

NVBCL Legislative Update as of February 10, 2024

Your Legislative Affairs Committee is making progress and getting state-wide visibility for our core legislative position as noted in this article in the Virginia Mercury published on 2/8 – [Link Here](#)

“Our legislative agenda, very clearly, is we don’t want the state to preempt the ability of localities like Virginia Beach to make their own ordinances, do their own zoning, land use, and determine where STRs are an appropriate use. ... If [STRs] were allowed to proliferate without limitation, then it would hollow out the neighborhood and there would be fewer and fewer resident owners and more people who are just weekly renters. ... It would very much undermine the nature of our neighborhood, and it would be done for the benefit of investors and realtors who now do that as their business.”

We are doing our best to make your voices heard, subject to limited time for public comments in General Assembly committee meetings as described in this Virginian Pilot article published on 2/9 (it does not mention any of our bills, but we encountered the same limitations) – [Link Here](#)

For the 5 bills on which NVBCL took positions, one was continued to next year, and amendments that we supported to three others have resolved our objections, so we continue to oppose only one:

SB 544 Allows STR in Primary Residence of Owner - HOWEVER, this would not apply to local ordinances enacted before 12/31/2023. Virginia Beach enacted its STR ordinances before then, so this bill would not affect Virginia Beach, UNLESS our current STR ordinances are rescinded by City Council or overturned by a lawsuit. This bill passed the Senate (on 2/9) by a vote of 25-15. Not sure if the House will pass it, and if so, there is a chance that the Governor will veto it. If it seems likely to pass in the House, we have requested an amendment that would effectively limit it to “home sharing” that Virginia Beach ordinances already allow.

HB 900 ADU Development and Use - This was continued to 2025 by the House Committee on Counties, Cities, and Towns with a referral to the Virginia Housing Commission for study and recommendations but see the nearly identical SB 304 below which may make this moot.

NVBCL has no remaining objections to the following bills:

SB 304 ADU Development and Use - The Senate passed this (on 2/9) by a vote of 22-18. Amendments by the Senate Local Government Committee and on the Senate floor, at the request of the Patron, resolved all of our objections. Although the House committee continued the nearly identical HB 900 to the 2025 session, SB 304 as amended may be more likely to be reported by the House Committee and passed on the House floor.

HB 695 Statewide STR Registry - This appears likely to pass in the House and Senate. It passed both the House Finance Subcommittee #2 (on 2/6) and the full committee (on 2/7) on unanimous votes with the amendment that we requested to add: *“G. The provisions of this section shall not be construed to limit the authority of localities to regulate or prohibit short-term rentals as otherwise provided by law.”* However, it was referred to the House Appropriations Committee because it will require about \$750k of state appropriations to update state computer systems and processes in the next 2 years, and about 70K annually after that for administrative costs, and the legal costs to fight AirBnB on this could be enormous, the Governor could veto it based on the state cost impacts.

HB 1461 - Prohibits localities from barring a Lessee or Sub-Lessee from operating an STR solely on the basis that the operator is a Lessee or Sub-Lessee. This appears likely to pass. It was reported out of the House Committee on General Laws (on 2/8) by a vote of 18-2. The amendment that we requested, and that was adopted, clarifies that the bill does not allow a lessee or sublessee to operate an STR in a property that the owner would not be allowed to operate as an STR.

Andy Cohen and Parker Hannahs
Legislative Affairs Committee Co-Chairs