



Virginia Freedom of Information Advisory Council

Commonwealth of Virginia

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2026 FOIA LEGISLATIVE UPDATE

NOTE: Unless otherwise stated, the changes in the law described in this update will take effect July 1, 2026.

Please note that this is a draft version of the 2026 Legislative Update as some bills are still awaiting action by the Governor (the action deadline is 11:59 PM, May 23, 2026).

I. Introduction

The General Assembly passed a total of fifteen bills amending the Virginia Freedom of Information Act (FOIA) during the 2026 Session. Of these bills, two were recommendations of the FOIA Council: (1) House Bill 644 (Kent) adds an exemption for the personal contact information of minors who are participating in a program, such as an apprenticeship or unpaid internship or externship, run by a state public body, and (2) Senate Bill 699 (Ebbin) requires public bodies subject to FOIA to post the proposed agenda on the public body's official government website, if any, prior to the meeting. Senate Bill 699 also provides that no final action may be taken on any items added to an agenda after a meeting commences unless the matter is time-sensitive or is the subject of a closed meeting properly identified in a motion in accordance with FOIA requirements and defines "final action." Section II of this update lists the fifteen bills enacted at the 2026 Session as each relates to the sections of FOIA. Section III presents a brief overview of amendments to FOIA by Code section in order to provide context and organization to the numerous bills. Section IV presents a brief overview of other access-related legislation passed during the 2026 Session.

For more specific information regarding each bill, please see the bill itself. Unless otherwise indicated, the changes will become effective July 1, 2026.

II. Bills Enacted at the 2025 Session that Amend FOIA

Two identical bills repeal an existing records exemption and make other changes as follows:



- HB 65 (Helmer) and SB 390 (French) repeal the Apple Board and Apple Fund effective July 1, 2028, and provide that any funds remaining in the Apple Fund as of July 1, 2028, shall be transferred to the Governor's Agriculture and Forestry Industries Development Fund. The bills provide that the excise tax levied on apples grown in the Commonwealth shall not be collected for the 2026 harvest season and require the chair of the Apple Board to file a report with the Commissioner of Agriculture and Consumer Services no later than June 30, 2028, with a statement of total receipts and disbursements of the Apple Board for the fiscal year ending June 30, 2028. (amending §§ 2.2-3705.6, 2.2-3711, 3.2-1100, 3.2-1104, 3.2-1105, 3.2-1106, 10.1-1458, and 15.2-2103.1; repealing Chapter 12 (§§ 3.2-1200 through 3.2-1217) of Title 3.2).

Two identical bills amend an existing records exemption and make other changes as follows:

- HB 145 (Krizek) and SB 129 (Ebbin) impose (i) a 10 percent tax on a fantasy contest operator's fantasy contest revenue, with 2.5 percent of the tax revenue being allocated to the Problem Gambling Treatment and Support Fund and the remaining 97.5 percent being allocated to the general fund, and (ii) a 2.6 percent fee on a fantasy contests operator's fantasy contest revenue to be utilized by the Virginia Lottery to cover the costs of administration and regulation of fantasy contests in the Commonwealth. The bills also limit the definition of "fantasy contest" and require fantasy contest operators to apply to the Virginia Lottery for a permit before offering any fantasy contest in the Commonwealth (amending §§ 2.2-3705.3, 37.2-314.2, 52-53, 58.1-4015.1, 58.1-4030, and 58.1-4103; adding in Chapter 3 of Title 11 a new section numbered 11-16.3 and adding in Title 58.1 a chapter numbered 42, consisting of sections numbered 58.1-4200 through 58.1-4214; repealing Chapter 51 (§§ 59.1-556 through 59.1-570) of Title 59.1).

Two bills amend existing records exemptions in FOIA as follows:

- HB 346 (McLaughlin) excludes account numbers of any person or public body for an account with a public utility, as defined in the bill, from the mandatory disclosure provisions of FOIA. However, such information may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law (amending § 2.2-3705.1).
- SB 701 (Ebbin) prohibits the Virginia Lottery (the Department) from disclosing information about any individual winner and exempts such information from disclosure under FOIA unless the winner consents to such disclosure. Under current law, the Department is prohibited from disclosing information about any individual winner whose prize exceeds \$1 million unless the winner consents to such disclosure (amending §§ 2.2-3705.7 and 58.1-4029).

One bill amends an existing records exemption and an existing meetings exemption and adds a new section outside of FOIA as follows:

- HB 513 (Martinez) permits localities or combinations of localities to establish a local or regional suicide fatality review team. The bill provides exemptions from the Virginia Freedom of Information Act for information and records obtained or created regarding a review of a fatality by such team (amending §§ 2.2-3705.5 and 2.2-3711 and adding a section numbered 32.1-283.9).

Two bills add new records exemptions in FOIA as follows:



- HB 644 (Kent) exempts from the mandatory disclosure requirements of FOIA the personal contact information of minors who are participating in a program, such as an apprenticeship or unpaid internship or externship, run by a state public body. The bill is a recommendation of the FOIA Council (amending § 2.2-3705.7).
- HB 1489 (Tran) expands the reporting requirements for incidents of workplace violence in hospitals with an emergency department by requiring additional descriptors of incidents, requiring hospitals to report collected data to additional parties, and directing the Department of Health to publish a report containing an annual summary of such data. The bill directs the Board of Health to promulgate regulations implementing the provisions of the bill by January 1, 2027, and directs the Department of Health to publish its first report by December 31, 2027 (amending §§ 2.2-3705.5 and 32.1-127).

Three bills amend existing meetings exemptions and make other changes as follows:

- HB 642 (Krizek) and SB 542 (Aird) establish a framework for the creation of a retail marijuana market in the Commonwealth, to be administered by the Virginia Cannabis Control Authority. The bills provide that no retail sales may occur prior to January 1, 2027. Effective January 1, 2027, the bills also move oversight of the retail sale of certain regulated hemp products from the Virginia Department of Agriculture and Consumer Services to the Virginia Cannabis Control Authority (amending § 2.2-3711 and amending and adding various sections in Titles 2.2, 3.2, 4.1, 5.1, 9.1, 15.2, 16.1, 18.2, 19.2, 22.1, 46.2, 48, 53.1, 54.1, and 59.1). *[Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*
- HB 972 (Price) requires certain, specified identification information to be included on the lists received by the Department of Elections (the Department) for list maintenance purposes and requires the Department, upon receiving any such list, to do an initial comparison of the information included on such list with the list of registered voters and to determine the confidence score for any match. The Department is required to transmit matches with a confidence score of at least 80 to the appropriate general registrars. The bill prohibits the use of voter data received from another state or jurisdiction or through a list comparison for list maintenance purposes when the data file does not include a unique identifier for each individual whose information is contained in the data file. The bill requires the Department to annually review all sources of data utilized for list maintenance activities for the purpose of determining the validity, completeness, accuracy, and reliability of the data received from each source, and to include the results of such review in its annual report to the House and Senate Committees on Privileges and Elections regarding its list maintenance activities. The bill provides that the Department of Elections may only use the Systematic Alien Verification for Entitlements Program (SAVE Program) operated by U.S. Citizenship and Immigration Services of the U.S. Department of Homeland Security for the sole purpose of individually verifying that voters listed in the Virginia voter registration system are United States citizens. The Department of Elections is prohibited from (i) using information received from the SAVE Program as the sole reason for rejecting a registration application, (ii) uploading lists of registered voters to the SAVE Program for verifying their citizenship status in bulk, or (iii) transferring any information to the U.S. Department of Homeland Security or any subdivision thereof beyond the minimum information necessary. The bill requires the general



registrars to send notice prior to cancelling a voter's registration regardless of the reason for cancellation. Lastly, the bill clarifies that when a voter's registration is cancelled, a cancellation record must be created, and that such records are public in accordance with the Virginia Freedom of Information Act and the National Voter Registration Act. The bill includes numerous technical amendments for organizational purposes. Certain provisions of the bill have a delayed effective date of July 1, 2027 (amending § 2.2-3711 and amending, adding and repealing various sections in Title 24.2). *[Note: This bill is awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*

One bill adds a new meetings exemption in FOIA as follows:

- HB1476 (Schmidt) provides an exemption to FOIA to allow closed meetings for discussion or consideration by any law-enforcement civilian oversight body established pursuant to general law or established by a local governing body before July 1, 2020, and operating in a manner consistent with such law of the criminal investigative files, audit findings, and deliberations regarding police operations related to a specific complaint before the body involving any violation or attempted violation of certain offenses. The bill allows inspection of certain law-enforcement records concerning juveniles by such civilian oversight bodies when required to perform their duties and by any independent policing auditor, manager, director, or other person appointed by the local governing body to support such civilian oversight body. Finally, the bill allows disclosure of certain information regarding crimes involving sexual assault, sexual abuse, or family abuse to such civilian oversight body and independent policing auditor, manager, director, or other person appointed by the local governing body (amending §§ 2.2-3711, 16.1-301, and 19.2-11.2).

One bill amends an existing records exemption and an existing meetings exemption and makes other changes as follows:

- SB 91 (Lucas) renames the Eastern Virginia Health Sciences Center at Old Dominion University as Virginia Health Sciences at Old Dominion University (amending §§ 2.2-3106, 2.2-3705.4, 2.2-3711, 22.1-209.2, 23.1-2002, 23.1-2006, 23.1-2007, 32.1-69.3, 32.1-71.5, 32.1-71.6, 38.2-5008, and 54.1-2961).

One bill amends an existing provision of FOIA as follows:

- SB 699 (Ebbin) requires public bodies subject to FOIA to post the proposed agenda on the public body's official government website, if any, prior to the meeting. The bill provides that no final action may be taken on any items added to an agenda after a meeting commences unless the matter is time-sensitive or is the subject of a closed meeting properly identified in a motion in accordance with FOIA requirements and defines "final action." This bill is a recommendation of the FOIA Council (amending § 2.2-3707).

III. Amendments to FOIA by Code Section

§ 2.2-3705.1 Exclusions to application of chapter; exclusions of general application to public bodies



HB 346 Virginia Freedom of Information Act; exclusions to application of chapter; public utility account numbers. Excludes account numbers of any person or public body for an account with a public utility, as defined in the bill, from the mandatory disclosure provisions of the Virginia Freedom of Information Act. However, such information may be disclosed by the custodian in his discretion, except where such disclosure is prohibited by law (2026 Acts of Assembly, c. 115).

§ 2.2-3705.3. Exclusions to application of chapter; records relating to administrative investigations

HB 145 and SB 129 Fantasy contests; regulation and taxation. Impose (i) a 10 percent tax on a fantasy contest operator's fantasy contest revenue, with 2.5 percent of the tax revenue being allocated to the Problem Gambling Treatment and Support Fund and the remaining 97.5 percent being allocated to the general fund, and (ii) a 2.6 percent fee on a fantasy contests operator's fantasy contest revenue to be utilized by the Virginia Lottery to cover the costs of administration and regulation of fantasy contests in the Commonwealth. The bills also limit the definition of "fantasy contest" and require fantasy contest operators to apply to the Virginia Lottery for a permit before offering any fantasy contest in the Commonwealth (2026 Acts of Assembly, cc. 565 and 566).

§ 2.2-3705.4 Exclusions to application of chapter; educational records and certain records of educational institutions

SB 91 Public institutions of higher education; Old Dominion University; Eastern Virginia Health Sciences Center renamed as Virginia Health Sciences. Renames the Eastern Virginia Health Sciences Center at Old Dominion University as Virginia Health Sciences at Old Dominion University (2026 Acts of Assembly, c. 482).

§ 2.2-3705.5. Exclusions to application of chapter; health and social services records

HB 513 Local and regional suicide fatality review teams; penalty. Permits localities or combinations of localities to establish a local or regional suicide fatality review team. The bill provides exemptions from FOIA for information and records obtained or created regarding a review of a fatality by such team (2026 Acts of Assembly, c. 158).

HB 1489 Hospitals; reports of threats or acts of violence against health care providers; expansion of reporting requirements. Expands the reporting requirements for incidents of workplace violence in hospitals with an emergency department by requiring additional descriptors of incidents, requiring hospitals to report collected data to additional parties, and directing the Department of Health to publish a report containing an annual summary of such data. The bill directs the Board of Health to promulgate regulations implementing the provisions of the bill by January 1, 2027, and directs the Department of Health to publish its first report by December 31, 2027 (2026 Acts of Assembly, c. 320).



§ 2.2-3705.6 Exclusions to application of chapter; proprietary records and trade secrets

HB 65 and SB 390 Apple Board; repeal. Repeal the Apple Board and Apple Fund effective July 1, 2028, and provide that any funds remaining in the Apple Fund as of July 1, 2028, shall be transferred to the Governor's Agriculture and Forestry Industries Development Fund. The bills provide that the excise tax levied on apples grown in the Commonwealth shall not be collected for the 2026 harvest season and require the chair of the Apple Board to file a report with the Commissioner of Agriculture and Consumer Services no later than June 30, 2028, with a statement of total receipts and disbursements of the Apple Board for the fiscal year ending June 30, 2028 (2025 Acts of Assembly, cc. 23 and 24).

§ 2.2-3705.7. Exclusions to application of chapter; records of specific public bodies and certain other limited exclusions

HB 644 Virginia Freedom of Information Act; exemption for records of minors participating in certain programs run by state bodies. Exempts from the mandatory disclosure requirements of FOIA the personal contact information of minors who are participating in a program, such as an apprenticeship or unpaid internship or externship, run by a state public body. The bill is a recommendation of the FOIA Council (2026 Acts of Assembly, c. 189).

SB 701 Virginia Lottery; disclosure of identity of winners. Prohibits the Virginia Lottery (the Department) from disclosing information about any individual winner and exempts such information from disclosure under the Virginia Freedom of Information Act unless the winner consents to such disclosure. Under current law, the Department is prohibited from disclosing information about any individual winner whose prize exceeds \$1 million unless the winner consents to such disclosure (2026 Acts of Assembly, c. 520).

§ 2.2-3707 Meetings to be public; notice of meetings; recordings; minutes

SB 699 Virginia Freedom of Information Act; public bodies to post meeting agendas. Requires public bodies subject to FOIA to post the proposed agenda on the public body's official government website, if any, prior to the meeting. The bill provides that no final action may be taken on any items added to an agenda after a meeting commences unless the matter is time-sensitive or is the subject of a closed meeting properly identified in a motion in accordance with FOIA requirements and defines "final action." This bill is a recommendation of the FOIA Council (2026 Acts of Assembly, c. 519).

§ 2.2-3711. Closed meetings authorized for certain limited purposes

HB 65 and SB 390 Apple Board; repeal. *See summary under § 2.2-3705.6, supra* (2026 Acts of Assembly, cc. 23 and 24).



HB 513 Local and regional suicide fatality review teams; penalty. See summary under § 2.2-3705.5, *supra* (2026 Acts of Assembly, c. 158).

HB 642 and SB 542 Cannabis control; retail market; penalties. Establish a framework for the creation of a retail marijuana market in the Commonwealth, to be administered by the Virginia Cannabis Control Authority. The bills provide that no retail sales may occur prior to January 1, 2027. Effective January 1, 2027, the bills also move oversight of the retail sale of certain regulated hemp products from the Virginia Department of Agriculture and Consumer Services to the Virginia Cannabis Control Authority. *[Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*

HB 972 Voter registration; list maintenance activities, cancellation procedures, required record matches. Requires certain, specified identification information to be included on the lists received by the Department of Elections (the Department) for list maintenance purposes and requires the Department, upon receiving any such list, to do an initial comparison of the information included on such list with the list of registered voters and to determine the confidence score for any match. The Department is required to transmit matches with a confidence score of at least 80 to the appropriate general registrars. The bill prohibits the use of voter data received from another state or jurisdiction or through a list comparison for list maintenance purposes when the data file does not include a unique identifier for each individual whose information is contained in the data file. The bill requires the Department to annually review all sources of data utilized for list maintenance activities for the purpose of determining the validity, completeness, accuracy, and reliability of the data received from each source, and to include the results of such review in its annual report to the House and Senate Committees on Privileges and Elections regarding its list maintenance activities. The bill provides that the Department of Elections may only use the Systematic Alien Verification for Entitlements Program (SAVE Program) operated by U.S. Citizenship and Immigration Services of the U.S. Department of Homeland Security for the sole purpose of individually verifying that voters listed in the Virginia voter registration system are United States citizens. The Department of Elections is prohibited from (i) using information received from the SAVE Program as the sole reason for rejecting a registration application, (ii) uploading lists of registered voters to the SAVE Program for verifying their citizenship status in bulk, or (iii) transferring any information to the U.S. Department of Homeland Security or any subdivision thereof beyond the minimum information necessary. The bill requires the general registrars to send notice prior to cancelling a voter's registration regardless of the reason for cancellation. Lastly, the bill clarifies that when a voter's registration is cancelled, a cancellation record must be created, and that such records are public in accordance with the Virginia Freedom of Information Act and the National Voter Registration Act. The bill includes numerous technical amendments for organizational purposes. Certain provisions of the bill have a delayed effective date of July 1, 2027. *[Note: This bill is awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*

HB 1476 Law-enforcement civilian oversight bodies; closed meetings; disclosure of certain law-enforcement records. Provides an exemption to FOIA to allow closed meetings for discussion or consideration by any law-enforcement civilian oversight body established pursuant to general law or established by a local governing body before July 1, 2020, and operating in a manner consistent with such



law of the criminal investigative files, audit findings, and deliberations regarding police operations related to a specific complaint before the body involving any violation or attempted violation of certain offenses. The bill allows inspection of certain law-enforcement records concerning juveniles by such civilian oversight bodies when required to perform their duties and by any independent policing auditor, manager, director, or other person appointed by the local governing body to support such civilian oversight body. Finally, the bill allows disclosure of certain information regarding crimes involving sexual assault, sexual abuse, or family abuse to such civilian oversight body and independent policing auditor, manager, director, or other person appointed by the local governing body. (2026 Acts of Assembly, c. 861).

SB 91 Public institutions of higher education; Old Dominion University; Eastern Virginia Health Sciences Center renamed as Virginia Health Sciences. *See summary under § 2.2-3705.4, supra* (2026 Acts of Assembly, c. 482).

IV. Other Access-Related Legislation

Joint Resolution

HJ 76 Commending the Virginia Coalition for Open Government. *[Note: Commends the Virginia Coalition for Open Government on the occasion of its 30th anniversary.]*

Section 1

SB 652 Bureau of Insurance; report on data collected from property and casualty insurance providers; report. Requires that, as part of its existing requirements to submit annual findings and reports on companies issuing property and casualty insurance policies in the Commonwealth, the State Corporation Commission's Bureau of Insurance shall submit an additional annual report summarizing relevant information from property and casualty insurance customer satisfaction surveys (2026 Acts of Assembly, c. 515).

Title 2.2. Administration of Government

HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra. [Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*

HB 1161 Government Data Collection and Dissemination Practices Act; dissemination of personal information to federal government; civil penalties. Provides that any agency or political subdivision of the Commonwealth shall only disseminate personal information (i) to the extent necessary to comply with state or federal law, including the federal Health Insurance Portability and Accountability Act; (ii) to the extent necessary to carry out the administration of a state or federal program pursuant to state or federal law; (iii) to comply with a subpoena, court order, or administrative proceeding; (iv) to the extent necessary to ensure fulfillment of the obligations of a purchase or contract made in accordance with the Virginia Public Procurement Act or a memorandum of understanding or management agreement made in



accordance with the Restructured Higher Education Financial and Administrative Operations Act; (v) when the data subject has given consent; or (vi) to the extent necessary to accomplish a proper purpose of the agency. The bill also prohibits an agency or political subdivision from selling personal information. The bill authorizes a court, in the case of a willful and knowing violation, to subject a specific public officer, appointee, or employee of any agency to civil penalties (2026 Acts of Assembly, c. 748).

HB 1529 Tax Commissioner; information sharing; eligibility for medical assistance. Authorizes the Tax Commissioner to provide to the Virginia Health Benefit Exchange information voluntarily provided by taxpayers for the purposes of identifying persons who meet the income eligibility requirements for medical assistance and would like to newly enroll in medical assistance. The bill authorizes the Virginia Health Benefit Exchange to divulge to the Department of Medical Assistance Services and the Department of Social Services, upon entering into a written agreement, such information to facilitate such enrollments and applications, as applicable. The bill contains technical amendments and is effective for taxable years beginning on and after January 1, 2026 (2026 Acts of Assembly, c. 478).

SB 91 Public institutions of higher education; Old Dominion University; Eastern Virginia Health Sciences Center renamed as Virginia Health Sciences. *See summary under § 2.2-3705.4, supra* (2026 Acts of Assembly, c. 482).

SB 125 Office of the Children's Ombudsman; powers and duties; report; recommendations. Makes a number of changes to the Office of the Children's Ombudsman (the Office). The bill expands the Office's access to certain records and reports and allows the Office to report certain complaints to the Office of the Inspector General. Under the bill, the Office is required to report findings and recommendations related to failures by state agencies to protect children to the Governor or General Assembly upon request. Under current law, such reports are made to the General Assembly. The bill makes certain changes to the Office's reporting and recommendation requirements. Finally, the bill adds and amends several definitions related to the Office (2026 Acts of Assembly, c. 989).

SB 530 State and Local Government Conflict of Interests Act; electronic disclosure by local government officers and employees. Requires local government officers and employees to file annual disclosure statements electronically with the Virginia Conflict of Interest and Ethics Advisory Council in accordance with approved standards. Such officers and employees shall be able to file the annual disclosure statement electronically beginning January 1, 2027, but such electronic filing shall be required (i) for localities with populations in excess of 250,000, beginning January 1, 2028; (ii) for localities with populations in excess of 100,000 but not more than 250,000, beginning January 1, 2029; and (iii) for localities with populations not exceeding 100,000, beginning January 1, 2030. The bill provides that the Department of Elections shall be responsible for coordinating the electronic filing by candidates for Governor, Lieutenant Governor, Attorney General, the Senate, or the House of Delegates, and the general registrars shall be responsible for coordinating the electronic filing by candidates for constitutional offices, local governing bodies, and elected school boards (2026 Acts of Assembly, c. 504).

Title 3.2 Agriculture, Animal Care, and Food

Page 9

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HB 65 and SB 390 Apple Board; repeal. *See summary under § 2.2-3705.6, supra (2026 Acts of Assembly, cc. 23 and 24).*

HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra. [Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*

Title 4.1 Alcoholic Beverage and Cannabis Control

HB 308 and SB 620 Virginia Alcoholic Beverage Control Authority; permitting of retail tobacco product retailers; purchase, possession, and sale of retail tobacco products; penalties; report. Transitions and provides a more comprehensive structure for the current licensing and enforcement responsibilities related to liquid nicotine and retail tobacco products from the Department of Taxation to a permitting system administered by the Virginia Alcoholic Beverage Control Authority. The bill requires the Board of Directors of the Virginia Alcoholic Beverage and Control Authority to conduct an unannounced buyer operation at least once every 24 months to verify a permittee, defined in the bill, is not selling retail tobacco products to persons under 21 years of age. Portions of the bill have a delayed effective date of October 1, 2026 (2026 Acts of Assembly, c. 1044).

HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra. [Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*

Title 5.1 Aviation

HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra. [Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*

Title 8.01. Civil Remedies and Procedure

HB 185 Orders closing a proceeding; petitions for review. Provides that when a circuit court acts on or issues an order pertaining to the closure of a proceeding, such order is eligible for immediate appellate review with the Supreme Court of Virginia. The bill further provides that any person aggrieved by such an order may, within 15 days of the entry of such an order, file a petition for review with the Supreme Court of Virginia. As introduced, this bill was a recommendation of the Boyd-Graves Conference (2026 Acts of Assembly, c. 366).

Title 9.1 Commonwealth Public Safety

HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra. [Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*

Title 10.1 Conservation



HB 65 and SB 390 Apple Board; repeal. *See summary under § 2.2-3705.6, supra* (2026 Acts of Assembly, cc. 23 and 24).

Title 15.2. Counties, Cities and Towns

HB 65 and SB 390 Apple Board; repeal. *See summary under § 2.2-3705.6, supra* (2026 Acts of Assembly, cc. 23 and 24).

HB 308 and SB 620 Virginia Alcoholic Beverage Control Authority; permitting of retail tobacco product retailers; purchase, possession, and sale of retail tobacco products; penalties; report. *See summary under Title 4.1, supra* (2026 Acts of Assembly, cc. 1021 and 1044).

HB 505 and SB 648 Local government; certain towns; suspension of officers, study, remedial plan, and meeting requirements. Provides that any member of a governing body in any locality, who has been employed by any governmental agency that is a component part of and that is subject to the ultimate control of the governing body of which he is a member, is deemed to have continuing personal interest in that agency for a period of two years following the termination of such employment. The bill also requires the court, in a criminal proceeding against an officer of any town in Planning District 8 with a population between 8,000 and 10,000 alleging the commission of a felony offense, to enter an order suspending the officer pending the resolution of such proceeding and any related proceeding for the officer's removal. The bill requires any such town to also procure a study by a public institution of higher education to evaluate the condition and status of the town's debt, infrastructure, utilities, and other significant liability risks. Such town is required to adopt a plan consistent with the study to address such town's needs, as identified in the study, in a fiscally appropriate manner that does not jeopardize the town's bond rating. The bill also prohibits the town council of any such town from voting on matters that have not been properly published at least three days prior to the vote as part of a town council agenda or otherwise approved as additional agenda items or as amendments to existing agenda items by a three-fourths vote of all the members of the council at the start of the meeting. The bill requires that any full-time town manager of such town must be a resident of the Commonwealth unless the town council has waived such requirement by a majority vote (2026 Acts of Assembly, cc. 1022 and 1056). *[Note: Effective upon date of passage due to emergency clause; certain provisions expire July 1, 2028.]*

HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra. [Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*

SB 44 Registration by localities of cemeteries on private property. Clarifies that the requirement for the governing body of a locality to publish on its website notice of the public sale of any publicly owned property that contains a known cemetery, graveyard, or other place of burial does not meet the requirement in current law for a newspaper publication of such notice. The bill has a delayed effective date of July 1, 2027 (2026 Acts of Assembly, c. 479).

Title 16.1 Courts Not of Record

Page 11

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HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra.* [Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]

HB 1476 Law-enforcement civilian oversight bodies; closed meetings; disclosure of certain law-enforcement records. *See summary under § 2.2-3711, supra* (2026 Acts of Assembly, c. 861).

Title 18.2. Crimes and Offenses Generally

HB 308 and SB 620 Virginia Alcoholic Beverage Control Authority; permitting of retail tobacco product retailers; purchase, possession, and sale of retail tobacco products; penalties; report. *See summary under Title 4.1, supra* (2026 Acts of Assembly, cc. 1021 and 1044).

HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra.* [Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]

Title 19.2 Criminal Procedure

HB 118 Discovery; methods of delivery. Requires the Commonwealth, upon request by the accused or his counsel, to copy or photograph any discovery materials or evidence the accused is permitted to inspect and review, including relevant police reports, criminal records, dashboard camera footage, and body-worn camera footage, and requires the Commonwealth to provide copies to the accused or his counsel, subject to the redaction, restricted dissemination, and protective order provisions of the relevant Rules of the Supreme Court of Virginia and unless such material is prohibited from being distributed by law.

The bill requires the attorney for the Commonwealth in any district court to provide to counsel of record for the accused, if requested, a copy of any relevant police report at least 10 days prior to the date the case is set for trial or preliminary hearing, and such report is subject to limitations on dissemination. The bill further provides that if such materials are provided to counsel of record for the accused in district court for a preliminary hearing, the circuit court shall order such counsel to provide discovery to the attorney for the Commonwealth subject to the relevant Rules of the Supreme Court of Virginia prior to trial in circuit court.

Lastly, the bill provides that if at any time during the course of the proceedings it is brought to the attention of the court that the attorney for the Commonwealth has failed to comply with such provisions, the court may order the Commonwealth to permit discovery or inspection, grant a continuance, or prohibit the Commonwealth from introducing evidence not disclosed, or the court may enter such other order as it deems just under the circumstances (2026 Acts of Assembly, c. 562).

HB 308 and SB 620 Virginia Alcoholic Beverage Control Authority; permitting of retail tobacco product retailers; purchase, possession, and sale of retail tobacco products; penalties; report. *See summary under Title 4.1, supra* (2026 Acts of Assembly, cc. 1021 and 1044).



HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra.*
[Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]

HB 690 Search warrant; search of place of abode; copy of affidavit to be part of warrant and served therewith; temporary sealing. Provides that if an affidavit that accompanies a search warrant for a place of abode has been sealed pursuant to relevant law, the executing law-enforcement officer does not have to give or leave a copy of such affidavit in a conspicuous place within or affixed to the place to be searched. The bill also adds that the circumstances requiring the issuance of a warrant after 5:00 p.m. shall be documented in the required affidavit that is submitted to a magistrate when seeking such authorization (2026 Acts of Assembly, c. 203).

HB 1084 and SB 480 Collection and reporting of data related to adults charged with a criminal offense punishable by confinement in jail or a term of imprisonment; Virginia Longitudinal Data System. Allows the Virginia Criminal Sentencing Commission to contribute the statewide and locality-level data it collects on adults charged with criminal offenses punishable by incarceration to the Virginia Longitudinal Data System administered by the State Council of Higher Education for Virginia. The bill states that any data provided that contains any personal or case identifying information shall be kept confidential and shall not be subject to FOIA (2026 Acts of Assembly, cc. 260 and 261).

HB 1476 Law-enforcement civilian oversight bodies; closed meetings; disclosure of certain law-enforcement records. *See summary under § 2.2-3711, supra* (2026 Acts of Assembly, c. 861).

Title 22.1. Education

HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra.*
[Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]

SB 91 Public institutions of higher education; Old Dominion University; Eastern Virginia Health Sciences Center renamed as Virginia Health Sciences. *See summary under § 2.2-3705.4, supra* (2026 Acts of Assembly, c. 482).

Title 23.1 Institutions of Higher Education; Other Educational and Cultural Institutions

HB 706 Museums and other cultural institutions; Gunston Hall; meetings of the Board of Regents. Requires the Gunston Hall Board of Regents to meet in person at least once annually. The bill clarifies that any additional meeting of the Board held within the same calendar year may be in person or held as an all-virtual public meeting, notwithstanding a certain provision of FOIA to the contrary. The bill requires all such meetings to otherwise comply with FOIA (2026 Acts of Assembly, c. 206).

SB 91 Public institutions of higher education; Old Dominion University; Eastern Virginia Health Sciences Center renamed as Virginia Health Sciences. *See summary under § 2.2-3705.4, supra* (2026 Acts of Assembly, c. 482).



Title 24.2. Elections

HB 835 and SB 632 Elections; candidates and elected officials; address confidentiality. Prohibits the custodian of any filing made by a candidate from releasing the address, phone number, or email address of such candidate in response to a request made under the Virginia Freedom of Information Act. The bill permits a candidate to provide the unique identifier assigned to him in the voter registration system pursuant to relevant law in place of his residence address on any candidate filing. The State Board of Elections is prohibited from requiring candidates to disclose their address or unique identifier on petitions prior to their being filed. The bill also adds elected officials to the list of people who may furnish, in addition to their residence street address, a post office box address located within the Commonwealth to be included in lieu of their street address on the lists of registered voters. The certificate of election delivered to the winner of an election is required to be accompanied by a notice that the person meets the qualifications for being granted protected voter status along with instructions for updating their voter registration in order to attain such status. The bill has a delayed effective date of January 1, 2027 (2026 Acts of Assembly, cc. 228 and 229).

SB 530 State and Local Government Conflict of Interests Act; electronic disclosure by local government officers and employees. *See summary under Title 2.2, supra* (2026 Acts of Assembly, c. 504).

Title 30 General Assembly

HB 544 and SB 498 Commission on School Construction and Modernization; revisions; elimination of sunset. Eliminates the expiration date of the Commission on School Construction and Modernization, which, pursuant to current law, is set to expire on July 1, 2026. The bill also directs the Commission to (i) meet at least four times each year and post notice of the date, time, and location of each meeting on the central, publicly available electronic calendar maintained by the Commonwealth in accordance with applicable law; (ii) update annually the statewide needs estimate for construction and modernization of school facilities; (iii) develop and deliver by November 1, 2026, a 10-year capital roadmap; and (iv) collaborate with early childhood care and education Ready Regions and comprehensive community colleges in the Commonwealth to collect and evaluate data relating to Ready Region and comprehensive community college facility usage, availability, and needs. Finally, the bill directs the Department of Education, in order to assist the Commission with its work, to update and make available to the Commission an inventory of all public school facilities in the Commonwealth by September 1, 2026 (2026 Acts of Assembly, cc. 165 and 166).

HB 932 Revision of Title 30. Creates proposed Title 30.1 (General Assembly) as a revision of existing Title 30 (General Assembly). Proposed Title 30.1 consists of 16 chapters divided into three subtitles: Subtitle I (The General Assembly and Members Thereof), Subtitle II (The Legislative Branch of Government), and Subtitle III (Legislative Commissions, Councils, Committees, and Other Legislative Entities). The bill organizes the laws in a more logical manner, removes obsolete and duplicative provisions, and improves the structure and clarity of statutes. The provisions of the bill do not become



effective unless reenacted by the 2027 Session of the General Assembly. As introduced, this bill was a recommendation of the Virginia Code Commission (2026 Acts of Assembly, c. 972).

SB 530 State and Local Government Conflict of Interests Act; electronic disclosure by local government officers and employees. See summary under Title 2.2, *supra* (2026 Acts of Assembly, c. 504).

Title 32.1 Health

HB 483 and SB 271 Prescription Drug Affordability Advisory Panel established; maximum fair price; annual reports; civil penalties. Directs the Secretary of Health and Human Resources to establish the Prescription Drug Affordability Advisory Panel to conduct data analyses, develop policy recommendations, and identify implementation barriers related to strategies to improve prescription drug affordability, enhance price transparency, and strengthen data collection practices for prescription drugs across public and private payers. The bill requires the Panel to (i) report annually on prescription drug pricing trends and any policy recommendations on legislation to improve prescription drug affordability and (ii) provide quarterly updates on prescription drug pricing trends. The bill requires each pharmacy benefits manager to provide to the Panel, upon request, certain information relating to the dispensation of a referenced drug, as defined in the bill.

The bill prohibits prescription drug manufacturers or wholesale distributors permitted or licensed in the Commonwealth from accepting payment at an amount higher than the maximum fair price established by the U.S. Secretary of Health and Human Services pursuant to federal law for the sale of a referenced drug intended for use by individuals in the Commonwealth. Under the bill, an entity that violates such prohibition is subject to a civil penalty of \$10,000 per violation. The bill also prohibits a manufacturer subject to its provisions from removing a referenced drug from sale distribution in the Commonwealth for the purpose of avoiding the impact of the bill's rate limitations without providing certain prior notice. Under the bill, a manufacturer that violates such prohibition on removing a referenced drug without the required notice is subject to a civil penalty equal to the greater of \$100,000 or the total amount of annual savings for the referenced drug, as determined by the Board of Pharmacy. *[Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*

HB 513 Local and regional suicide fatality review teams; penalty. See summary under § 2.2-3705.5, *supra* (2026 Acts of Assembly, c. 158).

HB 603 Virginia All-Payer Claims Database; disclosure of information; limitation. Specifies that the nonprofit organization facilitating the administration of the Virginia All-Payer Claims Database shall not disclose information relating to reimbursement beyond what is otherwise publicly available. Under current law, provisions against disclosure are not limited to information that is not otherwise publicly available (2026 Acts of Assembly, c. 639).

HB 1263 and SB 378 Collective bargaining by public employees; individual home care providers; Virginia Home Care Council established; Public Employee Relations Board established; exclusive



bargaining representatives. Repeals the existing prohibition on collective bargaining by public employees. The bill creates the Public Employee Relations Board, which shall determine appropriate bargaining units and provide for certification and decertification elections for exclusive bargaining representatives of state employees and local government employees. The bill requires public employers and employee organizations that are exclusive bargaining representatives to meet at reasonable times to negotiate in good faith with respect to wages, hours, and other terms and conditions of employment. The bill establishes the Virginia Home Care Council within the Department of Medical Assistance Services to promote the stability of the individual provider workforce in the Commonwealth and tasks the Council with serving as the public employer of individual providers, as defined in the bill, for purposes of collective bargaining pursuant to the bill's provisions. The bill repeals a provision that declares that in any procedure providing for the designation, selection, or authorization of a labor organization to represent employees the right of an individual employee to vote by secret ballot is a fundamental right that shall be guaranteed from infringement. The bill directs the Department of Labor and Industry to promulgate any regulations necessary to effectuate the bill's provisions by July 1, 2028, and provides that upon the establishment of the Public Employee Relations Board, such regulations shall be transferred to the Board. The bill provides that until such regulations are adopted, no petitions or elections shall take place pursuant to the bill's provisions except pursuant to an ordinance or resolution adopted under current law. *[Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*

HB 1489 Hospitals; reports of threats or acts of violence against health care providers; expansion of reporting requirements. *See summary under § 2.2-3705.5, supra (2026 Acts of Assembly, c. 320).*

SB 91 Public institutions of higher education; Old Dominion University; Eastern Virginia Health Sciences Center renamed as Virginia Health Sciences. *See summary under § 2.2-3705.4, supra (2026 Acts of Assembly, c. 482).*

Title 37.2 Behavioral Health and Developmental Services

HB 145 and SB 129 Fantasy contests; regulation and taxation. *See summary under § 2.2-3705.3, supra (2026 Acts of Assembly, cc. 565 and 566).*

Title 38.2 Insurance

SB 91 Public institutions of higher education; Old Dominion University; Eastern Virginia Health Sciences Center renamed as Virginia Health Sciences. *See summary under § 2.2-3705.4, supra (2026 Acts of Assembly, c. 482).*

Title 46.2 Motor Vehicles

HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra. [Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]*

Title 48 Nuisances

Page 16

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HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra.*
[Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]

Title 52 Police (State)

HB 145 and SB 129 Fantasy contests; regulation and taxation. *See summary under § 2.2-3705.3, supra*
(2026 Acts of Assembly, cc. 565 and 566).

Title 53.1 Prisons and Other Methods of Correction

HB 318 and SB 60 Virginia Parole Board; powers and duties; juvenile offenders; parole procedures and considerations. Increases the members of the Virginia Parole Board (the Board) from up to five to at least 11 members, five of whom shall be appointed by the Governor within 60 days of inauguration, three of whom shall be appointed by the Speaker of the House of Delegates within 60 days of a new House being sworn in during a Senate election year, and three of whom shall be appointed by the Chair of the Senate Committee on Rules within 60 days of a new Senate being sworn in after an election, and all of whom shall be subject to confirmation by the General Assembly, if in session when such appointment is made, and if not in session, then at its next succeeding session. The bill specifies that all members of the Board shall have significant professional experience working in criminal law, corrections, reentry and community services, or victim services and that the Board members appointed by the Governor shall include (i) an attorney with significant experience in criminal prosecution; (ii) an attorney with significant experience in criminal defense; (iii) a qualified mental health professional with relevant background in adolescent development, trauma responses, psychology, and decision-making; and (iv) a representative of a crime victims organization or a victim of crime. These provisions of the bill have a delayed effective date of July 1, 2028.

The bill also requires the Board to provide a meaningful opportunity for release to certain juvenile offenders eligible for parole and specifies various factors the Board shall give substantial weight to when making a determination on whether to grant parole to such juvenile offender. The bill allows a juvenile offender to request for reconsideration or appeal of a decision by the Board not to grant parole based on (a) the Board's failure to give substantial weight to such juvenile offender's age and its related mitigating circumstances as required by the bill or (b) the Board's overreliance on static factors such as the nature and circumstances of the offense and failure to ground its decision in evidence of maturity, rehabilitation, and a lack of present danger to public safety. The bill requires the Board to provide individualized reasons for the grant or denial of parole upon reconsideration or appeal.

The bill also requires that if parole is denied for any such juvenile offender, each Board member shall identify his reasoning for such decision at the time such member's vote is cast, including any youth-related factor and evidence of maturity and rehabilitation that was considered. The bill requires that the Board provide to such prisoner for whom parole is denied recommendations to demonstrate commitment to rehabilitation and at the next hearing, the Board is required to consider whether the prisoner has followed such recommendations. The bill also requires the Board to annually review the cases of such juvenile offenders eligible for parole (2026 Acts of Assembly, cc. 984 and 1046).

Page 17

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HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra.* [Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]

Title 54.1 Professions and Occupations

HB 483 and SB 271 Prescription Drug Affordability Advisory Panel established; maximum fair price; annual reports; civil penalties. *See summary under Title 32.1, supra.* [Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]

HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra.* [Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]

SB 91 Public institutions of higher education; Old Dominion University; Eastern Virginia Health Sciences Center renamed as Virginia Health Sciences. *See summary under § 2.2-3705.4, supra* (2026 Acts of Assembly, c. 482).

Title 56 Public Service Companies

HB 828 and SB 516 Electric utilities; disconnection reports; State Corporation Commission database; annual summary. Requires each investor-owned utility and electric cooperative operating in the Commonwealth to provide a monthly report on residential account disconnections to the State Corporation Commission. The monthly report is required to include specific information outlined in the bill, including the number of residential accounts involuntarily disconnected due to nonpayment, the amount of time in which such accounts were reconnected to service, the amounts of arrearages attributable to such disconnected accounts and other residential accounts, and information related to how many of the disconnected accounts participate in a payment assistance program or have a serious medical condition certification form on file with the electric utility. The bill requires the Commission to publish the information from such monthly reports in a comprehensive and easily accessible online database. The bill also requires the Commission to submit an annual executive summary to the Governor and the Commission on Electric Utility Regulation on trends in electric utility disconnections based on the reports submitted by electric utilities, the first of which is due by September 1, 2027. The bill has a delayed effective date of July 1, 2027. As introduced, this bill was a recommendation of the Commission on Electric Utility Regulation (2026 Acts of Assembly, cc. 676 and 677).

Title 58.1 Taxation

HB 145 and SB 129 Fantasy contests; regulation and taxation. *See summary under § 2.2-3705.3, supra* (2026 Acts of Assembly, cc. 565 and 566).

HB 308 and SB 620 Virginia Alcoholic Beverage Control Authority; permitting of retail tobacco product retailers; purchase, possession, and sale of retail tobacco products; penalties; report. *See summary under Title 4.1, supra* (2026 Acts of Assembly, cc. 1021 and 1044).



HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra.*
[Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]

HB 1529 Tax Commissioner; information sharing; eligibility for medical assistance. *See summary under Title 2.2, supra* (2026 Acts of Assembly, c. 478).

SB 701 Virginia Lottery; disclosure of identity of winners. *See summary under § 2.2-3705.7, supra* (2026 Acts of Assembly, c. 520).

Title 59.1 Trade and Commerce

HB 145 and SB 129 Fantasy contests; regulation and taxation. *See summary under § 2.2-3705.3, supra* (2026 Acts of Assembly, cc. 565 and 566).

HB 308 and SB 620 Virginia Alcoholic Beverage Control Authority; permitting of retail tobacco product retailers; purchase, possession, and sale of retail tobacco products; penalties; report. *See summary under Title 4.1, supra* (2026 Acts of Assembly, cc. 1021 and 1044).

HB 642 and SB 542 Cannabis control; retail market; penalties. *See summary under § 2.2-3711, supra.*
[Note: These bills are awaiting action by the Governor; the action deadline is 11:59 PM, May 23, 2026.]

Title 62.1 Waters of the State, Ports and Harbors

HB 496 and SB 553 Certain data from water users; water use consumption for domestic, commercial, and industrial purposes and from data centers. Requires any water user required to register water withdrawal and use data to the State Water Control Board that provides water to another person offsite to include in its report, submitted on its regular reporting schedule, the total volume of potable water and, reported separately, the total volume of reclaimed water, as defined in the bill, provided during each month for each of the following categories: (i) a data center with an air permit issued by the Department of Environmental Quality and (ii) to the extent available without utility billing system modifications, (a) domestic purposes, (b) commercial and industrial purposes, separately or combined as available, and (c) all other non-categorized purposes. The bill has a delayed effective date of January 1, 2027 (2026 Acts of Assembly, cc. 623 and 896).