle inspection sticker and to provide a copy of such notice to the landlord of such multifamily dwelling unit. The bill provides that a towing operator who fails to comply with these requirements shall be required to reimburse the resident for the cost of the tow and shall be subject to a civil penalty not to exceed \$100.

HB 1454/SB 246 Limited-duration licenses and driver privilege cards and permits; expiration.

Extends the validity of limited-duration licenses, driver privilege cards and permits, and identification privilege cards, other than REAL ID credentials and commercial

2024 Session Highlights

driver's licenses and permits, to a period of time consistent with the validity of driver's licenses, which, under current law, is a period not to exceed eight years or, for a person age 75 or older, a period not to exceed five years, and permits and special identification cards. The bill directs the Department of Motor Vehicles to implement the extended validity periods for such documents upon reissuance.

SJ 28 Study; joint subcommittee; funding needs in certain transit systems; report. Establishes a joint subcommittee to study long-term, sustainable, dedicated funding and cost-containment controls and strategies to ensure the Washington Metropolitan Area Transit Authority, the Virginia Railway Express, and the public transit systems that serve the Northern Virginia Transportation Commission and Potomac and Rappahannock Transportation Commission transportation districts meet the growing needs of public transit in the region.

Failed

HB 657 Pedestrian control signals; applicability to persons riding bicycles and other devices. Allows persons riding a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, moped, or motorized skateboard or scooter to, while remaining in the travel lane, follow the pedestrian control signal corresponding to the person's direction of travel, provided that they travel straight or turn right and yield to pedestrians lawfully in the crosswalk and any vehicle approaching the intersection from the right.

HB 1077 Exception to stopping requirement; bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or motorized skateboard or scooter. Authorizes the operator of a bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or motorized skateboard or scooter to yield instead of stop at an intersection controlled by a stop sign if (i) each intersecting highway has no more than three motor vehicle travel lanes; (ii) the operator is at least 15 years of age or accompanied by an adult; (iii) the operator

slows to a reasonable speed based on existing conditions; and (iv) before proceeding into the intersection, the person stops for any pedestrian within the crosswalk and for any other vehicle approaching or entering such intersection from another direction.

HB 1266 Traffic; bicycles and certain other vehicles. Clarifies that the roadways on which bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, motorized skateboards or scooters, or mopeds are exempt from the requirement to ride as close as safely practicable to the right curb include those not wide enough to allow an overtaking motor vehicle to pass as required by law. The bill removes the requirement for persons riding bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, or motorized skateboards or scooters on a highway two abreast to move into a single-file formation when being overtaken by a faster-moving vehicle and limits the requirement that such persons not impede the normal and reasonable movement of traffic to roadways with only one travel lane per direction and a posted speed limit of 35 miles per hour or more.

DIVISION OF LEGISLATIVE SERVICES

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Published in Richmond, Virginia, by the Division of Legislative Services,
an agency of the General Assembly of Virginia.