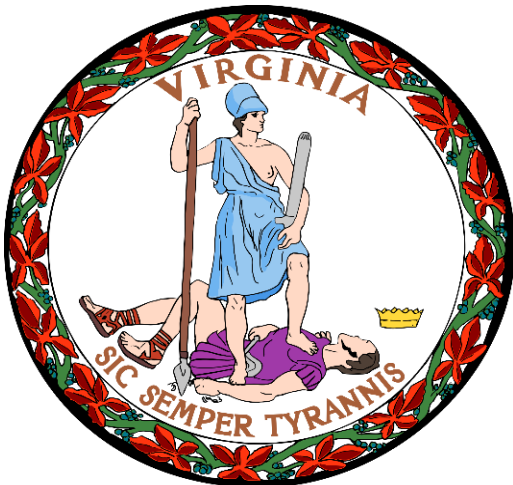


Majority Leader
Scott Surovell
34th District

Legislation Summary
2024 Session



Post Office Box 289
Mt. Vernon, Virginia, 22121
District Office: (571) 249-4484
General Assembly Bldg. 1405
Richmond, Virginia 23219
Richmond Office: (804) 698-7534

sensorsurovell@senate.virginia.gov
www.scottsurovell.org

Protecting Virginia Workers

Paid Sick Leave – SB 507 - The workers who care for us when we are facing health challenges and who protected us during the pandemic are not always able to get paid sick leave themselves. This bill provides that front line home health care workers, health care providers, and grocery store workers are guaranteed at least 1 hour of paid sick leave per every 30 hours they work. Under current law, employers are only required to provide paid sick leave to certain home health workers.

Consumer Protection

Providing better information to dental insurance customers – SB 257 – How much do dental insurance plans spend on providing dental care for customers vs. overhead and administrative costs? If you are buying dental insurance, how can you find the plan that spends the greatest percentage of your insurance premium on patient care? This bill would require all dental insurance providers to file an annual report that includes the actual loss ratio (the percentage of premium income paid out in the form of medical claims) for the previous year so that dental insurers provide better transparency on their reserve practices. The reports will be posted on the website of the State Corporation Commission.

Protecting consumers when insurance companies act in bad faith – SB 256 - If a consumer is involved in a traffic accident with an uninsured or underinsured motorist, some insurance companies have refused to pay a reasonable settlements until after the victim has expended tens of thousands of dollars on expert witnesses and litigation expenses. This bill provides that if it is subsequently found that the denial, refusal, or failure was not in good faith, then the insurance company is liable to the insured in an amount double the amount of the judgment, together with reasonable attorney fees, expenses, and interest.

Expanding Educational Opportunities

Creating a Virginia College Opportunity Endowment and Fund – SB 501 - The Virginia College Savings Plan was one of the earliest 529 plans in the country. Over time, it has built up a surplus of \$1.25 billion. This legislation will create a College Opportunity Endowment and Fund, based on annual deposits of \$250 million per year in surplus funds from the Plan. This new endowment will provide full scholarships to Pell Grant (low-income) eligible Virginia students planning to attend one of 12 Virginia colleges and universities that do not have \$1 billion endowments. The scholarship may cover full or partial tuition and also fees for room and board.

Protecting Our Environment

Expanding Renewable Energy Portfolio Standards to Include Geothermal Heating and Cooling Systems – SB 508 - The ability to generate electricity and produce heating and cooling for U.S. homes from clean, domestic geothermal resources can be a critical part of the nation's renewable energy system. Thanks to President Biden's Infrastructure Investment and Jobs Act ("The IRA") geothermal energy is much more affordable. This bill provides that geothermal

systems are eligible for consumers to receive payments from Virginia utilities seeking to comply with Virginia's carbon-free energy goals. It also creates a Geothermal Energy Work Group to study the status and impact of increasing the use of geothermal heating and cooling systems in the Commonwealth. Finally, it directs the Department of Energy to conduct a comprehensive technical study on the status of geothermal heating and cooling systems in the Commonwealth and the potential impacts of expanding and incentivizing the use of geothermal heating and cooling systems in Virginia.

Reducing Greenhouse Gases – SB 329 - After carbon dioxide, methane is the second-leading contributor to climate change. Methane is far more potent than carbon dioxide in trapping heat in the atmosphere. Composting reduces methane emissions. Encouraging composting instead of sending food waste to landfills is an effective way to reduce methane. This bill requires schools to design new facilities to segregate food waste, encourages localities to adopt ordinances promoting the reduction of organic waste and provides local authority to require:

- promote composting, including separating organic waste from other waste,
- promote donations of servable food,
- encourage the use of on-site organic recycling, and
- collect and transport organic waste for agricultural use.

Shared Solar Programs – SB 253, SB 255 - A growing number of consumers want to take advantage of the benefits of solar power – both because it is environmentally friendly and because it can lower their power bill. But rooftop solar panels are not a solution for everyone – for example, their home tree canopy is an impediment, they are renters, their rooftop will not support panels, or the upfront costs are prohibitive. Two bills address many of the technical issues related to shared solar programs. SB 253 amends current Virginia law to apply to Dominion Energy and provides that a consumer can purchase a portion of output from a solar facility in Virginia and net the energy against their monthly utility bill. SB 255 requires the State Corporation Commission to establish a shared solar program that allows customers of American Electric Power in southwest Virginia.

Virginia Climate Innovation Authority - SB 729 – Creates a new financing authority to bring federal money into Virginia to move greenhouse gas emission reduction projects forward. Congress passed the Inflation Reduction Act and the Infrastructure Investment and Jobs Act to put America on a path to a clean energy future. This legislation will provide a vehicle for Virginia to pursue those resources and invest strategically deployed public dollars to leverage private investment. This bill is paired with a budget amendment to provide \$40 million in start-up capital for the Authority.

Energy efficiency programs - SB 737 – Clarifies that energy efficiency programs under the Virginia Clean Economy Act include programs that reduce energy use in forms besides electricity. Previously, programs that reduce the use of fossil fuels may not have counted. For instance, a program that insulates homes may have qualified as an energy efficiency program for homes that are heated by electricity but not homes that are heated by gas.

Criminal Justice Reform

License Plate Readers – SB 503 - Although license plate readers are used in some communities, many civil rights organizations are concerned about the disparate impact they could have on minority drivers. This bill creates clear requirements that the readers may be used only for scanning, detecting, and recording data about vehicles and license plate numbers for the purpose of identifying a vehicle that is (i) associated with a wanted, missing, or endangered person or human trafficking; (ii) stolen; (iii) involved in an active law-enforcement investigation; or (iv) in the vicinity of a recent crime and may be connected to that crime. It also requires annual reports regarding the effectiveness of these devices. It provides a civil penalty of up to \$1000 for those who violate these rules.

Expungement of Records – SB 504 – This bill reverses recent Supreme Court of Virginia opinions that limit the right of Virginians to expunge public records of criminal offenses when they are found not guilty. It also provides that private background check companies can receive lists of expunge charges from the Virginia State Police in exchange for civil liability for publishing expunged records and authorizes court appointed attorneys for indigent petitioners for expungements.

Civil Justice Reform

Family Abuse Protective Orders – SB 502 - Prohibits the parent of a minor from filing a petition for a family abuse protective order against that minor unless he or she has been legally emancipated and instead requires a parent to file a petition for a Child in Need of Services, even if an intake officer refuses to file such a petition. Under current law, the decision by the intake officer is final.

Setting Conditions for Substantial Risk (Red Flag) Orders – SB 258 - Substantial Risk Orders or Red Flag Orders allow law enforcement and commonwealth’s attorneys to temporarily prohibit the possession, purchase, or transportation of firearms from individuals at high risk of harming themselves or others. This bill sets out the factors judges or magistrates must consider and clarifies factors the court may consider. These include whether the individual:

- (i) committed any acts of violence or criminal offenses resulting in injury to himself or another person within the six months prior to the filing of the petition;
- (ii) made any threats or used any physical force against another person that resulted in injury within the six months prior to the filing of the petition;
- (iii) violated any provision of a protective order issued or was arrested for stalking within the six months prior to the filing of the petition;
- (iv) was convicted of any offense that would prohibit such person from possessing a firearm;
- (v) engaged in any conduct within the year prior to the filing of the petition that demonstrated a pattern of violent acts or threats to another person, including any acts or threats made against family members, neighbors, coworkers, or toward schools or students or government buildings or employees;
- (vi) committed any acts of violence or criminal offenses against an animal within the six months prior to the filing of the petition; or

- (vii) made any attempt or threat of suicide or any act, attempted act, or threat of self-harm that caused or may have caused serious bodily injury or whether evidence of recent acquisition of a firearm or ammunition by the person who is subject to the order is provided by the respondent.

The bill also allows a court to authorize a Red Flag Order if a minor in the home who has exhibited the foregoing conduct and has access to a firearm.

Optometrists as Expert Witnesses – SB 254 – This bill allows neuro-optometrists to testify in court as expert witnesses on areas related to their scope of practice.

Nonliving shoreline stabilization structures - SB 730 – Directs the Virginia Marine Resources Commission to regulate the types of shoreline infrastructure maintenance and repairs that require local wetland board permits and those that are exempt. This legislation will provide clarity for owners of riparian property and contractors providing repair services.

Limiting Some Interlocutory Orders – SB 509 - This bill clarifies when interlocutory orders can be sought in family law cases restoring the law as it existed prior to 2021.

Limiting Foreclosure in Some Common Interest Communities – SB 341 - The bill prohibits homeowners associations from foreclosing on an individual's primary residence unless the individual owes more than \$5,000.

Class Action Lawsuits and Protection Against Employer Retaliation – SB 259 - This bill would authorize class action lawsuits in Virginia. Currently, Virginia and Mississippi are the only two states in America that do not allow class action lawsuits. The legislation also clarifies certain aspects for lawsuits by employees against employers for firing or disciplining an employee who is asked to violate a law or other public policy. Bill also authorizes courts to order compensation for lost wages and benefits; if the retaliation is deemed to be willful, treble damages may be awarded.

Economic Development

Sports and Entertainment Arena – SB 718 - Establishes the Sports and Entertainment Authority to provide financing for construction of an arena in Potomac Yard. The construction of this new facility will spur the development of an entertainment district that will generate over \$3 billion per decade in new tax revenues for education, transportation, mental health, and other priorities. The bill allows for a 40-year bond to be paid by sales tax, corporate tax, and income tax revenue generated exclusively by the development company, team, and affiliates. This bill does not include any commitment of taxpayer general funding.

Budget Amendments

- **Pandemic Study** – Extend the Joint Subcommittee to Examine the Commonwealth’s Pandemic Response.
- **Substitute Judge Per Diem** – Raises the Per Diem of Substitute Judges who are attorneys to 400.
- **Gunston Hall** – Provide funding for design and construction of the new Visitors Center at Gunston Hall. (Planning money for this project was previously appropriated.)
- **Gunston Hall** – Language – Include budget language regarding the use of Maintenance Reserve Funds for essential projects at Gunston Hall.
- **Tax Compliance Workforce** - Hire more people to pursue fraud and other tax evasion due to increased enforcement by the federal government.
- **Climate Innovation Finance Authority** – Funds a new Virginia Climate Innovation Finance Authority.
- **SWIFT Study** – Evaluate the feasibility and cost of aquifer recharge at wastewater treatment facilities in the Eastern Virginia Groundwater Management Area.
- **Legal Counsel for Higher Education** – Transfer all general counsel employment authority and funding from the Attorney General’s Office to the General Counsel at each university.
- **Funding for Red Flag Law Training** – Requiring the Department of Criminal Justice Services to seek the maximum grant possible under the Safe Communities Act to promote and train state and local law enforcement officials in implementing and enforcing Virginia’s Red Flag Law.
- **Rejoining the Regional Greenhouse Gas Initiative** – (Language) – Requiring Virginia to rejoin the Regional Greenhouse Gas Initiative.
- **Senate Litigation Defense** – Creates a fund to support expenses necessary to defend the validity of unconstitutional line item vetoes by the Governor or other laws that the Attorney General refuses to defend.
- **Flood Preparedness Fund** – Appropriates 45% of the proceeds from Virginia’s sale of allowances in the Regional Greenhouse Gas Initiative auctions for the Community Flood Preparedness Fund.
- **Workload Study** – Funding a study of the workload of Virginia Clerks of Court
- **Crime Commission Staffing** – Increases staffing in the Virginia Crime Commission.
- **Commission on Electric Utility Regulation** – Fund additional full-time staff members to support required meetings of the Commission.
- **Implement Sealing and Expungement Legislation** – Increase staffing at the Department of Motor Vehicles to implement legislation on sealing and expungement of records.