

Water in the 2019 Virginia General Assembly

The 2019 Virginia General Assembly session convened January 9 and adjourned February 24. The reconvened (“veto”) session was held April 3. In the tables below (starting page 2), the Virginia Water Resources Research Center lists 134 measures in the 2019 Assembly dealing with water resources directly or indirectly, including two bills determining the state budget. The status given in this document is according to information available on the LIS Web site on February 26, 2019; that is, after the adjournment of the General Assembly but prior to the deadline for action by the governor to approve, veto, or recommend changes to bills, and prior to the April 3 session when the Assembly acts on the governor’s vetoes and recommendations.

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 headings in the table. 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 or failed, and if it failed, where that occurred. 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 <https://lis.virginia.gov/cgi-bin/legp604.exe?191+men+BIL>. **Click on the underlined bill numbers** to access more detailed bill information at the LIS site, including a summary of the bill and the chronology of legislative action.

Frequently used abbreviations 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; DGIF = Virginia Department of Game and Inland Fisheries; DHCD = Virginia Department of Housing and Community Development; JLARC = Joint Legislative Audit and Review Commission; SCC = State Corporation Commission; SWCB = State Water Control Board; VDH = Virginia Department of Health; VDOT = Virginia Department of Transportation; VMRC = Virginia Marine Resources Commission.

Inventories from previous General Assembly sessions, back to 1998, are available via this link: <http://www.vwrrc.vt.edu/virginia-water-legislation/>.

BUDGET BILLS AND BUDGETING PROCESS

Please note that the budget bills include many separate proposed changes to the current or upcoming biennial budget. Details on the budget are available at <https://budget.lis.virginia.gov/>.

1.	<u>HB 1700</u> House budget bill for current biennium (2018-20). Amendments to Chapter 2 of the 2018 General Assembly Special Session, affecting funds for the 2018-20 Biennium, ending on the 30 th day of June 2020.	Conference report passed both houses; governor’s recommendations approved in part.
2.	<u>SB 1100</u> Senate budget bill for current biennium (2018-20). Amendments to Chapter 2 of the 2018 General Assembly Special Session, affecting funds for the 2018-20 Biennium, ending on the 30 th day of June 2020.	Passed Senate; failed in House Appropriations.

CONSERVATION

Conservation Bills on Land Policy, including Tax-credits

3.	HB 2009 Virginia Land Conservation Foundation; project proposals.	Passed both houses and approved by governor.
4.	HB 2146 Land development; conservation or replacement of trees, local option.	Failed in House Counties, Cities and Towns.
5.	HB 2201 State Forester; confidentiality of certain records.	Passed House; failed in Senate ACNR.
6.	HB 2249 Timber sales; theft, accounting, penalty.	Failed in House ACNR.
7.	HB 2365 Land preservation; special assessment, optional limit on annual increase in assessed value.	Passed both houses and approved by governor.
8.	HB 2411 Timber sales; theft, accounting, penalty.	Passed both houses and approved by governor.
9.	HB 2755 Conservation easements; conformance with comprehensive plan.	Passed House; passed Senate with amendment; amended version failed in House.
10.	SB 1260 Conservation areas; allows a planning commission to designate.	Failed in House Local Government (stricken at request of patron).
11.	SB 1469 Timber theft; theft, accounting, penalty.	Passed both houses and approved by governor.

Other Conservation Bills

12.	HB 1614 Local Stormwater Management Fund; authorizing grant moneys.	Passed both houses and approved by governor.
13.	HB 1715 Dams; certain wetland vegetation exempted from vegetation prohibition.	Passed both houses and approved by governor.
14.	HB 1822 Virginia Water Quality Improvement Fund; authorizing grants for wastewater conveyance facilities.	Passed both houses and approved by governor.
15.	HB 1880 State environmental boards; changing appointment of members.	Failed in House ACNR.
16.	HB 2019 Residential real property; required disclosures of stormwater management facilities.	Passed both houses and approved by governor.
17.	HB 2103 Stormwater management plans; erosion and sediment control plans, portion of project.	Failed in House ACNR.
18.	HB 2105 Coal combustion residuals storage areas in Chesapeake Bay watershed; closure.	Failed in House ACNR.

19.	HB 2269 Regional transportation sector emissions programs; participation by Commonwealth.	Passed both houses; vetoed by governor; veto sustained in House.
20.	HB 2333 Trees; replacement during development process, exceeding requirements to meet certain water goals.	Failed in House Counties, Cities and Towns.
21.	HB 2341 Forester title; educational criteria for using the title.	Passed both houses and approved by governor.
22.	HB 2391 Landfills; waste disposal fee, deposits into the Greenhouse Gas Fund.	Failed in House ACNR.
23.	HB 2395 Hazardous Waste Site Inventory; DEQ to compile and update at least annually.	Passed House; passed Senate with amendment; amended version failed in House.
24.	HB 2735 Virginia Coastal Protection Act; recasts Va. Shoreline Resiliency Fund.	Failed in House Commerce and Labor.
25.	HB 2761 Cave and karst protection; penalty.	Failed in House ACNR.
26.	SB 1009 Coal combustion residuals surface impoundments; closure.	Incorporated into SB 1355 (see #29 below).
27.	SB 1208 Water impounding structures; portable pumping systems.	Failed in House ACNR (stricken at request of patron).
28.	SB 1212 Water improvement districts; assessment of service charge, referendum.	Failed in House ACNR (stricken at request of patron).
29.	SB 1355 Coal combustion residuals impoundment; closure of certain CCR units.	Passed both houses and approved by governor.
30.	SB 1533 Coal combustion residuals; Chesapeake Bay watershed; closure.	Incorporated into SB 1355 (see #29 above).
31.	SB 1534 Coal combustion residuals; cleanup costs.	Incorporated into SB 1355 (see #29 above).
32.	SB 1666 Va. Coastal Protection Act; recasts Va. Shoreline Resiliency Fund.	Failed in Senate ACNR.
33.	SB 1743 Coal ash management residuals; prohibits construction of any landfill or impoundment for storage and requires closure by 2023.	Reported from Senate ACNR; failed in Senate Finance.
34.	SB 1745 DEQ permits; fund created for obtaining technical assistance grants.	Failed in Senate ACNR.

EMINENT DOMAIN

35.	SB 1039 Eminent domain; commissioners selected instead of jurors in proceedings.	Failed in House Courts of Justice.
36.	SB 1421 Eminent domain; entry upon private property, calculation of just compensation, damages	Passed both houses and approved by governor.

37.	SJ 302 Constitutional amendment: Eminent domain, public utility.	Failed in Senate Privileges and Elections.
-----	--	--

ENERGY CONSERVATION AND RESOURCES

38.	HB 1635 Fossil fuel projects moratorium; clean energy mandates.	Reported from House Commerce and Labor; failed on House floor.
39.	HB 1686 Electric utilities; limitations on fossil fuel facilities.	Failed in House Commerce and Labor.
40.	HB 1902 Solar Demonstration Projects Grant Program; established, Solar Energy Special Fund created.	Failed in House Appropriations.
41.	HB 1928 Renewable energy power purchase agreements; pilot programs.	Failed in House Commerce and Labor.
42.	HB 2008 Energy career cluster; Department of Education, et al., to establish, report.	Passed both houses and approved by governor.
43.	HB 2070 Energy saving products; tax deduction.	Failed in House Finance.
44.	HB 2165 Income tax; credit for solar energy equipment.	Failed in House General Laws.
45.	HB 2240 Virginia Energy Plan; covenants restricting solar energy collection devices.	Failed in House Commerce and Labor.
46.	HB 2241 Green job training; creates tax credit.	Failed in House Finance.
47.	HB 2243 Virginia Energy Efficiency Revolving Fund; created.	Failed in House Appropriations.
48.	HB 2295 Energy Efficiency Fund, Board, and Program; established, report.	Failed in House Appropriations.
49.	HB 2501 Greenhouse gas emissions; inventory.	Failed in House Commerce and Labor.
50.	HB 2641 Third-party power purchase agreements; regulation of retail sales of electricity under agreements.	Failed in House Commerce and Labor.
51.	HB 2741 Clean Energy Advisory Board; established, solar energy installation rebates.	Passed both houses and approved by governor.
52.	HB 2789 Energy conservation incentives for low-income, elderly, and disable.	Passed both houses and approved by governor.
53.	HB 2810 Real property; tax exemption for solar devices adjusted.	Failed in House Finance.
54.	HJ 656 Virginia Resources Authority; transitioning Virginia's workforce from fossil-fuel jobs.	Failed in House Rules.
55.	HJ 724 Green New Deal; supporting this initiative and recognizing need for clean energy economy.	Failed in House Commerce and Labor.
56.	SB 1091 Rezoning and site plan approval; rules for decommissioning solar energy equipment.	Passed both houses and approved by governor.

57.	SB 1348 Energy career cluster; Department of Education, et al., to establish, report.	Passed both houses and approved by governor.
58.	SB 1398 Site plan approval; decommissioning certified solar energy equipment, facilities, or devices.	Incorporated into SB 1091 (see #56 above).
59.	SB 1456 Distributed renewable energy; promotes establishment of solar and other renewable energy.	Failed in Senate Commerce and Labor.
60.	SB 1460 Renewable energy power purchase agreements; pilot programs.	Failed in Senate Commerce and Labor.
61.	SJ 311 Study by DHCD of permitting processes for broadband and renewable energy projects.	Passed Senate; failed in House Rules.

FISHERIES AND HABITAT OF TIDAL WATERS

62.	HB 1769 Menhaden; VMRC, rather than General Assembly, to adopt regulations for managing the Commonwealth's fishery.	Failed in House ACNR.
63.	HB 1779 Riparian planting ground; assignment eligibility.	Passed both houses and approved by governor.
64.	HB 2047 Oyster planting grounds; municipal dredging projects in Lynnhaven River.	Passed both houses and approved by governor.
65.	HB 2309 Marine Resources Commission; grant of interest in subaqueous lands, etc.	Failed in House ACNR.
66.	HB 2661 Saltwater recreational fishing license; exception for commercial license holder.	Failed in House ACNR.
67.	HJ 597 Study of economic impacts of litter on fishing, farming, and water quality in urban streams.	Failed in House Rules.
68.	SB 1046 Menhaden; VMRC, instead of General Assembly, to adopt regulations for managing the Commonwealth's fishery.	Failed in Senate ACNR.
69.	SB 1049 Menhaden fishery; VMRC, instead of General Assembly, to adopt regulations to implement Interstate Fishery Management Plan.	Failed in Senate ACNR (stricken at request of patron).
70.	SB 1413 Oyster planting grounds; changes to lease assignments and other provisions.	Passed both houses and approved by governor.
71.	SB 1573 Offshore oil and gas drilling; prohibition.	Failed in Senate ACNR.

GAME, INLAND FISHERIES, AND BOATING

72.	HB 1612 DGIF payment fees for using boat ramps.	Failed in House ACNR.
73.	HB 1613 Wanton waste penalty (regarding allowing of a killed or crippled game animal or non-migratory game bird to be wasted without making a reasonable effort to retrieve the animal).	Passed both houses and approved by governor.
74.	HB 1621 Trip hunting license allowed for Va. residents.	Passed both houses and approved by governor.

75.	HB 1696 Killing of nuisance species; authorizes shooting from a stationary automobile.	Passed both houses and approved by governor.
76.	HB 2331 Wildlife Corridor Action Plan and Advisory Council; created, report.	Failed in House Rules.
77.	HB 2658 Stationary blinds in the public waters; minimum distance from shore.	Failed in House ACNR.
78.	HB 2796 Watercraft; transfer by operation of law, transfer on death.	Passed both houses and approved by governor.
79.	SB 1725 Stationary blinds in the public waters; minimum distance from shore.	Passed Senate; failed in House ACNR.

HEALTH

80.	HB 1949 Rainwater harvesting; regulations to establish conditions for using water for human consumption.	Failed in House Health, Welfare, and Institutions.
81.	HB 2322 Onsite sewage treatment systems; VDH shall develop a plan for oversight and enforcement of certain systems.	Passed both houses and approved by governor.
82.	HJ 641 Study by VDH use of rainwater.	Passed both houses.

MINES AND MINING

83.	HB 1932 Mineral mining; increases permit fees.	Passed both houses and approved by governor.
84.	HB 2187 Gas or oil drilling units; escrowed proceeds, Coalfield Region Elderly Assistance Fund.	Reported from House ACNR; failed in House Appropriations.
85.	SB 1271 Oil and gas wells; bonding requirements, application notice.	Passed both houses and approved by governor.

PUBLIC SERVICE COMPANIES

86.	HB 1809 Electric utilities; renewable energy and energy efficiency programs [by Dominion Energy and Appalachian Power].	Failed in House Commerce and Labor.
87.	HB 1869 Net energy metering; pilot program in schools by Appalachian Power.	Failed in House Commerce and Labor.
88.	HB 2112 Natural gas companies; limitations on right of entry upon property.	Failed in House Commerce and Labor.
89.	HB 2117 Electric utilities; retail competition, renewable energy.	Failed in House Commerce and Labor.
90.	HB 2292 Electric utilities; SCC actions regarding energy-efficiency programs.	Passed both houses and approved by governor.

91.	HB 2293 Electric utilities; stakeholder process for energy-efficiency programs.	Passed both houses and approved by governor.
92.	HB 2500 Electric utilities; mandatory renewable energy portfolio standard to replace voluntary standard.	Failed in House Commerce and Labor.
93.	HB 2547 Electric utilities; net energy metering: several changes to existing program.	Passed both houses and approved by governor.
94.	HB 2645 Electric Utility Regulation; Refund Act; refunds for certain “non-essential expenditures”; also provisions regarding cost recovery for new natural gas pipelines.	Failed in House Commerce and Labor.
95.	HB 2738 Public utilities; acquisition of rights-of-way for economic development sites.	Passed both houses and approved by governor.
96.	HB 2792 Electric utilities; municipal net energy metering.	Passed both houses and approved by governor.
97.	SB 1111 Electric utilities; rate-abatement offsetting consequences of reduced consumption.	Failed in Senate Commerce and Labor (stricken at request of patron).
98.	SB 1176 Natural gas utilities; requires SCC to make public investigative reports of injuries or property damage.	Passed both houses and approved by governor.
99.	SB 1427 Water and sewerage companies; cost allocation and rate design.	Passed both houses and approved by governor.
100.	SB 1483 Net energy metering; pilot program in schools by Appalachian Power.	Failed in Senate Commerce and Labor.
101.	SB 1605 Electric utilities; stakeholder process for energy-efficiency programs.	Passed both houses and approved by governor.
102.	SB 1662 Electric utilities; SCC actions regarding energy-efficiency programs.	Passed both houses and approved by governor.
103.	SB 1695 Public utilities; acquisition of rights-of-way for economic development sites.	Passed both houses and approved by governor.
104.	SB 1769 Electric utilities; net energy metering: several changes to existing program.	Passed both houses and approved by governor.
105.	SB 1779 Electric utilities; municipal net energy metering.	Passed both houses and approved by governor.
106.	SB 1780 Electric Utility Regulation; Refund Act; refunds for certain “non-essential expenditures”; also provisions regarding cost recovery for new natural gas pipelines.	Failed in Senate Commerce and Labor.

WASTE DISPOSAL

107.	HJ 620 Minimum recycling rate; study of impacts of reduction for municipal solid waste generated within a solid planning unit.	Failed in House Rules.
108.	SB 1305 Recycling and waste disposal; unpaid fees collection and lien allowed by localities.	Reported from Senate Local Government; failed on Senate floor.
109.	SB 1761 Landfill permits; adjacent locality approval required.	Failed in Senate ACNR.
110.	SJ 265 Minimum recycling rate; study of impacts of reduction for municipal solid waste generated within a solid planning unit.	Failed in Senate Rules (stricken at request of patron).

WATERS OF THE STATE, PORTS AND HARBORS

111.	HB 1879 Stormwater management facilities; private residential lots, disclosure.	Failed in House General Laws.
112.	HB 2062 Groundwater management; defines human consumption.	Failed in House ACNR.
113.	HB 2063 Groundwater withdrawals; definition of certain uses withdrawals as "waste."	Failed in House ACNR.
114.	HB 2064 Groundwater withdrawals; use impacts in Eastern Virginia Groundwater Management Area.	Failed in House ACNR.
115.	HB 2154 Stormwater management; time extension for grandfathered land-disturbing activities.	Failed in House ACNR.
116.	HB 2358 Potomac Aquifer recharge monitoring; creates advisory board, laboratory established, SWIFT Project.	Passed both houses and approved by governor.
117.	HB 2361 Stormwater management; application of current regulations to land-disturbing activities under earlier permits.	Passed House; failed in Senate ACNR.
118.	HB 2403 Wetlands; permit requirements for compensation.	Passed both houses and approved by governor.
119.	HB 2505 Stormwater regulations in the Tennessee River Basin.	Failed in House ACNR.
120.	HB 2506 Chesapeake Bay Preservation Areas; allowing filling in certain low-lying areas.	Failed in House ACNR.
121.	HB 2637 Agricultural best management practices; loans and grants for maintenance of riparian buffers.	Passed both houses and approved by governor.
122.	HB 2783 Living shorelines; loans from localities available to businesses.	Passed both houses and approved by governor.
123.	HJ 610 Wind tide flooding in the Southern Watershed; Secretary of Natural Resources to study the effects.	Passed House; passed Senate with amendment; amended version failed in House.
124.	SB 1116 Plastic bags; tax in the Chesapeake Bay Watershed.	Failed in Senate Finance.

125.	SB 1328 Stormwater Local Assistance Fund; grants to non-MS4 localities.	Passed Senate; reported from House ACNR; failed in House Appropriations.
126.	SB 1388 Chesapeake Bay Watershed Implementation Plan; Lynnhaven River and Little Creek watersheds; repeal of the exclusion of those watersheds from the plan.	Passed both houses and approved by governor.
127.	SB 1414 Potomac Aquifer recharge monitoring; creates advisory board, laboratory established, SWIFT Project.	Passed both houses and approved by governor.
128.	SB 1459 Port of Virginia Economic & Infrastructure Development Grant Fund and Program; extends sunset date.	Passed both houses and approved by governor.
129.	SB 1599 Groundwater withdrawal in Eastern Shore Groundwater Management Area; incentives for use of surficial aquifer instead of deep aquifer.	Passed both houses and approved by governor.
130.	SB 1652 Virginia port volume increase tax credit; transfer of credits.	Passed both houses and approved by governor.
131.	SJ 309 Study by VMRC of creation of protection zones for submarine fiber optic cables.	Passed both houses.

MISCELLANEOUS OTHER CATEGORIES

132.	HB 2784 Robert O. Norris Bridge [over the Rappahannock River between Lancaster County and Middlesex County] and Statewide Special Structure Fund; created. <i>In Highways, Bridges, and Ferries category.</i>	Passed both houses and approved by governor.
133.	SB 1296 Potomac River Bridge Towing Compact; adds several bridges to Compact. <i>In Highways, Bridges, and Ferries category.</i>	Passed both houses and approved by governor.
134.	SB 1749 Robert O. Norris Bridge [over the Rappahannock River between Lancaster County and Middlesex County] and Statewide Special Structure Fund; created. <i>In Highways, Bridges, and Ferries category.</i>	Passed both houses and approved by governor.