

# VOTING RECORD

## YOUR LEGISLATORS' VOTING RECORD ON SMALL BUSINESS ISSUES | 2021 EDITION

Floor votes by your state legislators on key small business issues during the past two sessions of the Virginia General Assembly are listed inside. Although this Voting Record does not reflect all elements considered by a lawmaker when voting, nor does it represent a complete profile of a legislator, it can be a guide in evaluating your legislator's attitude toward small business. Remember that many issues that affect small business are dealt with in committees and never make it to a floor vote in either the House or the Senate. Please thank those legislators who supported small business and continue to work with those whose scores have fallen short.

### BOTH CHAMBERS

- 1. Wages – Increase in Minimum Wage (SB 7):** Increases Virginia's minimum wage from \$7.25/hour to \$9.50/hour on May 1, 2021; \$11/hour on January 1, 2022; \$12/hour on January 1, 2023; \$13/hour on January 1, 2024; \$14/hour on January 1, 2024; and \$15/hour on January 1, 2025. When the minimum wage reaches \$12/hour, the General Assembly will have to approve the remaining increases to \$15/hour. **A "No" vote supports the NFIB position.** Passed Senate 21-18; passed House 52-44. Signed by the governor.
- 2. Wages – Nonpayment of Wages (HB 123):** Allows an employee to sue in state court an employer who fails to pay wages. Employer could face claims of three times the wages due, interest and attorney fees. **A "No" vote supports the NFIB position.** Passed Senate 23-17; passed House 51-45-1. Signed by the governor.
- 3. Health Insurance – Association of Health Plans (SB 861):** Allows associations to sell health benefit plans to its members. Sets up a structure outlining what conditions must be met by association before offering health insurance plans to its membership. **A "Yes" vote in the House supports the NFIB position.** Passed House 57-41. **A "No" vote in the Senate supports the NFIB position.** Failed to pass Senate 7-33. Original bill vetoed by the governor.
- 4. Legal – Workplace Harassment (HB 481):** Allows an employee of an employer with 5 or more employees to sue their employer related to workplace harassment. Provides rules for determining what constitutes workplace harassment and permits a court to award compensatory or punitive damages and reasonable attorney fees and costs. **A "No" vote in the House supports the NFIB position.** Passed House 56-41. **A "Yes" vote in the Senate supports the NFIB position.** Passed Senate 23-17. Bill failed in Senate Committee.
- 5a. Tax Conformity – Paycheck Protection Program (PPP) Loans (SB 1146) Senate Vote:** Conforms Virginia tax law to federal tax policy to ensure PPP and Rebuild Virginia total loan amounts are not included as income when calculating Virginia income tax. The Senate Floor amendment would ensure the entire loan amount would also be deductible as business expenses mirroring federal policy. **A "Yes" vote in the Senate supports the NFIB position.** Failed to pass Senate 17-22.
- 5a. Tax Conformity – Paycheck Protection Program (PPP) Loans (SB 1146) House Vote:** Conforms Virginia tax law to federal tax policy to ensure PPP and Rebuild Virginia total loan amounts are not included as income when calculating Virginia income tax. The House version would only allow up to \$25,000 in deductible business expenses rather than the full amount which mirrors federal policy. **A "No" vote in the House supports the NFIB position.** Passed House 55-44.
- 5b. Tax Conformity - Final Package (SB 1146):** Conforms Virginia tax law to federal tax policy to ensure PPP and Rebuild Virginia total loan amounts are not included as income when calculating Virginia income tax. The final compromise allows up to \$100,000 in deductible business expenses. Bill included an emergency clause to take immediate effect. **A "Yes" vote supports the NFIB position.** Passed Senate 39-0; passed House 95-2. Signed by the governor.
- 6. Tax Relief – Sales Tax Exemption for Personal Protection Equipment (PPE) Purchases (HB 2185):** Provides a sales tax exemption to businesses for their PPE purchases during the COVID-19 state of

emergency if the business is complying with state COVID-19 workplace safety regulations. **A “Yes” vote supports the NFIB position.** Senate passed 39-0; House passed 100-0. Signed by governor.

**7. Retirement – State Sponsored Retirement Program**

**(HB 2174):** Creates a state managed retirement fund for private sector employees not covered by an employer sponsored retirement plan. While employers are not required to contribute to an employee's fund, they must provide automatic payroll deductions for employees. The bill excluded businesses with less than 25 employees and part time employees. The Governor's amendment would have reinstated part time employees into the program. **A “No” vote supports the NFIB position.** Passed House 55-45; Failed to pass Senate 11-29; Original bill signed by the governor.

**8. SWaM Designated Businesses - Right to Appeal**

**Denial of Initial Certification (HB 2172):** Requires the Department of Small Business and Supplier Diversity to adopt regulations to establish a process for businesses that are denied initial certification as a small, women-owned, or minority-owned business to appeal such denial. **A “Yes” vote supports the NFIB position.** Passed Senate 39-0; Passed House 99-0. Signed by governor.

**9. Repeal of Right to Work for Marijuana Permits**

**(HB 2312):** Allows the Board to revoke a business' marijuana permit if it's determined the business did not remain neutral during any union organizing efforts by employees, including card check recognition and union access to employees such as employees' personal contact information; does not pay employees prevailing wages as determined by the U.S. Department of Labor; or classifies more than 10 percent of its workers as independent contractors. **A “No” vote supports the NFIB position.** Passed House 53-44-2. Failed to pass Senate 20-20. Lieutenant Governor voted yes. Signed by governor.

**HOUSE ONLY**

**10. Paid Quarantine Leave (HB 5116):** Requires

employers to immediately provide paid quarantine leave to employees for an employee's illness or exposure to COVID-19 as well as for care of a family member. Prohibits employers from taking certain retaliatory actions against an employee if they are ineligible for or has exhausted their paid quarantine leave and is absent from work without compensation. Provides an employee may sue an employer for violations. Exempts employers with less than 25 unless there is federal program to cover employers' costs. **A “No” vote supports the NFIB position.** Passed House 54-44. Failed to pass Senate committee.

## VOTING KEY

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## SENATE VOTING RECORD

ISSUE NUMBER	District	1	2	3	4	5a	5b	6	7	8	9	%
<b>NFIB POSITION</b>		<b>N</b>	<b>N</b>	<b>N</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>Y</b>	<b>N</b>	<b>Y</b>	<b>N</b>	<b>100</b>
<b>LEGISLATOR</b>												
Barker, George	39	Y	Y	N	N	N	Y	Y	N	Y	Y	50%
Bell, John	13	Y	Y	Y	N	N	Y	Y	N	Y	Y	40%
Boysko, Jennifer	33	Y	Y	Y	N	N	Y	Y	Y	Y	Y	30%
Chafin, Ben +	38	N	N	N	Y	-	-	-	-	-	-	100%
Chase, Amanda	11	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Cosgrove, John	14	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Deeds, Creigh	25	Y	Y	Y	N	N	Y	Y	N	Y	Y	40%
DeSteph, Bill	8	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Dunnavant, Siobhan	12	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Ebbin, Adam	30	Y	Y	Y	N	N	Y	Y	Y	Y	Y	30%
Edwards, John	21	Y	Y	N	N	N	Y	Y	N	Y	Y	50%
Favola, Barbara	31	Y	Y	Y	N	N	Y	Y	Y	Y	Y	30%
Hanger, Emmett	24	N	Y	N	Y	N	Y	Y	N	Y	N	80%
Hashmi, Ghazala	10	Y	Y	Y	N	N	Y	Y	Y	Y	Y	30%
Howell, Janet	32	Y	Y	N	Y	N	Y	Y	N	Y	Y	60%
Kiggans, Jen	7	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Lewis, Lynwood	6	Y	Y	N	Y	N	Y	Y	N	Y	Y	60%
Locke, Mamie	2	Y	Y	N	N	N	Y	Y	Y	Y	Y	40%
Lucas, Louise	18	Y	Y	N	N	N	Y	Y	N	Y	Y	50%
Marsden, Dave	37	Y	Y	N	N	N	Y	Y	Y	Y	Y	40%
Mason , Monty	1	Y	Y	N	Y	N	Y	Y	N	Y	Y	60%
McClellan, Jennifer	9	Y	Y	Y	N	N	Y	Y	Y	Y	Y	30%
McDougle, Ryan	4	N	N	N	Y	Y	Y	Y	N	Y	N	100%
McPike, Jeremy	29	Y	Y	N	N	N	Y	Y	Y	Y	Y	40%
Morrissey, Joe	16	Y	Y	N	N	N	Y	Y	Y	Y	Y	40%
Newman, Steve	23	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Norment, Tommy	3	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Obenshain, Mark	26	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Peake, Mark	22	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Petersen, Chap	34	Y	Y	N	Y	N	Y	Y	N	Y	N	70%
Pillion, Todd	40	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Reeves, Bryce	17	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Ruff, Frank	15	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Saslaw, Dick	35	Y	Y	N	N	N	Y	Y	N	Y	Y	50%
Spruill, Lionell	5	Y	Y	N	N	N	Y	Y	Y	Y	Y	40%
Stanley, Bill	20	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Stuart, Richard	28	*	N	N	Y	Y	Y	Y	N	Y	N	100%
Suetterlein, David	19	N	N	N	Y	Y	Y	Y	N	Y	N	100%
Surovell, Scott	36	Y	Y	N	N	N	Y	Y	Y	Y	Y	40%
Vogel, Jill Holtzman	27	N	Y	N	Y	Y	Y	Y	N	Y	N	90%

+ Sen. Ben Chafin did not finish his term.

## VOTING KEY

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# HOUSE OF DELEGATES VOTING RECORD

ISSUE NUMBER	District	1	2	3	4	5a	5b	6	7	8	9	10	%
NFIB POSITION		N	N	Y	N	N	Y	Y	N	Y	N	N	100
LEGISLATOR													
Adams, Dawn	68	Y	*	N	Y	Y	Y	Y	Y	Y	Y	Y	30%
Adams, Les	16	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Aird, Lashrecse	63	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Askew, Alex	85	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Austin, Terry	19	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Avoli, John	20	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Ayala, Hala	51	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Bagby, Lamont	74	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Batten, Amanda	96	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Bell, Rob	58	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Bloxom, Rob	100	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Bourne, Jeff	71	Y	*	*	Y	Y	Y	Y	Y	Y	Y	Y	33%
Brewer, Emily	64	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Bulova, David	37	Y	Y	N	Y	Y	Y	Y	Y	Y	N	Y	36%
Byron, Kathy	22	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Campbell, Jeff	6	N	N	Y	N	N	*	Y	N	Y	N	N	100%
Campbell, Ronnie	24	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Carr, Betsy	69	*	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	30%
Carroll Foy, Jennifer +	2	Y	Y	N	Y	-	-	-	-	-	-	-	0%
Carter, Lee	50	Y	Y	N	Y	Y	*	Y	Y	Y	Y	Y	20%
Cole, Joshua	28	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Cole, Mark	88	N	N	Y	N	N	N	Y	N	Y	N	N	91%
Collins, Chris +	29	*	N	Y	N	-	-	-	-	-	-	-	100%
Convirs-Fowler, Kelly	21	*	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	30%
Cox, Kirk	66	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Coyner, Carrie	62	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Davis, Glenn	84	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Delaney, Karrie	67	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	36%
Edmunds, James	60	N	N	Y	Y	N	Y	Y	N	Y	*	N	90%
Fariss, Matt	59	N	N	Y	*	N	Y	Y	N	Y	N	N	100%
Filler-Corn, Eileen	41	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Fowler, Buddy	55	N	N	Y	*	N	Y	Y	N	Y	N	N	100%
Freitas, Nick	30	N	N	Y	N	N	N	Y	N	Y	N	N	91%
Gilbert, Todd	15	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Gooditis, Wendy	10	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Guy, Nancy	83	Y	Y	Y	*	Y	Y	Y	Y	Y	Y	N	50%
Guzman, Elizabeth	31	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Hayes, Cliff	77	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	36%
Head, Chris	17	N	N	Y	N	N	*	Y	N	Y	N	N	100%
Helmer, Dan	40	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Heretick, Steve	79	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	36%
Herring, Charniele	46	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Hodges, Keith	98	N	N	Y	N	*	Y	Y	N	Y	N	N	100%
Hope, Patrick	47	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Hudson, Sally	57	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Hurst, Chris	12	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	36%
Jenkins, Clint	76	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Jones, Jay	89	Y	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	30%
Keam, Mark	35	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Kilgore, Terry	1	N	N	Y	N	N	Y	Y	N	Y	N	N	100%

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## HOUSE OF DELEGATES VOTING RECORD (Cont'd)

ISSUE NUMBER	District	1	2	3	4	5a	5b	6	7	8	9	10	%
NFIB POSITION		N	N	Y	N	N	Y	Y	N	Y	N	N	100
LEGISLATOR													
Knight, Barry	81	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Kory, Kaye	38	*	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	30%
Krizek, Paul	44	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
LaRock, Dave	33	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Leftwich, Jay	78	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Levine, Mark	45	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Lindsey, Joe +	90	Y	*	N	Y	-	-	-	-	-	-	Y	0%
Lopez, Alfonso	49	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Marshall, Danny	14	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
McGuire, John	56	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
McNamara, Joe	8	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
McQuinn, Delores	70	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Miyares, Jason	82	N	N	Y	Y	N	Y	Y	N	Y	N	N	91%
Morefield, Will	3	N	N	Y	N	N	Y	Y	N	Y	*	N	100%
Mugler, Martha	91	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	36%
Mullin, Michael	93	Y	*	Y	Y	Y	Y	Y	Y	Y	Y	Y	40%
Mundon King, Candi ^	2	-	-	-	-	Y	Y	Y	Y	Y	Y	*	50%
Murphy, Kathleen	34	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
O'Quinn, Israel	5	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Orrock, Bobby	54	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Plum, Ken	36	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Poindexter, Charles	9	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Price, Cia	95	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Ransone, Margaret	99	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Rasoul, Sam	11	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Reid, David	32	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	36%
Robinson, Roxann	27	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Roem, Danica	13	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Runion, Chris	25	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Rush, Nick	7	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Samirah, Ibraheem	86	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Scott, Don	80	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	36%
Sickles, Mark	43	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Simon, Marcus	53	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Simonds, Shelly	94	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	36%
Subramanyam, Suhas	87	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	36%
Sullivan, Rip	48	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	36%
Torian, Luke	52	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Tran, Kathy	42	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Tyler, Roslyn	75	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
VanValkenburg, Schuyler	72	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Walker, Wendell	23	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Wampler, Jr., William	4	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Ward, Jeion	92	Y	Y	N	Y	Y	Y	Y	Y	Y	Y	Y	27%
Ware, Lee	65	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Watts, Vivian	39	Y	Y	N	Y	Y	Y	Y	Y	Y	*	Y	30%
Webert, Michael	18	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Wiley, Bill ^	29	-	-	-	-	N	Y	Y	N	Y	N	*	100%
Willett, Rodney	73	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	Y	36%
Williams Graves, Angela ^	90	-	-	-	-	Y	Y	Y	Y	Y	Y	*	50%

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<b>NFIB POSITION</b>		<b>N</b>	<b>N</b>	<b>Y</b>	<b>N</b>	<b>N</b>	<b>Y</b>	<b>Y</b>	<b>N</b>	<b>Y</b>	<b>N</b>	<b>N</b>	<b>100</b>
<b>LEGISLATOR</b>													
Wilt, Tony	26	N	N	Y	N	N	Y	Y	N	Y	N	N	100%
Wright, Tommy	61	N	N	Y	N	N	Y	Y	N	Y	N	*	100%
Wyatt, Scott	97	N	N	Y	N	N	Y	Y	N	Y	N	N	100%

+ Rep. Jennifer Carroll Foy did not finish her term.

+ Rep. Chris Collins did not finish his term.

+ Rep. Joe Lindsey did not finish his term.

^ Rep. Candi Mundon King was elected to the House of Delegates mid-term in a special election.

^ Rep. Bill Wiley was elected to the House of Delegates mid-term in a special election.

^ Rep. Angelia Williams Graves was elected to the House of Delegates mid-term in a special election.