



**Virginia Funeral Directors
Association 2021 General Assembly
Weekly Report**
for Week Ending February 19th, 2021
(As of 2:30 pm)

RECAP:

Wednesday marked the start of the 2021 Special Session in accordance with Governor Northam's [official proclamation](#) issued on February 4th. [HJ5001](#) was introduced by House Majority Leader Herring which establishes the schedule and conduct of business for the Special Session. As the Governor stated when issuing the Special Session proclamation that the special session will align the legislative calendar with the customary 46-day Regular Session length for odd-numbered years, HJ5001 sets the following rules which are consistent with the rules at cross-over during a regular session. Except with the unanimous consent of the house in which the legislation is offered no bill, joint resolution, or resolution shall be offered or considered in either house during the Special Session other than:

- Bills or joint resolutions continued from the 2021 Regular Session pursuant to Section 7 of Article IV of the Constitution of Virginia and House Joint Resolution No. 575 providing for legislative continuity
- The Budget Bill
- Single-house commending or memorial resolutions;
- Bills, joint resolutions, or resolutions affecting the rules of procedure or schedule of business of the General Assembly, either of its houses, or any of its committees
- Joint resolutions or resolutions relating to appointments subject to the confirmation of the General Assembly or either house
- Bills, joint resolutions, or resolutions relating to the election of judges and other officials subject to the election of the General Assembly; or
- Bills or joint resolutions requested in writing by the Governor

In accordance with HJ5001, special session is scheduled to end no later than March 1, 2021.

Below is a statistical summary update of the status of the 828 carried-over bills and resolutions from the regular session and 25 new resolutions introduced during the special session.

Type	Introduced	Passed House	Passed Senate	Passed	Cont'd from last session	Failed	Pending	Approved	Vetoed
H.B.	378	376	197	155	376	28	195	0	0
H.J.R.	173	172	155	154	171	0	19	0	0
H.R.	33	13	0	13	0	0	20	0	0
S.B.	265	116	265	85	265	4	176	0	0
S.J.R.	17	3	17	2	16	3	12	0	0
S.R.	23	0	19	19	0	0	4	0	0
Totals	889	680	653	428	828	35	426	0	0

COMMITTEE AND FLOOR SCHEDULES:

The House is using an adjusted block scheduling system with two-hour blocks of committees and/or subcommittees occurring at 7:00 am, and 9:00 am, and a third afternoon block that commences after the daily floor session. The Senate's committee schedule is in-line with a traditional regular session

schedule. Both houses are returning to a noon Floor Session start time. The full daily schedule of all House and Senate sub-committees, full committees, and bills that on each day's floor session calendar is can be found on the [2021 Meeting Schedule](#). The meeting and floor schedules are updated daily.

THIS WEEK – (February 15th – February 19th – Week 6):

The Special Session commenced Wednesday, February 10 with the House holding several committee meetings and a floor session on Monday, February 8th to keep bills moving through the process in order to carry those voted favorably on forward to the Special Session. A joint session of the House and Senate Judiciary Committees was held Tuesday, February 9th for the purpose of interviewing judicial candidates which are now also livestreamed on the General Assembly's website.

Floor sessions held on Wednesday and Thursday were shorter in duration than the previous week which is typical of the days immediately following the half-way/crossover with both House and Senate bills that were carried over to Special Session still in the committee hearing process.

With bills relating to criminal justice reform, education, election administration, energy, insurance, healthcare, marijuana legalization, and worker protections still under consideration the remaining two weeks of Special Session will likely include some lively committee or floor debates.

Below are updates on legislation we have been reporting on during the 2021 General Assembly. They include the bills that VFDA has in its 2021 Legislative Agenda, which are [SB1268](#) and [HB2005](#) – companion bills that would create a defined order for next of kin for a decedent; [SB1424](#) – manager of record; and the VFDA supported Delegate Mugler's [HB2116](#), priority for personal protective equipment and immunization for funeral service licensees and funeral service establishment employees.

The two initiatives in the VFDA 2021 Legislative Agenda did not pass this year. However, we do want to commend the following members of VFDA for their participation in the legislative process in defense of HB2005 as it came before the Senate General Laws and Technology Committee on Wednesday, February 17th. (The clip can be watched [here](#).)

Those who stepped forward to support the VFDA's efforts are: David Bashline (Chair-elect to Legislative Committee), Gregg Faulkner (testified in committee), Rob Finch (member of the Legislative Committee), Jay McIntyre (Current Chair of Legislative Committee/testified in committee), Randy Minter (testified in committee), Larry Spiaggi (testified in committee), and Michael Turch (testified in committee) – as well as our Executive Director, Lacy Whittaker, who works tirelessly to support VFDA members and initiatives. We also thank Steve Wooddell for bringing his attorney, John Hale, to the efforts with Delegate Sickles and in committee. Mr. Hale testified in favor of the bill.

This level of participation is exceptional and moved the needle on the number of votes in favor of HB2005 over its companion bill, SB1268. It cannot be stressed enough that the changes in the members of the General Assembly have also changed how outreach and testimony is expected to be received by them. We are hopeful that more members of VFDA will follow these leaders and agree to also participate in the legislative process.

We also want to recognize that Becky Bowers-Lanier supported the next of kin legislation by bringing her clients, Virginia Network of Private Providers, Virginia Association of Community Services Boards, and Virginia Association for Hospices Boards to the table.

BUDGET:

After passing their respective budgets on February 12th, (HB1800 - 68-Y, 30-N and SB1100 31-Y 8-N), the General Assembly received word from the Governor on Monday that the final mid-session revenue review showed continued growth in Virginia's revenue stream. This positive revenue review increases projected General Fund resources by \$730.2 million for the 2020-2022 biennium giving member of the General Assembly revenue resources as they vote on legislation with a fiscal impact and work to negotiate a final budget in the final days of session.

As each house had previously taken differing approaches to addressing the needs of the Commonwealth's core service areas, how to allocate these additional General Fund resources will certainly be a big part of the negotiation. As we previously reported, the Senate budget included requiring school systems to conduct in-person learning by July 1st, which is not included in the House budget. The floor amendment introduced on the House floor Friday, February 12th adding the in-person learning to the House budget as well, failed. Both budgets include more funding for education than the Governor's introduced budget; however, the budgets differ in the amount of funding for teacher raises and funding levels for summer/remediation schooling. The Senate budget includes \$30 million more in funding for home healthcare workers than the House budget.

[Governor Northam Announces Additional General Fund Resources from Mid-Session Reforecast](#)

[Economic and Revenue Update Presentation](#) – Secretary of Finance, Aubrey Layne – 2/17

Budget conferees must be appointed by February 19th to negotiate the final budget with a final floor vote expected on February 27th or March 1st.

PARTICIPATING IN THE LEGISLATIVE PROCESS:

The public and interested groups may participate in session, by speaking at a committee hearing. The agenda for each House and Senate committee hearing includes a link to sign up to speak during committee. The committee clerk will send a link to the email used on the sign-up form thirty minutes before the start of the committee hearing. The sign-up link for each committee hearing is activated once the committee clerk posts the agenda for the hearing and can be viewed on the [LIS Meeting Schedule](#). The House of Delegates also provides an option to submit written comments on a bill that is being heard in committee. These written comments are able to be viewed by all members of the committee and the general public. To look up who represents your legislative district, visit [Who Is My Legislator](#).

MEDIA CLIPS:

[Free community college plan nears the finish line](#)

A proposal to make community college free for low- and middle-income Virginians seeking jobs in high-demand fields is nearing the finish line, pending whether budget leaders can work out some... richmond.com

[Virginia lawmakers advance Consumer Data Protection Act](#)

[Long deadlocked, Virginia lawmakers reach compromise to seal past criminal convictions](#) - Virginia Mercury

Democrats in the House and Senate have been at odds for more than a year over dueling proposals to allow people convicted of certain crimes to have their criminal records sealed. On Wednesday, lawm... www.virginiamercury.com

[Business groups ask Va. lawmakers for higher PPP tax deductions](#) | Virginia Business

Virginia's two legislative bodies have not yet agreed on an amount that Virginia businesses can deduct from federal Paycheck Protection Program loans they received last year, and how much of the lo... www.virginiabusiness.com

[Recovery? Va. economy, revenues buoyed by consumer demand, big business](#)

Virginia collected slightly more tax revenue in the past 11 months than it did in either of the previous two years, despite a public health emergency that has devastated parts ... richmond.com

[Northam signs bill to grow vaccinators pool, announces launch of expanded call center for vaccine registration](#)

In an effort to speed up vaccinations and ensure equitable distribution, Virginia officials this week expanded the number of people eligible to administer the COVID-19 vaccine and issued a requirement... richmond.com

<https://apnews.com/article/richmond-coronavirus-pandemic-virginia-3ae8e216d9402692cdf87cffe4316ee0>

[Hiccups as Virginia lawmakers adapt to legislating by Zoom](#)

RICHMOND, Va. (AP) — The coronavirus pandemic is again upending the daily routines of the tradition-bound Virginia General Assembly. The body that traces its lineage back more than four... apnews.com

[Tenant, homeowner protections heading to Northam's desk after General Assembly passage](#)

A bill that would expand Virginia renters' right to settle outstanding balances and keep their housing and another measure that would expand foreclosure protections are headed to Gov. Ralph Northam's ...richmond.com

[How will Opioid Settlement Dollars Be Used](#)

[Virginia House rejects Senate substitute to bill giving localities option for 'outdoor refreshment areas'](#)

While legislation giving localities the option to set up three outdoor refreshment areas where ... WRIC

LEGISLATIVE TRACKING UPDATE:

VA - HB2005 Disposition of the remains of a decedent; persons to make arrangements for funeral.

Primary Sponsor: [Delegate Mark D. Sickles \(D\)](#)

Committees:

[Health, Welfare and Institutions \(House\)](#)

[General Laws and Technology \(Senate\)](#)

Summary:

Disposition of the remains of a decedent; persons to make arrangements for funeral and disposition of remains. Establishes an order of priority for persons who have the right to make arrangements and otherwise be responsible for a decedent's funeral and the disposition of his remains and establishes processes by which such persons may assert or forfeit their right to make arrangements and otherwise be responsible for a decedent's funeral and the disposition of his remains. The bill also provides protections for any funeral service establishment, funeral service establishment manager of record, funeral service licensee, funeral director, embalmer, registered crematory, registered crematory owner, registered crematory manager of record, or certified crematory operator that relies upon a written statement made by a person attesting to his right to make arrangements or otherwise be responsible for a decedent's funeral and sets out rights of funeral service establishments when there is a dispute regarding the arrangements of a decedent's funeral or his remains or the identity of any persons who have the right to make arrangements for the decedent. The bill also adds provisions related to designation of a person to make arrangements for a decedent's funeral or disposition of a decedent's remains, clarification of decision-making authority when next of kin disagrees, and procedures in the absence of next of kin for cemeteries or cemetery companies.

Amendments:

[House subcommittee amendments and substitutes offered](#)

[House subcommittee amendments and substitutes adopted](#)

[House committee, floor amendments and substitutes offered](#)

Actions:

February 17, 2021

- Failed to report (defeated) in General Laws and Technology (5-Y 9-N 1-A)

February 5, 2021

- Continued to 2021 Sp. Sess. 1 in General Laws and Technology (14-Y 0-N)

February 4, 2021

- Referred to Committee on General Laws and Technology
- Constitutional reading dispensed

February 3, 2021

- VOTE: Passage (91-Y 8-N)
- Read third time and passed House (91-Y 8-N)

February 2, 2021

- Engrossed by House - committee substitute HB2005H1
- Committee substitute agreed to 21103975D-H1
- Read second time

February 1, 2021

- Read first time

January 28, 2021

- Committee substitute printed 21103975D-H1
- Reported from Health, Welfare and Institutions with substitute (18-Y 3-N)
- Subcommittee recommends reporting with substitute (5-Y 1-N)

[VA - SB1268](#) Disposition of the remains of a decedent; persons to make arrangements for funeral.

Primary Sponsor: [Senator R. Creigh Deeds \(D\)](#)

Committee: [General Laws and Technology \(Senate\)](#)

Summary:

Disposition of the remains of a decedent; persons to make arrangements for funeral and disposition of remains. Establishes an order of priority for persons who have the right to make arrangements and otherwise be responsible for a decedent's funeral and the disposition of his remains, provided that any such person is 18 years of age or older and of sound mind. The bill sets out, among other things, the circumstances under which such persons forfeit the right to make arrangements and otherwise be responsible for a person's funeral and the disposition of his remains and sets out assertions that a person seeking to exercise the right to make such arrangements must attest to in a signed written statement to be delivered to the funeral service establishment. Any funeral service establishment, funeral service establishment manager of record, funeral service licensee, funeral director, embalmer, registered crematory, registered crematory owner, registered crematory manager of record, or certified crematory operator that relies upon such a written statement shall be immune from civil or criminal liability for any act, decision, or omission in connection with following such person's direction related to the decedent's funeral and the disposition of his remains, unless such act, decision, or omission resulted from willful neglect or bad faith. The bill sets out rights of funeral service establishments when there is a dispute regarding the arrangements of a decedent's funeral or his remains or the identity of any persons who have the right to make arrangements for the decedent. The bill specifies that the provisions do not apply to cemeteries or cemetery companies.

Amendments:

[Senate committee, floor amendments and substitutes offered](#)

Actions:

February 2, 2021

- Passed by indefinitely in General Laws and Technology (11-Y 3-N)

VA - SB1424 Funeral service establishments; defines "manager of record."

Primary Sponsor: [Senator John A. Cosgrove, Jr. \(R\)](#)

Committee: [General Laws and Technology \(Senate\)](#)

Summary:

Funeral service establishments; manager of record. Defines "manager of record" as a person who manages and handles all operations of a licensed funeral service establishment and sets out the conditions under which a funeral service licensee or a funeral director may serve as a manager of record. The bill requires that funeral service establishments employ a full-time manager of record.

Amendments:

[Senate committee, floor amendments and substitutes offered](#)

Actions:

January 27, 2021

- Passed by indefinitely in General Laws and Technology (12-Y 3-N)