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SENATE BILL NO. 567

Offered January 14, 2026

Prefiled January 14, 2026

A *BILL to amend the Code of Virginia by adding in Article 1 of Chapter 51 of Title 3.2 a section numbered 3.2-5104.1, relating to Department of Agriculture and Consumer Services; Virginia Family Grocery Basket; civil penalty.*

Patron—Sturtevant

Referred to Committee on Agriculture, Conservation and Natural Resources

Be it enacted by the General Assembly of Virginia:

1. That the Code of Virginia is amended by adding in Article 1 of Chapter 51 of Title 3.2 a section numbered 3.2-5104.1 as follows:

§ 3.2-5104.1. Virginia Family Grocery Basket; civil penalty.

A. For the purposes of this section:

"Average retail price" means the sales-weighted average price charged for an item in a locality during the reporting month that is inclusive of generally available discounts reflected at checkout and exclusive of any taxes.

"Basket" means the Virginia Family Grocery Basket established pursuant to subsection B.

"Large grocery retail chain" means a for-profit self-service retail establishment that sells meat, seafood, fruits, vegetables, dairy products, dry groceries, household products, and sundries that (i) has at least \$1 billion in annual national gross revenue and (ii) operates 10 or more retail establishments in the Commonwealth.

"URL" means the Uniform Resource Locator associated with an online website.

B. 1. The Department shall establish and maintain on its website a standardized list of no more than 25 essential grocery items known as the Virginia Family Grocery Basket that includes common household staple food items including milk, bread, eggs, and various types of proteins, grains, and produce. The Basket shall include commonly purchased grocery items that are essential to household affordability. Basket items shall be specified by (i) unit of measure (e.g. per pound, per dozen, per gallon) and (ii) standardized package size, where practicable. The Department shall annually update the list of Basket items and maintain on its website all prior revisions to the Basket so as to allow for longitudinal comparison.

2. Each large grocery retail chain shall submit to the Department average retail prices for all Basket items on a monthly basis for each locality in which the large grocery retail chain operates. Such submission shall be made no later than the 15th day of each month for the preceding month.

3. The Department may collect additional pricing information for Basket items listed pursuant to subdivision 1 including sale or promotional prices, loyalty program prices, or other similar discounts that should be taken into consideration when evaluating household affordability. Nothing in this subdivision shall be construed to require a large grocery retail chain to disclose the wholesale price paid for such items.

4. Each large grocery retail chain shall publish, on its website and in a conspicuous location, a Virginia Family Grocery Basket Price Report that details the average retail price for each Basket item by locality for the applicable month. The Department (i) shall publish on its website a template for the Virginia Family Grocery Basket Price Report to be used by a large grocery retail chain and (ii) may publish on its website an aggregated list of the URLs of all large grocery retail chain Virginia Family Grocery Basket Price Reports.

5. The Department shall not publish, nor shall a large grocery retail chain be required to publish, (i) any personally identifiable data or any individual store data for such large grocery retail chain or (ii) locality-level Basket data where fewer than three such retail locations operate in such locality. In such cases, the Department shall require such data to be published at a regional level.

6. The Department may establish any guidance documents necessary to effectuate the provisions of this subsection.

C. The Department shall issue a written notice of noncompliance to any large grocery retail chain that violates any provision of this section. Such notice shall specify such violation and shall require the large grocery retail chain to rectify such violation within 30 days. A large grocery retail chain that fails to rectify such violation during such 30 day period may be subject to a civil penalty not to exceed \$1,000 for each day of violation following such 30 day period. Such penalty shall be collected by the Commissioner and the proceeds shall be deposited into the state treasury and credited to the general fund.

2. That beginning on April 1, 2027, each large grocery retail chain, as defined in § 3.2-5104.1 of the Code of Virginia, as created by this act, shall submit the initial Virginia Family Grocery Basket Price Report to the Department of Agriculture and Consumer Services and publish such report on its

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59 website pursuant to § 3.2-5104.1 of the Code of Virginia, as created by this act.