2021 General Assembly Session
CROSSOVER UPDATE
STOP UNLAWFUL EVICTIONS

HB1900 (Delegate Hudson) passed the House 54-44
SB1215 (Senator Ebbin) passed Senate 27-12

- Designed to stop landlords from illegally evicting clients through such means as cutting off heat or electricity or changing locks to force tenants out of their homes.
- Require an initial hearing on tenant’s petition for relief from unlawful eviction within five days and add a $5,000 statutory damages provision.
Housing

GIVE FAMILIES TIME TO PAY RENT & STAY HOUSED

HB1889 (Delegate Price) passed the House 54-45

- Makes permanent the policy passed during the 2020 special session that landlords must give tenants a 14-day notice before filing an eviction and larger landlords must offer tenants a payment plan.
Housing

WHEN LANDLORDS MADE WHOLE, TENANTS STAY HOUSED

HB2014 (Delegate Price) passed the House 59-39

- Mandates that if a tenant pays everything s/he owes at least 48 hours before a scheduled eviction, the landlord must cancel the eviction and mark the judgment satisfied.

- Requires language explaining this right in the termination notice sent to a tenant.
Consumer Rights

PRESERVING THE AMERICAN DREAM: PROTECTION FROM FORECLOSURE, PRESERVING MANUFACTURED HOMES

SB1327 (Senator McClellan) passed the Senate 39-0
HB2175 (Delegate Torian) passed the House 60-40

- McClellan’s measure would extend current 14-day notice of foreclosure to 60 days.
- Require lenders to notify borrowers about financial and legal resources available in their area.
- Preserve the least-cost entry into homeownership in Virginia: manufactured homes
- Make it less likely that a creditor can sell a person’s home to satisfy a debt.

Foreclosure costs someone their home, wipes away the years of savings it took to purchase it, hamstrings the borrower’s future attempts to qualify for credit or a mortgage, and dashes what is often the biggest wealth-building opportunity many families have, all in one fell swoop.
Consumer Rights

KEEP FAMILIES OUT OF POVERTY: INCREASE WAGE EXEMPTIONS

HB1814 (Delegate Krizek) passed the House 100-0

- Allows a worker to keep either the state or federal minimum wage (whichever is higher) when the worker’s wages are garnished by a creditor.
Consumer Rights

CLASS ACTIONS PROVIDE BETTER ACCESS TO JUSTICE

SB1180 (Senator Surovell) passed the Senate 21-18

- Allows class action lawsuits in Virginia.
- Creates a market for private enforcement of the law, which creates improved incentives for companies to comply with the law and take the appropriate degree of care.

Currently, Virginia and Mississippi are the only states in the country that do not allow class action lawsuits. Class actions level the playing field for lower-income individuals who seek access to justice.
Utility Fairness

CREATE BALANCE IN VIRGINIA'S ELECTRIC UTILITY SYSTEM

- Five bills passed the House with bipartisan support.
- Bill creating the Percentage of Income Payment Program headed to the Senate. This will mitigate rising electric utility costs for low-income consumers.
- All of these bills face significant scrutiny in the Senate.
Environmental Justice

ENVIRONMENTAL JUSTICE IN VIRGINIA

HB2074 (Delegate Simonds) passed the House 56-44
SB1318 (Senator Hashmi) passed the Senate 22-17

- Establish the Interagency Environmental Justice Working Group as an advisory council in the executive branch of state government to further environmental justice in the Commonwealth.
- Direct each of the Governor’s Secretaries to designate at least one environmental justice coordinator to represent the secretariat as a member of the Working Group.
Domestic and Sexual Violence

HB1867 (DELEGATE DELANEY)

Passed the House 94-6

- Current law requires victims to promptly report crimes within 120 hours of its occurrence in order to award a victim funds from the Criminal Injuries Compensation Fund.
- Allows an exception to the 120 hours reporting requirement for all victims of sexual abuse.
Domestic and Sexual Violence

HB1992 (DELEGATE MURPHY) AND SB1382 (SENATOR FAVOLA)

HB1992 Passed the House 54-46
SB1382 passed the Senate 39-0

- Prohibit a person who has been convicted of assault and battery of certain family or household members from purchasing, possessing, or transporting a firearm.
Domestic and Sexual Violence

HB2018 (DELEGATE MULLIN) AND SB1297 (SENATOR OBENSHAIN)

HB2018 Passed the House 99-0
SB1297 passed the Senate 39-0

- Allow Adult Protective Order (APS) workers to ask for protective orders on behalf of incapacitated adults.
- There are some differences that need to be worked out.
Domestic and Sexual Violence

HB2133 (DELEGATE DELANEY)
Passed the House 99-0

- Establishes a procedure for victims of sex trafficking to have certain convictions vacated and the police and court records expunged for such convictions.
Family and Child Welfare

ENSURE MORE CHILDREN RECEIVE HEALTH CARE COVERAGE

HB2002 (Delegate Samirah) passed the House 99-0

- Requires the Division of Child Support Enforcement, when calculating child support for low-income families, to determine if the child would qualify for Medicaid or FAMIS.
Family and Child Welfare

KEEP FAMILIES TOGETHER: SUPPORT "KIN FIRST"

HB1962 (Delegate Gooditis) passed the House 99-0

- Requires local departments of social services and licensed child-placing agencies to involve in the development of a child's foster care plan the child's relatives and fictive kin who are interested in the child's welfare.
- Contains other amendments to provisions governing foster care and termination of parental rights that encourage the placement of children with relatives and fictive kin.
Family and Child Welfare

SB1328 (SENATOR MASON)
Passed the Senate 37-0

- Creates the State-Funded Kinship Guardianship Assistance program to facilitate child placements with relatives, including fictive kin, and ensures permanency for children.
HOW DOES REINSURANCE WORK?

State/federal funds used to help insurers cover high-cost enrollees

Federal savings created

Reduced premium tax credits

Lower premiums

WHAT IS REINSURANCE?
Reinsurance subsidizes insurers for certain high-cost enrollees to lower overall premiums in the marketplace.

In the first year, states with reinsurance programs had an average premium reduction of 16.9%.

HOW DO STATES PAY FOR IT?

82-84% covered by federal government

16-18% covered by state

A health insurance assessment can cover Virginia’s costs without dipping into general funds.

Tax payments that insurers had been paying to the federal government to support the Affordable Care Act can now be shifted to the state.*

$54.5M-$60.2M

A 1% assessment on individual plans and full insurance large group plans alone will generate between enough to achieve a 15-20% premium reduction.

WHY VOTE YES ON REINSURANCE?
Reinsurance creates a healthier system: when the high costs of the sickest people in the marketplace are covered, premiums are reduced for everyone.

*The federal Health Insurers Tax, used to support the ACA, expired on December 31, 2020.
Health Insurance

REINSURANCE

HB2332 (Delegate Sickles) passed the House 59-39

- Establishes the Commonwealth Health Reinsurance Program.

VPLC OPPOSES: ASSOCIATION HEALTH PLANS

HB2333 defeated in the House
SB1341 passed the Senate 38-1

- Skirt Affordable Care Act consumer protections and cherry-pick healthier and younger enrollees, creating an uneven playing field and increasing premiums for those dependent on comprehensive coverage.
Health Insurance

COVER COVID-19 SERVICES AS "EMERGENCY ONLY" MEDICAID SERVICES

HB2124 (Delegate Lopez) passed the House 55-45
Budget amendments 313 #4h and #36s to be determined Sunday

- Covers COVID-19 services (testing, treatment, vaccines) as "emergency only" Medicaid services.
Public Benefits

INCREASE ACCESS TO SNAP

**HB1820 (Delegate Helmer) passed the House 100-0**

- Increases access to SNAP.
- Makes 25,000 Virginia families eligible for food assistance funded by the federal government.

In addition to helping 25,000 families across the state, HB1820 will reduce school meal debt (a growing issue in Virginia schools) and pump more money into local economies, helping smaller grocery stores.
Public Benefits

PROTECT FAMILIES FROM BEING SUED OVER SCHOOL MEAL DEBT

HB2013 (Delegate Roem) passed the House 69-31

- Requires each school board to adopt a policy that prohibits the board from filing a lawsuit against a student’s parent because the student cannot pay for a meal at school or owes a school meal debt.
Elder Law

SIMPLIFY ACCESS TO BIRTH CERTIFICATES

SB1121 (Senator Locke) passed the Senate 29-10

- Makes it easier for individuals to make corrections to their birth certificates.

This issue particularly impacts low-income older adults with illegible, handwritten birth certificates due to home births and poor record-keeping. It has become more urgent as birth certificates are required for Real ID.