

Virginia Legislative Elections 2023

NAACP
Virginia State Conference

All 140 seats in Virginia's legislature will be up for grabs in November. **The Republicans currently control the House of Delegates 51-46; the Democrats control the Senate 22-18. Your votes will determine Virginia's future. Here's a look at what both parties have done.**

In 2020-2021, the Democrats controlled the governorship and both houses of the legislature and **were able to pass major legislation**, as described below. Beginning in 2022, control became split; the Republicans controlled the House and the governorship, while the Democrats controlled the Senate. Neither party has been able to pass major partisan legislation, but in 2022 passed [a nearly unanimous two-year budget](#) with new education spending and [almost \\$4 billion in tax cuts](#), as well as other bills. Unless otherwise noted, this guide describes mostly party-line votes, or near party-line votes, primarily from the past four years. **It also includes some major bills Republicans passed in 2012-2013**, the last time they controlled the governorship and both houses of the Assembly.

Democrats...	Republicans...
Abortion	
<ul style="list-style-type: none"> • Repealed previous abortion restrictions. These include the mandatory ultrasound law, the 24-hour abortion waiting period, and state-mandated counseling for those seeking an abortion. • Removed restrictions on women's health centers. Allowed nurse practitioners to provide abortions within the first trimester of pregnancy. 	<ul style="list-style-type: none"> • Opposed repeals of abortion restrictions. • Tried to pass bills to restrict, ban, or criminalize abortion. Senators introduced a bill that would have banned most abortions after 15 weeks and another prohibiting all abortions except for incest, rape or the life of the mother. • in 2012 passed a mandatory ultrasound and a 24-hour waiting period that Democrats later repealed.
Climate	
<ul style="list-style-type: none"> • Passed a bill to make the Virginia electric grid carbon-free by 2045. • Created a carbon dioxide cap and trade program and a shared solar program. • Joined the Regional Greenhouse Gas Initiative (RGGI) and adopted California regulations that set stringent vehicle emissions standards and electric car sales targets. 	<ul style="list-style-type: none"> • Tried to block the Democrats' carbon-free grid initiative, pull Virginia out of the RGGI, and support Governor Youngkin's push for small modular nuclear reactor development. • Passed a bill funding "innovative energy technologies," including nuclear, hydrogen, and carbon capture, with support from most Democrats.
Criminal Justice	
<ul style="list-style-type: none"> • Abolished the death penalty. • Passed policing changes. These include banning chokeholds and no-knock arrest warrants, downgrading minor traffic violations, and creating mental health response teams. • Established the chance for some prisoners to earn early release dates and ensured defendants the right to seek a jury trial without risking higher sentences. 	<ul style="list-style-type: none"> • Mostly opposed ending the death penalty. • Tried to repeal Democratic policing changes, launching bills to stop de-emphasizing minor traffic violations and end prohibitions against "bias-based profiling". • Passed a bill classifying fentanyl as a weapon of terrorism, with support of most Democrats in the Senate and one Democratic House vote. • Passed a bipartisan bill that gives in-state tuition to out-of-state students who are victims of human trafficking.
Education	
<ul style="list-style-type: none"> • Passed a bill providing tuition-free community college for low- to middle-income students, with support of most Republicans. • Passed with limited Republican support a requirement that each school board provide at least three specialized student support positions, such as social workers, nurses, and school psychologists. 	<ul style="list-style-type: none"> • Passed a bill requiring the Virginia Department of Education to issue model policies for school boards to adopt on "sexually explicit content in instructional material," with limited Democratic support. • Tried to pass public funding for families to pay for private school. Sought to ban transgender athletes and the teaching of "inherently divisive subjects". • In 2012 implemented a tax credit for donations to scholarships for private schools.

Democrats...	Republicans...
Gun Rules	
<ul style="list-style-type: none"> • Passed a “red flag” bill. It allows a judge to temporarily remove firearms from someone deemed a threat. • Passed a bill that allowed localities to ban guns in certain public spaces. • Established background checks, prohibited firearms within 40 feet of a polling place, and required gun owners to report lost or stolen firearms. 	<ul style="list-style-type: none"> • Opposed the “red flag” bill. • Opposed the background check legislation. • Rejected a Democratic bill requiring locked storage of firearms and ammunition in a residence where a minor is present.
Health Care	
<ul style="list-style-type: none"> • Passed Medicaid expansion to 400,000 low-income Virginia residents. • Created a state-run health insurance exchange that ended Virginia's reliance on the federal marketplace. 	<ul style="list-style-type: none"> • Mostly opposed Medicaid expansion, with solid majorities voting against it in both the House and Senate. • Mostly opposed the state-run health insurance exchange, which passed with one Republican vote in the House and two Republican votes in the Senate.
LGBTQ Rights	
<ul style="list-style-type: none"> • Passed a bill that extended existing state non-discrimination protections to LGBTQ people in housing, employment, and public accommodation. • Passed a bill that repealed prohibitions on same-sex marriages and civil unions, with limited Republican support. 	<ul style="list-style-type: none"> • Tried to broaden exemptions to the Virginia Human Rights Act, in order to allow faith-based entities to deny services to LGBTQ people according to religious principles. • In 2012 passed a bill that allowed private child-placing agencies to refuse adoption placement, if “placement would violate the agency's written religious or moral convictions.” The bill passed with six Democratic votes.
Marijuana	
<ul style="list-style-type: none"> • Decriminalized marijuana, then legalized it. Allowed personal possession and cultivation of small quantities of cannabis by adults 21 and older. • Delayed full legalization and retail sales until 2024 and left implementation details open to review. 	<ul style="list-style-type: none"> • Opposed marijuana legalization. • Blocked attempts to speed up recreational marijuana sales. • Blocked attempts to set up retail sales by 2024.
Minimum Wage	
<ul style="list-style-type: none"> • Increased the minimum wage from \$7.25 gradually to \$12 by 2023 and \$15 by 2026. • Passed a bill that limited the use of subminimum wages for employees with disabilities and ending them by July 2030. The bill passed with Republican support in the House but opposition in the Senate. 	<ul style="list-style-type: none"> • Opposed the general minimum wage increase. • Tried to freeze, limit, or add exemptions to the scheduled wage increases. These bills passed the Republican House on party-line votes but were defeated in the Democratic Senate. • Tried to lower the minimum wage for under-18 youth.
Voting Rules	
<ul style="list-style-type: none"> • Passed no-excuse absentee voting, automatic DMV registration, same-day voter registration, and ranked-choice voting in local elections. • Added Election Day as a state holiday. • Repealed Virginia's mandatory voter photo ID, allowing voters to sign a sworn statement instead. • Passed a Virginia version of the federal Voting Rights Act. 	<ul style="list-style-type: none"> • Tried to end the use of drop boxes, limit absentee in-person early voting to two weeks preceding an election, and restrict election-day voter registration. • Tried to pass new photo-ID requirements for voting. • In 2012-2013 implemented mandatory voter photo ID. Eliminated a provision that allowed a voter without ID to sign a sworn statement attesting to their identity.

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