

New 2020 Virginia Law

A legal guide for sexual and domestic violence
advocates and survivors in Virginia



Virginia Sexual and Domestic Violence
ACTIONALLIANCE

1118 W Main St
Richmond, VA 23220
804.377.0335
policy@vsdvalliance.org

Visit us at vsdvalliance.org



Find us on [Twitter](#), [Instagram](#), and [Facebook](#) to join the
conversation.



TABLE OF CONTENTS

A Note from the Policy Staff at the Action Alliance.....	3
Campus and University Advocacy.....	5
Child Custody and Child Welfare.....	6
Criminal Justice.....	8
Economic Justice.....	11
Electoral Access.....	13
Firearms.....	17
Housing.....	20
Immigrant Safety & Justice.....	21
LGBTQ Rights.....	23
Prevention.....	25
Protective Orders.....	26
Reproductive Justice.....	27
Sexual Assault Services & Response.....	28
(Ending the) Trauma to Prison Pipeline.....	31



Greetings advocates and policy wonks!

The 2020 General Assembly Session is officially behind us. However, the work of Virginia's legislators and policy leaders is far from over. As we make our way [through a deadly global pandemic](#) and support a [global uprising in defense of Black lives](#), important decisions about state funding, voter access, healthcare, criminal justice reform, and public safety are still being made every day.

Our work to support survivors and build thriving communities has become infinitely more complex. Communities are experiencing limited access to resources. Survivors are having to weigh the risks of exposure to Coronavirus versus sheltering in place with their abusers. As a movement, we are grappling with questions like "how can we address harm, accountability, and safety for all?" In all of this, the Action Alliance is working hard to amplify survivors' voices and advocates' needs in the policy world and beyond. New resources made available at this time include the [#StaySafeVA public awareness campaign](#), [the Rise Fund](#), and our [COVID-19 Response Resources](#). We encourage you to (as much as possible) stay plugged in, stay hopeful, and know that we are here to help!

To this end, **the NEW 2020 VIRGINIA LAW resource provides a summary of the legislative accomplishments that occurred between January and April and those policy decisions that we expect sexual and domestic violence advocates to be able to count on in a post-pandemic Commonwealth.** Our field saw several big wins in 2020 including:

- ✓ the initiation of a new sexual and domestic violence state prevention fund,
- ✓ firearms certification for respondents of permanent protective orders,
- ✓ survivor-led housing protections for sexual and domestic violence survivors,
- ✓ policies to increase access to forensic nursing throughout Virginia, and more.

We entered 2020 with a new Democratic majority in the House, Senate, and in the Governor's mansion – this was the first time in more than 20 years that Democrats had a chance to fully pursue their agenda. As such, there was no shortage of bills filed or hot topics to debate. Legislators introduced [3,001 bills this session with 45% of these passing](#) both chambers and ultimately being signed into law.

Though our work in sexual and domestic violence advocacy and prevention is far from over, we want to pause and celebrate our collective accomplishments and thank you for your steadfast advocacy at the General Assembly (and beyond!).

Without your support, none of our work advocating for survivors in the legislature would be possible. Thank you! Seriously.



Unless noted, legislation becomes effective July 1, 2020. For more information on bills of interest, the Action Alliance’s 2020 policy priorities, and news on the [upcoming special session in August 2020](#), see the [Public Policy section of the Action Alliance’s website](#). Additionally, if you would like to access our recorded webinar debriefing the 2020 General Assembly Session featuring guests Adele McClure, Director of the Virginia Legislative Black Caucus and Dr. Vanessa Walker Harris, Deputy Director of Virginia Health & Human Services, you can do that [by clicking here](#).

If you have any feedback, questions, or would like to get involved, feel free to drop us a line at policy@vsdvalliance.org

Onward,

Action Alliance Policy Staff, Public Policy Committee Members, and Allies





CAMPUS AND UNIVERSITY ADVOCACY

Student Misconduct Policies

Requires each public institution of higher education, except for the Virginia Military Institute, to adopt non-academic student codes of conduct. Mandates that students and student organizations that participate in the non-academic student codes of conduct process as a complainant or respondent shall have the responsibilities and rights afforded to them by the institution's codes of conduct and related policies and procedures. Also states that the codes of conduct shall describe and define the responsibilities and rights of all enrolled students and student organizations and outline each step in the institution's procedures for responding to and resolving allegations of violations. Outlines procedures that the codes of conduct shall include when an accused student or student organization faces the potential sanctions of suspension or expulsion.

- Passed as: [HB 104](#)
- VA Code Section to be changed: [Va. Code Title 23.1, adds in Chapter 4 of Title 23.1 a section numbered 23.1-412](#)

Transcript Notation Expungement

Requires each institution of higher education that is required by law to include a prominent notation on the academic transcript of each student who has been suspended for, has been permanently dismissed for, or withdraws from the institution while under investigation for an offense involving sexual violence under the institution's code, rules, or set of standards governing student conduct to adopt a policy for the expungement of such notation for good cause shown and after a period of three years.

- Passed as: [HB 103](#)
- VA Code Section to be changed: [Va. Code § 23.1-900](#)



Immunity from Disciplinary Action for Students who Report Violence that Occurred while Under the Influence of Drugs or Alcohol

Requires the governing board of each nonprofit private institution of higher education and each public institution of higher education except the Virginia Military Institute to include as part of its policy, code, rules, or set of standards governing sexual violence a provision for immunity from disciplinary action based on personal consumption of drugs or alcohol where such disclosure is made in conjunction with a good faith report of an act of sexual violence.

- Passed as: [HB 913](#)
- VA Code Section to be changed: [Va. Code § 23.1-808](#)

CHILD CUSTODY AND CHILD WELFARE

Requiring any history of child abuse or an act of violence, force, or threat to be considered in custody and visitation determinations made in the best interests of the child

Provides that any history of child abuse and acts of violence, force, or threat that occurred no earlier than 10 years prior to the filing of a petition for custody or visitation of a child shall be considered by a court in determining the best interests of a child.

- Passed as: [SB 105](#)
- VA Code Section to be changed: [Va. Code § 20-124.3](#)

Uniform child custody jurisdiction and enforcement

Clarifies that a hearing and written finding of the issue of the disclosure of certain identifying information of a child in a child custody proceeding shall be held and made by the court within 15 days of the filing of an affidavit that the health, safety, or liberty of a child would be jeopardized by disclosure of identifying information. Current law allows such filing to be made in the form of an affidavit or a pleading, but only applies the requirement that the court hear and decide the case within 15 days to pleadings.

- Passed as: [HB 436](#)
- VA Code Section to be changed: [Va. Code § 20-146.20](#)



Conversion therapy ban

Prohibits any health care provider or person who performs counseling as part of his training for any profession licensed by a regulatory board of the Department of Health Professions from engaging in conversion therapy, as defined in the bill, with any person under 18 years of age and provides that such counseling constitutes unprofessional conduct and is grounds for disciplinary action. The bill provides that no state funds shall be expended for the purpose of conducting conversion therapy with a person under 18 years of age, referring a person under 18 years of age for conversion therapy, or extending health benefits coverage for conversion therapy with a person under 18 years of age.

- Passed as: [HB 386](#)
- VA Code Section to be changed: [Va. Code § 54.1-2409.5](#)

Guardians ad litem for children; certification of compliance with certain standards

Requires guardians ad litem appointed to represent a child in a matter to conduct an investigation in compliance with certain standards. The bill requires a guardian ad litem to file with the court, along with any attorney representing a party or party proceeding pro se, a certification of the guardian ad litem's compliance with such standards, specifically addressing such standards requiring face-to-face contact with the child. The bill further requires the guardian ad litem to document the hours spent satisfying such face-to-face contact requirements and specifies that compensation for such contact shall be at the same rate as that for in-court service.

- Passed as: [HB 137](#)
- VA Code Section to be changed: [Va. Code § 16.1-274](#)

Establishing the Fostering Futures Program

Establishes the Fostering Futures program to provide services and support to individuals between the ages of 18 and 21 who were in foster care as a minor and are transitioning to full adulthood and self-sufficiency.

- Passed as: [HB 400](#)
- VA Code Sections to be changed: §§ [9.1-151](#), [16.1-228](#), [16.1-241](#), and [63.2-100](#) of the Code of Virginia are amended and reenacted and that the Code of Virginia is amended by adding a section numbered [16.1-283.3](#) and by adding in Chapter 9 of Title 63.2 an article numbered 2, consisting of sections numbered [63.2-917](#) through [63.2-923](#)



School meal policies

Requires each local school board to adopt policies that prohibit school board employees from requiring a student who cannot pay for a meal at school or who owes a school meal debt to throw away or discard a meal after it has been served to him.

- Passed as: [HB 697](#)
- VA Code Sections to be changed: § [22.1-79.7](#)

School boards; distribution of excess food

Allows public school boards to distribute excess food to students eligible for the School Breakfast Program or National School Lunch Program administered by the U.S. Department of Agriculture or to students who the school board determines are otherwise eligible to receive excess food. A school board is also allowed to develop a policy for distributing excess food, saving it for later, or donating it.

- Passed as: [HB 698](#)
- VA Code Sections to be changed: § [22.1-207.3:1](#)

CRIMINAL JUSTICE

Juvenile offenders' eligibility for parole

Provides that any person sentenced to a term of life imprisonment for a single felony offense or multiple felony offenses committed while that person was a juvenile and who has served at least 20 years of such sentence and any person who has active sentences that total more than 20 years for a single felony offense or multiple felony offenses committed while that person was a juvenile and who has served at least 20 years of such sentences shall be eligible for parole.

- Passed as: [HB 35](#)
- VA Code Section to be changed: [Va. Code 19.2-391, 53.1-136, and 53.1-165.1](#)



Increasing age at which juveniles can be tried as adults

Increases from 14 years of age to 16 years of age the minimum age at which a juvenile must be tried as an adult in circuit court for murder or aggravated malicious wounding; however, if the juvenile is 14 years of age or older but younger than 16 years of age, the court, on motion of the attorney for the Commonwealth, shall hold a transfer hearing. The minimum age is also raised from 14 to 16 for certain charges requiring notice of intent to try such juvenile as an adult by the attorney for the Commonwealth. In order to be tried as an adult in circuit court for the charges that under current law require notice of intent to proceed with trial as an adult by the attorney for the Commonwealth, the bill requires that (i) a report concerning the juvenile be prepared by the court services unit or other qualified agency and (ii) the attorney for the Commonwealth provide written notice that he intends to proceed with a preliminary hearing for trial of such juvenile as an adult, including affirmation that he has read the report. This bill incorporates [HB 1440](#).

- Passed as: [HB 477](#)
- VA Code Section to be changed: [Va. Code §§ 16.1-241, 16.1-269.1, 16.1-269.2, and 16.1-277.1](#)

Increasing grand larceny threshold amount

Increases from \$500 to \$1,000 the threshold amount of money taken or value of goods or chattel taken at which the crime rises from petit larceny to grand larceny. The bill increases the threshold by the same amount for the classification of certain property crimes. This bill is identical to [HB 995](#).

- Passed as: [SB 788](#)
- VA Code Section to be changed: §§ [18.2-23](#), [18.2-80](#), [18.2-81](#), [18.2-95](#) through [18.2-97](#), [18.2-102](#), [18.2-103](#), [18.2-108.01](#), [18.2-145.1](#), [18.2-150](#), [18.2-152.3](#), [18.2-162](#), [18.2-181](#), [18.2-181.1](#), [18.2-182](#), [18.2-186](#), [18.2-186.3](#), [18.2-187.1](#), [18.2-188](#), [18.2-195](#), [18.2-195.2](#), [18.2-197](#), [18.2-340.37](#), [19.2-289](#), [19.2-290](#), [19.2-386.16](#), and [29.1-553](#)



Suspension for nonpayment of fines or costs, reinstatement of privilege to drive

Repeals the requirement that the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs be suspended. The bill also removes a provision allowing the court to require a defendant to present a summary prepared by the Department of Motor Vehicles of the other courts in which the defendant also owes fines and costs. The bill requires the Commissioner of the Department of Motor Vehicles to return or reinstate any person's driver's license that was suspended prior to July 1, 2019, solely for nonpayment of fines or costs. Such person does not have to pay a reinstatement fee. This bill incorporates [SB 10](#), [SB 514](#), and [SB 814](#) and is identical to [HB 1196](#).

- Passed as: [SB 1](#)
- VA Code Section to be changed: Amend and reenact §§ [19.2-258.1](#), [19.2-354](#), [19.2-354.1](#), [33.2-503](#), [46.2-203.1](#), [46.2-301](#), [46.2-361](#), [46.2-383](#), [46.2-391.1](#), [46.2-416](#), [46.2-819.1](#), [46.2-819.3](#), [46.2-819.3:1](#), [46.2-819.5](#), [46.2-940](#), and [46.2-1200.1](#) of the Code of Virginia; to amend the Code of Virginia by adding a section numbered [46.2-808.2](#); and to repeal § [46.2-395](#) and Article 18 (§§ [46.2-944.1](#) through [46.2-947](#)) of Chapter 8 of Title 46.2

Admission to bail; rebuttable presumptions against bail

Eliminates the provision prohibiting a judicial officer who is a magistrate, clerk, or deputy clerk of a district court or circuit court from admitting to bail, that is not set by a judge, any person who is charged with an offense giving rise to a rebuttable presumption against bail without the concurrence of an attorney for the Commonwealth. The bill also eliminates the requirement that notice be provided to the attorney for the Commonwealth before such judicial officer may set or admit a person to bail.

- Passed as: [HB 1462](#)
- VA Code Section to be changed: § [19.2-120](#)



ECONOMIC JUSTICE

Minimum wage; increases to \$9.50 per hour effective May 1, 2021

Increases the minimum wage from its current federally mandated level of \$7.25 per hour to \$9.50 per hour effective May 1, 2021; to \$11.00 per hour effective January 1, 2022; to \$12.00 per hour effective January 1, 2023; to \$13.50 per hour effective January 1, 2025; and to \$15.00 per hour effective January 1, 2026. For January 1, 2027, and thereafter, the annual minimum wage shall be adjusted to reflect increases in the consumer price index. The measure provides that the increases scheduled for 2025 and 2026 will not become effective unless reenacted by the General Assembly prior to July 1, 2024. If such provisions are not reenacted prior to July 1, 2024, then the annual minimum wage will be adjusted to reflect increases in the consumer price index beginning January 1, 2025. The measure creates a training wage at 75 percent of the minimum wage for employees in on-the-job training programs lasting less than 90 days. The measure also provides that the Virginia minimum wage applies to persons whose employment is covered by the Fair Labor Standards Act; persons employed in domestic service or in or about a private home; persons who normally work and are paid on the amount of work done; persons with intellectual or physical disabilities except those whose employment is covered by a special certificate issued by the U.S. Secretary of Labor; persons employed by an employer who does not employ four or more persons at any one time; and persons who are less than 18 years of age and who are under the jurisdiction of a juvenile and domestic relations district court. The measure provides that the Virginia minimum wage does not apply to persons participating in the U.S. Department of State's au pair program, persons employed as temporary foreign workers, and persons employed by certain amusement or recreational establishments, organized camps, or religious or nonprofit educational conference centers. This bill incorporates [HB 433](#), [HB 583](#) and [HB 615](#) and is identical to [SB 7](#).

- Passed as: [HB 395](#)
- VA Code Section to be changed: §§ [40.1-28.9](#) and [40.1-28.10](#)

Minimum wage; tipped employees; classification

Prohibits an employer from classifying an individual as a tipped employee if the individual is prohibited by applicable federal or state law or regulation from soliciting tips.

- Passed as: [HB 56](#)
- VA Code Section to be changed: § [40.1-28.9](#)



Eligibility for food stamps and TANF; drug-related felonies

Provides that a person who is otherwise eligible to receive food stamp benefits shall not be denied such assistance solely because he has been convicted of a drug-related felony. Under current law, such individuals may not be denied food stamp benefits based on a felony conviction of possession of a controlled substance in violation of § 18.2-250, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and meets any other obligations as determined by the Department of Social Services. The bill also provides that a person who is otherwise eligible to receive TANF benefits shall not be denied such assistance solely because he has been convicted of a drug-related felony. This bill incorporates [HB 391](#), [HB 786](#), [HB 814](#), and [HB 1130](#) and is identical to [SB 124](#).

- Passed as: [HB 566](#)
- VA Code Section to be changed: § [63.2-505.2](#) of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered [63.2-607.1](#)

Limiting employees' sharing of wage information prohibited

Prohibits an employer from discharging or taking other retaliatory action against an employee because the employee inquired about or discussed with, or disclosed to, another employee any information about either the employee's own wages or other compensation or about any other employee's wages or other compensation.

- Passed as: [HB 622](#)
- VA Code Section to be changed: § [40.1-28.7:7](#)



ELECTORAL ACCESS

Absentee voting: no-excuse required

Permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code. This bill incorporates [HB 25](#), [HB 208](#), and [HB 209](#).

- Passed as: [HB 1](#)
- VA Code Section to be changed: §§ [24.2-416.1](#), [24.2-452](#), [24.2-612](#), [24.2-700](#), [24.2-701](#), [24.2-701.1](#), [24.2-702.1](#), [24.2-703.1](#), [24.2-703.2](#), [24.2-705.1](#), [24.2-705.2](#), [24.2-706](#), [24.2-709](#), and [24.2-1004](#)

Voter identification; repeal of photo identification requirements; additional forms of identification accepted; signed statement in lieu of required form of identification

Removes the requirement that voters show a form of identification containing a photograph in order to be allowed to vote. The bill requires a voter to show either his voter registration confirmation documents; his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; any valid student identification card issued by any institution of higher education located in any other state or territory of the United States; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. The bill also provides that the expiration date on a Virginia driver's license is not considered when determining the validity of a driver's license offered for voter identification purposes. A voter who does not show one of the required forms of identification when offering to vote is required to sign a statement that he is the named registered voter he claims to be in order to be permitted to cast a ballot. Such statement is signed subject to felony penalties for making false statements, punishable as a Class 5 felony. A voter who does not show one of the required forms of identification and does not complete or sign the statement shall be offered a provisional ballot according to the provisions of current law.

- Passed as: [HB 19](#)
- VA Code Section to be changed: §§ [24.2-404](#), [24.2-411.1](#), [24.2-643](#), [24.2-653](#), [24.2-701](#), as it is currently effective and as it shall become effective, and [24.2-701.1](#)



Voter registration; extended time for persons to register in person

Provides any person who is qualified to vote is entitled to register to vote in person up to and including the day of the election at the office of the general registrar in the locality in which the person resides or at the polling place for the precinct in which the person resides. Under current law, registration records close for registration purposes, whether in person or by other means, 21 days prior to a primary or general election. The bill has a delayed effective date of October 1, 2022.

- Passed as: [HB 201](#)
- VA Code Section to be changed: § [24.2-420.1](#)

Absentee voting; postage prepaid on return envelope

Requires the envelope provided to an absentee voter for the return of the absentee ballot to include prepaid postage. The provisions of the bill do not become effective unless reenacted by the 2021 Session of the General Assembly.

- Passed as: [HB 220](#)
- VA Code Section to be changed: § [24.2-706](#)

Automatic voter registration through Department of Motor Vehicles

Provides for the automatic electronic transmission by the Department of Motor Vehicles to the Department of Elections of certain information for any person coming into an office of the Department of Motor Vehicles or accessing its website in order to (i) apply for, replace, or renew a driver's license; (ii) apply for, replace, or renew a special identification card; or (iii) change an address on an existing driver's license or special identification card if the person indicates that he is a United States citizen and is 17 years of age or older and, at the time of the transaction, does not decline to have his information transmitted to the Department of Elections for voter registration purposes. The option to decline to have his information so transmitted shall be presented at the time of one of the specified transactions with the Department of Motor Vehicles and shall be accompanied by a warning that intentionally making a materially false statement during the transaction is punishable under Virginia law as a felony. Upon receipt of the information collected to ensure that the person meets all voter registration eligibility requirements, the Department of Elections is required to determine whether the person is already registered to vote. If the person is not already registered to vote, the Department of Elections is required to transmit the information to the appropriate general registrar.



The bill repeals the requirement that the Department of Motor Vehicles offer, accept, receive, and send voter registration applications.

- Passed as: [HB 235](#)
 - VA Code Sections to be changed: §§ [24.2-410.1](#), [24.2-412](#), [24.2-413](#), [24.2-415.1](#), [24.2-418](#), and [24.2-653](#)
-

Annual applications for eligible absentee voters

Provides that any person who is eligible for an absentee ballot pursuant to law and who is likely to remain so eligible for the remainder of the calendar year shall be eligible to file a special annual application to receive ballots for all elections in which he is eligible to vote in that calendar year. This application requires a statement signed by the voter that he is eligible for an absentee ballot pursuant to law and is likely to remain so eligible for the remainder of the calendar year. Under current law, such a special annual application is available to persons who are eligible to vote absentee due to a disability or illness and are likely to remain eligible to vote absentee due to such disability or illness.

- Passed as: [HB 240](#)
 - VA Code Section to be changed: § [24.2-703.1](#)
-

Certain evidence not required to apply for absentee voting for victims of stalking or threats

Removes the requirement that a person who is in fear for his personal safety from another person who has threatened or stalked him must provide evidence that he has filed a complaint with a magistrate or law-enforcement official against such other person in order to be granted protected voter status. The bill does not eliminate the requirement that he submit a signed written statement that he is in fear for his personal safety for him to be granted protected voter status.

- Passed as: [HB 241](#)
 - VA Code Section to be changed: § [24.2-418](#)
-

Establishing election day as state holiday and removing Lee-Jackson Day as state holiday

Designates Election Day, the Tuesday after the first Monday in November, as a state holiday and removes Lee-Jackson Day as a state holiday. This bill is identical to [SB 601](#).

- Passed as: [HB 108](#)
- VA Code Section to be changed: § [2.2-3300](#)



Language accessibility; voting and election materials

Requires the State Board of Elections to prescribe, and a covered locality to provide, voting and election materials in languages other than English. A county, city, or town is designated by the State Board as a covered locality if the State Board determines, in consultation with the Director of the Census, based on the 2010 American Community Survey census data and subsequent American Community Survey data in five-year increments, or comparable census data, that (i) either (a) more than five percent of the citizens of voting age of such county, city, or town are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process; (b) more than 10,000 of the citizens of voting age of such county, city, or town are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process; or (c) in the case of a county, city, or town containing all or any part of an Indian reservation, more than five percent of the American Indian citizens of voting age within the Indian reservation are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process and (ii) the illiteracy rate of the citizens of the language minority as a group is higher than the national illiteracy rate. The bill also allows the State Board to make available voting and election materials in any additional languages other than those required as it deems necessary and appropriate. The State Board may accept voting and election materials translated by volunteers but shall verify the accuracy of such translations prior to making the translated materials available to a county, city, or town, or any voter. The bill has a delayed effective date of September 1, 2021.

- Passed as: [HB 1210](#)
- VA Code Sections to be changed: Amend and reenact § [24.2-105](#) of the Code of Virginia and amend the Code of Virginia by adding in Article 6 of Chapter 1 of Title 24.2 a section numbered [24.2-124](#)



FIREARMS

Universal criminal history record information checks for firearm sales

Requires a background check for any firearm sale and directs the Department of State Police (the Department) to establish a process for transferors to obtain such a background check from licensed firearms dealers. A person who sells a firearm to another person without obtaining the required background check is guilty of a Class 1 misdemeanor. The bill also provides that a purchaser who receives a firearm from another person without obtaining the required background check is guilty of a Class 1 misdemeanor. The bill removes the provision that makes background checks of prospective purchasers or transferees at firearms shows voluntary. The bill also provides that the Department shall have three business days to complete a background check before a firearm may be transferred.

- Passed as: [HB 2](#)
- VA Code Section to be changed: §§ [18.2-308.2:2](#), [22.1-277.07](#), and [54.1-4201.2](#) of the Code of Virginia are amended and reenacted and the Code of Virginia is amended by adding a section numbered [18.2-308.2:5](#)

Reporting lost or stolen firearms

Requires that, if a firearm is lost or stolen from a person who lawfully possessed it, such person shall report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 48 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. The bill requires the relevant law-enforcement agency to enter the report information into the National Crime Information Center. A violation is punishable by a civil penalty of not more than \$250. The bill provides that a person who, in good faith, reports the loss or theft is immune from criminal or civil liability for acts or omissions that result from the loss or theft. The immunity does not apply to a person who knowingly gives a false report. The bill does not apply to the loss or theft of an antique firearm.

- Passed as: [HB 9](#)
- VA Code Section to be changed: § [18.2-287.5](#)



Demonstration of competence for concealed handgun permits

Removes the option for concealed handgun permit applicants to demonstrate competence with a handgun by completing an electronic, video, or online course conducted by a state-certified or National Rifle Association-certified firearms instructor. The bill does not affect any in-person means of satisfying the requirement to demonstrate competence with a handgun under current law. The bill has a delayed effective date of January 1, 2021.

- Passed as: [HB 264](#)
- VA Code Section to be changed: §§ [18.2-308.02](#) and [18.2-308.06](#)

Emergency Risk Protective Orders (ERPO); temporarily removing firearms from persons posing substantial risk of injury to themselves

Creates a procedure by which any attorney for the Commonwealth or law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. Upon service of an emergency substantial risk order, the person who is subject to the order shall be given the opportunity to voluntarily relinquish any firearm. An emergency substantial risk order shall expire on the fourteenth day following issuance of the order. The bill requires a court hearing in the circuit court for the jurisdiction where the order was issued within 14 days from issuance of an emergency substantial risk order to determine whether a substantial risk order should be issued. Seized firearms shall be retained by a law-enforcement agency for the duration of an emergency substantial risk order or a substantial risk order or, for a substantial risk order and with court approval, may be transferred to a third party 21 years of age or older chosen by the person from whom they were seized. The bill allows the complainant of the original warrant to file a motion for a hearing to extend the substantial risk order prior to its expiration. The court may extend the substantial risk order for a period not longer than 180 days. The bill provides that persons who are subject to a substantial risk order, until such order has been dissolved by a court, are guilty of a Class 1 misdemeanor for purchasing, possessing, or transporting a firearm; are disqualified from having a concealed handgun permit; and may not be employed by a licensed firearms dealer. The bill also provides that a person who transfers a firearm to a person he knows has been served with a warrant or who is the subject of a substantial risk order is guilty of a Class 4 felony. The bill creates a computerized substantial risk order registry for the entry of orders issued pursuant to provisions in the bill. This bill is identical to [HB 674](#).

- Passed as: [SB 240](#)
- VA Code Section to be changed: §§ [18.2-308.09](#), [18.2-308.2:1](#), [18.2-308.2:2](#), and [18.2-308.2:3](#) of the Code of Virginia and to amend the Code of Virginia by adding a section numbered [18.2-308.1:6](#), by adding in Title 19.2 a chapter numbered 9.2, consisting of sections numbered [19.2-152.13](#) through [19.2-152.17](#), and by adding a section numbered [19.2-387.3](#)



Uniform court procedures for the surrender or transfer of firearms for any person subject to a 2-year (permanent) protective order

Prohibits any person subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) from knowingly possessing a firearm while the order is in effect, provided that for a period of 24 hours after being served with a protective order such person may continue to possess such firearm for the purposes of selling or transferring it to any person who is not otherwise prohibited by law from possessing such firearm. A violation of this provision is a Class 6 felony. The bill also provides that a court shall order a person subject to a permanent protective order to (i) within 24 hours, surrender any firearm possessed by such person to a designated local law-enforcement agency or sell or transfer any firearm possessed by such person to a dealer or to any person who is not otherwise prohibited by law from possessing such firearm and (ii) certify in writing that such person does not possess any firearms or that all firearms possessed by such person have been surrendered, sold, or transferred and file such certification with the clerk of the court that entered the protective order within 48 hours after being served with a protective order. The bill provides that the willful failure of any person to certify in writing that all firearms possessed by such person have been surrendered, sold, or transferred or that such person does not possess any firearms shall constitute contempt of court. The bill provides procedures for designating a local law-enforcement agency to receive and store firearms, as well as a process to return such surrendered firearms. The bill also makes it a Class 4 felony for any person to sell, barter, give, or furnish any firearm to any person he knows is prohibited from possessing or transporting a firearm who is subject to a permanent protective order. This bill incorporates [SB 372](#) and is identical to [HB 1004](#).

- Passed as: [SB 479](#)
- VA Code Section to be changed: §§ [18.2-308.1:4](#) and [18.2-308.2:1](#)

Reinstating Virginia's one-hand-gun-per-month rule

Prohibits any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period and establishes such an offense as a Class 1 misdemeanor. The bill exempts from this provision (i) persons who have been issued a certificate by the Department of State Police under certain circumstances and with an enhanced background check, (ii) law-enforcement agencies and officers, (iii) state and local correctional facilities, (iv) licensed private security companies, (v) persons who hold a valid Virginia concealed handgun permit, (vi) persons whose handgun has been stolen or irretrievably lost or who are trading in a handgun, (vii) purchases of handguns in a private sale, and (viii) purchases of antique firearms.

- Passed as: [SB 69](#)
- VA Code Section to be changed: § [18.2-308.2:2](#)



HOUSING

Evidence to mitigate low credit score for rental applicants who are victims of family abuse or domestic violence

Allows an applicant for a lease to recover actual damages, including all amounts paid to the landlord as an application fee, application deposit, or reimbursement for any of the landlord's out-of-pocket expenses that were charged to the applicant, along with attorney fees, if the landlord does not consider evidence of the applicant's status as a victim of family abuse to mitigate any adverse effect of the otherwise qualified applicant's low credit score.

- Passed as: [HB 99](#)
- VA Code Section to be changed: §§ [36-96.2](#), [55.1-1203](#), and [55.1-1209](#)

Virginia Fair Housing Law; unlawful discriminatory housing practices; source of funds

Adds discrimination on the basis of a person's source of funds to the list of unlawful discriminatory housing practices. The bill creates an exemption for an owner or owner's managing agent, provided that such owner does not own more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units in the Commonwealth at the time of the alleged discriminatory housing practice. The bill allows an owner or owner's managing agent to deny or limit a person's rental or occupancy of a rental dwelling unit based on the person's source of funds for that unit if such source is not approved within 15 days of the person's submission of the request for tenancy approval. The bill defines "source of funds" as any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity. This bill incorporates [HB 357](#).

- Passed as: [HB 6](#)
- VA Code Section to be changed: §§ [36-96.1](#) through [36-96.3](#)



IMMIGRANT SAFETY & JUSTICE

Immigration status; prohibiting inquiry into status of certain victims or witnesses of crimes

Prohibits law-enforcement officers from inquiring into the immigration status of a person who (i) reports that he is a victim of a crime or a parent or guardian of a minor victim of a crime or (ii) is a witness in the investigation of a crime or the parent or guardian of a minor witness to a crime. However, a law-enforcement officer is not prohibited from making such an inquiry if it is necessary for the enforcement or implementation of certain criminal provisions or if the parent or guardian has been arrested for, has been charged with, or is being investigated for a crime against the minor victim.

- Passed as: [HB 262](#)
- VA Code Section to be changed: § [19.2-11.02](#).

Establishment of driver privilege cards

Authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources or been claimed as a dependent on an individual tax return filed with the Commonwealth in the preceding 12 months and (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States. The bill limits the release of certain information stored by the Department. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes the Tax Commissioner to provide to the Commissioner of the Department information sufficient to verify that an applicant for a driver privilege card or permit reported income from Virginia sources or was claimed as a dependent on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill has a delayed effective date of January 1, 2021. This bill is identical to [SB 34](#).

- Passed as: [HB 1211](#)
- VA Code Section to be changed: §§ [2.2-3705.7](#), [2.2-3808.1](#), [4.1-305](#), [8.01-313](#), [8.01-420.8](#), [8.9A-503](#), [12.1-19](#), [16.1-69.40:1](#), [16.1-228](#), [17.1-293](#), [18.2-6](#), [18.2-268.1](#), [19.2-258.1](#), [20-60.3](#), [20-107.1](#), [22.1-205](#), [24.2-410.1](#), [24.2-411.1](#), [24.2-416.7](#), [24.2-643](#), [32.1-291.2](#), [33.2-](#)



[613](#), [38.2-2212](#), [46.2-328.1](#), [46.2-330](#), [46.2-332](#), [46.2-333.1](#), [46.2-335](#), [46.2-343](#), [58.1-3](#), [59.1-442](#), [59.1-443.3](#), [63.2-1916](#), and [63.2-1941](#)

Public institutions of higher education; eligibility for in-state tuition

Provides that any student is eligible for in-state tuition who (i) attended high school for at least two years in the Commonwealth and either (a) graduated on or after July 1, 2008, from a public or private high school or program of home instruction in the Commonwealth or (b) passed, on or after July 1, 2008, a high school equivalency examination approved by the Secretary of Education; (ii) has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis has filed, unless exempted by state law, Virginia income tax returns for at least two years prior to the date of registration or enrollment; and (iii) registers as an entering student or is enrolled in a public institution of higher education in the Commonwealth. The bill states that students who meet these criteria shall be eligible for in-state tuition regardless of their citizenship or immigration status, except students with currently valid visas issued under 8 U.S.C. § 1101(a)(15)(F), 1101(a)(15)(H)(iii), 1101(a)(15)(J) (including only students or trainees), or 1101(a)(15)(M). Information obtained in the implementation of the provisions of the bill shall only be used or disclosed to individuals other than the student for purposes of determining in-state tuition eligibility. This bill incorporates **HB 1138** and is identical to **SB 935**.

- Passed as: [HB 1547](#)
- VA Code Section to be changed: § [23.1-506](#)



LGBTQ Rights

School policies regarding nondiscrimination and treatment of transgender students

Requires the Department of Education to develop and make available to each school board, no later than December 31, 2020, model policies concerning the treatment of transgender students in public elementary and secondary schools that address common issues regarding transgender students in accordance with evidence-based best practices and include information, guidance, procedures, and standards relating to (i) compliance with applicable nondiscrimination laws; (ii) maintenance of a safe and supportive learning environment free from discrimination and harassment for all students; (iii) prevention of and response to bullying and harassment; (iv) maintenance of student records; (v) identification of students; (vi) protection of student privacy and the confidentiality of sensitive information; (vii) enforcement of sex-based dress codes; and (viii) student participation in sex-specific school activities and events, excluding athletics, and use of school facilities. The bill requires each school board to adopt, no later than the beginning of the 2021-2022 school year, policies that are consistent with but may be more comprehensive than such model policies developed by the Department of Education.

- Passed as: [HB 145](#)
- VA Code Section to be changed: [Va. Code § 22.1-23.3](#)

Reporting of hate crimes based on sexual orientation, gender, or gender identity

Includes within the definition of "hate crime" a criminal act committed against a person or the person's property because of disability, as defined in the bill, sexual orientation, gender, or gender identification and requires the reporting of the commission of such crime to the State Police.

- Passed as: [HB 276](#)
- VA Code Section to be changed: [Va. Code § 52-8.5](#)

Gender designation on driver's license cards

Requires the Department of Motor Vehicles to offer any applicant the option to mark "male," "female," or "non-binary" when designating the applicant's sex on an application for a driver's license or special identification card.

- Passed as: [SB 246](#)
- VA Code Section to be changed: §§ [46.2-323](#), [46.2-341.12](#), [46.2-345](#), and [46.2-345.2](#)



Including gender, disability, gender identity, or sexual orientation in definition of hate crimes

Adds gender, disability, gender identity, and sexual orientation to the categories of victims whose intentional selection for a hate crime involving assault, assault and battery, or trespass for the purpose of damaging another's property results in a higher criminal penalty for the offense. The bill also adds gender, disability, gender identity, and sexual orientation to the categories of hate crimes that are to be reported to the central repository of information regarding hate crimes maintained by the Virginia State Police. The bill provides that a person who is subjected to acts of intimidation or harassment, violence directed against his person, or vandalism to his real or personal property, where such acts are motivated by gender, disability, gender identity, or sexual orientation, may bring a civil action to recover his damages. The bill also provides that no provider or user of an interactive computer service on the Internet shall be liable for any action voluntarily taken by it in good faith to restrict access to material that the provider or user considers to be intended to incite hatred on the basis of gender, disability, gender identity, or sexual orientation. The bill also eliminates the mandatory minimum terms of confinement for such hate crimes. The provisions of the bill are contingent on funding in a general appropriation act. This bill incorporates [HB 488](#).

- Passed as: [HB 618](#)
- VA Code Section to be changed: §§ [8.01-42.1](#), [8.01-49.1](#), [18.2-57](#), [18.2-121](#), and [52-8.5](#)

Certificate of birth; new certificate issued to show change of sex

Requires the State Registrar to issue a new certificate of birth to show a change of sex upon request of the person and, if a certified copy of a court order changing the person's name is submitted, to include the person's new name. The bill provides that requirements related to obtaining a new certificate of birth to show a change of sex shall include a requirement that the person submit a form furnished by the State Registrar and completed by a health care provider from whom the person has received treatment stating that the person has undergone clinically appropriate treatment for gender transition but shall not include a requirement for evidence or documentation of any medical procedure. This bill is identical to [SB 657](#).

- Passed as: [HB 1041](#)
- VA Code Section to be changed: §§ [32.1-261](#) and [32.1-269](#)



PREVENTION

Department of Education to create standards for student social-emotional learning

Requires the Department of Education to (i) establish a uniform definition of social-emotional learning and develop guidance standards for social-emotional learning for all public students in grades kindergarten through 12 in the Commonwealth; (ii) make such standards available to each local school division no later than July 1, 2021; and (iii) issue a report no later than November 1, 2021, on the resources needed to successfully support local school divisions with the implementation of a statewide social-emotional learning program.

- Passed as: [HB 753](#)
- VA Code Section to be changed: [Va. Code § Chapter 339](#)

Creation of the Virginia Sexual and Domestic Violence Prevention Fund

Creates the Virginia Sexual and Domestic Violence Prevention Fund, which shall be administered by the Department of Social Services, in coordination with the Department of Health and the Virginia Sexual and Domestic Violence Action Alliance, and used to develop, support, and evaluate programs that prevent sexual and domestic violence through strategies that (i) promote healthy practices related to relationships, sexuality, and social-emotional development and (ii) counteract the factors associated with the initial perpetration of sexual and domestic violence. This bill is identical to [HB 1015](#).

- Passed as: [SB 297](#)
- VA Code Section to be changed: Amend the Code of Virginia by adding in Title 63.2 a chapter numbered 23, consisting of a section numbered [63.2-2300](#)



PROTECTIVE ORDERS

Issuance of protective orders upon convictions for certain felonies

Authorizes a court to issue a protective order upon convicting a defendant for an act of violence and upon the request of the victim or the attorney for the Commonwealth on behalf of the victim. The bill provides that the duration of such protective order can be for any reasonable period of time, including up to the lifetime of the defendant, that the court deems necessary to protect the health and safety of the victim. The bill provides that a violation of a protective order issued upon a conviction for an act of violence is punishable as a Class 1 misdemeanor.

- Passed as: [SB 144](#)
- VA Code Section to be changed: §§ [18.2-60.4](#) and [19.2-152.10](#)

Uniform court procedures for the surrender or transfer of firearms for any person subject to a 2-year (permanent) protective order

For summary and bill information, see page 19 under “Firearms.”

Motions to dissolve protective orders filed by petitioner, ex parte hearing and issuance of order

Provides that, upon motion by a petitioner to dissolve a protective order, a dissolution order may be issued on an ex parte basis with or without a hearing and that a hearing on such a motion shall be heard by the court as soon as practicable. The bill further provides that a dissolution order granted on an ex parte basis shall be served upon the respondent.

- Passed as: [HB 880](#)
- VA Code Section to be changed: §§ [16.1-253.1](#), [16.1-279.1](#), [19.2-152.9](#), and [19.2-152.10](#)

Determining venue for violation of provisions of protective order

Provides that a violation of a protective order may be prosecuted in the jurisdiction where the protective order was issued or in any county or city where any act constituting the violation of the protective order occurred.

- Passed as: [HB 1181](#)
- VA Code Section to be changed: §§ [16.1-253.2](#) and [18.2-60.4](#)



REPRODUCTIVE JUSTICE

The Reproductive Health Protection Act: Provision of abortion

Expands who can perform first trimester abortions to include any person jointly licensed by the Board of Medicine and Nursing as a nurse practitioner acting within such person's scope of practice. The bill eliminates all of the procedures and processes, including the performance of an ultrasound, required to effect a pregnant woman's informed written consent to the performance of an abortion; however, the bill does not change the requirement that a pregnant woman's informed written consent first be obtained. The bill removes language classifying facilities that perform five or more first trimester abortions per month as hospitals for the purpose of complying with regulations establishing minimum standards for hospitals. This bill incorporates [SB 21](#) and [SB 68](#) and is identical to [HB 980](#).

- Passed as: [SB 733](#)
- VA Code Section to be changed: §§ [16.1-77](#), [18.2-72](#), [18.2-76](#), and [32.1-127](#)

School boards to make menstrual supplies available in each school building

Requires each school board to make tampons or pads available, at all times and at no cost to students, (i) in such accessible locations as it deems appropriate in each elementary school in the local school division and (ii) in the bathrooms of each middle school and high school in the local school division. This bill is identical to [SB 232](#).

- Passed as: [HB 405](#)
- VA Code Section to be changed: § [22.1-6.1](#).

Definition of birth control

Defines "birth control," for the purposes of the regulation of medicine, as contraceptive methods that are approved by the U.S. Food and Drug Administration and provides that birth control shall not be considered abortion for the purposes of Title 18.2 (Crimes and Offenses Generally).

- Passed as: [HB 552](#)
- VA Code Section to be changed: § [54.1-2900](#)



SEXUAL ASSAULT SERVICES & RESPONSE

Increasing statute of limitations for misdemeanor sex offenses where the victim is a minor.

Increases the statute of limitations for prosecuting misdemeanor violations where the victim is a minor from one year after the victim reaches the age of majority to five years after the victim reaches the age of majority if the offender was an adult at the time of the offense and more than three years older than the victim for the following misdemeanor violations: carnal knowledge of detainee by employee of bail bond company, sexual battery, attempted sexual battery, infected sexual battery, sexual abuse of a child age 13 or 14 by an adult, and tongue penetration by adult of mouth of child under age 13 with lascivious intent.

- Passed as: [HB 298](#)
- VA Code Section to be changed: § [19.2-8](#)

Virginia sexual assault forensic examiner coordination program

Establishes the Virginia sexual assault forensic examiner coordination program within the Department of Criminal Justice Services. The bill requires the head of the program to create and coordinate an annual statewide sexual assault forensic nurse examiner training program; coordinate the development and enhancement of sexual assault forensic examiner programs across the Commonwealth; participate in the development of hospital protocols and guidelines for treatment of survivors of sexual assault; coordinate and strengthen communications among sexual assault nurse examiner medical directors, sexual assault response teams, and hospitals for existing and developing sexual assault nurse examiner programs; provide technical assistance for existing and developing sexual assault forensic examiner programs; create and maintain a statewide list, updated biannually, that includes pertinent information regarding sexual assault forensic examiners and nurse examiners; create sexual assault nurse examiner recruitment materials for universities and colleges with nursing programs; and support and coordinate community education and public outreach, when appropriate, relating to sexual assault nurse examiner issues for the Commonwealth. The provisions of the bill are contingent on funding in a general appropriation act.

- Passed as: [HB 475](#)
- VA Code Section to be changed: Amend the Code of Virginia by adding in Chapter 1 of Title 9.1 an article numbered 14, consisting of a section numbered § [9.1-191](#)



Every hospital to provide treatment or transfer services for victims of sexual assault

Requires every hospital in the Commonwealth to provide treatment or transfer services, as defined in the bill, to survivors of sexual assault pursuant to a plan approved by the Department of Health; establishes specific requirements for providers of services to pediatric survivors of sexual assault; and establishes the Task Force on Services for Survivors of Sexual Assault to facilitate the development of services for survivors of sexual assault. Certain provisions of the bill have a delayed effective date of July 1, 2023.

- Passed as: [HB 808](#)
- VA Code Section to be changed: Amend the Code of Virginia by adding in Chapter 5 of Title 32.1 an article numbered 8, consisting of sections numbered [32.1-162.15:2](#) through [32.1-162.15:11](#), by adding in Article 1 of Chapter 29 of Title 54.1 a section numbered [54.1-2910.5](#), and by adding in Article 2 of Chapter 30 of Title 54.1 a section numbered [54.1-3018.2](#)

Reimbursing medical costs for victims of sexual assault

Adds to those persons invited to participate in the annual meeting of the group led by the attorney for the Commonwealth to coordinate the multidisciplinary response to criminal sexual assault in each political subdivision (i) local health department district directors; (ii) the administrator of each licensed hospital within the jurisdiction; (iii) the director of each health safety net clinic within the jurisdiction; and (iv) any other local health care providers, or their designees, and authorizes attorneys for the Commonwealth to conduct the sexual assault response team annual meetings using other methods, such as electronic communication means, to encourage attendance. The bill also directs the Secretary of Health and Human Resources to establish a work group to evaluate the feasibility of moving responsibility for the SAFE program from the Virginia Workers' Compensation Commission to the Department of Medical Assistance Services and to provide recommendations related to (i) the feasibility and cost of expanding the type of services for which the Criminal Injuries Compensation Fund will make awards to include claims or portions of claims based on the claimant's actual expenses incurred for unreimbursed medical costs resulting from sexual abuse, including the cost of physical evidence recovery kit examinations conducted on victims of sexual assault, unreimbursed medical expenses or indebtedness reasonably incurred for medical expenses, expenses attributable to pregnancy resulting from such sexual abuse, and any other reasonable and necessary expenses and indebtedness associated with or attributable to the sexual abuse upon which such claim is based and (ii) the feasibility of transferring responsibility from the Virginia Workers' Compensation Commission to the Department of Medical Assistance Services for the Sexual Assault Forensic Examination program (the SAFE program) and related claims for medical expenses related to sexual assault, strangulation, domestic and intimate partner violence, human trafficking, and adult and child abuse. If the work group finds that it is not feasible to move responsibility for the SAFE program and related claims from the Virginia Workers' Compensation Commission to the Department of Medical Assistance Services, the work group shall develop recommendations for creation of an efficient, seamless electronic medical claim processing system for hospitals and health care providers



that coordinates payments from all available sources, suppresses explanations of benefits, and removes the patient from the medical billing and reimbursement process. The work group's report shall include specific legislative, regulatory, and budgetary changes necessary to implement the work group's recommendations. The work group shall report its findings and recommendations to the Governor and the Chairmen of the House Committee on Appropriations, the Senate Committee on Finance and Appropriations, and the Joint Commission on Health Care by September 1, 2020. This bill is identical to [SB 949](#).

- Passed as: [HB 806](#)
 - VA Code Section to be changed: § [15.2-1627.4](#)
-

Explanation of benefits in cases of sensitive health care services

Authorizes the State Corporation Commission to adopt regulations that establish alternative methods of delivery of the explanation of benefits, provided that such alternative method is in compliance with the provisions of federal regulations regarding the right to request privacy protection for protected health information. This bill is identical to [SB 766](#).

- Passed as: [HB 807](#)
 - VA Code Section to be changed: § [38.2-3407.4](#)
-

Statute of limitations; sexual abuse

Provides that for a cause of action accruing on or after July 1, 2020, every action for injury to the person resulting from sexual abuse shall be brought within 10 years after the cause of action accrues. This bill does not change the current 20-year statute of limitations for actions for injury to the person resulting from sexual abuse that occurred during the infancy or incapacity of such person.

- Passed as: [HB 870](#)
- VA Code Section to be changed: § [8.01-243](#)



(ENDING THE) TRAUMA TO PRISON PIPELINE

Minimum Staffing Ratio; School Counselors

Requires local school boards to employ school counselors in accordance with the following ratios, effective with the 2020-2021 school year: in elementary schools, one hour per day per 75 students, one full-time equivalent at 375 students, one hour per day additional time per 75 students or major fraction thereof; in middle schools, one period per 65 students, one full-time equivalent at 325 students, one additional period per 65 students or major fraction thereof; and in high schools, one period per 60 students, one full-time equivalent at 300 students, one additional period per 60 students or major fraction thereof. The bill also requires local school boards to employ one full-time equivalent school counselor position per 325 students in grades kindergarten through 12, effective with the 2021-2022 school year.

- Passed as: [SB 880](#)
- VA Code Section to be changed: [Va. Code § 22.1-253.13:2](#)

School principals' discretion in reporting certain incidents to law enforcement

Eliminates the requirement that school principals report to law enforcement certain enumerated acts that may constitute a misdemeanor offense. This bill incorporates [HB 695](#) and is identical to [SB 729](#).

- Passed as: [HB 257](#)
- VA Code Section to be changed: [Va. Code § 22.1-279.3:1](#)

Collection and publishing of data related to incidents involving School Resource Officers

Requires the Department of Criminal Justice Services, in coordination with the Department of Education and the Department of Juvenile Justice, to annually collect, report, and publish data related to incidents involving students and school resource officers. The bill also requires the Virginia Center for School and Campus Safety to analyze and disseminate submitted data.

- Passed as: [HB 271](#)
- VA Code Section to be changed: § [9.1-184](#) of the Code of Virginia is amended and reenacted and that the Code of Virginia is amended by adding a section numbered [22.1-279.10](#)



School boards and local law-enforcement agencies; memorandums of understanding; frequency of review and public input

Shortens from every five years to every two years the frequency of the review period for memorandums of understanding between school boards and local law-enforcement agencies. The bill also requires local school boards to conspicuously publish the current division memorandum of understanding on its division website and provide notice and opportunity for public input during each memorandum of understanding review period.

- Passed as: [HB 292](#)
- VA Code Section to be changed: § [22.1-280.2:3](#)

Reforming student disorderly conduct policies

Provides that an elementary or secondary school student is not guilty of disorderly conduct in a public place if the disorderly conduct occurred on the property of an elementary or secondary school, on a school bus, or at any activity conducted or sponsored by any elementary or secondary school. This bill is identical to [HB 256](#).

- Passed as: [SB 3](#)
- VA Code Section to be changed: § [18.2-415](#)