

# Water in the 2021 Virginia General Assembly

As of February 19, 2021

The 2021 General Assembly convened on January 13 and was initially scheduled for 30 days, a so-called “short session,” which is held in all odd-numbered years. Often, short sessions are extended by the Assembly to 46 days; any session may be extended for up to 30 days. “Long sessions” of 60 days are held in even-numbered years. On February 4, 2021, Gov. Ralph Northam called for a special session of the Assembly to begin on February 10 and extend the overall session to 46 days (earlier in 2021, the Assembly failed to approve a session extension). **A reconvened (“veto”) session** is held on the sixth Wednesday after adjournment of each regular or special session. During long sessions, the Commonwealth’s budget for the upcoming two years is set; amendments to the current biennial budget may be considered both in short and long sessions. More information about the Assembly’s normal schedule and duration is available in “About the General Assembly,” online at [this link](#).

In the tables below (starting on page 2), the Virginia Water Resources Research Center lists 94 measures in the 2021 Assembly dealing with water resources directly or indirectly, including two bills amending the current state budget that runs through June 30, 2022.

The list was generated from information on 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.

In the tables, numbers in the left-hand column have been added by the Water Center for cross-referencing among the bills. The second column from the left contains the actual bill numbers, hyperlinked to the LIS Web site. **Click on the bill numbers** to access more detailed bill information at the LIS site, including a summary of the bill and the chronology of legislative action. The right hand-column lists the **status of the bill, according to information available on the LIS Web site on February 19, 2021**.

LIS links to information about General Assembly committees (including members and meeting times) are available online at <https://lis.virginia.gov/211/com/COM.HTM>.

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

**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; VDACS = Virginia Department of Agriculture and Consumer Services.

## BUDGET/APPROPRIATIONS

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.	<b>HB 1800</b>	<b>Budget Bill for the remainder of the 2020-2022 Biennium</b>	Passed House; passed Senate with amendments.
2.	<b>SB 1100</b>	<b>Budget Bill for the remainder of the 2020-2022 Biennium</b>	Passed Senate; in House Appropriations.

## CONSERVATION

3.	<b>HB 1760</b>	<b>Conservation easements; certain easements to be liberally construed in favor of purpose which created.</b>	Passed House and Senate.
4.	<b>HB 1766</b>	<b>Disabled Veteran's Passport; expands program to all veterans with service-connected disability.</b>	Failed in House ACNR.
5.	<b>HB 1819</b>	<b>Rappahannock River; adding a 79-mile portion for Va. Scenic Rivers System.</b>	Passed House and Senate.
6.	<b>HB 1833</b>	<b>Department of Conservation and Recreation (DCR) land-leasing process.</b>	Passed House and Senate.
7.	<b>HB 1836</b>	<b>Secretary of Natural Resources name change to Secretary of Natural and Cultural Resources, plus removal of Virginia Museum of Natural History from secretariat.</b>	Passed House and Senate.
8.	<b>HB 1837</b>	<b>Virginia Soil and Water Conservation Board; clarifies membership. Companion bill: SB 1161 (#22).</b>	Passed House and Senate.
9.	<b>HB 1902</b>	<b>Expanded polystyrene food service containers; prohibition, civil penalty.</b>	Passed House; reported from Senate ACNR.
10.	<b>HB 1928</b>	<b>Historic resources; acquisition and lease of land related to battlefield properties, designated landmarks, and other properties of historic significance.</b>	Passed House and Senate.
11.	<b>HB 1937</b>	<b>Green New Deal Act; establishes a fossil fuel project moratorium, etc. See related HB 2922 (#47).</b>	Failed in House Labor and Commerce.
12.	<b>HB 1958</b>	<b>South River; designating a 6.5-mile segment in City of Waynesboro for Va. Scenic Rivers System.</b>	Passed House and Senate.
13.	<b>HB 1965</b>	<b>State Air Pollution Control Board; low-emissions and zero-emissions vehicle program.</b>	Passed House; passed Senate with amendments.
14.	<b>HB 2067</b>	<b>Solar facilities; lowering generation capacity that qualifies for permit by rule.</b>	Failed in House ACNR.
15.	<b>HB 2118</b>	<b>Electric Vehicle Grant Fund and Program; creation, report.</b>	Passed House; reported from Senate Finance and Appropriations with substitute.
16.	<b>HB 2129</b>	<b>Chesapeake Bay; wastewater treatment, Enhanced Nutrient Removal Certainty Program established. Companion bill: SB 1354 (#33).</b>	Passed House; in Senate Finance and Appropriations.

17.	<a href="#">HB 2148</a>	<b>Small renewable energy projects; certain energy storage projects included in definition and eligible for permitting.</b>	Passed House; in Senate Finance and Appropriations.
18.	<a href="#">HB 2173</a>	<b>Advanced recycling; not considered solid waste management; plus other definitions. Companion bill: SB 1164 (#23).</b>	Failed in House ACNR.
19.	<a href="#">HB 2221</a>	<b>Environmental permits; community and environmental justice outreach. Companion bill: SB 1373 (#34).</b>	Passed House; in Senate ACNR.
20.	<a href="#">HB 2265</a>	<b>Electric utilities; repealing previously passed law on development of renewable energy facilities.</b>	Failed in House Labor and Commerce.
21.	<a href="#">HJ 569</a>	<b>Tree planting: Department of Forestry to study and evaluate enabling statutes for ordinances related to planting.</b>	Failed in House Rules.
22.	<a href="#">SB 1161</a>	<b>Virginia Soil and Water Conservation Board; clarifies membership. Companion bill: HB 1837 (#8 above).</b>	Passed Senate and House.
23.	<a href="#">SB 1164</a>	<b>Advanced recycling; not considered solid waste management; plus other definitions. Companion bill: HB 2173 (#18).</b>	Passed Senate; reported from House ACNR.
24.	<a href="#">SB 1186</a>	<b>Landfill siting; restriction near historic preservation.</b>	Failed in Senate ACNR.
25.	<a href="#">SB 1199</a>	<b>Conservation easements; how construed.</b>	Passed Senate and House.
26.	<a href="#">SB 1200</a>	<b>Waste disposal; local approval needed.</b>	Failed in Senate ACNR.
27.	<a href="#">SB 1210</a>	<b>Permit fee schedules; Department of Environmental Quality (DEQ) to revise current schedule for nonhazardous solid waste management facilities.</b>	Passed Senate and House.
28.	<a href="#">SB 1274</a>	<b>Wildlife corridors; various agencies to consider and incorporate.</b>	Passed Senate; reported from House ACNR with amendments.
29.	<a href="#">SB 1280</a>	<b>Dams; negotiated settlement agreements authorized for certain structures.</b>	Passed Senate and House.
30.	<a href="#">SB 1282</a>	<b>Greenhouse gas emissions inventory.</b>	Passed Senate; reported from House ACNR.
31.	<a href="#">SB 1290</a>	<b>ConserveVirginia program; established as a Geographical Information Systems model to prioritize potential conservation areas across the Commonwealth.</b>	Passed Senate; reported from House ACNR.
32.	<a href="#">SB 1352</a>	<b>Flood Control Department and Commonwealth Flood Control Board established.</b>	Failed in Senate ACNR (stricken at request of patron).
33.	<a href="#">SB 1354</a>	<b>Chesapeake Bay; wastewater treatment, Enhanced Nutrient Removal Certainty Program established. Companion bill: HB 2129 (#16).</b>	Passed Senate; passed House with substitute.
34.	<a href="#">SB 1373</a>	<b>Environmental permits; community and environmental justice outreach. Companion bill: HB 2221 (#19).</b>	Failed in Senate ACNR.

<b>35.</b>	<b>SB 1389</b>	Real property disclosure of flood risk.	Passed Senate and House.
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## CONSTITUTIONAL AMENDMENTS

<b>36.</b>	<b>HJ 556</b>	Constitutional amendment; environmental justice (first reference).	Failed in House Privileges and Elections.
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## ENERGY CONSERVATION AND RESOURCES

<b>37.</b>	<b>HB 2006</b>	Energy storage systems; definitions, tax exemption, revenue share for systems.	Passed House and Senate.
<b>38.</b>	<b>HB 2201</b>	Solar energy siting agreements expanded to storage projects and made applicable across Commonwealth. Companion bill: SB 1207 (#40).	Passed House and Senate.
<b>39.</b>	<b>HB 2227</b>	Uniform Statewide Building Code; amendments, energy efficiency and conservation. Companion bill: SB 1224 (#41).	Passed House; in Senate Finance and Appropriations.
<b>40.</b>	<b>SB 1207</b>	Solar energy siting agreements expanded to storage projects and made applicable across Commonwealth. Companion bill: HB 2201 (#38).	Passed Senate; reported from House Counties, Cities, and Towns.
<b>41.</b>	<b>SB 1224</b>	Uniform Statewide Building Code; amendments, energy efficiency and conservation. Companion bill: HB 2227 (#39).	Failed in Senate General Laws and Technology.

## FISHERIES AND HABITAT OF TIDAL WATERS

<b>42.</b>	<b>SB 1467</b>	Menhaden fishing; prohibited in territorial waters.	Failed in Senate ACNR.
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## HIGHWAYS, BRIDGES, AND FERRIES

<b>43.</b>	<b>HB 1801</b>	Littering; increasing fines.	Passed House and Senate.
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## MINES AND MINING

<b>44.</b>	<b>HB 1855</b>	Department of Mines, Minerals and Energy: renamed the Department of Energy, plus other changes.	Passed House; in Senate Finance and Appropriations.
<b>45.</b>	<b>HB 2023</b>	Solar and wind farms; reporting of acreage by locality.	Failed in House Counties, Cities, and Towns.
<b>46.</b>	<b>HB 2213</b>	Gold; Secretary of Natural Resources, et al., to study mining and processing; plus prohibition on certain permitting.	Passed House and Senate.

47.	<a href="#">HB 2292</a>	Fossil fuel projects; establishes a moratorium, effective January 1, 2022, etc. See related <a href="#">HB 1937 (#11)</a> .	Failed in House Labor and Commerce.
48.	<a href="#">SB 1453</a>	Mines and Mining and Virginia Energy Plan; revision of Titles 45.1 and 67.	Passed Senate and House.

## PUBLIC SERVICE COMPANIES

49.	<a href="#">HB 1834</a>	Electric utilities; closure of carbon-emitting generating units to have public disclosure; integrated resource plans. Companion bill: <a href="#">SB 1247 (#62)</a> .	Passed House; passed Senate with substitute.
50.	<a href="#">HB 1907</a>	Electric utilities; advanced renewable energy buyers.	Passed House and Senate.
51.	<a href="#">HB 1934</a>	Public utilities; gas pipelines prohibited in residential subdivisions.	Failed in House Labor and Commerce.
52.	<a href="#">HB 1994</a>	Small agricultural generators; expands definition.	Passed House and Senate.
53.	<a href="#">HB 2034</a>	Electric utilities; non-jurisdictional customers, third party power purchase agreements for renewable energy. Companion bill: <a href="#">SB 1420 (#67)</a> .	Passed House and Senate.
54.	<a href="#">HB 2048</a>	Renewable energy purchases by retail customers from competitive suppliers.	Passed House; failed in Senate Commerce and Labor.
55.	<a href="#">HB 2049</a>	Electric utilities; eliminates customer credit reinvestment offsets related to renewable energy.	Passed House; failed in Senate Commerce and Labor.
56.	<a href="#">HB 2057</a>	Electric utilities; triennial review.	Incorporated into <a href="#">HB 2200 (#58)</a> .
57.	<a href="#">HB 2160</a>	Electric utilities; triennial review, fair rate of return, including related to energy-efficiency investments.	Passed House; failed in Senate Commerce and Labor.
58.	<a href="#">HB 2200</a>	Electric utilities; triennial review, including provisions related to energy efficiency programs.	Passed House; failed in Senate Commerce and Labor.
59.	<a href="#">HB 2215</a>	Small agricultural generators; definition, manufacturer licensees.	Incorporated into <a href="#">HB 1994 (#52)</a> .
60.	<a href="#">HB 2281</a>	Virginia Clean Economy Act; non-by-passable charges, energy-intensive trade-exposed (EITE) industries.	Failed in House Labor and Commerce.
61.	<a href="#">SB 1201</a>	Energy storage systems; definitions, tax exemption, revenue share for systems.	Passed Senate and House.
62.	<a href="#">SB 1247</a>	Electric utilities; closure of carbon-emitting generating units to have public disclosure; integrated resource plans. Companion bill: <a href="#">HB 1834 (#49)</a> .	Passed Senate and House.
63.	<a href="#">SB 1284</a>	Commonwealth Clean Energy Policy; established to replace Commonwealth Energy Policy.	Passed Senate and House.
64.	<a href="#">SB 1295</a>	Electric utilities; requirements for procurement of certain renewable energy equipment.	Passed Senate and House.

65.	<a href="#">SB 1380</a>	Electric utilities; electric school bus projects.	Passed Senate; substitute failed on House floor but is to be reconsidered.
66.	<a href="#">SB 1385</a>	Underground utility lines in Fairfax County.	Passed Senate; reported from House Counties, Cities, and Towns with amendments.
67.	<a href="#">SB 1420</a>	Electric utilities; non-jurisdictional customers, third party power purchase agreements for renewable energy. Companion bill: HB 2034 (#53).	Passed Senate and House.

## STUDY COMMISSIONS, COMMITTEES, AND REPORTS

68.	<a href="#">HB 1804</a>	State parks; DCR to develop recommendations for funding, report.	Passed House and Senate.
69.	<a href="#">HB 1925</a>	Virginia Brownfield and Coal Mine Renewable Energy Grant Fund and Program; established, report.	Passed House and Senate.
70.	<a href="#">HB 1979</a>	Electric vehicle rebate program; creation and funding, report.	Passed House; passed Senate with substitute.
71.	<a href="#">HB 2074</a>	Environmental justice; interagency working group established, plus requirements for state agencies and local governments. See related SB 1318 (#75).	Passed House; in Senate Finance and Appropriations.
72.	<a href="#">HB 2187</a>	Commonwealth Center for Recurrent Flooding Resiliency; development of Flood Resiliency Clearinghouse Program and study of topics to manage flooding and water quality.	Passed House and Senate.
73.	<a href="#">HJ 527</a>	Invasive plant species; DCR and VDACS to study the sale and use of species.	Passed House and Senate.
74.	<a href="#">HJ 552</a>	Recurrent inland and urban flooding across the Commonwealth; joint subcommittee to study.	Failed in House Rules.
75.	<a href="#">SB 1318</a>	Interagency Environmental Justice Working Group; established, report. See related HB 2074 (#71).	Passed Senate; reported from House General Laws with substitute.
76.	<a href="#">SB 1319</a>	Waste Diversion and Recycling Task Force; DEQ to continue Task Force.	Passed Senate; in House Appropriations.
77.	<a href="#">SB 1374</a>	Carbon Sequestration Task Force; established.	Passed Senate and House.

## TAXATION

78.	<a href="#">HB 1763</a>	Tax credit for agricultural best management practices. Companion bill: SB 1162 (#82).	Passed House and Senate.
79.	<a href="#">HB 1899</a>	Coal tax credits; eliminated after tax year 2021. Companion bill: SB 1252 (#84).	Passed House and Senate..
80.	<a href="#">HB 2269</a>	Solar energy projects and energy storage systems; revenue share for projects and systems.	Passed House and Senate.

81.	<a href="#">HB 2293</a>	Local gas severance tax; extends sunset date from January 2022 to January 2024.	Passed House and Senate.
82.	<a href="#">SB 1162</a>	Tax credit; agricultural best management practices. Companion bill: HB 1763 (#78).	Passed Senate and House.
83.	<a href="#">SB 1158</a>	Port of Virginia tax credits; extends the sunset date.	Passed Senate and House.
84.	<a href="#">SB 1252</a>	Coal tax credits; eliminated after tax year 2021. Companion bill: HB 1899 (#79).	Passed Senate and House.

## WASTE DISPOSAL

85.	<a href="#">SB 1141</a>	Hampton Roads area refuse collection authority; financial planning.	Passed in Senate; reported from House Counties, Cities, and Towns.
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## WATERS OF THE STATE, PORTS AND HARBORS

86.	<a href="#">HB 1982</a>	Nutrient credits; extends authority to use to certain stormwater-discharge permit holders.	Passed House and Senate.
87.	<a href="#">HB 1983</a>	Wetland and stream mitigation banks; change to required proximity to impacted site.	Passed House and Senate.
88.	<a href="#">SB 1258</a>	Solar projects; erosion and sediment control plan reviews.	Passed Senate; in House Appropriations.
89.	<a href="#">SB 1265</a>	Natural gas pipelines; stop work orders.	Passed Senate; reported from House ACNR.
90.	<a href="#">SB 1291</a>	Va. Water Protection Permit; withdrawal of surface water or ground water, plans for water auditing.	Passed Senate; reported from House ACNR.
91.	<a href="#">SB 1311</a>	Water quality standards; modification of permits and certifications for natural gas pipeline projects.	Passed Senate; reported from House ACNR.
92.	<a href="#">SB 1396</a>	Onsite Sewage Indemnification Fund; use of Fund for grants to certain property owners; Wastewater Infrastructure Policy Working Group established; DEQ report on wastewater infrastructure needs.	Passed Senate; in House Appropriations.
93.	<a href="#">SB 1404</a>	Stormwater Local Assistance Fund; grants awarded for projects related to Chesapeake Bay.	Passed Senate and House.

## BILLS FROM MISCELLANEOUS CATEGORIES

94.	<a href="#">HJ 538</a>	Access to water; human right. Recognizing that access to clean, potable, and affordable water is a necessary human right, and other provisions.	Passed House; reported from Senate Rules with amendments.
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