



September 23, 2020

House Passes Bill Extending Price Gouging Law to Suppliers

Since it was adopted in 2004, Virginia's price gouging law has only applied to companies selling products to the ultimate consumer. During the current special session of the General Assembly, Attorney General Mark Herring has proposed legislation carried by Delegate Kathleen Murphy of Great Falls to extend the law to cover suppliers. [A copy of the legislation can be found here.](#) We raised concerns regarding the legislation at the recent Commerce and Labor Committee hearing on the bill, specifically that including suppliers could lead to shortages in times of emergency if those companies sought to limit their exposure to the law by reducing or eliminating deliveries during emergency periods. Unfortunately, in the highly polarized House, this became yet another political football with all of the Democrats on the committee in favor and all Republicans opposed.

The outcome was the same yesterday on the House floor as the bill passed 54-44.

IRS Issues Employer Guidance on the Temporary Deferral of Federal Payroll Taxes

From PMAA

The IRS has issued [guidance](#) for employers who wish to defer payments of certain federal payroll taxes. The new IRS guidance implements President Trump's recent [Executive Order](#) allowing for the **voluntary** deferment of **withholding and payment** of the social security tax contribution share paid by the employee.

Payroll Taxes Deferred – Employers may temporarily defer the both the **withholding and payment** of the 6.2% of income share of employee's social security tax contributions.

Eligible Pay Periods – Deferred payments of the social security contributions described above may be taken on any qualifying pay period. Qualifying pay periods are limited to those where an employee's wages or compensation is less than \$4,000 (\$104,000 annually) on a biweekly or equivalent basis. Deferments cannot be made for any biweekly or equivalent pay period where an employee's wages or compensation is \$4,000 or more.

Eligible Employers – Any employer with employees earning wages or compensation under the \$4,000 eligibility threshold in any biweekly or equivalent pay period may defer payments for that period.

Tax Deferment Period – The tax deferment period runs from September 1, 2020 through December 31, 2020.

Tax Repayment Date – Employers who chose to take the deferment must pay the total

amount of payroll taxes deferred on a ratable basis from wages or compensation paid between January 1, 2021 and April 30, 2021. Interest and penalties will accrue on the payroll taxes deferred beginning on May 1, 2021.

Alternative Recapture Arrangements – In the event an employee is dropped from the payroll before the April 30, 2021 repayment deadline, the employer may make arrangements to otherwise collect the employees share of the deferred taxes.

Department of Health Provides Us With List of 9,600 Complaints Relating to Non Compliance with Mask Mandate

Since April 10, the Virginia Departments of Health, and Agriculture, and Consumer Resources have been responsible for investigating non-mask wearing by businesses and consumers. We requested their statistics on non compliance and they have forwarded us a file of more than 9,600 complaints received by the departments made since April. Unfortunately, this information on the excel sheet contains both convenience stores and grocery stores so you will have to do some work to determine if any of the complaints come from within your operations. We have been told that the ABC does not keep similar lists for off-premises licensees. You can find the full listing [here](#).

Thank You PMAA PAC Donors

We want to thank the following additional individuals for their contributions to the PMAA Federal Political Action Committee.

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