

Water in the 2018 Virginia General Assembly

In the tables below, the Virginia Water Resources Research Center lists 167 measures in the 2018 Assembly dealing with water resources directly or indirectly (that is, though energy or other land-use activities). Please note that this list may not capture all General Assembly bills that could affect water resources. Inventories from previous General Assembly sessions, back to 1998, are available via this link: <http://www.vwrrc.vt.edu/virginia-water-legislation/>.

The list comes from the Legislative Information System (LIS) Web site at <http://lis.virginia.gov/> (also at <http://leg1.state.va.us> in a slightly different format), in the categories indicated by sub-headings below. Within each category, bills are listed in order of their **bill number**, using the following abbreviations: **HB** = bill started in House of Delegates; **HJ** = joint resolution started in the House; **SB** = bill started in the Senate; and **SJ** = joint resolution started in the Senate. Numbers in the left-hand column have been added by the Water Center for cross-referencing among the bills.

The **bill titles and descriptions** (third column from left) are taken from the LIS site, edited in some cases for clarity, space, or both. The right hand-column lists the **status of bills**—that is, whether the bill passed, failed, or was continued until 2019, and—if appropriate—the committee(s) involved in key actions. (Please note that “reported” from a committee is effectively equivalent to “passing” the committee). LIS links to information about General Assembly committees (including members and meeting times) are available online at <http://lis.virginia.gov/181/com/COM.HTM>. *The status given in this edition is according to information available on the LIS Web site on February 21, 2019. Click on the underlined bill numbers to access more detailed bill information at the LIS site.*

Abbreviations used in the tables: House ACNR = House Agriculture, Chesapeake, and Natural Resources committee; Senate ACNR = Senate Agriculture, Conservation, and Natural Resources committee; DCR = Virginia Department of Conservation and Recreation; DEQ = Virginia Department of Environmental Quality; SCC = State Corporation Commission; SWCB = State Water Control Board; VDH = Virginia Department of Health; VDOT = Virginia Department of Transportation; VMRC = Virginia Marine Resources Commission.

CONSERVATION

Bills on Land Conservation Policy, including Tax-credits

1.	HB 1448	Land preservation: special assessment, agricultural use.	Failed in House Finance.
2.	HB 1460	Land preservation tax credits: transfer to a designated beneficiary.	Passed both houses and approved by governor.
3.	SB 499	Conservation easements: validity, termination.	Continued to 2019 in Senate ACNR.
4.	SB 582	Open-space land: increase threshold for substitution of real property when lands are converted.	Passed Senate; failed in House ACNR.
5.	HB 61	Battlefield property: entry into an agreement to transfer certain easement	Passed both houses and approved by governor.
6.	HB 1353	Battlefield property: incorporation into national park, transfer of easement.	Failed in House ACNR.
7.	SB 450	Battlefield property: transfer of easements to United States.	Passed both houses and approved by governor.

Other Conservation Bills

8.	HB 182	Coal combustion residuals units in Chesapeake Bay watershed: closure required by 2022.	Failed in House Commerce and Labor.
9.	HB 341	Cluster development: open space, stormwater management area.	Failed in House Counties, Cities, and Towns.
10.	HB 400	Trees replacement in land development in Chesapeake Bay watershed	Failed in House Counties, Cities, and Towns.
11.	HB 447	Chesapeake Bay Preservation Areas: preservation of mature trees to be encouraged by SWCB.	Failed in House ACNR.
12.	HB 467	Coal ash: recycling or reuse as preferred disposal method.	Failed in House Commerce and Labor.
13.	HB 494	Trees replacement in land development in localities within Chesapeake Bay watershed.	Passed both houses and approved by governor.
14.	HB 574	Va. Public Procurement Act: cooperative procurement exception added for construction related to stream restoration and stormwater management.	Passed both houses and approved by governor.
15.	HB 636	State forest roads and trails; use of electric personal assistive mobility device.	Failed in House ACNR.
16.	HB 736	Seaplanes; DCR to allow to land on lakes in state parks.	Failed in House ACNR.
17.	HB 821	Little Island Coast Guard Station; conveyance of certain property in Virginia Beach.	Passed both houses and approved by governor.
18.	HB 844	Burn ban; definition of “orchard” and “vineyard.”	Passed both houses and approved by governor.
19.	HB 922	Electric vehicle charging stations; requirements for local and public operation.	Passed both houses and approved by governor.
20.	HB 952	Nonfederally managed hazardous waste site inventory: DEQ to publish and update annually.	Failed in House ACNR.
21.	HB 1004	Stormwater: locality shall provide for full waiver of certain charges for public use airport runway.	Failed in House ACNR.
22.	HB 1038	Virginia Property Owners’ Association Act: maintenance of stormwater management facilities.	Failed in House General Laws.
23.	HB 1082	Environmental regulations by several Commonwealth agencies prohibited from being stricter than federal law.	Failed in House ACNR.
24.	HB 1150	Pavement sealants containing coal tar prohibited.	Failed in House ACNR.
25.	HB 1270	Regional Greenhouse Gas Initiative: prohibition on participation by Commonwealth.	Passed; vetoed by governor; veto sustained in House.
26.	HB 1397	Small Business Environmental Compliance Advisory Panel: appointments.	Failed in House Rules.

27.	HB 1344	Alternative Energy and Coastal Protection Act: establishing auction of carbon dioxide allowances with funds to go to a new Commonwealth Resilience Fund.	Failed in House Rules.
28.	SB 218	Recycling: clarifies definitions of beneficial use and recycling center, etc.	Passed both houses and approved by governor.
29.	SB 340	Virginia Water Quality Improvement Fund: publicly owned treatment works, nutrient reductions required related to Chesapeake Bay.	Passed both houses and approved by governor.
30.	SB 367	Stormwater: localities to provide for partial waiver of service charges for management at airports.	Continued to 2019 in Senate Local Government.
31.	SB 587	Caledon State Park: DCR to convey certain property.	Passed both houses and approved by governor.
32.	SB 696	Alternative Energy and Coastal Protection Act: regulations to establish carbon dioxide cap and develop market-based trading program.	Failed in Senate ACNR.
33.	SB 708	Coal combustion residuals units in Chesapeake Bay watershed: closure required.	Incorporated into SB 807.
34.	SB 807	Coal combustion residuals and other units; permits, request for proposals.	Passed both houses and approved by governor.

CONSTITUTIONAL AMENDMENTS

35.	SJ 21	Property tax exemption for flooding remediation, abatement, and resiliency efforts.	Passed both houses and approved by governor.
-----	-----------------------	--	--

ENERGY CONSERVATION AND RESOURCES

36.	HB 474	Solar energy collection devices: land lease program to be conducted by VDOT for installation on Commonwealth property.	Failed in House Commerce and Labor.
37.	HB 508	Solar facilities: allowable on rooftops, subject to local regulation.	Passed both houses and approved by governor.
38.	HB 560	Virginia Energy Efficiency Revolving Fund created.	Failed in House Commerce and Labor.
39.	HB 978	Net energy metering by electric utilities: standby charges to be based on a value of solar analysis.	Failed in House Commerce and Labor.
40.	HB 1155	Distributed and renewable generation of electric energy: net energy metering and third party purchase agreements.	Failed in House Commerce and Labor.

41.	HB 1372	Green job creation tax credit: extends sunset provision through taxable year 2020.	Passed both houses and approved by governor.
42.	SB 179	Solar facilities and local comprehensive plans; criteria for facilities to meet plan requirements.	Passed both houses and approved by governor.
43.	SB 312	Cooperative procurement of professional services; exceptions for solar power facilities and purchase agreements.	Passed Senate; failed in House General Laws.
44.	SB 313	Community solar generation: establishment of facilities authorized.	Continued to 2019 in Senate Commerce and Labor.
45.	SB 429	Solar facilities: allowable on rooftops, subject to local regulation.	Passed both houses and approved by governor.
46.	SB 573	Green job creation tax credit: extends sunset provision through taxable year 2020.	Passed both houses and approved by governor.

FISHERIES AND HABITAT OF TIDAL WATERS

47.	HB 56	Crab scraping: possession of hard crabs, characteristics of scrape.	Failed in House ACNR.
48.	HB 264	Oyster planting-ground leases: allowing transfer or assignment to local government or other political entity.	Failed in House ACNR.
49.	HB 487	Oyster planting-ground leases: allowing transfer or assignment to local government or other political entity.	Failed in House ACNR.
50.	HB 577	Crab scraping: possession of hard crabs.	Passed both houses and approved by governor.
51.	HB 584	Riparian planting grounds leases: eligibility requirement changes.	Passed House; failed in Senate ACNR.
52.	HB 822	Menhaden: adjusts annual total allowable landings.	Failed in House ACNR.
53.	HB 853	Saltwater recreational fishing license: exemption for members of American Indian tribe.	Passed both houses and approved by governor.
54.	HB 1488	Oyster dredge transport rules for sanctuary areas.	Failed in House ACNR.
55.	SB 214	Menhaden: changes to prohibitions and penalty for purse net fishing; prohibited, civil penalty.	Failed in Senate ACNR.
56.	SB 552	Crab pots and peeler pots: marine-biodegradable escape panels required.	Reported from Senate ACNR; failed on Senate floor.

GAME, INLAND FISHERIES, AND BOATING

57.	HB 346	Personal watercraft; certain localities may prohibit operation on lakes smaller than 50 acres.	Passed both houses and approved by governor.
58.	HB 465	Watercraft: increases sales and use tax rate.	Failed in House Finance.
59.	HB 635	Free fishing day: substitute day due to inclement weather.	Passed both houses and approved by governor.
60.	HB 751	Motorboats: means of propulsion regarding wakesurfing.	Passed both houses and approved by governor.
61.	HB 920	Endangered species: sale of items made from certain animals, penalty.	Failed in House ACNR.
62.	HB 1075	Poaching: revocation of hunting, trapping, or fishing license and privileges.	Failed in House ACNR.
63.	HB 1151	Nonresident youth fishing license: changes to exemption.	Passed both houses and approved by governor.
64.	HB 1229	Water skies, surfboards, etc.: prohibition on towing.	Failed in House ACNR.
65.	HB 1393	Airbow hunting; authorized to hunt deer & small game when hunter is licensed to hunt w/bow & arrow.	Passed both houses and approved by governor.
66.	HB 1404	Snakehead fish purchase: allowance for certified restaurants and retail markets.	Passed both houses and approved by governor.
67.	SB 81	Landowner liability exemption for educational activity.	Passed Senate; failed in House Courts of Justice.
68.	SB 859	Airbow hunting; authorized to hunt deer & small game when hunter is licensed to hunt w/bow & arrow.	Passed both houses and approved by governor.

HEALTH

69.	HB 169	Lyme disease: information disclosure requirement sunset.	Stricken from docket in House Health, Welfare, and Institutions
70.	HB 192	Rainwater and gray water: VDH to adopt regulations (replacing guidelines).	Passed both houses and approved by governor.
71.	HB 1234	Water supplies and water works; replaces defined term "human consumption" with "domestic use."	Reported from House Health, Welfare, and Institutions; failed in House Appropriations.

72.	SB 346	Fire Programs Fund: cancer prevention added as allowable use of fund.	Passed both houses and approved by governor.
73.	SB 347	Statewide cancer registry; collection of data on exposure to fire incidents and cancer incidence.	Passed both houses and approved by governor.

MINES AND MINING

74.	HB 665	Coal tax credits: reinstates Virginia coal employment and production incentive tax credit for metallurgical coal.	Passed both houses and approved by governor.
75.	HB 812	Virginia Coal Surface Mining Reclamation Fund Advisory Board: increases membership, duties.	Passed both houses and approved by governor.
76.	HB 1490	Fossil fuel projects moratorium and clean energy mandates.	Failed in House Commerce and Labor.

PUBLIC SERVICE COMPANIES

77.	HB 33	Electric utility regulation: approval of generating facilities to consider environmental effects.	Failed in House Commerce and Labor.
78.	HB 204	Energy benchmarking: access to data on energy usage in covered buildings.	Failed in House Counties, Cities, and Towns.
79.	HB 392	Electric utilities: solar energy declared in public interest.	Failed in House Commerce and Labor
80.	HB 393	Electric utilities: net energy metering program cap to lead to SCC analysis.	Failed in House Commerce and Labor.
81.	HB 421	Multi-family residential building sale of renewable electricity to occupants.	Failed in House Commerce and Labor.
82.	HB 436	Electric utilities: mandatory renewable portfolio standard to replace voluntary standard.	Failed in House Commerce and Labor
83.	HB 586	Electric utilities and cooperatives: community energy and net-metering programs authorized.	Failed in House Commerce and Labor.
84.	HB 698	Department of Transportation conveyances of right-of-way for water and sewer.	Passed both houses and approved by governor.
85.	HB 782	Electric utilities: battery deployment pilot programs.	Failed in House Commerce and Labor.
86.	HB 904	Virginia Freedom of Information Act: general exclusion for trade secrets submitted to a public body.	Failed in House General Laws.

87.	HB 930	Electric utilities: Multifamily net energy metering program to be established.	Failed in House Commerce and Labor.
88.	HB 963	Electric and natural gas utilities: energy efficiency goals.	Failed in House Commerce and Labor.
89.	HB 964	Electric utilities; energy efficiency programs and Ratepayer Impact Test.	Failed in House Commerce and Labor.
90.	HB 975	Electric utilities: renewable energy requirement for new generation sources.	Failed in House Commerce and Labor.
91.	HB 1018	Energy storage system tax credit established.	Reported from House Finance; failed in House Appropriations.
92.	HB 1060	Electric utilities: net energy metering, program cap removed.	Failed in House Commerce and Labor.
93.	HB 1187	Natural gas companies: changes to right of entry upon property.	Failed in House Commerce and Labor.
94.	HB 1202	Electrical transmission lines: approval of underground construction and pilot program.	Failed in House Commerce and Labor.
95.	HB 1215	Electric utilities: solar generation specified to be in public interest.	Failed in House Commerce and Labor.
96.	HB 1252	Electric utilities: changes to 2013 pilot program for renewable energy third-party power purchase agreements and net energy metering.	Continued to 2019 in House Commerce and Labor.
97.	HB 1253	Electric utilities: net energy metering by municipalities authorized.	Failed in House Commerce and Labor.
98.	HB 1261	Electric utilities: tests for determining public interest of energy efficiency programs.	Failed in House Commerce and Labor.
99.	HB 1451	Electric utilities: net energy metering pilot program at schools.	Passed both houses and approved by governor.
100.	HB 1493	Electric utilities: allowing recovery of costs of coal combustion by-product management.	Failed in House Commerce and Labor.
101.	HB 1503	Electric utilities: community solar generation facilities authorized.	Failed in House Commerce and Labor.
102.	HB 1555	Hydroelectric facility: revenue sharing agreement among certain southwestern Virginia localities.	Passed both houses and approved by governor.

103.	HB 1558	Electric utilities: numerous changes to rate-review arrangement and Transitional Rate period established in 2015.	Passed House and Senate in different versions; failed in conference.
104.	HB 1563	Electric utilities: numerous changes to rate-review arrangement and Transitional Rate period established in 2015.	Failed in House Commerce and Labor.
105.	SB 72	Electric distribution lines: minimum height upon or over agricultural land.	Passed both houses and approved by governor.
106.	SB 82	Electric utilities: change to agricultural net energy metering.	Continued to 2019 in Senate Commerce and Labor.
107.	SB 83	Electric utilities: changes to 2013 pilot program for renewable energy third-party power purchase agreements and net energy metering.	Continued to 2019 in Senate Commerce and Labor.
108.	SB 191	Electric utilities: net energy metering eligibility limits.	Passed Senate; failed in House Commerce and Labor.
109.	SB 284	Electric utilities: solar generation specified to be in public interest.	Stricken by Senate Commerce and Labor at request of patron.
110.	SB 311	Community solar gardens standards for operation to be established by SCC.	Continued to 2019 in Senate Commerce and Labor.
111.	SB 355	City of Richmond natural gas utility service territory designated.	Continued to 2019 in Senate Local Government.
112.	SB 646	Electric utilities: limits to fuel cost recovery for contracts to purchase natural gas pipeline capacity.	Failed in Senate Commerce and Labor.
113.	SB 662	Electric utilities: provisions for retail competition for purchase and sale of electricity.	Continued to 2019 in Senate Commerce and Labor.
114.	SB 697	Natural gas companies: changes to right of entry upon property.	Stricken by Senate Commerce and Labor at request of patron.
115.	SB 711	Electric utilities: community renewable project rules to be established by SCC.	Continued to 2019 in Senate Commerce and Labor.
116.	SB 768	Electric utilities: limits on recovery of costs associated with closure in place of coal ash facilities.	Continued to 2019 in Senate Commerce and Labor.
117.	SB 780	Hydroelectric facility: revenue sharing agreement among certain southwestern Virginia localities.	Passed both houses and approved by governor.

118.	SB 837	Electric utilities: provisions for retail competition for purchase and sale of electricity.	Continued to 2019 in Senate Commerce and Labor.
-------------	---------------	--	---

WATER AND SEWER SYSTEMS

119.	HB 22	Mandatory water and sewer connections in Powhatan County and Smyth County.	Passed both houses and approved by governor.
120.	HB 885	Onsite sewage systems: authority of the Board of Health over conventional systems as well as alternative ones.	Passed House; continued to 2019 in Senate Education and Health.
121.	HB 887	Onsite sewage systems: adjustment or replacement of sewer lines, etc., considered maintenance.	Passed both houses and approved by governor.
122.	HB 888	Onsite sewage systems and private wells: evaluation and design services by VDH to be eliminated.	Passed both houses and approved by governor.
123.	HB 1217	Waterworks permitting: requiring yield testing of system and monitoring of existing active wells.	Failed in House Health, Welfare, and Institutions.
124.	HB 1374	Wastewater treatment for ammonia: restriction on state adoption of federal criterion.	Failed in House ACNR.
125.	HB 1475	Wastewater treatment for ammonia: restriction on state adoption of federal criterion.	Passed both houses and approved by governor.
126.	SB 344	Wastewater treatment for ammonia: restriction on state adoption of federal criterion.	Passed both houses and approved by governor.
127.	SB 765	Coal ash ponds in Chesapeake Bay watershed: mandatory testing of drinking water wells within one mile.	Continued to 2019 in Senate Commerce and Labor.

WATERS OF THE STATE, PORTS AND HARBORS

128.	HB 211	Groundwater withdrawal permits: lengthening term to 15 years and increasing permit fee.	Passed both houses and approved by governor.
129.	HB 358	Groundwater Management Areas: requirement for technical evaluation by subdivision developers.	Passed both houses and approved by governor.
130.	HB 377	Virginia Water Protection Permit: exception for stormwater management facility on dry land.	Passed both houses and approved by governor.
131.	HB 493	Stormwater Local Assistance Fund: recipient of grants authorized to use portion to pay administrative costs.	Failed in House ACNR.
132.	HB 575	Virginia Waterway Maintenance Grant Program and Fund: established under the Port Authority.	Reported from House ACNR; failed

			in House Appropriations.
133.	HB 723	Stormwater management facilities: disclosure required on private residential lots.	Failed in House ACNR.
134.	HB 771	Potomac Aquifer recharge in Hampton Roads: advisory board and laboratory established to monitor impacts.	Passed House; passed Senate in amended version; amended version failed in House.
135.	HB 772	Groundwater withdrawal permits: lengthening term to 15 years and increasing permit fee.	Failed in House ACNR.
136.	HB 801	Stormwater regulation: prohibition on state law stricter than federal law.	Failed in House ACNR.
137.	HB 805	Stormwater management regulations: reversion to pre-July 2014 law for localities outside the Chesapeake Bay watershed.	Failed in House ACNR.
138.	HB 866	Scenic Rivers: consolidates provisions of Scenic Rivers Act relating to prohibitions on the construction of dams and to limits on the effects of the Act.	Passed both houses and approved by governor.
139.	HB 925	Industrial and high-risk waste runoff: authority to have management programs in localities with municipal separate storm sewer systems (MS4).	Passed both houses and approved by governor.
140.	HB 1035	Virginia Water Supply Revolving Fund: loan priority in Eastern Virginia for projects using alternatives to groundwater.	Passed both houses and approved by governor.
141.	HB 1036	Eastern Virginia Groundwater Management Area: annual forum to be held by DEQ, and aquifer trading work group to be established.	Passed both houses and approved by governor.
142.	HB 1091	Virginia Resources Authority: dredging in definition of "project."	Passed both houses and approved by governor.
143.	HB 1093	Middle Peninsula Chesapeake Bay Public Access Authority: authorized for dredging and other projects to increase access to waterways.	Passed both houses and approved by governor.
144.	HB 1094	Chesapeake Bay Preservation Areas: regulations for local permits to raise land to mitigate flooding.	Failed in House ACNR.
145.	HB 1095	Chesapeake Bay public water access authorities: regional dredging authority granted.	Passed both houses and approved by governor.
146.	HB 1096	Dredged material siting in Tidewater: fast-track permitting program to be developed.	Passed both houses and approved by governor.
147.	HB 1141	Natural gas pipelines: Virginia Water Protection Permit requirements.	Failed in House ACNR.
148.	HB 1185	Regional water resource planning: SWCB and DEQ to develop regulations for supply planning by regions and localities.	Failed in House ACNR.
149.	HB 1186	Eastern Virginia groundwater: changes to permitted withdrawals, and priority for human consumptive use.	Failed in House ACNR.

150.	HB 1188	Natural gas pipelines: requiring groundwater tests, discharge reporting, contingency plans, etc.	Failed in House ACNR.
151.	HB 1206	Virginia Pollutant Discharge Elimination System: SWCB to provide online notice system of permits.	Passed both houses and approved by governor.
152.	HB 1294	Natural gas pipelines: water quality impact bond.	Failed in House ACNR.
153.	HB 1307	Stormwater management: tiered approach to water quantity technical criteria to be authorized in rural Tidewater localities.	Passed both houses and approved by governor.
154.	HB 1308	Stormwater management: provision of signed plan by professional in lieu of local review in rural Tidewater localities.	Passed both houses and approved by governor.
155.	HB 1442	Wetlands in property tax assessment: recognized wetland determinations.	Passed both houses and approved by governor.
156.	HB 1491	Electricity transmission line under Rappahannock River: VMRC to convey easement.	Passed both houses and approved by governor.
157.	HB 1566	Stormwater management: provision of signed plan by professional in lieu of local review in any locality.	Failed in House ACNR.
158.	SB 211	Comprehensive plans: authorization and requirement regarding groundwater and surface water supplies.	Passed both houses and approved by governor.
159.	SB 520	Groundwater for irrigation: nonagricultural irrigation wells prohibited outside surficial aquifer, and general permit for agricultural irrigation above 300,000 gallons per month.	Reported from Senate ACNR; failed on Senate floor.
160.	SB 576	Stream restoration: standards and specifications.	Passed both houses and approved by governor.
161.	SB 698	Natural gas pipelines: inspections of land-disturbing activities and stop work instructions.	Passed both houses and approved by governor.
162.	SB 699	Natural gas pipelines: inspections of land-disturbing activities and stop work instructions.	Passed both houses and approved by governor.
163.	SB 741	Stormwater management: timing of notice of termination of general permit.	Passed both houses and approved by governor.
164.	SB 766	Citizen water quality monitoring data: use as evidence in enforcement actions.	Continued to 2019 in Senate Commerce and Labor.
165.	SB 767	Coal ash ponds: delay of closure permit issuance for certain flaws in closure plans.	Continued to 2019 in Senate Commerce and Labor.
166.	SB 888	Electricity transmission line under Rappahannock River: VMRC to convey easement.	Passed both houses and approved by governor.

MISCELLANEOUS OTHER CATEGORIES

167.	HB 662	American Legion Bridge (formerly Cabin John Bridge) over Potomac River: VDOT to submit a plan for remediation of bridge (<i>in LIS Highways, Bridges, and Ferries category</i>).	Passed both houses and approved by governor.
------	--------	---	--