

Water in the 2021 Virginia General Assembly

Final Version, April 30, 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). **The reconvened (“veto”) session** was held on April 7 (the sixth Wednesday after adjournment of the 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, the Virginia Water Resources Research Center lists 95 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 each bill and the chronology of legislative action. The **bill titles and in some cases additional description** (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 **fate of the bill**.

Some bills that seem particularly noteworthy or significant are shown in red.

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.

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.	HB 1800	Budget Bill for the remainder of the 2020-2022 Biennium	Passed House and Senate and approved by governor.
2.	SB 1100	Budget Bill for the remainder of the 2020-2022 Biennium	Passed Senate; failed in House Appropriations.

CONSERVATION

3.	HB 1760	Conservation easements; certain easements to be liberally construed in favor of purpose which created. Companion bill is SB 1199 (#25).	Passed House and Senate and approved by governor.
4.	HB 1766	Disabled Veteran's Passport; expands program to all veterans with service-connected disability.	Failed in House ACNR.
5.	HB 1819	Rappahannock River Scenic River: adding a 79-mile portion in Caroline, King George, Westmoreland, Essex, and Richmond counties to the Virginia Scenic Rivers System.	Passed House and Senate and approved by governor.
6.	HB 1833	Department of Conservation and Recreation (DCR) land-leasing process.	Passed House and Senate and approved by governor.
7.	HB 1836	Secretary of Natural Resources name change to Secretary of Natural and Cultural Resources, plus removal of Virginia Museum of Natural History from secretariat.	Passed House and Senate and approved by governor.
8.	HB 1837	Virginia Soil and Water Conservation Board; clarifies membership. Companion bill: SB 1161 (#22).	Passed House and Senate and approved by governor.
9.	HB 1902	Polystyrene food-service container prohibition.	Passed House and Senate and approved by governor.
10.	HB 1928	Historic resources; acquisition and lease of land related to battlefield properties, designated landmarks, and other properties of historic significance.	Passed House and Senate and approved by governor.
11.	HB 1937	Green New Deal Act; establishes a fossil fuel project moratorium, etc. See related HB 2922 (#47).	Failed in House Labor and Commerce.
12.	HB 1958	South River; designating a 6.5-mile segment in City of Waynesboro for Va. Scenic Rivers System.	Passed House and Senate and approved by governor.
13.	HB 1965	State Air Pollution Control Board; low-emissions and zero-emissions vehicle program.	Passed House and Senate and approved by governor.
14.	HB 2067	Solar facilities; lowering generation capacity that qualifies for permit by rule.	Failed in House ACNR.
15.	HB 2118	Electric Vehicle Grant Fund and Program (for grants to public school divisions and other public entities).	Passed House and Senate and approved by governor.

16.	HB 2129	Chesapeake Bay; wastewater treatment, Enhanced Nutrient Removal Certainty Program established. Companion bill: SB 1354 (#33).	Passed House and Senate and approved by governor.
17.	HB 2148	Small renewable energy projects; certain energy storage projects included in definition and eligible for permitting.	Passed House and Senate and approved by governor.
18.	HB 2173	Advanced recycling; not considered solid waste management; plus other definitions. Companion bill: SB 1164 (#23).	Failed in House ACNR.
19.	HB 2221	Environmental permits; community and environmental justice outreach. Companion bill: SB 1373 (#34).	Passed House; failed in Senate ACNR.
20.	HB 2265	Electric utilities; repealing previously passed law on development of renewable energy facilities.	Failed in House Labor and Commerce.
21.	HJ 569	Tree planting; Department of Forestry to study and evaluate enabling statutes for ordinances related to planting.	Failed in House Rules.
22.	SB 1161	Virginia Soil and Water Conservation Board; clarifies membership. Companion bill: HB 1837 (#8).	Passed Senate and House and approved by governor.
23.	SB 1164	Advanced recycling; not considered solid waste management; plus other definitions. Companion bill: HB 2173 (#18).	Passed Senate and House and approved by governor.
24.	SB 1186	Landfill siting; restriction near historic preservation.	Failed in Senate ACNR.
25.	SB 1199	Conservation easements; certain easements to be liberally construed in favor of purpose which created. Companion bill: HB 1760 (#3).	Passed Senate and House and approved by governor.
26.	SB 1200	Waste disposal; local approval needed.	Failed in Senate ACNR.
27.	SB 1210	Environmental permit fees; Department of Environmental Quality (DEQ) to revise current schedule for nonhazardous solid waste management facilities and for water withdrawals.	Passed Senate and House and approved by governor.
28.	SB 1274	Wildlife corridors and recommendations from Wildlife Corridor Action Plan; various agencies to consider and incorporate.	Passed Senate and House and approved by governor.
29.	SB 1280	Dams; negotiated settlement agreements authorized for certain structures.	Passed Senate and House and approved by governor.
30.	SB 1282	Greenhouse gas emissions inventory (to be done by DEQ and updated every four years).	Passed Senate and House and approved by governor.
31.	SB 1290	ConserveVirginia program; established as a Geographical Information Systems model to prioritize potential conservation areas across the Commonwealth.	Passed Senate and House and approved by governor.
32.	SB 1352	Flood Control Department and Commonwealth Flood Control Board established.	Failed in Senate ACNR (stricken at request of patron).

33.	SB 1354	Chesapeake Bay; wastewater treatment, Enhanced Nutrient Removal Certainty Program established. Companion bill: HB 2129 (#16).	Passed Senate and House and approved by governor.
34.	SB 1373	Environmental permits; community and environmental justice outreach. Companion bill: HB 2221 (#19).	Failed in Senate ACNR.
35.	SB 1389	Real property disclosure of flood risk. Companion bill: HB 2320 (not listed elsewhere in this inventory).	Passed Senate and House and approved by governor.

CONSTITUTIONAL AMENDMENTS

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

37.	HB 2006	Energy storage systems; definitions, tax exemption, revenue share for systems. Companion bill: SB 1201 (not listed elsewhere in this inventory).	Passed House and Senate and approved by governor.
38.	HB 2201	Solar energy siting agreements expanded to storage projects and made applicable across Commonwealth. Companion bill: SB 1207 (#40).	Passed House and Senate.
39.	HB 2227	Uniform Statewide Building Code; amendments, energy efficiency and conservation. Companion bill: SB 1224 (#41).	Passed House and Senate and approved by governor.
40.	SB 1207	Solar energy siting agreements expanded to storage projects and made applicable across Commonwealth. Companion bill: HB 2201 (#38).	Passed Senate and House and approved by governor.
41.	SB 1224	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

42.	SB 1467	Menhaden fishing; prohibited in territorial waters.	Failed in Senate ACNR.
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HIGHWAYS, BRIDGES, AND FERRIES

43.	HB 1801	Littering; increasing fines.	Passed House and Senate and approved by governor.
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MINES AND MINING

44.	HB 1855	Department of Mines, Minerals and Energy: renamed the Department of Energy, plus other changes, including regarding appointments.	Passed House and Senate and approved by governor.
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45.	HB 2023	Solar and wind farms; reporting of acreage by locality.	Failed in House Counties, Cities, and Towns.
46.	HB 2213	Gold: Secretary of Natural Resources, <i>et al.</i> , to study mining and processing; plus prohibition on certain permitting.	Passed House and Senate and approved by governor.
47.	HB 2292	Fossil fuel projects; establishes a moratorium, effective January 1, 2022, etc. See related HB 1937 (#11).	Failed in House Labor and Commerce.
48.	SB 1453	Revision of Title 45.1, Mines and Mining; and Title 67, Virginia Energy Plan.	Passed Senate and House and approved by governor

PUBLIC SERVICE COMPANIES

49.	HB 1834	Electric utilities; closure of carbon-emitting generating units to have public disclosure; integrated resource plans. Companion bill: SB 1247 (#62).	Passed House and Senate and approved by governor.
50.	HB 1907	Electric utilities; advanced renewable energy buyers.	Passed House and Senate and approved by governor.
51.	HB 1934	Public utilities; gas pipelines prohibited in residential subdivisions.	Failed in House Labor and Commerce.
52.	HB 1994	Small agricultural generators; expands definition.	Passed House and Senate and approved by governor.
53.	HB 2034	Electric utilities; non-jurisdictional customers, third party power purchase agreements for renewable energy. Companion bill: SB 1420 (#67).	Passed House and Senate and approved by governor.
54.	HB 2048	Renewable energy purchases by retail customers from competitive suppliers.	Passed House; failed in Senate Commerce and Labor.
55.	HB 2049	Electric utilities; eliminates customer credit reinvestment offsets related to renewable energy.	Passed House; failed in Senate Commerce and Labor.
56.	HB 2057	Electric utilities; triennial review.	Incorporated into HB 2200 (#58).
57.	HB 2160	Electric utilities; triennial review, fair rate of return, including related to energy-efficiency investments.	Passed House; failed in Senate Commerce and Labor.
58.	HB 2200	Electric utilities; triennial review, including provisions related to energy efficiency programs.	Passed House; failed in Senate Commerce and Labor.
59.	HB 2215	Small agricultural generators; definition, manufacturer licensees.	Incorporated into HB 1994 (#52).
60.	HB 2281	Virginia Clean Economy Act; non-by-passable charges, energy-intensive trade-exposed (EITE) industries.	Failed in House Labor and Commerce.

61.	SB 1201	Energy storage systems; definitions, tax exemption, revenue share for systems.	Passed Senate and House and approved by governor.
62.	SB 1247	Electric utilities; closure of carbon-emitting generating units to have public disclosure; integrated resource plans. Companion bill: HB 1834 (#49).	Passed Senate and House and approved by governor.
63.	SB 1284	Commonwealth Clean Energy Policy; established to replace Commonwealth Energy Policy.	Passed Senate and House and approved by governor.
64.	SB 1295	Electric utilities; requirements for procurement of certain renewable energy equipment.	Passed Senate and House and approved by governor.
65.	SB 1380	Electric utilities; electric school bus projects.	Passed Senate; substitute passed by House; conference committee substitute passed Senate but failed in House.
66.	SB 1385	Underground utility lines in Fairfax County.	Passed Senate and House and approved by governor.
67.	SB 1420	Electric utilities; non-jurisdictional customers, third party power purchase agreements for renewable energy. Companion bill: HB 2034 (#53).	Passed Senate and House and approved by governor.

STUDY COMMISSIONS, COMMITTEES, AND REPORTS

68.	HB 1804	State parks; DCR to develop recommendations for funding, report.	Passed House and Senate and approved by governor.
69.	HB 1925	Virginia Brownfield and Coal Mine Renewable Energy Grant Fund and Program (fund to rely on federal money); established, report.	Passed House and Senate and approved by governor
70.	HB 1979	Electric vehicle rebate program; creation and funding, report.	Passed House and Senate approved by governor.
71.	HB 2074	Environmental justice; interagency working group established, plus requirements for state agencies and local governments. See related SB 1318 (#75).	Passed House; Senate passed substitute; bill failed in conference.
72.	HB 2187	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.	HJ 527	Invasive plant species; DCR and VDACS to study the sale and use of species.	Passed House and Senate and approved by governor.
74.	HJ 552	Recurrent inland and urban flooding across the Commonwealth; joint subcommittee to study.	Failed in House Rules.
75.	SB 1318	Interagency Environmental Justice Working Group; established, report. See related HB 2074 (#71).	Passed Senate; House passed

			substitute; bill failed in conference.
76.	SB 1319	Waste Diversion and Recycling Task Force; DEQ to continue Task Force.	Passed Senate and House and approved by governor.
77.	SB 1374	Carbon Sequestration Task Force; established.	Passed Senate and House and approved by governor.

TAXATION

78.	HB 1763	Tax credit for agricultural best management practices. Companion bill: SB 1162 (#82).	Passed House and Senate and approved by governor.
79.	HB 1899	Coal tax credits; eliminated after tax year 2021. Companion bill: SB 1252 (#84).	Passed House and Senate and approved by governor.
80.	HB 2269	Solar energy projects and energy storage systems; revenue share for localities for projects and systems.	Passed House and Senate and approved by governor.
81.	HB 2293	Local gas severance tax; extends sunset date from January 2022 to January 2024.	Passed House and Senate and approved by governor.
82.	SB 1162	Tax credit; agricultural best management practices. Companion bill: HB 1763 (#78).	Passed Senate and House and approved by governor.
83.	SB 1158	Port of Virginia tax credits; extends the sunset date from January 2022 to January 2025.	Passed Senate and House and approved by governor.
84.	SB 1252	Coal tax credits; eliminated after tax year 2021. Companion bill: HB 1899 (#79).	Passed Senate and House and approved by governor.

WASTE DISPOSAL

85.	SB 1141	Hampton Roads area refuse collection authority; financial planning requirements	Passed in Senate and House and approved by governor.
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WATERS OF THE STATE, PORTS AND HARBORS

86.	HB 1982	Nutrient credits; extends authority for use to certain stormwater-discharge permit holders.	Passed House and Senate and approved by governor.
87.	HB 1983	Wetland and stream mitigation banks; change to required proximity to impacted site.	Passed House and Senate and approved by governor.

88.	SB 1258	Solar projects; erosion and sediment control plan reviews.	Passed Senate and House and approved by governor.
89.	SB 1265	Natural gas pipelines; changes to diameter of pipe to be inspected, and to conditions for stop-work orders.	Passed Senate and House and approved by governor.
90.	SB 1291	Va. Water Protection Permit; withdrawal of surface water or ground water, to require plans for water auditing and leak detection and repair.	Passed Senate and House and approved by governor.
91.	SB 1311	Natural gas pipelines; erosion and sediment control plans, and state certification process.	Passed Senate and House and approved by governor.
92.	SB 1396	Onsite Sewage Indemnification Fund: expands use of Fund for grants to certain property owners; Wastewater Infrastructure Policy Working Group established; DEQ report on wastewater infrastructure needs.	Passed Senate and House and approved by governor.
93.	SB 1404	Stormwater Local Assistance Fund; grants awarded for projects related to Chesapeake Bay allowed to consider phosphorus and nitrogen reductions.	Passed Senate and House and approved by governor.

BILLS FROM OTHER CATEGORIES

94.	HB 2159	Balloons; threshold for prohibition on release of non-biodegradable balloons outdoors lowered from 50 to 1; civil penalty.	Passed House and Senate and approved by governor.
95.	HJ 538	Access to water; recognizing that access to clean, potable, and affordable water is a necessary human right, plus other provisions.	Passed House and Senate. (Resolutions do not require governor approval.0