



DIOCESE OF ARLINGTON · DIOCESE OF RICHMOND
Representing the Virginia Catholic Bishops and their Dioceses in Public Policy Matters

Pandemic-altered 2021 General Assembly session focused on fewer bills, still yielded far-reaching outcomes

This General Assembly session (Jan. 13 – March 1) was unique in form and substance. Public comment during committee hearings was only taken virtually. On a number of occasions, opportunities to testify for or against legislation were denied or limited considerably. Due to strict bill filing caps, legislators made careful decisions about which measures to propose in 2021 and which ones to save for a future year, and committees addressed far fewer bills than in prior years. Nevertheless, the consequences of this year’s session were undeniably far-reaching.

What passed?

Abortion coverage expansion. Numerous longstanding protections for the unborn and pregnant women were dismantled during the 2020 session, and the erosion of life-affirming laws continued in 2021. Legislation enacted this year removes abortion coverage restrictions for plans participating in Virginia’s health insurance exchange. The exchange is a virtual marketplace created under the federal Affordable Care Act through which an estimated 240,000 Virginians acquire their health plans. Beginning July 1 of this year, exchange-participating plans – many of which are subsidized with taxpayers’ money – will be allowed to cover abortion without limits. (To see how your legislators voted, see “Opposing Abortion Coverage Expansion” in charts.)

Death penalty repeal. Historically, more executions have been carried out in Virginia than in any other state in our country’s history. Transformational legislation enacted this year, however, makes Virginia the first southern state and the 23rd nationally to end its death penalty. (To see how your legislators voted, see “Death Penalty Repeal” in charts.)

Marijuana commercialization. Enacted legislation creates the framework for a commercial market for marijuana in Virginia, with retail sales to those 21 and older permitted beginning January 1, 2024. The legislation also fast-tracks legal possession and home cultivation of marijuana, allowing those 21 and older to possess up to one ounce and allowing “households” to home-grow up to four plants beginning July 1 of this year. (To see how your legislators voted, see “Opposing Marijuana Commercialization” in charts.)

Repeal of genetic counselor conscience protections. A law in place since 2014 ensures that Virginia law does not “require any genetic counselor to participate in counseling that conflicts with their deeply-held moral or religious beliefs.” Though these conscience protections received overwhelming bipartisan support when they were approved seven years ago, they were repealed this session and will be erased from law beginning July 1 of this year. (To see how your legislators voted, see “Preserving Genetic Counselor Conscience Law” in charts.)

First step against Virginia’s Marriage Amendment. Virginia’s constitution defines marriage as the union of one man and one woman – a definition approved by Virginia voters in November 2006. This year, however, a resolution to remove this provision from Virginia’s constitution, and to replace it with language to “recognize marriages ... regardless of the sex or gender of the parties to the marriage”, passed the General Assembly. (To see how your legislators voted, see “Protecting Marriage” in charts.) If the resolution passes again next year, it will appear on the ballot in November 2022.

What did not pass?

Repeal of adoption conscience protections. For the second consecutive year, legislation sought to end a conscience law that ensures Catholic Charities and other faith-based adoption and foster care agencies can provide services consistent with their beliefs. This year, the House passed the bill, and a Senate committee then approved an amended version of it. The full Senate, however, sent the highly contentious measure back to the committee, where it died when no further action was taken. (To see how your Delegate voted, see “Preserving Adoption Conscience Law” in House chart.)

Parental consent. Legislation prohibiting state and local health officials from initiating communication with minors about sex-related topics without parental consent passed the Senate by one vote before being defeated in a House committee. (To see how your legislators voted, see “Parental Consent – DoH Communications” in charts.) The bill was introduced in response to a previous Virginia Department of Health (DoH) initiative (the “[BrdsNBz](#)” program) encouraging kids and teens to text questions about sex, relationships and contraception to a “sexual health textline”.

Repeal of minimum wage exemption for farm workers. Last year, the General Assembly raised Virginia’s minimum wage, but the bill did not apply to agricultural workers. Legislation introduced this year to include farm workers passed the House but was defeated in a Senate committee. (To see how your legislators voted, see “Minimum Wage Equity for Farm Workers” in charts.)

How legislators voted in the 2021 General Assembly session

| <div style="display: flex; justify-content: space-between; align-items: center;"> <div style="font-size: 2em; font-weight: bold; margin-right: 20px;">Senate Votes</div> <div style="font-size: 0.8em; margin-right: 20px;"> ✓: Vote agreed with VCC position X: Vote disagreed with VCC position ■: No opportunity to vote because not on committee NV: Recorded as not voting </div> </div> | | | | | | | |
|--|--|----------------------------|---|---|------------------------|---|--|
| Name of Senator (Party, District) | Opposing Abortion Coverage Expansion | Death Penalty Repeal | Opposing Marijuana Commercialization*** | Preserving Genetic Counselor Conscience Law | Protecting Marriage | Parental Consent – DoH Communications | Minimum Wage Equity for Farm Workers |
| Barker, George L. (D-39) | X | ✓ | X | X | X | X | ✓ |
| Bell, John J. (D-13) | X | ✓ | X | X | X | X | X |
| Boysko, Jennifer B. (D-33) | X | ✓ | X | X | X | X | ■ |

Senate Votes

√: Vote agreed with VCC position

X: Vote disagreed with VCC position

■: No opportunity to vote because not on committee

NV: Recorded as not voting

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|--------------------------------------|--|----------------------------|---|---|------------------------|---|--|
| Chase, Amanda F. (R-11) | √ | X | √ | √ | √ | √ | ■ |
| Cosgrove, John A., Jr. (R-14) | √ | X | √ | √ | NV**** | √ | ■ |
| DeSteph, Bill R., Jr. (R-8) | √ | X | √ | √ | √ | √ | ■ |
| Deeds, R. Creigh (D-25) | X | √ | X | X | X | X | X |
| Dunnavant, Siobhan S. (R-12) | √ | X | √ | X | NV**** | √ | ■ |
| Ebbin, Adam P. (D-30) | X | √ | X | X | X | X | √ |
| Edwards, John S. (D-21) | X | √ | X | X | X | X | √ |
| Favola, Barbara A. (D-31) | X | √ | X | X | X | X | ■ |
| Hackworth, T. Travis (R-38) * | | | √ | | | | |
| Hanger, Emmett W., Jr. (R-24) | √ | X | √ | √ | √ | √ | ■ |
| Hashmi, Ghazala F. (D-10) | X | √ | X | X | X | X | ■ |
| Howell, Janet D. (D-32) | X | √ | X | X | X | X | ■ |
| Kiggans, Jennifer A. (R-7) | √ | X | √ | √ | X | √ | ■ |
| Lewis, Lynwood W., Jr. (D-6) | X | √ | X | X | X | √ | X |
| Locke, Mamie E. (D-2) | X | √ | X | X | NV**** | X | ■ |

Senate Votes

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|--------------------------------------|--|----------------------------|---|---|------------------------|---|--|
| Lucas, L. Louise (D-18) | X | √ | X | X | X | X | √ |
| Marsden, David W. (D-37) | X | √ | X | X | X | X | X |
| Mason, T. Montgomery "Monty" (D-1) | X | √ | X | X | X | X | X |
| McClellan, Jennifer L. (D-9) | X | √ | X | X | X | X | ■ |
| McDougle, Ryan T. (R-4) | √ | X | √ | √ | √ | √ | ■ |
| McPike, Jeremy S. (D-29) | X | √ | X | X | X | X | ■ |
| Morrissey, Joseph D. (D-16) | X** | √ | X | X | X | √ | ■ |
| Newman, Stephen D. (R-23) | √ | X | √ | √ | √ | √ | X |
| Norment, Thomas K., Jr. (R-3) | X | X | √ | X | X | √ | X |
| Obenshain, Mark D. (R-26) | √ | X | √ | √ | √ | √ | X |
| Peake, Mark J. (R-22) | √ | X | √ | √ | √ | √ | ■ |
| Petersen, J. Chapman (D-34) | X | √ | √ | X | X | X | ■ |
| Pillion, Todd E. (R-40) | √ | X | √ | √ | √ | √ | ■ |
| Reeves, Bryce E. (R-17) | √ | X | √ | √ | √ | √ | ■ |
| Ruff, Frank M., Jr. (R-15) | √ | X | √ | √ | √ | √ | ■ |

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|--------------------------------------|--|----------------------------|---|---|------------------------|---|--|
| Saslaw, Richard L. (D-35) | X | √ | X | X | X | X | X |
| Spruill, Lionell, Sr. (D-5) | X | √ | X | X | NV | X | √ |
| Stanley, William M., Jr. (R-20) | √ | NV | √ | √ | √ | √ | ■ |
| Stuart, Richard H. (R-28) | √ | X | √ | √ | √ | √ | ■ |
| Suetterlein, David R. (R-19) | √ | X | √ | √ | NV | √ | ■ |
| Surovell, Scott A. (D-36) | X | √ | X | X | X | X | X |
| Vogel, Jill Holtzman (R-27) | √ | √ | √ | X | X | √ | ■ |

* Sen. Travis Hackworth was elected in a March 23 special election to fill the 38th District seat. The seat was previously held by the late Sen. Ben Chafin, who died on Jan. 1. The seat was vacant from Jan. 1 until April 2, the date Hackworth was sworn in as a member of the Senate. Six of the votes reported in the Senate chart occurred while the seat was vacant.

** The vote recorded in the chart indicates Sen. Morrissey’s most recent vote on this legislation, which was a vote in favor of the VCC-opposed House bill (HB 1896) on Feb. 18. In a previous vote (on Jan. 22), Sen. Morrissey voted against the identical Senate bill (SB 1276).

*** The vote was a 20-20 tie, and Lt. Gov. Justin Fairfax – as President of the Senate – broke the tie with a yea vote, resulting in Senate approval.

**** The vote recorded in the chart indicates the most recent Senate vote on this legislation, which was a vote in favor of the VCC-opposed House resolution (HJ 582) on Feb. 19. In a previous vote (on Feb. 5), Sen. Cosgrove voted against the identical Senate resolution (SJ 270) and Sen. Dunnivant and Sen. Locke voted in favor of SJ 270.

(Please continue to next page.)

House of Delegates Votes

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|---------------------------------------|--|----------------------------|--|--|---|------------------------|---|--|
| Adams, Dawn M. (D-68) | X | √ | X | X | X | X | X | √ |
| Adams, Leslie R. "Les" (R-16) | √ | X | √ | √ | √ | √ | ■ | X |
| Aird, Lashrecse D. (D-63) | X | √ | X | X | X | X | X | √ |
| Askew, Alex Q. (D-85) | X | √ | X | X | X | X | ■ | √ |
| Austin, Terry L. (R-19) | √ | X | √ | √ | √ | √ | ■ | X |
| Avoli, G. "John" (R-20) | √ | X | √ | √ | √ | X | √ | X |
| Ayala, Hala S. (D-51) | X | √ | X | X | X | X | ■ | √ |
| Bagby, Lamont (D-74) | X | √ | X | X | X | X | ■ | √ |
| Batten, Amanda E. (R-96) | √ | X | √ | √ | √ | √ | ■ | X |
| Bell, Robert B. (R-58) | √ | X | √ | √ | √ | √ | √ | X |
| Bloxom, Robert S., Jr. (R-100) | √ | X | √ | √ | √ | X | ■ | X |
| Bourne, Jeffrey M. (D-71) | X | √ | X | X | X | X | ■ | √ |
| Brewer, Emily M. (R-64) | √ | X | √ | √ | √ | NV | ■ | X |
| Bulova, David L. (D-37) | X | √ | √ | NV | X | X | ■ | √ |

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|---------------------------------------|--|----------------------------|--|--|---|------------------------|---|--|
| Byron, Kathy J. (R-22) | √ | X | √ | √ | √ | √ | ■ | X |
| Campbell, Jeffrey L. (R-6) | √ | √ | √ | √ | √ | √ | ■ | X |
| Campbell, Ronnie R. (R-24) | √ | X | √ | √ | √ | √ | ■ | X |
| Carr, Betsy B. (D-69) | X | √ | X | X | X | X | ■ | √ |
| Carter, Lee J. (D-50) | X | √ | X | X | X | X | ■ | √ |
| Cole, Joshua G. (D-28) | X | √ | X | X | X | X | ■ | √ |
| Cole, Mark L. (R-88) | √ | X | √ | √ | √ | √ | ■ | X |
| Convirs-Fowler, Kelly K. (D-21) | X | √ | X | X | X | X | ■ | √ |
| Cox, M. Kirkland (R-66) | √ | X | √ | √ | √ | √ | ■ | X |
| Coyner, Carrie E. (R-62) | √ | √ | √ | √ | √ | X | ■ | X |
| Davis, Glenn R., Jr. (R-84) | √ | X | √ | √ | √ | X | ■ | X |
| Delaney, Karrie K. (D-67) | X | √ | X | X | X | X | X | √ |
| Edmunds, James E., II (R-60) | √ | X | A | √ | √ | √ | √ | X |
| Fariss, C. Matthew (R-59) | √ | X | √ | NV | √ | √ | ■ | X |

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|---------------------------------------|--|----------------------------|--|--|---|------------------------|---|--|
| Filler-Corn, Eileen (D-41) | X | √ | X | X | X | X | ■ | √ |
| Fowler, Hyland F. "Buddy", Jr. (R-55) | √ | X | √ | √ | √ | √ | √ | X |
| Freitas, Nicholas J. "Nick" (R-30) | √ | X | √ | √ | √ | √ | ■ | X |
| Gilbert, C. Todd (R-15) | √ | X | √ | √ | √ | √ | ■ | X |
| Gooditis, Gwendolyn W. "Wendy" (D-10) | X | √ | X | X | X | X | ■ | √ |
| Guy, Nancy D. (D-83) | X | √ | X | X | X | X | ■ | √ |
| Guzman, Elizabeth R. (D-31) | X | √ | X | X | X | X | X | √ |
| Hayes, C. E. "Cliff", Jr. (D-77) | X | √ | X | X | X | X | X | √ |
| Head, Christopher T. (R-17) | √ | X | √ | √ | √ | √ | √ | X |
| Helmer, Daniel I. (D-40) | X | √ | X | X | X | X | ■ | √ |
| Heretick, Stephen E. (D-79) | X | √ | X | X | X | X | ■ | √ |
| Herring, Charniele L. (D-46) | X | √ | X | X | X | X | ■ | √ |
| Hodges, M. Keith (R-98) | √ | X | √ | √ | √ | X | √ | X |
| Hope, Patrick A. (D-47) | X | √ | X | X | X | X | X | √ |

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|---------------------------------------|--|----------------------------|--|--|---|------------------------|---|--|
| Hudson, Sally L. (D-57) | X | √ | X | X | X | X | ■ | √ |
| Hurst, Chris L. (D-12) | X | √ | X | X | X | X | ■ | √ |
| Jenkins, Clinton L. (D-76) | X | √ | X | NV | X | X | ■ | √ |
| Jones, Jerrauld C. “Jay” (D-89) | X | √ | X | X | X | X | ■ | √ |
| Keam, Mark L. (D-35) | X | √ | X | X | X | X | ■ | √ |
| Kilgore, Terry G. (R-1) | √ | X | √ | √ | √ | √ | ■ | X |
| Knight, Barry D. (R-81) | √ | X | √ | √ | √ | √ | ■ | X |
| Kory, Kaye (D-38) | X | √ | X | X | X | X | ■ | √ |
| Krizek, Paul E. (D-44) | X | √ | X | X | X | X | ■ | √ |
| LaRock, David A. (R-33) | √ | X | √ | √ | √ | √ | ■ | X |
| Leftwich, James A. “Jay”, Jr. (R-78) | √ | X | √ | √ | √ | √ | ■ | X |
| Levine, Mark H. (D-45) | X | √ | X | X | X | X | X | √ |
| Lopez, Alfonso H. (D-49) | X | √ | X | X | X | X | ■ | √ |
| Marshall, Daniel W., III (R-14) | √ | X | √ | √ | √ | √ | ■ | X |

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|---------------------------------------|--|----------------------------|--|--|---|------------------------|---|--|
| McGuire, John J., III (R-56) | √ | X | √ | √ | √ | √ | ■ | X |
| McNamara, Joseph P. (R-8) | √ | X | √ | √ | √ | NV | ■ | X |
| McQuinn, Delores L. (D-70) | X | √ | X | X | X | X | ■ | √ |
| Miyares, Jason S. (R-82) | √ | X | √ | √ | √ | √ | ■ | X |
| Morefield, James W. "Will" (R-3) | √ | X | A | √ | √ | √ | ■ | X |
| Mugler, Martha M. (D-91) | X | √ | X | X | X | X | ■ | √ |
| Mullin, Michael P. (D-93) | X | √ | X | X | X | X | ■ | √ |
| Mundon King, Candi (D-2) | X | √ | X | X | X | X | ■ | √ |
| Murphy, Kathleen J. (D-34) | X | √ | X | X | X | X | ■ | √ |
| O'Quinn, Israel D. (R-5) | √ | X | √ | √ | √ | √ | ■ | X |
| Orrock, Robert D., Sr. (R-54) | √ | X | √ | √ | √ | √ | √ | X |
| Plum, Kenneth R. (D-36) | X | √ | X | X | X | X | ■ | √ |
| Poindexter, Charles D. (R-9) | √ | X | √ | √ | √ | √ | ■ | X |
| Price, Marcia S. "Cia" (D-95) | X | √ | X | X | X | X | X | √ |

House of Delegates Votes

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|--|--|----------------------------|--|--|---|------------------------|---|--|
| Ransone, Margaret B. (R-99) | √ | X | √ | √ | √ | √ | ■ | X |
| Rasoul, Sam (D-11) | X | √ | X | X | X | X | X | √ |
| Reid, David A. (D-32) | X | √ | X | X | X | X | ■ | √ |
| Robinson, Roxann L. (R-27) | √ | X | √ | √ | √ | X | √ | X |
| Roem, Danica A. (D-13) | X | √ | X | X | X | X | ■ | √ |
| Runion, Chris (R-25) | √ | X | √ | √ | √ | √ | ■ | X |
| Rush, L. Nick (R-7) | √ | X | √ | √ | √ | √ | ■ | X |
| Samirah, Ibraheem S. (D-86) | X | √ | X | X | X | X | X | √ |
| Scott, Don L., Jr. (D-80) | X | √ | X | X | X | X | ■ | √ |
| Sickles, Mark D. (D-43) | X | √ | X | X | X | X | X | √ |
| Simon, Marcus B. (D-53) | X | √ | X | X | X | X | ■ | √ |
| Simonds, Shelly A. (D-94) | X | √ | X | X | X | X | ■ | √ |
| Subramanyam, Suhas (D-87) | X | √ | X | X | X | X | ■ | √ |
| Sullivan, Richard C. "Rip", Jr. (D-48) | X | √ | X | X | X | X | ■ | √ |

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|---------------------------------------|--|----------------------------|--|--|---|------------------------|---|--|
| Torian, Luke E. (D-52) | X | √ | X | X | X | X | ■ | √ |
| Tran, Kathy K. L. (D-42) | X | √ | X | X | X | X | X | √ |
| Tyler, Roslyn C. (D-75) | X | √ | X | X | X | NV | ■ | √ |
| VanValkenburg, Schuyler T. (D-72) | X | √ | X | X | X | X | ■ | √ |
| Walker, Wendell S. (R-23) | √ | X | √ | √ | √ | √ | √ | X |
| Wampler, William C. III (R-4) | √ | X | √ | √ | √ | √ | ■ | X |
| Ward, Jeion A. (D-92) | X | √ | X | X | X | X | ■ | √ |
| Ware, R. Lee (R-65) | √ | X | √ | √ | √ | √ | ■ | X |
| Watts, Vivian E. (D-39) | X | √ | NV | X | X | X | ■ | √ |
| Webert, Michael J. (R-18) | √ | X | √ | √ | √ | √ | ■ | X |
| Wiley, William D. "Bill" (R-29) | √ | X | √ | √ | √ | √ | ■ | X |
| Willett, Rodney T. (D-73) | X | √ | X | X | X | X | X | √ |
| Williams Graves, Angelia (D-90) | X | √ | X | X | X | X | ■ | √ |
| Wilt, Tony O. (R-26) | √ | X | √ | √ | √ | √ | ■ | X |

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|---------------------------------------|--|----------------------------|--|--|---|------------------------|---|--|
| Wright, Thomas C., Jr. (R-61) | ✓ | X | ✓ | ✓ | ✓ | ✓ | ■ | X |
| Wyatt, Scott A. (R-97) | ✓ | X | ✓ | ✓ | ✓ | ✓ | ■ | X |

(Please continue to next page.)

Future Threats

Legislation enacted in 2021 with further debate anticipated in 2022:

Marijuana commercialization: Enacted legislation fast-tracks legal possession and home cultivation of marijuana and creates the framework for a commercial market to begin in 2024 (see first page of report). In order for the commercial provisions to take effect, however, they must be re-approved by the General Assembly in 2022.

House patrons:

Herring (D-46) (**chief patron**); Bagby (D-74) (**chief co-patron**); Convirs-Fowler (D-21) (**chief co-patron**); Heretick (D-79) (**chief co-patron**); Scott (D-80) (**chief co-patron**); Adams, Dawn M. (D-68); Ayala (D-51); Bourne (D-71); Carter (D-50); Cole, Joshua G. (D-28); Guzman (D-31); Helmer (D-40); Hope (D-47); Hurst (D-12); Jenkins (D-76); Kory (D-38); Levine (D-45); Lopez (D-49); McQuinn (D-70); Price (D-95); Reid (D-32); Samirah (D-86); Simon (D-53); Simonds (D-94); Williams Graves (D-90)

Senate patrons:

Ebbin (D-30) (**chief patron**); Lucas (D-18) (**chief patron**); Morrissey (D-16) (**chief co-patron**); Spruill (D-5); Surovell (D-36)

Bills introduced in 2021 that did not advance but are expected to return in 2022:

“Reproductive Health Equity Act”: Introduced legislation would have expanded abortion, sterilization and contraception coverage in Virginia’s taxpayer-funded Medicaid program. It would also have required this coverage in private health plans.

House patrons:

Price (D-95) (**chief patron**); Bourne (D-71); Carr (D-69); Hope (D-47); Kory (D-38)

Senate patrons:

Boysko (D-33); McClellan (D-9)

Mandating IVF coverage: Introduced legislation sought an incremental approach (proposed study) directed toward mandating coverage of in vitro fertilization by all health plans in Virginia.

House patrons:

Helmer (D-40) (**chief patron**); Keam (D-35) (**chief co-patron**); Lopez (D-49)

Bills listed as “Future Threats” in VCC’s 2020 General Assembly vote report that were not introduced in 2021:

Bills to **legalize assisted suicide** and to **repeal Virginia’s scholarship tax credit program** were **not introduced this year**. The VCC does, however, anticipate that they could return in a future year.

INDEX OF LEGISLATION

What passed?

| | |
|---|---|
| Abortion coverage expansion..... | SB 1276 ; HB 1896 |
| Death penalty repeal..... | SB 1165 ; HB 2263 |
| Marijuana commercialization..... | SB 1406 ; HB 2312 |
| Repeal of genetic counselor conscience protections..... | SB 1178 |
| First step against Virginia’s Marriage Amendment..... | SJ 270 ; HJ 582 |

What did not pass?

| | |
|--|-------------------------|
| Repeal of adoption conscience protections..... | HB 1932 |
| Parental consent..... | SB 1235 |
| Repeal of minimum wage exemption for farm workers..... | HB 1786 |

Future Threats

| | |
|---------------------------------------|---|
| Marijuana commercialization..... | SB 1406 ; HB 2312 |
| “Reproductive Health Equity Act”..... | HB 1922 |
| Mandating IVF coverage..... | HJ 545 |

*The Virginia Catholic Conference is the public-policy agency representing Virginia’s Catholic bishops and their two dioceses.
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Dated: April 26, 2021