

2025 SESSION HIGHLIGHTS

The *2025 Session Highlights* summarizes significant legislation considered by the 2025 Session of the General Assembly as selected by the staff of the Virginia Division of Legislative Services. The brief overview of the 2025 Session covers legislative actions through sine die on Saturday, February 22, 2025. Bills are differentiated as Passed or Failed. 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 1941/SB 1166 Invasive plant species; retail sales.

Requires, for the retail sale of certain invasive plant species for outdoor use, a retail establishment to post in a conspicuous manner on the property located in proximity to each invasive plant 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, 2025, 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. Certain provisions of the bill have a delayed effective date of January 1, 2027.

SB 1125 Department of Wildlife Resources; propagation of mammalian wildlife unlawful; premature separation; hybridization.

Makes it unlawful to prematurely separate any mammalian wildlife offspring born in captivity from the mother prior to the natural time of weaning that is appropriate for such species, except that wildlife offspring may be prematurely separated if a medical necessity exists pursuant to a written order from a veterinarian licensed to practice in the Commonwealth with appropriate species-specific experience and expertise. The bill excludes the following from its provisions: (i) noncommercial transfers or trades between accredited zoological facilities, (ii) an accredited zoological facility that retains the mammalian wildlife offspring that has already been prematurely separated by such zoological facility, and (iii) a person operating under a wildlife rehabilitator permit issued by the Department of Wildlife Resources. The bill also makes it unlawful to intentionally and for commercial purposes

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propagate mammalian wildlife of different species, also known as hybridization.

SB 1495 State Air Pollution Control Board; permit exemptions; poultry or swine incinerators; bovine incinerators; emergency. Directs the State Air Pollution Control Board to amend its regulations relating to permit exemptions for poultry or swine incinerators to include bovine incinerators. The bill contains an emergency clause.

Failed

SB 923 Virginia Water Protection Permit; interbasin transfers of water prohibited. Prohibits the Department of Environmental Quality from issuing a Virginia Water Protection Permit for a surface water withdrawal if more than five percent of the nonconsumptive volume of such withdrawal will be returned to a different major river basin, as defined in the bill. The bill clarifies that such prohibition does not apply to any lawful withdrawal in existence on July 1, 2025.

Alcoholic Beverages and Cannabis

Passed

HB 2058/SB 811 Alcoholic beverage control; delivery of mixed beverages; repeal. Clarifies that under current law mixed beverage restaurant and limited mixed beverage restaurant licensees may sell for off-premises consumption or deliver up to two mixed beverages per meal served, but shall in no event sell for off-premises consumption or deliver more than four mixed beverages at any one time. The bill also provides clarification as to where delivery of such mixed beverages may be made. The bill maintains alcoholic beverage control third-party delivery licenses by eliminating the repeal of such licenses that is set to go into effect July 1, 2026.

HB 2485/SB 970 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, 2025, but provides that no retail sales may occur prior to May 1, 2026.

Failed

HB 1981 Alcoholic beverage control; illegal advertising; exceptions; charitable sales promotion. Allows a licensed distillery, winery, or brewery to advertise in or send any advertising matter into the Commonwealth about or concerning alcoholic beverages for the purposes of a charitable sales promotion to benefit (i) a charitable or civic organization, (ii) an organization exempt from taxation under § 501(c)(3) of the Internal Revenue Code, or (iii) any public or private elementary or secondary school or institution of higher education, regardless of whether such charitable sales promotion advertises that a percentage of each sale or per product sold will benefit such organization, school, or institution.

SB 1163 Alcoholic beverage control; food-to-beverage ratio. Reduces the current 45 percent food-to-beverage ratio for certain mixed beverage licensees. The bill requires a mixed beverage restaurant, caterer's, or limited caterer's licensee with monthly food sales of at least \$4,000 to have a food-to-beverage ratio that meets or exceeds 30 percent. The bill also requires that restaurants have at least as many seats at tables as at counters and prohibits mixed beverage licensees from serving mixed beverages once food is no longer being sold for on-premises consumption. The bill sunsets on July 1, 2027, and requires the Virginia Alcoholic Beverage Control Authority to collect data regarding the compliance of mixed beverage licensees with the provisions of the bill and the impact of the change to the food-to-beverage ratio on the gross amount of food consumed on a licensee's premises. The bill requires the Authority to report such data to the Chairmen of the House Committee on General Laws and the Senate Committee on Rehabilitation and Social Services by November 1, 2026.

SB 1297 Virginia Alcoholic Beverage Control Authority; police power; primary law-enforcement agency for certain crimes against property and involving fraud. Provides that special agents of the Alcoholic Beverage Control Board shall serve as the primary law-enforcement agency for enforcing, reporting, and investigating certain crimes against property and crimes involving fraud that occur on property owned or leased by the Virginia Alcoholic Beverage Control Authority.

Corrections

Passed

HB 1589 Powers and duties of Parole Board; voting requirements; meetings. Removes various references to postrelease supervision and instead includes such references and related procedures in the provisions that govern probation so that such procedures, including revocation hearings, will be overseen and conducted by the sentencing court. The bill provides that except for a public meeting convened for conducting the final deliberation and vote regarding whether the Parole Board will grant parole to a prisoner, a meeting of the Parole Board members, regardless of whether such members invite staff or other guests to participate in such meeting, shall not be deemed a meeting subject to the provisions of the Virginia Freedom of Information Act.

The bill also provides that the final deliberation and vote of whether to grant parole to a person serving life imprisonment for murder in the first degree shall be attended by four or more members of the Parole Board, and a decision to grant such person discretionary parole shall require the concurrence of four or more members present. A final deliberation and vote of whether to grant parole to a person not sentenced to life imprisonment requires the attendance of a panel of no fewer than three members of the Parole Board and a concurrence of the majority of members present for such final deliberation and vote.

HB 2221 Prisoners; Department of Corrections-issued identification; report. Requires that prior to the release or discharge into the community of any prisoner who has been confined for at least 90 days and does not possess a government-issued identification card, birth certificate, or social security card, the Department of Corrections, in conjunction with the Department of Motor Vehicles, the State Registrar of Vital Records, and any other relevant government agency, shall provide such prisoner with a certified copy of his birth certificate, his social security card, or a government-issued identification card, unless such provision of a government-issued identification card is not possible, in which case, the Department of Corrections shall provide the prisoner with a Department of Corrections Offender Identification form. The bill also specifies what identifying information must be included on such Department of Corrections Offender Identification form and provides that such form shall satisfy certain requirements for

the purposes of obtaining a government-issued identification card for the 120 days immediately following the release or discharge of the prisoner identified on such form.

The bill also directs the Department of Corrections, in coordination with the State Board of Local and Regional Jails, the Department of Motor Vehicles, and the State Registrar of Vital Records, to (i) identify the number of prisoners released with and without identification cards; (ii) review the processes involved in assisting a prisoner in applying for and obtaining a government-issued identification card, birth certificate, or social security card; (iii) identify any obstacles that may interfere with a prisoner obtaining such identification or documents prior to such prisoner's release or discharge; and (iv) issue a report of its findings and recommendations to the General Assembly no later than November 1, 2025.

HB 2235 Local and regional correctional facilities; treatment of prisoners known to be pregnant. Prohibits the use of restraints, defined in the bill, on any prisoner of a local or regional correctional facility who is (i) known to be pregnant or (ii) in postpartum recovery unless a deputy sheriff or jail officer makes an individualized determination that (a) the prisoner will harm herself, the fetus, the newborn child, or any other person; (b) the prisoner poses a flight risk; or (c) the totality of the circumstances creates a serious security risk. Under current law, such prohibition applies only to state correctional facilities. The bill also requires the Department of Criminal Justice Services to include in the compulsory minimum entry-level training standards training regarding pregnant prisoners for deputy sheriffs and jail officers who are employees of local or regional correctional facilities who may have contact with pregnant prisoners.

HB 2647/SB 1409 Restorative housing and isolated confinement; restrictions on use. Prohibits the use of isolated confinement, defined in the bill, in state correctional facilities, subject to certain exceptions. The bill requires that before placing an incarcerated person in restorative housing or isolated confinement for his own protection, the facility administrator shall place an incarcerated person in a less restrictive setting, including by transferring such person to another institution or to a special-purpose housing unit for incarcerated persons who face similar threats. The bill requires that if an incarcerated person is placed in restorative housing or isolated confinement, such placement shall be reviewed every 48 hours and the facility administrator shall ensure that the incarcerated person receives a medical and

mental health evaluation from certified medical and mental health professionals within one working day of placement in restorative housing or any form of isolated confinement. The bill also requires the facility administrator to notify the regional administrator in writing that an incarcerated person was placed in restorative housing or isolated confinement within 24 hours of such placement. Finally, the bill requires that formal reviews of an incarcerated person's placement in any form of isolated confinement shall be held in such person's presence, inform him of any reason or reasons administrative officials believe isolated confinement remains necessary, and give him an opportunity to respond to those reasons and that a formal ruling shall be provided to the incarcerated person within 24 hours. The bill has a delayed effective date of July 1, 2026.

Failed

HB 2467 State Board of Local and Regional Jails; oversight of local and regional jails; powers and duties.

Increases from 11 to 19 the membership of the State Board of Local and Regional Jails by requiring the appointment of (i) two members of the Senate and two members of the House of Delegates and (ii) four additional nonlegislative citizen members, including (a) one representative of a nonprofit organization that provides training or rehabilitation programs for incarcerated inmates; (b) one male citizen and one female citizen who were formerly incarcerated within the Commonwealth; and (c) one person who is a grandparent, parent, child, sibling, or spouse or domestic partner of a person currently incarcerated within the Commonwealth.

The bill also adds numerous additional duties for the Board, including to (1) provide information, as appropriate, to inmates, family members, representatives of inmates, and local, regional, and community correctional facility employees and contractors and others regarding the rights of inmates; (2) establish policies for a statewide uniform reporting system to collect and analyze data related to complaints received in or about local, regional, and community correctional facilities; (3) monitor, document, review, and report on the operation of stores and commissaries in local correctional facilities and systems for providing electronic visitation and messaging and telephone calls; and (4) review, monitor, and report and make recommendations on policies related to (A) attorney access to clients for calls and visitation; (B) access to voting for incarcerated individuals who are eligible to vote; and (C) the collection of data on suicides, suicide attempts, and self-harm

in custody. The bill also specifies additional information to be included in the Board's currently required annual report to the General Assembly and the Governor and requires such report be made available to the public online.

The bill enumerates certain items for assessment that may be included in the Board's annual inspection of each local correctional facility, as required by current law, and also specifies the Board's authority and right to access such facilities, interview persons, and access certain information and documents. Upon completion of an inspection, the bill requires the Board to produce a report, including information enumerated in the bill, to be made available to the public 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, and the sheriff in charge of the local correctional facility or superintendent of the regional correctional facility.

Finally, the bill allows the Board to initiate and attempt to resolve an investigation upon its own initiative, or upon receipt of a complaint from an inmate, a family member or representative of an inmate, or a local, regional, or community correctional facility employee or contractor, or others, regarding various concerns as enumerated in the bill. The bill has a delayed effective date of July 1, 2026.

SB 1080 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 specifies that such provisions shall apply to the sentence of any person convicted of a felony offense committed on or after July 1, 2025, and who is sentenced to serve a term of incarceration in a state or local correctional facility.

SB 1432 Juvenile secure detention facilities; closure or consolidation; funding contributions; education programs.

Provides that upon the closure or consolidation of a juvenile secure detention facility, any locality or commission operating a juvenile secure detention facility in

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which juveniles will be placed who previously would have been placed in the closed or consolidated juvenile secure detention facility shall negotiate in good faith with the locality from which a juvenile may be placed to arrive at mutually agreeable funding contributions for the operation of such receiving juvenile secure detention facility. The bill requires such agreements to include certain provisions related to equal access to post-dispositional programming and medical and hospitalization costs and provides that such agreements may include provisions related to transportation of juveniles and transportation options for parents or guardians.

The bill further states that if the localities or commissions are unable to reach such an agreement, then the Department of Juvenile Justice shall determine the funding contributions and that failure of any locality or commission to comply with such determination may result in the loss or reduction of state funding. Under the bill, any locality or commission operating a juvenile secure detention facility that refuses to accept placement of juveniles who previously would have been placed in a closed or consolidated juvenile secure detention facility shall not be eligible for state funding.

The bill changes the required staffing ratio for education programs in regional and local detention homes to one full-time equivalent program employee for every six students based on a rolling average daily population at the facility as calculated by the Department of Education from the previous three fiscal years. Under current law, the ratio for such programs is one teacher for every 12 beds based on the capacity of the facility. The bill also provides that the Board of Education shall require all such education programs to have either a principal or a lead teacher on site and requires contracts for the hiring and supervision of teachers to allow a teacher employed by a local school board to continue teaching in his local school division and be hired as a part-time teacher for such an education program. The bill requires that each part-time teacher for an education program be provided an annual \$3,000 bonus.

Lastly, the bill directs the closure of seven juvenile secure detention facilities across the Commonwealth and specifies the facilities to be closed and the facilities into which they may be consolidated. The bill requires the facilities to be closed and consolidated by January 1, 2026, and states that any such facility that fails to comply with the requirements for closure and consolidation, in addition to any other

remedy available at law, shall not be eligible for state funding.

Courts/Civil Law

Passed

HB 1727 Establishment of parent and child relationship; persons who committed sexual assault. Provides that no parent and child relationship shall be established when a biological parent has been convicted of rape, carnal knowledge, or incest, or has been found by clear and convincing evidence to have engaged in such prohibited conduct, and the child was conceived of such violation or conduct. The bill further provides that a person with a legitimate interest in the child does not include a person whose interest derives from or through a person who has been convicted of or found to have engaged in such conduct by clear and convincing evidence. The bill provides that consent for adoption is not required of a birth father when such father been found by clear and convincing evidence to have engaged in rape, carnal knowledge, or incest and the child was conceived of such conduct; under current law, such consent is not required when the birth father has been convicted of rape, carnal knowledge, or incest.

HB 1888 Immunity of persons for tort actions based on statements made in connection with any formal review or hearing. Adds to the tort actions for which an individual shall be immune pursuant to applicable law any tort action based solely on a statement made at or in connection with any formal review or hearing authorized by law, including a written or oral statement made pursuant to a report or complaint, that is not one of the public hearings enumerated in current law. Current law provides that an individual shall be immune for any tort action based solely on statements made at a public hearing before, or otherwise communicated to, the governing body of any locality or other political subdivision, or the boards, commissions, agencies, and authorities thereof, and other governing bodies of any local governmental entity concerning matters properly before such body.

SB 805 Determination of child support. Updates the amounts in the schedule of basic child support obligations based upon gross monthly income and calculates such obligations for specific amounts up to a gross monthly income of \$42,500. Under current law, such child support obligations are calculated up to a gross monthly income of

\$35,000. The bill directs the Child Support Guidelines Review Panel, in collaboration with the Division of Child Support Enforcement, to examine the current outstanding amount of child support arrearages and make recommendations to the General Assembly about measures the General Assembly can consider regarding (i) helping child support obligors pay outstanding arrearages and (ii) whether existing penalties that place restrictions on such obligors' drivers licenses or other professional restrictions unnecessarily impair the obligor's ability to repay outstanding child support arrearages. The bill directs the Child Support Guidelines Review Panel to report its conclusions to the Chairmen of the House and Senate Committees for Courts of Justice by November 15, 2025.

SB 894 Civil actions; liability of employer for personal injury or death by wrongful act. Provides that in an action for personal injury or death by wrongful act brought by a vulnerable victim, defined in the bill, against an employee, a finding that the employee's employer is vicariously liable for such employee's conduct shall be based on several factors, including the likelihood of the employee coming into contact with such vulnerable victim and the employer's failure to exercise reasonable care over the employee.

Courts/Criminal Justice

Passed

HB 1946/SB 1060 Possession, etc., of retail tobacco products and hemp products intended for smoking by a person younger than 21 years of age; liquid nicotine and nicotine vapor products license; prohibitions; enforcement. Prohibits any person younger than 21 years of age from possessing any retail tobacco or hemp product intended for smoking, as those terms are defined in relevant law, with certain exceptions enumerated in the bill. The bill provides that any such product purchased or possessed by a person younger than 21 years of age (i) shall be deemed contraband and (ii) may be seized by a law-enforcement officer. Any such product, the lawful possession of which is not established, seized by such officer shall be forfeited and disposed of according to the process described in relevant law. The bill also provides that seizure shall be the sole penalty for a violation of such prohibition and that the provisions of the bill shall not preclude prosecution under any other statute.

Further, if a person does not receive a license from the Department of Taxation to sell, deal, transport, or ship liquid

nicotine or nicotine vapor products to retailers in the Commonwealth, such person is subject to a penalty of \$400, in addition to any other applicable taxes or fees. The bill provides that the Department of Taxation is not required pursuant to relevant law to conduct unannounced investigations of retail tobacco dealers at least once every 24 months to verify that a retail dealer is not selling retail tobacco products to persons younger than 21 years of age.

Lastly, the bill requires the Department of Taxation to convene a work group consisting of the Alcoholic Beverage Control Authority, the Office of the Attorney General, the Virginia State Police, and the Department of Behavioral Health and Development Services to develop an enforcement program related to the sale of retail tobacco products or hemp products intended for smoking to individuals younger than 21 years of age. The work group's findings and recommendations are to be reported to the Chairs of the House Committees on General Laws and Appropriations and the Senate Committees on Rehabilitation and Social Services and Finance and Appropriations no later than November 1, 2025.

HB 2730/SB 1465 Virginia State Crime Commission; review panel; cases involving Mary Jane Burton; report.

Directs the Virginia State Crime Commission (the Crime Commission) to designate a panel, consisting of members outlined in the bill, to review the following types of cases at the Virginia Department of Forensic Science where testing or analysis was performed by Mary Jane Burton: (i) cases resulting in convictions of persons who are currently incarcerated, or who were executed or exonerated, and (ii) cases where Burton testified, regardless of the final disposition of the case. However, the panel shall prioritize the review of cases resulting in convictions of persons who are currently incarcerated. The bill provides that the Crime Commission shall provide staff support to the panel, and may request and shall receive support from other state or local government agencies. The bill provides that the provisions of the Virginia Freedom of Information Act do not apply to this panel or its review, or to any information received by or disseminated to any state or local government agency, private organization, or other entity for purposes of this review. The bill directs the panel to report on its work to the Crime Commission by the first day of each regular session of the General Assembly until completion of this review. As introduced, this bill was a recommendation of the Virginia State Crime Commission.

HB 2723/SB 1466 Criminal records; expungement and sealing of records. Amends numerous statutes related to the

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expungement and sealing of criminal records that are scheduled to become effective on July 1, 2025. In addition, the bill requires (i) the Department of State Police to develop a secure portal for the purpose of allowing government agencies to determine whether a record has been sealed prior to responding to a request pursuant to current law by October 1, 2026; (ii) the Virginia Indigent Defense Commission to (a) educate and provide support to public defenders and certified court-appointed counsel on expungement and sealing, (b) conduct trainings on expungement and sealing across the Commonwealth, (c) develop a library of resources on expungement and sealing for use by public defenders and court-appointed counsel, and (d) post information regarding expungement and sealing for use by the public on its website; and (iii) the Department of State Police, Department of Motor Vehicles, Office of the Executive Secretary of the Supreme Court of Virginia, and clerk of any circuit court to provide data and information on sealing upon request of the Virginia State Crime Commission for purposes of monitoring and evaluating the implementation and impact of the sealing processes. The bill also directs (1) the Office of the Executive Secretary of the Supreme Court of Virginia to collect data related to petitions filed pursuant to relevant law, (2) the Virginia State Crime Commission to analyze data and information collected on automatic and petition sealing and report to the General Assembly by the first day of the 2026 Regular Session, and (3) the Virginia State Crime Commission to continue its study on the sealing of criminal records and report its work to the General Assembly by the first day of the 2026 Regular Session.

The bill repeals the Sealing Fee Fund and directs any money in such Fund to be reverted to the general fund. The bill contains a delayed effective date of July 1, 2026, for the provisions related to the sealing of former possession of marijuana offenses without entry of a court order and the sealing of charges and convictions related to automatic sealing and such petitions. Lastly, the bill delays the repeal of the relevant law related to marijuana possession, limits on dissemination of criminal history record information, and prohibited practices by employers, educational institutions, and state and local governments until January 1, 2026. As introduced, this bill was a recommendation of the Virginia State Crime Commission.

HB 2724 Use of automatic license plate recognition systems; reports; penalty. Requires the Division of Purchases and Supply of the Department of General Services (the Division) to determine and approve the automatic

license plate recognition systems, defined in the bill, for use in the Commonwealth and provides requirements for use of such systems by law-enforcement agencies. The bill limits the use of such systems by law-enforcement agencies to the following purposes: (i) as part of a criminal investigation into an alleged criminal violation of the Code of Virginia or any ordinance of any county, city, or town where there is a reasonable suspicion that a crime was committed; (ii) as part of an active investigation related to a missing or endangered person, including whether to issue an alert for such person, or a person associated with human trafficking; or (iii) to receive notifications related to a missing or endangered person, a person with an outstanding warrant, a person associated with human trafficking, a stolen vehicle, or a stolen license plate.

The bill requires annual reports from law-enforcement agencies using such systems that provide de-identified information concerning the use of the systems and by the State Police aggregating such information statewide beginning April 1, 2027. The bill also requires a law-enforcement officer or State Police officer to collect data on whether a stop of a driver of a motor vehicle or stop or temporary detention of a person was based on a notification from an automatic license plate recognition system prior to such stop and if so, the specific reason for the notification as set forth in relevant law.

The provisions of the bill that require a law-enforcement agency to obtain a permit from the Department of Transportation in accordance with regulations of the Commonwealth Transportation Board before installing an automatic license plate recognition system on a state right-of-way do not become effective unless reenacted by the 2026 Session of the General Assembly. Except for provisions requiring (a) the Division determine and approve automatic license plate recognition systems for use in the Commonwealth, which shall become effective on July 1, 2026, and (b) law-enforcement officers to collect data on whether a stop was based on a notification from an automatic license plate recognition system, which shall become effective January 1, 2026, the provisions of the bill become effective in due course. The bill requires the Division, in consultation with the Virginia Information Technologies Agency, to determine such systems for use in the Commonwealth and publicly post a list of such systems by January 1, 2026. Finally, the bill requires the Virginia State Crime Commission to collect data and conduct surveys of law-enforcement agencies to assess the use of automatic

license plate recognition systems and report its findings by the first day of the 2026 Regular Session and again on November 1, 2026. As introduced, this bill was a recommendation of the Virginia State Crime Commission.

HB 2252/SB 936 Decreasing probation period; criteria for mandatory reduction. Establishes criteria for which a defendant's supervised probation period shall be reduced, including completing qualifying educational activities, maintaining verifiable employment, complying with or completing any state-certified or state-approved mental health or substance abuse treatment program, securing and maintaining qualifying health insurance or a qualifying health care plan, and obtaining housing and establishing residence. The bill provides that a court may decrease a defendant's probation period if warranted by the defendant's conduct and in the interests of justice and may do so without a hearing, unless the defendant poses an imminent threat to the health and safety of himself or others. The bill requires the Department of Corrections to meet with all relevant stakeholders and report to the General Assembly on (i) current practices for community supervision as it relates to monitoring engagement and attainment in education, employment, treatment, and other programs and making recommendations to the court for modification of time served on probation; (ii) how such practices compare to the processes and practices that would be established pursuant to the bill; and (iii) a plan for such implementation by November 1, 2025. Except for this provision requiring the Department of Corrections to meet with all relevant stakeholders and report to the General Assembly, the provisions of the bill do not become effective unless reenacted by the 2026 Session of the General Assembly.

HB 2657/SB 746 Involuntary manslaughter; certain drug offenses. Provides that any person who knowingly, intentionally, and feloniously manufactures, sells, or distributes a controlled substance knowing that such controlled substance contains a detectable amount of fentanyl, including its derivatives, isomers, esters, ethers, salts, and salts of isomers, and unintentionally causes the death of another person is guilty of involuntary manslaughter if (i) such death results from the use of the controlled substance and (ii) such controlled substance is the proximate cause of the death. The bill provides that venue for a prosecution of this crime shall lie in the locality where the manufacturing, sale, or distribution of such controlled substance occurred, where the use of the controlled substance occurred, or where death occurred.

The bill also provides that if a person gave or distributed such 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 not guilty of involuntary manslaughter but is guilty of a Class 6 felony.

Failed

HB 1714 Assault and battery; serious bodily injury; penalty. Creates a Class 6 felony for any person who commits an assault and battery that results in serious bodily injury, as defined in relevant law, and adds such new offense to the list of violent felony offenses for the purposes of the discretionary sentencing guidelines. The bill contains technical amendments.

SB 918 Driving under the influence. Provides that the provisions regarding driving or operating a motor vehicle, engine, or train while intoxicated and the provisions regarding operating a motor vehicle by a person under the age of 21 after illegally consuming alcohol shall not apply to any person driving or operating a motor vehicle on his residential property or his adjoining property.

SB 1268 Department of Juvenile Justice; inquiry and report of immigration status; juvenile or adult adjudicated delinquent or convicted of violent juvenile felony. Requires the Director of the Department of Juvenile Justice or other person in charge of a secure facility where a juvenile or adult has been committed upon an adjudication of delinquency or a finding of guilt for a violent juvenile felony to ascertain whether such juvenile or adult is in the United States illegally and, if such juvenile or adult is found to be in the United States illegally, to communicate such information to U.S. Immigration and Customs Enforcement. Under current law, such immigration inquiries are required of jail officers or correctional officers in charge of state, local, or regional correctional facilities.

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Education

Passed

HB 1626/SB 822 Public elementary and secondary school teachers; certain training activities; requirements and limitations. Prohibits any public elementary or secondary school teacher from being required to participate in any non-academic training activity, as that term is defined in the bill, more frequently than once within six months of employment with the applicable school board and once every five years thereafter, except in the case of certain training relating to secure mandatory test violations upon determination by the school board or division superintendent that additional training is necessary. The bill also provides that the total frequency and duration of non-academic training activities in which each such teacher is required to participate pursuant to state law or regulation or policy or regulation of the applicable school board shall not exceed 25 hours every five years.

HB 1961/SB 738 Public elementary and secondary schools; student discipline; student cell phone possession and use policies; development and implementation. Directs each school board to develop and each public elementary and secondary school to implement age-appropriate and developmentally appropriate policies relating to the possession and use of cell phones by students on school property during regular school hours. The bill requires such policies to (i) restrict, to the fullest extent possible, student cell phone possession and use in the classroom during regular school hours; (ii) aim to reduce or prevent any distraction in or disruption to the learning environment, including bullying or harassment, that could be caused or facilitated by student cell phone possession and use on school property during regular school hours; (iii) ensure that implementation and enforcement of the policy is the responsibility of the administration, minimizes, to the extent possible, any conflict with the instructional responsibilities of teachers or any disruption to instructional time, and does not involve any school resource officer; (iv) include exceptions to such policies permitting any student, pursuant to an Individualized Education Plan or Section 504 Plan or if otherwise deemed appropriate by the school board, to possess and use a cell phone on school property, including in the classroom, during regular school hours to monitor or address a health concern; and (v) expressly prohibit any student from being suspended, expelled, or removed from class as a consequence of any violation of such policies. Finally, the

bill clarifies that (a) no violation of any such student cell phone possession and use policy shall alone constitute sufficient cause for a student's suspension or expulsion from attendance at school and (b) any such violation that involves, coincides with, or results in an instance of disruptive behavior, as that term is defined in applicable law, shall be addressed in accordance with the regulations on codes of student conduct adopted by each school board pursuant to applicable law.

HB 2774/SB 1240 School-connected student overdoses; policies relating to parental notification. Requires public school principals and heads of private schools in the Commonwealth to report certain information to the parents of enrolled students within 24 hours of a confirmed or suspected school-connected student overdose, as defined in the bill.

HB 2777/SB 955 Public schools; textbooks and other high-quality instructional materials. Makes several changes relating to the textbooks and other high-quality instructional materials that are utilized as the curriculum basis for public elementary and secondary school student instruction, including (i) requiring each local school board to adopt and implement textbooks and other high-quality instructional materials in English language arts for grades six through 12 and mathematics, science, and history and social studies for grades kindergarten through 12 and requiring the Department of Education to support such local adoption and implementation in several ways and (ii) requiring each education preparation program offered by a public institution of higher education or private institution of higher education or alternative certification program that provides training for any student seeking initial licensure by the Board of Education with certain endorsements to include a program of coursework and clinical experience and require all such students to demonstrate mastery in identifying and implementing textbooks and other high-quality instructional materials. The provisions of the bill, with the exception of a provision that requires a study of and report on the textbook review and approval process by November 1, 2025, have a delayed effective date of July 1, 2026.

Failed

SB 1031 Public elementary and secondary schools; compulsory attendance requirements; religious exemption; requirements. Amends the provisions permitting any child and his parents to receive an exemption

from school attendance by reason of bona fide religious training or belief, as defined in relevant law, to require the parent of any such child, in order to receive such exemption, to provide (i) evidence of the parent's ability to provide an adequate education for his child; (ii) notice to the division superintendent by August 15 of each year, or as soon as practicable in the event that such child and his parents move into the school division or seek to receive an exemption after the start of the school year, of such child and his parents' intention to receive such an exemption and certification that the child will receive an alternative form of instruction, including a description of the curriculum to be studied in the coming year; and (iii) evidence of the child's progress in accordance with the provisions of the bill.

SB 1346 Public schools; Virginia Opportunity Scholarship Grant Program established. Establishes the Virginia Opportunity Scholarship Grant Program, to be administered and managed by the Department of the Treasury pursuant to guidelines developed by the Board of Education in collaboration with the Department of the Treasury, for the purpose of ensuring that all children in the Commonwealth have access to quality educational opportunities by annually awarding a grant in the amount of \$5,000 per eligible student, as that term is outlined in the bill, for up to 10,000 eligible students each year. The bill requires the grant funds awarded pursuant to the Program to be used to support qualified educational expenses of attending an accredited private school in the Commonwealth, as enumerated by the bill. The bill also (i) directs the Board of Education, in collaboration with the Department of the Treasury, to develop guidelines for the implementation and administration of the Program; (ii) requires the Board of Education to develop and make available to each school board and each school board to make available to parents at the start of each school year informational materials relating to the Program; and (iii) requires the Department of Education to annually collect data on and include as a part of the Board of Education's Annual Report on the Condition and Needs of Public Schools in Virginia the total student participation in the Program.

Elections

Passed

HB 1794/SB 1119 Elections; primary dates; presidential year primaries. Provides that all primaries for offices to be filled at the November election in presidential election years shall be held on the date of the presidential primary. With respect to candidates for election in November of a presidential election year, the bill also lifts the requirement that petition signatures must be collected after January 1 of the presidential election year. The bill adjusts campaign finance filing deadlines for candidates in presidential year elections to account for the March primary date.

HB 2165/SB 1002 Campaign finance; prohibited personal use of campaign funds; complaints, hearings, civil penalty, and advisory opinions. Prohibits any person from converting contributions to a candidate or his campaign committee for personal use. Current law only prohibits such conversion of contributions with regard to disbursement of surplus funds at the dissolution of a campaign or political committee. The bill provides that a contribution is considered to have been converted to personal use if the contribution, in whole or in part, is used to fulfill any commitment, obligation, or expense that would exist irrespective of the person's seeking, holding, or maintaining public office but allows a contribution to be used for the ordinary and accepted expenses related to campaigning for or holding elective office, including the use of campaign funds to pay for the candidate's dependent care expenses that are incurred as a direct result of campaign activity. The bill provides that any person subject to the personal use ban may request an advisory opinion from the State Board of Elections on such matters. The foregoing provisions of the bill have a delayed effective date of July 1, 2026. The bill directs the State Board of Elections to adopt emergency regulations similar to those promulgated by the Federal Election Commission to implement the provisions of the bill and to publish an updated summary of Virginia campaign finance law that reflects the State Board of Elections' and Attorney General's guidance on the provisions of such law that prohibit the personal use of campaign funds and any new regulations promulgated by the State Board of Elections.

HJ 443/SJ 253 Study; joint subcommittee to study the consolidation and scheduling of general elections in Virginia; report. Creates a two-year legislative study on the consolidation and scheduling of general elections in

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Virginia. A 13-member joint subcommittee is established, consisting of eight members of the General Assembly, four nonlegislative citizen members, and one ex officio member, and is tasked with weighing the potential and probable effects of moving some or all of Virginia's state or local elections to even-numbered years in order to coincide with the federal election schedule. Any recommendations by the joint subcommittee to consolidate or reschedule Virginia's general elections must include recommendations for any amendments to the Constitution of Virginia and the Code of Virginia needed to effectuate the shift. The joint subcommittee is given two years to complete its study, with its final report due no later than the first day of the 2027 Regular Session of the General Assembly.

Freedom of Information Act

Failed

SB 876 Virginia Freedom of Information Act; notice of public meetings; proposed agenda required. Requires public bodies subject to the Virginia Freedom of Information Act to include a proposed agenda and any subsequent revisions to be posted on the public body's official public government website, if any, and made available to the public prior to the meeting. The bill provides that any items added to the agenda after the meeting commences may be considered and discussed at the meeting, but final action shall not be taken on such an item unless the matter is time-sensitive.

SB 1029 Virginia Freedom of Information Act; procedure for responding to requests; charges; posting of notice of rights and responsibilities. Limits the fees charged for producing public records to the median hourly rate of pay of employees of the public body or the actual hourly rate of pay of the person performing the work, whichever is less, and provides that a public body may petition a court for relief from this fee limit if there is no one who can process the request at the median hourly rate of pay or less. The bill makes corresponding amendments to the required statement on charges in the notice of rights and responsibilities that must be posted on a public body's website. The bill also amends existing law providing that a public body may petition a court for additional time to respond to a request for public records to allow such petitions to be heard in either general district or circuit court, to give such petitions priority on the court's docket, and to toll the response time while such a petition is pending before a court. The bill makes technical amendments, including moving provisions regarding charges

for the production of public records into a separate section of the Virginia Freedom of Information Act.

General Laws

Passed

HB 1973 Preservation of affordable housing; definitions; civil penalty. Creates a framework for localities to preserve affordable housing by exercising a right of first refusal on publicly supported housing, defined in the bill. The bill authorizes localities to implement an ordinance that requires an owner to accept a right of first refusal offer by the locality or qualified designee, defined in the bill, in order to preserve affordable housing for at least 15 years. The bill requires that any locality adopting such an ordinance to preserve affordable housing submit an annual report to the Department of Housing and Community Development pursuant to existing law.

HB 2515/SB 1212 Virginia Consumer Protection Act; prohibited practices; mandatory fees or surcharges disclosure. Prohibits a supplier, in connection with a consumer transaction, from advertising or displaying a price for goods or services without clearly and conspicuously displaying the total price, which shall include all mandatory fees or surcharges, as defined in the bill. The bill specifies the requirements for compliance with its provisions for certain suppliers and excludes from its provisions (i) certain fees charged by motor vehicle dealers, as defined in relevant law; (ii) fees charged by electric utilities, natural gas utilities, and telecommunications service providers, as those terms are defined in relevant law; and (iii) certain costs associated with real estate settlement services. The bill requires a food delivery platform to (a) at the point when a consumer views and selects a vendor or items for purchase, include a clear and conspicuous disclosure of any additional fee or percentage charged, as defined in the bill, and (b) after a consumer selects items for purchase, but prior to checkout, display a subtotal page that itemizes the price of such selected items and any additional fee or percentage included in the total cost.

SB 1219 General Assembly; Legislator Compensation Commission established. Establishes the Legislator Compensation Commission, to be formed every four years for the purpose of reviewing the salaries, expense allowances, retirement benefits, and other emoluments received by members of the General Assembly and

determining whether any adjustments to salaries or allowances are needed. The 11-member Commission shall be appointed as follows: two former members of the Senate of Virginia and four former members of the House of Delegates, to be appointed by the Joint Rules Committee, and five nonlegislative citizen members, with the Governor, the Speaker of the House of Delegates, the House Minority Leader, and the Senate Majority and Minority Leaders each appointing one such member. Any adjustments made to salaries, expense allowances, or other emoluments or benefits enacted in a budget bill based upon the recommendation of the Commission shall not be effective until January 1 of the year immediately following the general election for all members of the General Assembly.

Failed

HB 2498/SB 1287 Virginia Gaming Commission; established. Establishes the Virginia Gaming Commission as an independent agency of the Commonwealth, exclusive of the legislative, executive, or judicial branches of government, to oversee and regulate all forms of legal gambling in the Commonwealth except for the state lottery. The bill sets eligibility requirements for the appointment of a Commissioner and Virginia Gaming Commission Board members, provides powers and duties of such Commissioner and Board members, and provides for the transfer of current employees of relevant state agencies to the Commission. The bill contains numerous technical amendments.

SB 982 Casino gaming; eligible host localities. 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.

SB 1136 Local anti-rent gouging authority; civil penalty. Provides that any locality may by ordinance adopt anti-rent gouging provisions. The bill provides for notice and a public hearing prior to the adoption of such ordinance and specifies that all landlords who are under the ordinance may be required to give at least two months' written notice of a rent increase and cannot increase the rent by more than the

locality's calculated allowance, not to exceed three percent, and states that such allowance is effective for a 12-month period beginning July 1 each year. The bill requires the locality to publish such allowance on its website by June 1 of each year. Certain facilities, as outlined in the bill, are exempt from such ordinance. The bill also requires a locality to establish an anti-rent gouging board to establish rules and procedures by which landlords may apply for and be granted exemptions from the rent increase limits set by the ordinance or delegate such duties and functions to an existing local board, department, or agency. Finally, the bill provides that a locality shall establish a civil penalty for failure to comply with the requirements set out in its ordinance.

Health

Passed

HB 1649/SB 740 Board of Medicine; continuing education; unconscious bias and cultural competency. Directs the Board of Medicine to require unconscious bias and cultural competency training as part of the continuing education requirements for renewal of licensure. The bill specifies requirements for the training and requires the Board of Medicine to report the number of licensees who have successfully completed such training to the Department of Health and the Virginia Neonatal Perinatal Collaborative.

HB 1716/SB 1105 Contraception; right to contraception; applicability; enforcement. Establishes a right to obtain contraceptives and engage in contraception, as such terms are defined in the bill. The bill clarifies that none of its provisions shall be construed to permit or sanction the performance of any sterilization procedure without a patient's voluntary and informed consent. The bill creates a cause of action that may be instituted against anyone who infringes on such right.

HB 2610/SB 875 Department of Medical Assistance Services; state pharmacy benefits manager; independent evaluation. Requires the Department of Medical Assistance Services by July 1, 2026, to select and contract with a third-party administrator to serve as the state pharmacy benefits manager to administer all pharmacy benefits for Medicaid recipients, including recipients enrolled in a managed care organization. The bill enumerates requirements for the Department's contract with the state pharmacy benefits manager. In addition, the bill directs the Department to

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engage an independent consultant to evaluate the implementation of a contract with a third-party pharmacy benefits manager pursuant to the bill.

HB 2617/SB 1120 Commission on Women's Health established; report. Establishes the Commission on Women's Health as a permanent commission in the legislative branch of state government for the purpose of studying and making recommendations on issues related to women's and maternal health. The Commission consists of 15 members, 10 of whom are legislative members and five of whom are nonlegislative citizen members with significant experience or expertise in women's or maternal health policy.

Failed

HB 2394 Department of Medical Assistance Services; Medicaid; long-term services and supports; presumptive eligibility; sunset. Directs the Department of Medical Assistance Services to provide presumptive eligibility for Medicaid, including long-term services and supports where appropriate, to individuals who meet certain criteria. The provision of presumptive eligibility is conditional on the Department obtaining all necessary approvals and federal financial participation. The bill sunsets on July 1, 2026, if such approval and federal financial participation is not obtained.

Labor and Commerce

Passed

HB 1766/SB 1056 Unemployment compensation; increase weekly benefit amounts; report. For unemployment compensation claims effective on or after January 1, 2026, an eligible individual's weekly benefit amount shall be \$100 higher than the current weekly benefit amount, as denoted in the table in the printed bill. The bill directs the Commission on Unemployment Compensation, in consultation with the Virginia Employment Commission, to convene a work group to study making annual adjustments to individual weekly benefit amounts based on the average weekly wage. The bill also provides that, beginning July 1, 2025, for claims effective on or after July 1, 2025, an eligible individual's weekly unemployment compensation benefit amount shall be paid for a maximum duration of 26 weeks. As introduced, this bill was a recommendation of the Commission on Unemployment Compensation.

HB 1921 Employment; paid sick leave; civil penalties. Expands provisions of the Code that currently require one hour of paid sick leave for every 30 hours worked for home health workers to cover all employees of private employers and state and local governments. The bill requires that employees who are employed and compensated on a fee-for-service basis accrue paid sick leave in accordance with regulations adopted by the Commissioner of Labor and Industry. The bill provides that employees transferred to a separate division or location remain entitled to previously accrued paid sick leave and that employees retain their accrued sick leave under any successor employer. The bill allows employers to provide a more generous paid sick leave policy than prescribed by its provisions. Employees, in addition to using paid sick leave for their physical or mental illness or to care for a family member, may use paid sick leave for their need for services or relocation due to domestic abuse, sexual assault, or stalking.

The bill provides that certain health care workers who work no more than 30 hours per month may waive the right to accrue and use paid sick leave. The bill also provides that employers are not required to provide paid sick leave to certain health care workers who are employed on a pro rata, or as-needed, basis, regardless of the number of hours worked. The bill requires the Commissioner to promulgate regulations regarding employee notification and employer recordkeeping requirements.

The bill authorizes the Commissioner, in the case of a knowing violation, to subject an employer to a civil penalty not to exceed \$150 for the first violation, \$300 for the second violation, and \$500 for each successive violation. The Commissioner may institute proceedings on behalf of an employee to enforce compliance with the provisions of this bill. Additionally, an aggrieved employee is authorized to bring a civil action against the employer in which he may recover double the amount of any unpaid sick leave and the amount of any actual damages suffered as the result of the employer's violation. The bill has a delayed effective date of July 1, 2026.

HB 1928 Minimum wage. Increases the minimum wage incrementally to \$15.00 per hour by January 1, 2027. The bill codifies the adjusted state hourly minimum wage of \$12.41 per hour that is effective January 1, 2025, and increases the minimum wage to \$13.50 per hour effective January 1, 2026, and to \$15.00 per hour effective January 1, 2027. The bill

requires the Commissioner of Labor and Industry to establish an adjusted state hourly minimum wage by October 1, 2027.

HB 2531 Paid family and medical leave insurance program; notice requirements; civil action. Requires the Virginia Employment Commission to establish and administer a paid family and medical leave insurance program with benefits beginning January 1, 2028. Under the program, benefits are paid to covered individuals, as defined in the bill, for family and medical leave. Funding for the program is provided through premiums assessed to employers and employees beginning January 1, 2027. The bill provides that the amount of a benefit is 80 percent of the employee's average weekly wage, not to exceed 120 percent of the state weekly wage, which amount is required to be adjusted annually to reflect changes in the statewide average weekly wage. The 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.

HB 2764/SB 917 Collective bargaining by public employees; exclusive bargaining representatives. Repeals the existing prohibition on collective bargaining by public employees. The bill creates the Public Employee Relations Board, which shall determine appropriate bargaining units and provide for certification and decertification elections for exclusive bargaining representatives of state employees and local government employees. The bill requires public employers and employee organizations that are exclusive bargaining representatives to meet at reasonable times to negotiate in good faith with respect to wages, hours, and other terms and conditions of employment. The bill repeals a provision that declares that, in any procedure providing for the designation, selection, or authorization of a labor organization to represent employees, the right of an individual employee to vote by secret ballot is a fundamental right that shall be guaranteed from infringement. The bill has a delayed effective date of July 1, 2026.

Failed

HB 2126/SB 1190 Virginia Energy Facility Review Board established; localities; comprehensive plan and local ordinances related to siting of critical interconnection projects; planning district commissions; regional energy plans; Virginia Clean Energy Technical Assistance Center established. Establishes the Virginia Energy Facility Review Board as a political subdivision of the Commonwealth for the purposes of conducting critical

interconnection reviews; conducting analysis and study policy options; reviewing regional energy plans, local comprehensive plans, and local solar and storage ordinances; and facilitating the responsible siting of critical interconnection projects in the Commonwealth.

The bill also establishes the Virginia Clean Energy Technical Assistance Center, consisting of public institutions of higher education, to serve as an interdisciplinary study, research, and information resource and to provide technical assistance to state agencies, planning district commissions, localities, the Review Board, other public bodies, and private entities in matters related to critical interconnection projects. The bill requires the Center to collaborate with the Review Board to issue the regional energy report and to establish the model local ordinance.

The bill requires the Review Board to issue a regional energy report that models each planning district's meaningful annual contribution to clean energy generation, energy efficiency measures, and energy storage. Each planning district commission is required to adopt a regional energy plan to address energy generation, storage, and use that demonstrates a meaningful contribution to the Commonwealth's energy goals as determined by the regional energy report issued by the Review Board and to submit the plan to the Review Board. The Review Board is required to determine if a regional energy plan is in compliance with certain provisions within 60 days of receipt of such plan. If the Review Board determines that the regional energy plan is not in compliance, the relevant planning district commission has 60 days to adopt a compliant regional energy plan. If the relevant planning district commission fails to adopt a compliant energy plan within the 60 days, the Review Board, within 90 days of such failure, is required to issue an alternative regional energy plan that is in effect for such region.

The bill requires the Review Board to establish a model local ordinance for siting, permitting, and zoning of critical interconnection projects and all other ground-mounted front-of-meter solar energy and energy storage projects. The bill requires each locality to adopt an ordinance for the permitting of solar energy facilities and energy storage facilities, that is consistent with the Commonwealth Clean Energy Policy and the model ordinance and submit it to the Review Board. Under the bill, the Review Board is required to determine if the local ordinance is compliant with certain requirements. If the Review Board determines that the local ordinance is not in compliance, the locality has 60 days to

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adopt a compliant local ordinance. If the locality fails to adopt a compliant local ordinance within the 60 days, the bill provides that the model local ordinance established is in effect for such locality. The bill provides a procedure for a planning district commission or a locality to appeal a Review Board determination regarding a regional energy plan or a local ordinance.

Under the bill, any developer planning to construct a critical interconnection project is required to submit an application to the Review Board. The Review Board is required to determine if the critical interconnection project (i) qualifies as a project of statewide significance, as defined in the bill, and (ii) complies with the ordinance in each locality in which the proposed critical interconnection project would be located.

In making its determination, the Review Board is required to consider the Commonwealth Clean Energy Policy, certain regulations adopted by the State Air Pollution Control Board, certain renewable portfolio requirements, and any other information it deems relevant. The bill provides that the Review Board has the discretion to disregard any unreasonable restriction, as defined in the bill, in the local ordinance on the installation of the critical interconnection projects or the building of structures that facilitate the installation of critical interconnection projects. In addition, the Review Board may consider any regional energy plan developed by the relevant planning district commission. The Review Board is required to issue its opinion on the critical interconnection project within 90 days of receiving an application.

The bill requires a locality to issue its final decision regarding any zoning change, variance, or the issuance of a special exemption, special use permit, or conditional use permit related to a critical interconnection project no later than 180 days after receiving a critical interconnection opinion issued by the Review Board. If the locality's final decision diverges from the Review Board's opinion, the locality is required to include a written determination setting forth all facts and conclusions reached by the locality that support its final decision. Under the bill, a locality's failure to make a final decision within the 180-day period constitutes a granting of the zoning change, variance, special exemption, special use permit, or conditional use permit related to a critical interconnection project.

The bill requires that any appeal of a locality's decision related to a critical interconnection project will be filed in the

circuit court of such locality. The bill provides that such appeal can be brought only by the aggrieved applicant or the owner of the property subject to a special exception and no other person has standing to file such appeal or seek judicial review. Under the bill, in any such appeal, there is a rebuttable presumption that the opinion of the Review Board is correct as it relates to certain factors. Such presumption may be overcome by a preponderance of the evidence that the locality's decision to grant or deny a project or to include the challenged conditions was consistent with provisions in the locality's ordinance that are not unreasonable restrictions. This bill is a recommendation of the Commission on Electric Utility Regulation.

Local Government

Passed

HB 1601/SB 1449 Siting of data centers; site assessment; high energy use facility. Provides that prior to any approval of a rezoning application, special exception application, or special use permit for the siting of a new high energy use facility (HEUF), as defined in the bill, a locality shall require that an applicant perform and submit a site assessment to examine the sound profile of the HEUF on residential units and schools located within 500 feet of the HEUF property boundary. The bill also allows a locality to require that a site assessment examine the effect of the proposed facility on (i) ground and surface water resources, (ii) agricultural resources, (iii) parks, (iv) registered historic sites, and (v) forestland on the HEUF site or immediately contiguous land. The provisions of the bill shall not apply to a site with an existing legislative or administrative approval where an applicant is seeking an expansion or modification of an already existing or approved facility and such expansion does not exceed an additional 100 megawatts or more of electrical power. Finally, the bill provides that its provisions shall not be construed to prohibit, limit, or otherwise supersede existing local zoning authority.

HB 2037 Land development; solar canopies in parking areas. Provides that any locality may include in its land development ordinances a provision that requires that an applicant must install a solar canopy over designated surface parking areas. Such provisions shall apply only to nonresidential parking areas with 100 parking spaces or more and may require coverage of up to 50 percent of the surface parking area. The bill provides that localities shall allow for deviations, in whole or in part, from the requirements of the

ordinance when its strict application would prevent the development of uses and densities otherwise allowed by the locality's zoning or development ordinance. The bill has a delayed effective date of July 1, 2026.

HB 2559/SB 1489 Authority of local governments; service employees. Permits any county, city, or town in the Commonwealth to provide for certain requirements concerning incumbent and successor service employers, defined in the bill, by local ordinance or resolution. For example, such local ordinance or resolution may require that successor service employers retain incumbent service employees during a transition period of 90 days. Under the bill, service employees are those who perform work in connection with the care or maintenance of property, services at an airport, or food preparation services at schools. The provisions of the bill do not include any building owned by the Commonwealth or any institution of higher education. The bill provides that an employer that violates the provisions of a local ordinance or resolution enacted pursuant to the bill may be subject to a civil action and monetary damages.

Social Services

Passed

HB 1617 Homeless youth; fees; certain government documents. Provides that when a homeless youth seeks to receive a certified copy of a vital record, including his birth record, or his DMV-issued learner's permit, driver's license, special identification card, or identification privilege card or permit, no fee shall be assessed.

HB 1897 Board of Social Work; Board of Counseling; master's social worker; scope of practice; regulations. Expands the scope of practice of master's social workers to allow the provision of clinical services under the supervision of a licensed clinical social worker. The bill also directs the Board of Social Work to promulgate regulations to allow master's social workers to engage in clinical services under the supervision of a licensed clinical social worker and directs the Board of Counseling to amend its regulations to state that a licensed baccalaureate social worker shall not be required to (i) register with the Board of Counseling or (ii) fulfill any additional training or education requirements in order to serve as a qualified mental health professional-trainee. The bill directs the Department of Medical

Assistance Services and the Department of Behavioral Health and Developmental Services to amend their regulations to deem the services provided by a licensed baccalaureate social worker to be equivalent to the services provided by a qualified mental health professional-trainee and reimbursed at a comparable rate, and directs the Department of Medical Assistance Services to seek all necessary federal authority to enact such changes.

HB 2742 Malcolm's Law; hospitals; urine drug screening; fentanyl. Requires hospitals with an emergency department, when conducting a urine drug screening, as defined in the bill, to assist in diagnosing a patient's condition, to include testing for fentanyl in such urine drug screening. The bill has a delayed effective date of January 1, 2026.

Failed

HB 1555 Health Care Regulatory Sandbox Program established. Requires the Department of Health to establish the Health Care Regulatory Sandbox Program to enable a person to obtain limited access to the market in the Commonwealth to temporarily test an innovative health care product or service on a limited basis without otherwise being licensed or authorized to act under the laws of the Commonwealth. Under the Program, an applicant requests the waiver of certain laws, regulations, or other requirements for a 24-month testing period, with an option to request an additional six-month testing period. The bill provides application requirements, consumer protections, procedures for exiting the Program or requesting an extension, and recordkeeping and reporting requirements. The bill requires the Department of Health to provide an annual report to the Chairs of the House Committee on Health and Human Services and the Senate Committee on Education and Health that provides information regarding each Program participant and recommendations regarding the effectiveness of the Program. The bill directs the Board of Health to adopt emergency regulations to implement the provisions of the bill and has an expiration date of July 1, 2030.

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Taxation

Passed

HB 1699 Tax exemptions; Confederacy organizations. Eliminates the exemption from state recordation taxes for the Virginia Division of the United Daughters of the Confederacy and eliminates the tax-exempt designation for real and personal property owned by the Virginia Division of the United Daughters of the Confederacy, the General Organization of the United Daughters of the Confederacy, the Confederate Memorial Literary Society, the Stonewall Jackson Memorial, Incorporated, the Virginia Division, Sons of Confederate Veterans, and the J.E.B. Stuart Birthplace Preservation Trust, Inc.

HB 2264/SB 1306 Department of Taxation; free tax filing program. Directs the Tax Commissioner to terminate the Virginia Free File program and the related agreement with the Consortium for Virginia. The bill also requires the Tax Commissioner to develop and offer a free individual state income tax filing program, effective beginning in taxable year 2028, that is similar to and compatible with the federal Internal Revenue Service (IRS) Direct File program. To implement the new program, the bill requires the Tax Commissioner to enter into a memorandum of understanding with the IRS and coordinate with the IRS in program development. The bill contains technical amendments that remove obsolete language regarding fillable forms.

HB 2663/SB 1336 Electricity consumption tax; rate adjustments. Increases the electric utility consumption tax's special utility tax rates for commercial and industrial consumer electricity consumed per month (i) in excess of 2,500 kWh but not in excess of 50,000 kWh and (ii) in excess of 50,000 kWh.

Failed

HB 1598 First-time Homebuyer Grant Program. Establishes a First-time Homebuyer Grant Program for the purpose of assisting first-time homebuyers with first-time homebuyer expenses, as those terms are defined in the bill. The bill provides that the Department of Housing and Community Development shall award eligible first-time homebuyers a grant in an amount equal to five percent of such expenses incurred during a calendar year, not to exceed \$10,000. Any grant awarded pursuant to the Program shall be repaid to the Commonwealth if the property for which

expenses were incurred is sold within three years from the purchase date, unless the sale is made following a natural disaster or other act of God.

HB 1969 Taxation; extension of expiring sunsets. Extends to taxable year 2026:

1. The exemption for discharged loans for eligible veterans currently set to expire January 1, 2026;
2. The credit for amounts paid to another state for income taxes of a pass-through entity currently set to expire January 1, 2026;
3. The standard deduction in an amount equal to \$8,500 for single individuals and \$17,000 for married persons currently set to revert to \$3,000 for single individuals and \$6,000 for married persons as of January 1, 2026;
4. The deduction for eligible educator expenses currently set to expire January 1, 2025;
5. The tax credit for low-income taxpayers currently set to expire January 1, 2026;
6. The tax credit for reforestation and afforestation currently set to expire January 1, 2025;
7. The election for eligible owners of pass-through entities to be taxed at the entity level currently set to expire January 1, 2026;
8. The subtractions from the numerators of the property and payroll apportionment factors for eligible companies for (i) property acquired in any qualified locality before January 1, 2025, and (ii) payroll attributable to jobs created within such locality before January 1, 2025;
9. The major business facility job tax credit currently set to expire July 1, 2025;
10. The worker training tax credit for (i) expenses incurred by a business for eligible worker training currently set to expire July 1, 2025, and (ii) direct costs incurred by a business engaged primarily in manufacturing in conducting orientation, instruction, and training in the Commonwealth, relating to the manufacturing activities undertaken by the business currently set to expire January 1, 2025;

11. The tax credit for purchase of machinery and equipment used for advanced recycling and processing recyclable materials currently set to expire January 1, 2025;
12. The tax credit for participating landlords renting qualified housing units (i) in eligible census tracts currently set to expire January 1, 2026, and (ii) in eligible non-metropolitan census tracts currently set to expire January 1, 2026;
13. The tax credit for green and alternative energy job creation currently set to expire January 1, 2025;
14. The tax credit for qualified research and development expenses currently set to expire January 1, 2025;
15. The tax credit for Virginia qualified major research and development expenses currently set to expire January 1, 2025;
16. The exemption from sales and use taxation for gold, silver, or platinum bullion or legal tender coins currently set to expire June 30, 2025;
17. The exemption from sales and use taxation for certain printed materials purchased from an advertising business from a printer within the Commonwealth and distributed outside the Commonwealth before July 1, 2025; and
18. The exemptions from sales and use taxation for (i) parts, engines, and supplies for aviation component parts currently set to expire July 1, 2025, and (ii) prescription medicines and drugs purchased by veterinarians currently set to expire July 1, 2025.

Technology

Passed

HB 2094 High-risk artificial intelligence; development, deployment, and use; civil penalties. Creates requirements for the development, deployment, and use of high-risk artificial intelligence systems, defined in the bill, and civil penalties for noncompliance, to be enforced by the Attorney General. The bill has a delayed effective date of July 1, 2026.

SB 854 Consumer Data Protection Act; social media platforms; responsibilities and prohibitions related to minors. Requires that any controller or processor that operates a social media platform shall (i) use commercially

reasonable methods, such as a neutral age screen mechanism, to determine whether a user is a minor younger than 16 years of age and (ii) limit any such minor's use of such social media platform to one hour per day, per service or application, and allow a parent to give verifiable parental consent to increase or decrease the daily time limit. The bill has a delayed effective date of January 1, 2026.

Failed

HB 2046/SB 1214 High-risk artificial intelligence; development, deployment, and use by public bodies; work group; report. Creates requirements for the development, deployment, and use of high-risk artificial intelligence systems, as defined in the bill, by public bodies. The bill also directs the Chief Information Officer of the Commonwealth (CIO) to develop, publish, and maintain policies and procedures concerning the development, procurement, implementation, utilization, and ongoing assessment of systems that employ high-risk artificial intelligence systems that are consistent with the requirements created by the bill. The bill directs the CIO to convene a work group to examine the impact on and the ability of local governments to comply with the requirements of the bill. The substantive requirements of the bill have a delayed effective date of July 1, 2027.

HB 2462 Unauthorized use of name, portrait, voice, likeness, or picture of any person; digital replica; civil liability; statute of limitations. Expands the existing ability for any person to maintain a suit in equity, including the accompanying remedies available, for the unauthorized use of his name, portrait, or picture for advertising purposes or for the purposes of trade to include the unauthorized use of his voice or likeness. The bill also creates civil liability for a person who produces, distributes, or makes available the digital replica, defined in the bill, of a person's voice or likeness in an expressive audiovisual work or sound recording without prior written consent, with exceptions enumerated in the bill. The bill also extends the current statute of limitations for such civil suits from 20 years to 100 years after the death of such person.

Transportation/Motor Vehicles

Passed

HB 2096 Intelligent Speed Assistance Program established; penalty. Establishes the Intelligent Speed Assistance Program to be administered by the Commission on the Virginia Alcohol Safety Action Program. The bill authorizes enrollment in such Program as an alternative to suspending a person's driver's license upon such person's conviction of certain speed-related offenses. The bill requires a court to order enrollment in such Program for a person convicted of reckless driving and who was found to have been driving in excess of 100 miles per hour. The bill requires the Commissioner of the Department of Motor Vehicles to provide the option, in a written notice, for enrollment in such Program instead of license suspension for a person who has accumulated certain amounts of demerit points, and if such person does not respond to such written notice within 30 days, the bill requires such suspension of his license. The bill requires any person enrolled in the Program to enter into and successfully complete the Program and install an intelligent speed assistance system, defined in the bill, in any motor vehicle owned by or registered to the participant and prohibits such person from driving any motor vehicle that does not have such a system installed. The bill creates a Class 1 misdemeanor for tampering with or attempting to bypass or circumvent such a system. The bill provides that any person who enters into the Program prior to trial may pre-qualify with the Program to have an intelligent speed assistance system installed on any motor vehicle owned or operated by him and that the court may consider such pre-qualification and installation. The bill has a delayed effective date of July 1, 2026.

HB 2475 Use of safety belt systems. Requires all adult passengers in a motor vehicle equipped with a safety belt system to wear such safety belt system when the motor vehicle is in motion on a public highway. Current law requires adult passengers to wear such safety belts when occupying the front seat.

SB 1233 Pedestrian crossing violation monitoring systems and stop sign violation monitoring systems; speed safety cameras; violation enforcement; civil penalty. Authorizes state and local law-enforcement agencies to place and operate pedestrian crossing violation and stop sign violation monitoring systems in school crossing zones, highway work zones, and high-risk speed

corridors for purposes of recording pedestrian crossing and stop sign violations, as those terms are defined in the bill. The bill changes the terms "photo speed monitoring device" to "speed safety camera" and "high-risk intersection segment" to "high-risk speed corridor" in provisions related to vehicle speed violations. The bill makes various changes to the requirements for the use of speed safety cameras and extends most of those requirements to the use of pedestrian crossing and stop sign violation monitoring systems. The bill requires local law-enforcement agencies implementing or expanding the use of pedestrian crossing violation and stop sign violation monitoring systems, prior to the implementation or expansion of such systems, to conduct a public awareness program for such implementation or expansion.

SB 1332 Charges for towing and storage of certain vehicles. Increases the maximum hookup and initial towing fee of a passenger car from \$150 to \$210 and repeals the July 1, 2025, sunset of provisions that authorize a towing and recovery operator to charge a fuel surcharge fee of \$20 for the removal of certain vehicles. The bill prohibits a towing and recovery operator from charging such a fuel surcharge fee in any locality the governing body of which (i) has adopted an ordinance setting reasonable limits on fees charged for the towing or removal of vehicles on private property in accordance with existing law and (ii) has conducted a review considering an adjustment of such limitations by December 31, 2025.

Failed

HB 2080 Registration decals; discontinued. Discontinues the requirement for and issuance of decals displaying the expiration month and year of motor vehicle registration to be displayed on license plates. The bill also removes the requirement for the Department of Motor Vehicles to issue appropriately designated license plates for motor vehicles held for rental. The bill does not eliminate existing requirements that vehicles are to be registered. The bill has a delayed effective date of July 1, 2026.

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