

# Special Session Update

## RECAP

The Governor's proclamation issued on July 17<sup>th</sup>, summoned the members to commence a special session of the General Assembly on August 18<sup>th</sup> for the purpose of "adopting a budget based on the revised revenue forecast and consideration of legislation related to the emergency of COVID-19 and criminal and social justice reforms." Although there was discussion by the Senate as to limiting the number of bills to be introduced per member, ultimately neither body set a limit. The Senate Chairwoman of the Finance and Appropriations Committee, Senator Janet Howell, did not permit Senate members to introduce budget amendments for consideration; however, the committee members themselves – more specifically, the conferees, will be drafting any amendments to the introduced Budget. The Chair of the House Appropriations Committee, Delegate Luke Torian, did allow House members to introduce amendments to the Budget and followed the consideration process used during a regular session. Chairman Torian did request that members limit their requests to their top three priorities and did not require that the budget requests be in accordance with the subject areas of the Governor's proclamation.

Many of the more substantive bills dealing with criminal justice and police reform were heard in committee during week three; which set the stage for extensive floor debates in each body in week 4. Below is a statistical summary of the status of the 407 bills and resolutions introduced during the session. Following the statistics table is a subject matter breakdown of bills that have advanced through the committee process and are now being heard by the full House and Senate.

## THIS WEEK – (September 7 – September 11):

Due to the Labor Day holiday, the House of Delegates held its first session on Tuesday with the Senate continuing its schedule of commencing floor sessions on Wednesday. The House has completed its committee work on all House bills (with the exception of the budget) and has not started its consideration of Senate bills, there were no House committees held this week. Floor sessions of the House were moved from a normal noon start time to a 4 pm start time each day with the Senate commencing at noon each day. No meetings were held on Friday. Senate Finance held a meeting on Thursday to consider the remaining Senate bills with a potential fiscal impact on the budget. Chair Howell stated that the Finance and Appropriations Committee did not intend to meet on again on bills and would focus future meetings on the budget.

With 201 bills still remaining to be consider either in committee or during floor sessions of each body, we are likely to see the Senate continue for another couple of weeks. As an additional note, there are 7 Senate bills that have not been heard in a Senate committee and 89 House bills that have not been heard in a House committee. The Senate commenced assigning House bills to Senate Committee's that have passed the House while the House as not initiated its assignments of Senate bills yet. As there was no formal cross-over date set forth in the session rules, bills remaining in committee could still be heard.

The Senate is scheduled to reconvene on Tuesday and will move to a 4 pm floor session start. The House did not adjourn on Thursday; but instead chose to recess in accordance with HR517 passed on the first day of Special Session which allows for a recess and 48 hours advance notice given to the members of the

next scheduled floor session. The Senate Finance Committee will meet on Tuesday at 9:30 am. This meeting was prescheduled prior to the Special Session in keeping with House and Senate money committees normal monthly meeting schedule. There are no other House or Senate Committees scheduled for the week of the 14<sup>th</sup> as of the time of this update.

Type	Introduced	Passed House	Passed Senate	Passed	Cont'd to next session	Failed	Pending	Approved	Vetoed
H.B.	149	38	0	0	0	25	124	0	0
H.J.R.	13	3	0	0	0	2	11	0	0
H.R.	95	85	0	85	0	0	10	0	0
S.B.	121	1	37	1	0	69	51	1	0
S.J.R.	1	0	0	0	0	1	0	0	0
S.R.	42	0	37	37	0	0	5	0	0
Totals	421	127	74	123	0	97	201	1	0

## COVID:

The Governor is requesting that language be placed in the budget for utility debt forgiveness be granted to rate payers who have lapsed 60 days in their electric bill. These funds will come from overcharges by electric utilities in a statement by the SCC earlier this week. (The final decision on the overcharges were to be determined following an established SCC process in the spring of 2021.)

<a href="#">HB 5028</a> - Jones - Workers' compensation; presumption of compensability for COVID-19.	Passed the House <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Referred to the Committee on Commerce and Labor	09/09/20
<a href="#">HB 5050</a> - Helmer - Emergency Services and Disaster Law; powers and duties of Governor, purchase of PPE.	Passed the House <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Referred to the Committee on General Laws and Technology	09/09/20
<a href="#">HB 5059</a> - Willett - Hospices, certain, home care organizations, etc.; immunity from civil liability, COVID-19.	Passed the House <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Referred to the Committee on Senate Judiciary	09/09/20
<a href="#">HB 5093</a> - Watts - Emergency Services and Disaster Law; powers and duties of the Governor, executive orders, penalty.	PASSED THE HOUSE <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Referred to Committee on General Laws and Technology	09/04/20
<a href="#">HB 5106</a> - Cole, J.G. - Landlord and tenant; noncompliance with rental agreement, reporting negative credit information.	PASSED THE HOUSE	(S) Referred to Committee on General Laws and Technology	09/04/20

	<a href="#"><u>FISCAL IMPACT IMPACT</u></a>		
<b>HB 5116</b> - Guzman - Public and private employers; required to provide eligible employees paid quarantine leave, etc.	(H) Committee on Appropriations  <a href="#"><u>FISCAL IMPACT STATEMENT</u></a>	(H) Read third time and passed House (54-Y 44-N)	09/10/20
<b>SB 5025</b> - Newman - Emergency orders and regulations; orders adopted by the Board and Commissioner of Health, duration.	(S) Committee on Education and Health  <a href="#"><u>FISCAL IMPACT STATEMENT</u></a>	(S) Read for the third time and passed Senate (40-Y 0-N)	09/04/20
<b>SB 5039</b> - Marsden - Emergency Services and Disaster Law; powers and duties of Governor, purchase of PPE.	(S) Committee on Finance and Appropriations  <a href="#"><u>FISCAL IMPACT STATEMENT</u></a>	(S) Printed as engrossed 20200758D-E	09/10/20
<b>SB 5081</b> - Barker - Outbreaks of communicable disease of public health threat; posting of information about cases.	(S) Committee on Education and Health  <a href="#"><u>FISCAL IMPACT STATEMENT</u></a>	(S) Read third time and passed Senate (34-Y 0-N)	08/27/20
<b>SB 5082</b> - Marsden - Hospices, certain, home care organizations, etc.; immunity from civil liability, COVID-19.	(S) Committee on the Judiciary  <a href="#"><u>FISCAL IMPACT STATEMENT</u></a>	(S) Read third time and passed Senate (36-Y 0-N)	09/03/20
<b>SB 5088</b> - Ebbin - Virginia Residential Landlord & Tenant Act; landlord remedies, noncompliance with rental agreement.	(S) Committee on General Laws and Technology  <a href="#"><u>FISCAL IMPACT STATEMENT</u></a>	(S) Read third time and passed Senate (34-Y 0-N)	08/27/20
<b>SB 5090</b> - Dunnavant - COVID-19 virus; Commissioner of Health shall make information available to public on a website.	(S) Committee on Education and Health  <a href="#"><u>FISCAL IMPACT STATEMENT</u></a>	(S) Read third time and passed Senate (34-Y 0-N)	08/27/20
<b>SB 5051</b> - Hashmi - Virginia Residential Landlord and Tenant Act;	(S) Committee on Finance and Appropriations	(S) Rereferred to Finance and Appropriations	08/27/20

temporary prohibition against landlord termination.	<a href="#">FISCAL IMPACT STATEMENT</a>		
<b>SB 5066</b> - Saslaw - Workers' compensation; presumption of compensability for COVID-19.	(S) Committee on Finance and Appropriations  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Senate committee, floor amendments and substitutes offered	09/09/20
<b>SB 5082</b> - Marsden - Hospices, certain, home care organizations, etc.; immunity from civil liability, COVID-19.	(S) Committee on the Judiciary  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Read third time and passed Senate (36-Y 0-N)	09/03/20
<b>SB 5095</b> - Dunnavant - Rapid diagnostic testing; availability to all essential workers.	(S) Committee on Education and Health  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Read third time and passed Senate (35-Y 0-N)	08/28/20
<b>SB 5118</b> - McClellan - Emergency Debt Repayment Plan; every utility providing electric, gas, etc., service to develop.	(S) Committee on Finance and Appropriations  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Rereferred to Finance and Appropriations	08/28/20
<b>SB 5106</b> - Lewis - Local land use approvals; extension of approvals to address the COVID-19 pandemic.	(S) Committee on Local Government	(S) Read third time and passed Senate (32-Y 4-N)	08/28/20
<b>SB 5107</b> - McPike - Unemployment compensation; extends date VEC is required to establish, etc., short-time compensation.	(S) Committee on Commerce and Labor  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Passed Senate (34-Y 3-N)	09/02/20
<b>SB 5109</b> - Chafin - Nursing home/assisted living facility employees/residents; priority for testing for COVID-19 virus.	(S) Committee on Education and Health	(S) Read third time and passed Senate (36-Y 0-N)	09/03/20
<b>SB 5117</b> - Deeds - Emergency Services and Disaster Law; powers and duties of the Governor, executive orders, penalty.	(S) Committee on General Laws and Technology	(S) Read third time and passed Senate (21-Y 17-N)	09/04/20

<b>SB 5118 - McClellan</b> - Emergency Debt Repayment Plan; every utility providing electric, gas, etc., service to develop.	(S) Committee on Finance and Appropriations  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Constitutional reading dispensed (40-Y 0-N)	09/10/20
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## EDUCATION:

<b>SB 5068 - Peake</b> - Student safety drills and student health screenings; school boards to waiver drills & screenings.	(S) Committee on Education and Health  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Read third time and passed Senate (34-Y 0-N)	08/27/20
<b>SB 5083 - McClellan</b> - School boards; board required to post on its website the COVID-19 virus mitigation plan.	(S) Committee on Education and Health  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Read third time and passed Senate (34-Y 0-N)	08/27/20
<b>SB 5100 - Dunnivant</b> - Public schools; COVID-19-related absences.	(S) Committee on Education and Health  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Read third time and passed Senate (34-Y 0-N)	08/27/20
<b>SB 5101 - Dunnivant</b> - Private school employees and volunteers; essential workers, personal protective equipment.	(S) Committee on Education and Health	(S) Read third time and passed Senate (34-Y 0-N)	08/27/20

## ELECTIONS:

The State Board of Elections has posted the accompanying regulations on the [Virginia Town Hall website](#), which are available for public comment. The State Board of Elections meets on September 15<sup>th</sup>.

<b>HB 5103 - Sickles</b> - Elections, Department of; appropriations to provide prepaid postage for return of absentee ballots.	(H) Committee on Appropriations	(S) Recommended to Finance and Appropriations	09/10/20
	(S) Committee on Finance and Appropriations		

<b>SB 5120 - Howell</b> - Elections, Department of; appropriations to provide prepaid postage for return of absentee ballots.	<a href="#">(H) Committee on Appropriations</a>	(G) Approved by Governor-Chapter 1 (effective 9/4/20)	09/04/20
	<a href="#">(S) Committee on Finance and Appropriations</a>		
	<a href="#">FISCAL IMPACT STATEMENT</a>		

## CRIMINAL JUSTICE REFORM:

<b>HB 5045 - Delaney</b> - Inmate, parolee, probationer, detainee, or pretrial defendant, etc.; carnal knowledge.	Passed the House	(S) Referred to the Committee on the Judiciary	09/09/20
<b>HB 5108 - Guzman</b> - Criminal Justice Services Board and Committee on Training; change in membership & responsibilities.	Passed the House	(S) Referred to Committee on the Judiciary	09/04/20
<b>HB 5146 - Herring</b> - Criminal records; automatic expungement for certain convictions, etc.	Passed the House	(S) Referred to the Committee on the Judiciary	09/04/20
<b>HB 5148 - Scott</b> - Earned sentence credits; establishes a four-level classification system for awarding & calculation.	<a href="#">(H) Committee on Appropriations</a>	(H) VOTE: Passage #2 (54-Y 41-N)	09/10/20
<b>SB 5007 - Morrissey</b> - Criminal cases; sentencing reform.	<a href="#">(S) Committee on Finance and Appropriations</a>	(S) Read third time and passed Senate (22-Y 18-N)	09/10/20
<b>SB 5012 - Suetterlein</b> - Virginia Freedom of Information Act; Virginia Parole Board member votes.	<a href="#">(S) Committee on Finance and Appropriations</a>	(S) Read third time and passed Senate (29-Y 7-N)	09/09/20
<b>SB 5013 - Stuart</b> - Marijuana; possession, violations by an adult shall be prepayable.	<a href="#">(S) Committee on the Judiciary</a>	(S) Read third time and passed Senate (29-Y 7-N)	08/28/20
<b>SB 5017 - Boysko</b> - Correctional facility, local; clarifies definition.	<a href="#">(S) Committee on Finance and Appropriations</a>	(S) Passed by for the day	09/01/20

<b>SB 5018</b> - Bell - Geriatric, terminally ill, or permanently physically disabled prisoners; conditional release.	(S) Committee on Finance and Appropriations	(S) Passed by for the day	09/10/20
<b>SB 5032</b> - Surovell - Assault and battery; penalty.	(S) Committee on the Judiciary	(S) Read third time and passed Senate (21-Y 15-N)	08/26/20
<b>SB 5033</b> - Surovell - Court authority in criminal cases; prosecutorial discretion to dispose of a criminal case.	(S) Committee on the Judiciary	(S) Read third time and passed Senate (30-Y 6-N)	08/28/20
<b>SB 5041</b> - Stuart - Concealed handgun permits; demonstration of competence, changes effective date. demonstration of competence, changes effective date.	(S) Committee on the Judiciary	(S) Read third time and passed Senate (35-Y 0-N)	08/28/20
<b>SB 5043</b> - Deeds - Police and court records; expungement of certain records.	(S) Committee on Finance and Appropriations	(S) Constitutional reading dispensed (37-Y 0-N)	09/04/20
<b>SB 5050</b> - Obenshain - Parole; notice and certification, monthly reports, discretionary early consideration.	(S) Committee on Rehabilitation and Social Services	(S) Read third time and passed Senate (39-Y 0-N)	09/09/20

## POLICE REFORM:

<b>HB 5029</b> - McQuinn - Law-enforcement officer; failure to intervene in an unlawful use of excessive force, penalties.	Passed the House  <ul style="list-style-type: none"> <li>• <b>08/27/20 House: Impact statement from VCSC (HB5029H1)</b></li> <li>• <b>08/28/20 House: Impact statement from DPB (HB5029H1)</b></li> </ul>	(S) Referred to the Committee on the Judiciary	09/09/20
<b>HB 5043</b> - Bourne - Mental health awareness response & community understanding serv. (Marcus) alert syst.; establishes.	(H) Committee on Appropriations  <a href="#">FISCAL IMPACT STATEMENT</a>	(H) VOTE: Passage (57-Y 39-N)	09/10/20
<b>HB 5049</b> - Helmer - Law-enforcement agencies; acquisition and use of military property.	(H) Committee on <a href="#">Appropriations</a> – REPORTED WITH A SUBSTITUTE	(H) Read third time and passed House (54-Y 42-N)	09/10/20

	<ul style="list-style-type: none"> <li>• <b>08/18/20 House: Impact statement from VCSC (HB5049)</b></li> <li>• <b>08/21/20 House: Impact statement from DPB (HB5049)</b></li> </ul>		
<b>HB 5051 - Simon</b> - Law-enforcement officer or jail officer; notice to Criminal Justice Services Board of misconduct.	Passed the House <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Referred to Committee on the Judiciary	09/09/20
<b>HB 5055 - Herring</b> - Law-enforcement civilian review panels; localities required, on or before 7/1/2021, to establish.	Passed the House <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Referred to Committee on the Judiciary	09/04/20
<b>HB 5058 - Hope</b> - Marijuana and certain traffic offenses; issuing citations, etc,	Passed the House <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Referred to Committee on the Judiciary	09/04/20
<b>HB 5069 - Carroll Foy</b> - Law-enforcement officers; prohibition on the use of neck restraints, Class 6 felony.	Passed the House <ul style="list-style-type: none"> <li>• <b>08/27/20 House: Impact statement from VCSC (HB5069H1)</b></li> <li>• <b>08/28/20 House: Impact statement from DPB (HB5069H1)</b></li> </ul>	(S) Referred to Committee on the Judiciary	09/09/20
<b>HB 5072 - Lopez</b> - Law-enforcement; Attorney Gen. authorized to file civil suit or inquire into any unlawful practice.	Passed the House <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Referred to Committee on the Judiciary	09/04/20
<b>HB 5098 - Askew</b> - Hate crimes; falsely summoning or giving false reports to law-enforcement officials, penalty.	Passed the House <ul style="list-style-type: none"> <li>• <b>08/27/20 House: Impact statement from VCSC (HB5098H1)</b></li> <li>• <b>08/28/20 House: Impact statement</b></li> </ul>	(S) Referred to Committee on the Judiciary	09/09/20



	<b>from DPB (HB5098H1)</b>		
<b>HB 5099</b> - Aird - Search warrants; prohibition on no-knock search warrants.	Passed the House	(S) Referred to Committee on the Judiciary	09/09/20
<b>HB 5104</b> - Price - Law-enforcement officers, sheriff, etc.; minimum qualifications, disclosure of information.	Passed the House <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Referred to Committee on the Judiciary	09/09/20
<b>HB 5109</b> - Hope - Law-enforcement officer training & qualifications; DCJS to develop uniform curriculum & plans, etc.	Passed the House <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Referred to Committee on the Judiciary	09/09/20
<b>HB 5112</b> - Levine - Law-enforcement officer; duty to render aid, duty to report wrongdoing by another officer.	Passed the House <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Referred to Committee on the Judiciary	09/09/20
<b>SB 5003</b> - Stuart - Civil Rights and Policing, Commission on; established, membership, report, sunset provision.	(S) Committee on Rules <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Read third time and passed Senate (29-Y 7-N)	09/03/20
<b>SB 5014</b> - Edwards - Law-enforcement officers; officers to complete crisis intervention team training.	(S) Committee on Finance and Appropriations	(S) Constitutional reading dispensed (40-Y 0-N)	09/10/20
<b>SB 5024</b> - Lucas - Law-enforcement; Attorney Gen. authorized to file civil suit or inquire into any unlawful practice.	(S) Committee on Finance and Appropriations <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Read third time and passed Senate (21-Y 18-N)	09/10/20
<b>SB 5029</b> - Lucas - Marijuana and certain traffic infractions; possession, issuing citations.	(S) Committee on the Judiciary <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Passed Senate (21-Y 15-N)	08/28/20
<b>SB 5030</b> - Locke - Policing reform; acquisition of military property, training of officers in de-escalation techniques.	(S) Committee on Finance and Appropriations <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Read for the third time and passed Senate (21-Y 19-N)	09/10/20

<b>SB 5035</b> - Hashmi - Law-enforcement civilian review boards; locality authorized to establish.	(S) Committee on Finance and Appropriations  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Engrossed by Senate - committee substitute SB5035S2	09/10/20
<b>SB 5038</b> - McPike - Mobile crisis co-response team programs; DCJS & DBHDS to establish throughout the Commonwealth.	(S) Committee on Finance and Appropriations  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Constitutional reading dispensed (40-Y 0-N)	09/10/20
<b>SB 5052</b> - Reeves - Law-enforcement agencies; body-worn camera systems.	(S) Committee on the Judiciary  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Read third time and passed Senate (35-Y 0-N)	08/28/20

OTHER:

<b>HB 5030</b> - McQuinn - Monuments and memorials for war veterans; authority of localities.	(H) Committee on Rules	(H) Printed as reengrossed 20200627D-E2	09/04/20
<b>SB 5031</b> - Locke - Legal holidays; Juneteenth.	(S) Committee on General Laws and Technology  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Read third time and passed Senate (38-Y 0-N)	09/04/20
<b>SB 5036</b> - McPike - Alcoholic beverage control; local special events license, limitations on events, etc.	(S) Committee on Rehabilitation and Social Services  <a href="#">FISCAL IMPACT STATEMENT</a>	(S) Read third time and passed Senate (36-Y 0-N)	08/26/20