

**The Office of Senator Jennifer McClellan  
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## **McClellan Introduces 2021 Legislative Agenda to Strengthen Virginia Families During The COVID-19 Crisis**

*Senator Leads Landmark Bills on Education, Reproductive Health, Workers' Rights, Climate Change and Environmental Justice, and Homeowner Protections*

RICHMOND, Va. – Sen. Jennifer McClellan (D-Richmond) announced her legislative package for 2021 Virginia General Assembly's regular session, which begins today. The bills will improve Virginia's school system, increase access to reproductive health care, ensure workers' rights, address climate change, and protect homeowners from foreclosures, among other initiatives.

**“The pandemic has dramatically impacted every family in Virginia, and disproportionately affected women and communities of color,”** Sen. McClellan said. **“The General Assembly has critical work to do this session to provide relief to families, small businesses and workers who are struggling. My agenda this session focuses directly on Virginia families: investing in education, stabilizing childcare, expanding workers rights, increasing access to health care, safeguarding our environment, and addressing inequity. We can't wait: Virginia must start today to rebuild together and ensure no community gets left behind.”**

Senator McClellan will sponsor the following bills:

### *Education*

1. **Child Care Stabilization and Quality Care** – More than 30% of Virginia's child care facilities remain closed due to the COVID-19 pandemic, and many face significant financial and staffing challenges. The child care crisis has impacted families across Virginia, with record numbers of women dropping out of the workforce. Sen. McClellan's bill will help Virginia child care providers stay afloat by launching a new

two-year pilot program creating flexibility in how federal subsidy dollars are used. Transitioning from an attendance to an enrollment-based funding model will create more stable funding streams for childcare providers, ensure greater child care access for low-income Virginians, and create stronger standards for quality child care. McClellan's bill also addresses staffing shortages by allowing portable background checks. The bill will also strengthen and support the child care industry and workforce by charging the Department of Education and the School Readiness Committee to identify and analyze additional financing strategies that promote industry stability, program quality and improved and equitable compensation for early educators

2. **School Equity and Staffing Act** – The pandemic has created educational challenges across Virginia and worsened inequity between Virginia school systems. Sen. McClellan's School Equity and Staffing Act would invest an additional \$1 billion per year into Virginia schools by implementing the Virginia Board of Education's Standards of Quality recommendations. McClellan's bill, similar to the one she [introduced in the 2020 session](#), would create an Equity Fund to add funding for high-poverty schools, and remove the decade-old "support cap" enabling increased funding for counselors, social workers, nurses and custodial staff. Delegate Lashrecse Aird (D-Petersburg) is carrying the House companion bill.

### *Workers Rights*

3. **Domestic Workers Bill of Rights** – Domestic workers - predominantly women of color - have suffered some of the worst economic consequences of the pandemic. More than 90% of Spanish-speaking domestic workers lost their jobs, and 75% of all domestic workers did not receive compensation when their jobs were canceled. Sen. McClellan's bill increases domestic workers rights by ensuring their protection under the Virginia Human Rights Act, OSHA, and Workers' Compensation Insurance. This builds on McClellan's 2020 [domestic workers](#) bill to make domestic workers eligible for the minimum wage that took effect July 1, 2020. Delegates Wendy Gooditis (D-Clarke) and Marcia Price (D-Newport News) are carrying House companion bills.
4. **Safe and Thriving Workplace Act** – The pandemic has unleashed an economic recession that is hitting women hardest, with especially high levels of job loss for Black women and Latinas. This has increased vulnerability to harassment and discrimination for workers. Sen. McClellan's Safe and Thriving Workplace Act will protect workers by amending the Virginia Human Rights act to provide a clear definition of harassment that reflects the realities of workplace harassment. The bill also gives courts and employers guidance on how to analyze whether an incident would constitute illegal harassment. Delegate Vivian Watts (D-Fairfax) is carrying the House companion bill.

### *Homeowner Protections*

5. **Preserving the American Dream Act** – Virginia homeowners face increasing economic pressures due to the pandemic, which could lead to increased foreclosures. Sen. McClellan’s Preserving the American Dream Act creates additional protections from foreclosure to help Virginians stay in their homes. McClellan’s bill quadruples the window between a notice of pending foreclosure and the home being sold: changing the notice from 14 to 60 days and requiring the mortgage company to provide information about legal assistance and housing counselors. These resources and increased warning would help more Virginians avoid foreclosure and stay in their homes. Delegate Luke Torian (D-Prince William) is carrying the House companion bill.

### *Voting Rights*

6. **Voting Rights Act** – The 2013 U.S. Supreme Court decision in *Holder v. Shelby* struck down requirements from the Voting Rights Act (VRA) of 1965 that had protected Virginia voters from being disenfranchised by sudden election law changes. Sen. McClellan’s bill would require changes to local voting laws and regulations be advertised in advance for public comment and evaluated for their impact on Black, Indigenous and people of color communities. It also requires localities to provide voting materials in languages other than english and establishes state-level preclearance requirements - similar to the provisions from the VRA - to prevent localities from making election changes that would disenfranchise voters. This bill will further protect voter access and voting rights in the Commonwealth. Delegate Marcia Price (D-Newport News) is carrying the House companion bill.

### *Reproductive Health*

7. **Repeal Ban on Health Exchange Abortion Coverage** – Sen. McClellan’s bill makes Virginia the first state in the South to remove the ban on abortion coverage for health insurance plans offered through the state health benefits exchange. Abortion is the only legal medical procedure banned on Virginia’s healthcare exchange solely due to ideological and political beliefs. McClellan was the chief patron of the [Reproductive Health Protection Act](#) in 2020, and the [new law](#) creating the state-based exchange. Delegate Sally Hudson (D-Charlottesville) is carrying the House companion.

### *Climate Change and Clean Energy*

8. **Pipeline Accountability, Oversight, and Protection of Virginia's Water Act** – Sen. McClellan’s bill empowers the Virginia’s Department of Environmental Quality (DEQ) to review new sedimentation and erosion plans if pipeline projects have significantly changed from the originally proposed plans. Under current law, project developers can submit variances to their plans without any review from Virginia

regulators. This bill improves the review process for pipelines and will help protect Virginia's waterways.

9. **Environmental Justice** – Requires applicants for certain individual environmental permits to engage in community outreach before their application can be deemed complete and ready for review by the DEQ. This will apply to permit applicants and their investors seeking permits from DEQ for new or major modified stationary air pollution sources, new landfills, new solid waste transfer stations, new hazardous waste facilities, new individual groundwater withdrawal permits, Virginia Water Protection permits, Virginia Stormwater Management Program permits, and Virginia Pollution, and some new individual Virginia Pollutant Discharge Elimination System permits. This required outreach will empower and uplift the voices of impacted communities who have been disproportionately affected by pollution and climate change in Virginia.
10. **Electric Utility Rate Regulation** – Sen. McClellan's bill eliminates the current law that allows electric utility companies to keep 30% of over-earnings. Instead, under this bill, all over-earnings will be refunded directly to customers.

#### *Criminal Justice*

11. **Diminished Capacity Considerations In the Criminal Justice System** – Sen. McClellan's criminal justice reform bill would mitigate the challenges faced by individuals with intellectual and developmental disabilities in the criminal justice process. The bill provides increased lawyer training for clients with developmental and intellectual disabilities, specific consideration of the defendant's disability for bail consideration, and amended evidentiary rules, allowing defendants to present evidence on their how their mental health condition or disability might have impacted their mental state at the time of the alleged offense, and requiring that information regarding disabilities be included in pre-sentencing reports.

#### *Youth Engagement*

12. **Civic Youth Engagement** – Sen. McClellan's bill allows students in grades 7 through 12 an excused absence from a half-day of school every year in order to participate in a civic or political event of their choosing. This bill will give young adults in Virginia an opportunity for political participation and involvement, which will eventually lead to more politically and socially conscious communities. Delegate Sam Rasoul (D-Roanoke) is carrying the House companion bill.

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Jennifer McClellan was elected to the Senate of Virginia in 2017 after serving 11 years in the House of Delegates. She has been a leader on fighting climate change, strengthening public

education and dismantling the school-to-prison pipeline, criminal justice reform, combating domestic and sexual violence, and fighting discrimination of all kinds.

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