

Agenda

Legislative Subcommittee

**January 24, 2003
5 p.m., Council Workroom**

1. Update on City Package
2. Housing
3. Human Rights
4. Human Services/Child Protective Services
5. Planning
6. Code Enforcement
Comments on proposed changes to the Uniform Statewide Building Code
7. Public Safety
8. VRS bills
9. Taxation, Finance & Budget
10. Transportation & Public Works
Woodrow Wilson Bridge
11. Miscellaneous

January 24, 2003 (9:36am)

City Package

HB 1710 Admissions tax; events to which admission charged.

Summary as introduced:

Admissions tax; events to which admission charged. Adds as an additional class admissions charged for entry into motion picture theaters to the list of events to which the local admissions tax is charged.

Patrons: Darner and Van Landingham; Senator: Ticer

01/08/03 House: Presented & ordered printed, prefiled 01/03/03 034170696

01/08/03 House: Referred to Committee on Finance

01/12/03 House: Fiscal impact statement from TAX (HB1710)

HB 2107 Recordation tax increase; City of Alexandria.

Summary as introduced:

Recordation tax increase; City of Alexandria. Permits the City of Alexandria, by local ordinance, to increase its recordation tax from an amount equal to one-third of the amount of state recordation tax to two-thirds. Moneys collected that are attributable to such increase shall be used to finance affordable housing or the acquisition or preservation of open-space land.

Patron: Van Landingham

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 036620544

01/08/03 House: Referred to Committee on Finance

01/17/03 House: Fiscal impact statement from TAX (HB2107)

HB 2148 Reduced sales; use tax for certain clothing, footwear, and computers.

Summary as introduced:

Reduced sales and use tax for certain clothing, footwear, and computers. Establishes a state sales and use tax exemption during the period from August 16 through August 22, 2003, and every August 16 through August 22 thereafter, for "clothing and footwear" costing less than \$200 per article; "computer systems" costing less than \$1,250; and "computers," "computer hardware," and "computer software" costing less than \$500. The bill also requires the Department of Taxation to promulgate regulations that implement the temporary exemption program by August 1, 2003.

Patrons: Rust and Reese

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 032846922

01/08/03 House: Referred to Committee on Finance

01/15/03 House: Fiscal impact statement from TAX (HB2148)

HJ 564 Study; Youth Commission.

Summary as introduced:

Study; Youth Commission. Requests the Commission on Youth to study the foster care payment rates in the Commonwealth.

Patron: Darner

01/08/03 House: Presented & ordered printed, prefiled 12/26/02 036207696

01/08/03 House: Referred to Committee on Rules

SB 1285 Local real estate assessments; buildings; completed or fit for use.

Summary as introduced:

Local real estate assessments; buildings substantially completed or fit for use and occupancy. Authorizes any county or city adjacent to Fairfax County to assess real estate tax on new buildings when substantially complete or fit for use and occupancy, regardless of the date of completion or fitness. Under current law, (i) any county, city, or town may assess real estate tax on new buildings that are substantially complete or fit for use and occupancy prior to November 1 of the tax year, and (ii) Fairfax County may assess real estate tax on new buildings when substantially complete or fit for use and occupancy, regardless of the date of completion or fitness.

Patron: Saslaw

01/15/03 Senate: Presented & ordered printed 039037528

01/15/03 Senate: Referred to Committee on Finance

01/16/03 Senate: Fiscal impact statement from TAX (SB1285)

Housing

HB 2242 Restriction on number of adults residing in a dwelling unit.

Summary as introduced:

Restriction on number of adults residing in a dwelling unit. Provides that any locality may pass an ordinance limiting the number of adults residing in a dwelling unit. Such an ordinance shall include exceptions for: (i) the temporary presence of adults who have a legal residence elsewhere; (ii) adult children, stepchildren, grandchildren, and step-grandchildren; (iii) the parents and stepparents and the grandparents and step-grandparents of adult children; and (iv) caregivers who provide assistance with 2 or more activities of daily living during more than half the year for another adult residing in the dwelling unit. The provisions of such ordinance shall not apply to certain group homes and residential facilities. Violations of such an ordinance shall be a civil offense.

Patrons: Watts, Albo, Parrish, Petersen and Scott; *Senators:* Byrne and Ticer

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 034110980

01/08/03 House: Referred to Committee on Counties, Cities and Towns

HB 2341 Va. Residential Landlord and Tenant Act; confidentiality of records.

Summary as introduced:

Virginia Residential Landlord and Tenant Act; confidentiality of tenant records. Prohibits a landlord or managing agent from releasing information about a tenant or prospective tenant except where: (i) the tenant or prospective tenant has given prior written consent; (ii) the information is a matter of public record as defined in § 2.2-3701; (iii) the information is a summary of the tenant's rent payment record, including the amount of the tenant's periodic rent payment; (iv) the information is a copy of a material noncompliance, termination or other notice given to the tenant under this chapter; (v) the information is requested by a local, state, or federal law-enforcement or public safety official; or (vi) the information is otherwise provided in the case of an emergency.

Patron: Drake

01/21/03 House: Engrossed by House as amended

01/21/03 House: Printed as engrossed 032358736-E

01/22/03 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

01/22/03 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

01/22/03 House: Communicated to Senate

HB 2392 Virginia Residential Landlord and Tenant Act; award of attorneys' fees.

Summary as introduced:

Virginia Residential Landlord and Tenant Act; award of attorneys' fees. Provides that a landlord shall be entitled to recover reasonable attorneys' fees unless the tenant proves by a preponderance of the evidence that the failure of the tenant to pay rent or vacate the premises was reasonable. Currently, a landlord can recover attorneys' fees if the tenant's noncompliance was willful.

Patron: Albo

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 030868736

01/08/03 House: Referred to Committee for Courts of Justice

01/13/03 House: Referred from Courts of Justice

01/13/03 House: Referred to Committee on General Laws

01/15/03 House: Assigned to General Laws sub-committee: 1

HB 2449 Virginia Fair Housing Law; unlawful discriminatory housing practices.

Summary as introduced:

Virginia Fair Housing Law; unlawful discriminatory housing practices. Provides that the use of words or symbols associated with a particular religion, national origin, sex, or race may be evidence of an illegal preference under the Virginia Fair Housing Law. Current law mandates that the use of such words or symbols shall be prima facie evidence of an illegal preference. The bill also removes language preventing the use of a general disclaimer.

Patron: Griffith

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 032872748

01/08/03 House: Referred to Committee on General Laws

01/14/03 House: Assigned to General Laws sub-committee: 1

HB 2528 Uniform Statewide Building Code; visitability standards.

Summary as introduced:

Uniform Statewide Building Code; visitability standards. Requires certain single-family dwellings that are built with federal, state, or local assistance to meet minimum standards for visitability.

Patron: Almand

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 032521608

01/08/03 House: Referred to Committee on General Laws

01/14/03 House: Assigned to General Laws sub-committee: 1

Human Rights

HB 2779 Accident and sickness insurance; coverage for household members.

Summary as introduced:

Accident and sickness insurance; coverage for household members. Permits an accident and sickness insurance policy to be extended to include coverage for persons (i) in whom the primary insured has an insurable interest, and (ii) who reside in the same household as the insured. Current law only permits coverage to be extended to a spouse or dependent children of the insured.

Patrons: Dillard, Callahan and Plum

01/17/03 House: Presented & ordered printed 030034732

01/17/03 House: Referred to Committee on Commerce and Labor

HB 2825 Department of Law; Division of Human Rights.

Summary as introduced:

Department of Law; Division of Human Rights. Creates the Division of Human Rights within the Department of Law.

Patron: Jones, D.C.

01/17/03 House: Presented & ordered printed 032886800

01/17/03 House: Referred to Committee on General Laws

Human Services/Child Protective Services

HB 2411 Disposition of delinquent juveniles.

Summary as introduced:

Disposition of delinquent juveniles. Allows the juvenile and domestic relations district court to defer disposition pending completion of a social history or substance abuse evaluation and place the juvenile in a secure facility for up to 60 days and to extend for another 30 days for good cause shown.

Patrons: Marrs and Cox

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 032379826

01/08/03 House: Referred to Committee for Courts of Justice

01/21/03 House: Fiscal impact statement from CLG (HB2411)

HB 2831 Child protective services; standard of proof.

Summary as introduced:

Child protective services; standard of proof. Provides that the standard of proof for a local department of social services to use in determining whether a reported case of child abuse or neglect is founded is by clear and convincing evidence. Currently, the standard of proof is preponderance of the evidence and is set by State Board of Social Services' regulation. The bill requires that any determination that a complaint or report is founded shall be based primarily on first source evidence; in no instance shall a determination that a complaint or report is founded be based solely on indirect evidence or an anonymous complaint.

Patrons: Sears, Devolites, Melvin, Nixon, Reid and Welch; *Senators:* Bolling and Cuccinelli

01/22/03 House: Unanimous consent to introduce

01/22/03 House: Presented & ordered printed 033155868

01/22/03 House: Referred to Committee on Health, Welfare and Institutions

SB 991 Juvenile and domestic relations court expanded jurisdiction.

Summary as introduced:

Juvenile and domestic relations court expanded jurisdiction. Expands the definition of "child in need of services" to mean a child whose behavior, conduct or condition presents or results in a serious threat to the well-being and physical safety of the child or any other person. This legislation is in response to the beating of a three year-old girl named Hannah by two boys, ages five and six, in Loudoun County.

Patrons: Mims; Delegate: Black

01/08/03 Senate: Presented & ordered printed, prefiled 01/07/03 031395500

01/08/03 Senate: Referred to Committee for Courts of Justice

SB 1043 Child protective services; investigation procedures.

Summary as introduced:

Child protective services; investigation procedures. Requires the local department of social services to conduct a face-to-face interview of the person who is the subject of the complaint during the course of an investigation of child abuse or neglect. Prior to this interview, the local department shall provide written notice to such person of the charge being investigated and his right to the presence of an attorney during the interview. Upon written request of the person who is the subject of the complaint, the local department shall provide such person all information in the investigative record for his review and response.

Patron: Blevins

01/08/03 Senate: Presented & ordered printed, prefiled 01/08/03 033135402

01/08/03 Senate: Referred to Committee on Rehabilitation & Social Services

01/13/03 Senate: Fiscal impact statement from DPB (SB1043)

Planning

HB 2111 Enforcement of recorded private restrictions.

Summary as introduced:

Enforcement of recorded private restrictions. Provides that no action shall be brought to enforce a private restriction recorded in the land records of a locality in which the property is located or a notation on a filed map pertaining to the use of privately owned land, the type of structures that may be erected thereon or the location of such structures unless such action or proceeding is commenced within 10 years of the time that the person seeking to enforce such restriction had actual or constructive knowledge of such violation. This section shall not apply to any private restriction or notation pertaining to (i) any public utility easement; (ii) any right-of-way; (iii) any park or open space land; (iv) any private driveway, roadway or street; or (v) any sewer line or water line.

Patron: Barlow

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 031117620

01/08/03 House: Referred to Committee for Courts of Justice

HB 2112 Nonconforming building and land uses.

Summary as introduced:

Nonconforming buildings and land uses. Provides that when a building is so situated on a lot that it violates a zoning requirement of a locality that prescribes the location of such a building in relation to the boundaries of the lot or when a building is situated on a lot that violates a zoning requirement of a locality that prescribes the minimum area of the lot, and when such building has been so situated for at least 10 years without the institution of an action to enforce such zoning requirement, such building shall be deemed a valid nonconforming building in relation to such boundaries or to the area of such lot, as the case may be. Further amendments provide that when a use of certain land or buildings on parcels that are 15 or more acres is not permitted by the zoning ordinance of a locality but has been established and continued in reasonable reliance on the actions of the locality, and have been in existence for 20 years without the institution of court action to enforce the ordinance regarding the use, such use shall be deemed a valid nonconforming use and may be continued.

Patron: Barlow

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 032381620

01/08/03 House: Referred to Committee on Counties, Cities and Towns

HB 2509 Plat approval.

Summary as introduced:

Plat approval. Requires the planning commission to identify all deficiencies in a plat that cause disapproval and identify all modifications or corrections as will permit approval of the plat. Deficiencies not identified in the initial disapproval shall be waived. The local planning commission shall act on any proposed plat within 45 days of modification, correction and submittal, rather than 60 days. The failure to act within 45 days or to state the reasons for disapproval shall cause the plat to be deemed approved. The commission shall act on any proposed plat that it has previously disapproved within 30 days after the plat has been resubmitted for approval.

Patrons: McDonnell and Suit

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 033387836

01/08/03 House: Referred to Committee on Counties, Cities and Towns

Code Enforcement

HB 1940 Housing; Elevator Safety Act; penalty.

Summary as introduced:

Housing; Elevator Safety Act; penalty. Creates the Elevator Safety Act to provide for regulation by the Board of Housing and Community Development of the installation and maintenance of elevators to ensure the safety of life and limb, and to promote public safety awareness. The bill provides definitions of the types of equipment covered by the Elevator Safety Act and provides for criminal penalties for violation. The bill creates a special classification for elevator contractors licensed by the Board for Contractors.

Patron: Drake

01/08/03 House: Presented & ordered printed, prefiled 01/07/03 030872736

01/08/03 House: Referred to Committee on General Laws

01/14/03 House: Assigned to General Laws sub-committee: 1

HB 2123 Uniform Statewide Building Code; basis for regulation.

Summary as introduced:

Uniform Statewide Building Code; basis for regulation. Requires that the Building Code specifically include provisions to prevent overcrowding, rodent or insect infestation, and garbage accumulation, in addition to other existing standards for public health and safety.

Patron: Reid

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 030864904

01/08/03 House: Referred to Committee on General Laws

01/14/03 House: Assigned to General Laws sub-committee: 2

01/20/03 House: Fiscal impact statement from DPB (HB2123).

HB 2476 Disposal of trash or cutting of weeds.

Summary as introduced:

Disposal of trash or cutting of weeds. Allows localities to prescribe civil penalties for violations of ordinances related to the disposal of trash and the cutting of grass and weeds.

Patron: Crittenden

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 032440688

01/08/03 House: Referred to Committee on Counties, Cities and Towns

SB 1262 Inoperable motor vehicles.

Summary as introduced:

Inoperable motor vehicles. Requires localities to allow at least 3 inoperable motor vehicles to be kept on residential or commercial property provided they are shielded from ordinary public view.

Patron: Trumbo

01/13/03 Senate: Presented & ordered printed 039326548

01/13/03 Senate: Referred to Committee on Local Government

Public Safety

HB 1421 Duty to report childbirth.

Summary as introduced:

Duty to report childbirth. Provides that any woman who gives birth without the assistance of a health care professional after more than 24 weeks have elapsed since the beginning of her last menstrual period and who, though she is reasonably able to do so, fails to report the birth, whether a live birth or stillbirth, within 12 hours of the event, to the local sheriff, police department or fire department is guilty of a Class 1 misdemeanor.

Patrons: Cosgrove and Rapp

01/08/03 House: Presented & ordered printed, prefiled 10/23/02 032221674

01/08/03 House: Referred to Committee for Courts of Justice

01/08/03 House: Fiscal impact statement from VCSC (HB1421)

01/16/03 House: Assigned to C. J. sub-committee: 1

HB 2180 Jail policies.

Summary as introduced:

Jail policies. Provides that jailers shall keep a formal written policy stating the criteria and condition of earned credit in the facility; clarifies the rate for earning good conduct credit for prisoners convicted of misdemeanors; and provides that in order for a prisoner to work on certain properties on a voluntary basis (in order to receive credit on his sentence for the work done), orders must be specific for identified individual prisoners. The bill also provides that for all offenses committed on or after July 1, 2003, any order that does not specifically identify individual prisoners shall be void. This bill is a recommendation of the Virginia State Crime Commission.

Patrons: Kilgore, Albo, Athey, Griffith, McDonnell, Melvin and Moran; Senators: Howell, Norment and Stolle

01/21/03 House: Engrossed by House as amended

01/21/03 House: Printed as engrossed 030452228-E

01/22/03 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

01/22/03 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

01/22/03 House: Communicated to Senate

HB 2670 Transportation of person in civil commitment process.

Summary as introduced:

Transportation of person in civil commitment process. Requires magistrates to direct the transportation of persons who are the subject of an emergency custody or temporary detention order by a specified law-enforcement officer to necessary medical facilities to obtain emergency medical evaluation or treatment prior to the placement of the individual in the temporary detention facility. The bill requires the law-enforcement officer to maintain custody of the person until he is delivered to the temporary detention facility. In no event shall transport commence later than 1 hour after notification to the law-enforcement officer.

Patron: Hamilton

01/14/03 House: Presented & ordered printed 033153760

01/14/03 House: Referred to Committee on Health, Welfare and Institutions

HB 2677 Driver's license suspension for graffiti or other injury to property.

Summary as introduced:

Driver's license suspension for graffiti or other injury to property. Provides for the mandatory suspension of the driver's license of any person convicted of destroying, defacing, or damaging any property not his own. If the violation is committed by a child under the age of 16 years and three months, the child's ability to apply for a driver's license shall be delayed for at least 30 days.

Patrons: Baskerville, Hall, Miles and O'Bannon

01/14/03 House: Presented & ordered printed 031392624

01/14/03 House: Referred to Committee for Courts of Justice

SB 1146 Jail policies.

Summary as introduced:

Jail policies. Provides that jailers shall keep a formal written policy stating the criteria and condition of earned credit in the facility; clarifies the rate for earning good conduct credit for prisoners convicted of misdemeanors; and provides that in order for a prisoner to work on certain properties on a voluntary basis (in order to receive credit on his sentence for the work done), orders must be specific for identified individual prisoners. The bill also provides that for all offenses committed on or after July 1, 2003, any order that does not specifically identify individual prisoners shall be void. This bill is a recommendation of the Virginia State Crime Commission.

Patrons: Stolle, Howell and Norment; *Delegates:* Albo, Griffith, Kilgore, McDonnell, Melvin and Moran

01/20/03 Senate: VOTE: CONST. RDG. DISPENSED R (39-Y 0-N)

01/21/03 Senate: Read second time and engrossed

01/22/03 Senate: Read third time and passed Senate (39-Y 0-N)
01/22/03 Senate: VOTE: PASSAGE R (39-Y 0-N)
01/22/03 Senate: Communicated to House

VRS

HB 1507 Virginia Retirement System.

Summary as introduced:

Virginia Retirement System. Increases the retirement allowance for state and local members of the Virginia Retirement System who retire on or after July 1, 2003, by increasing the percentage of average final compensation that is multiplied by the amount of creditable service (i) from 2 percent to 2.75 percent for certain members of the Virginia Law Officers' Retirement System who retire with 25 or more years of creditable service and who are not eligible for the supplemental allowance; (ii) from 2 percent to 2.5 percent for members of the Virginia Law Officers' Retirement System who retire with 25 or more years of creditable service and who are eligible for the supplemental allowance; and (iii) from 1.7 percent to 2 percent for all others who retire with 25 or more years of creditable service.

Patrons: Callahan and Nutter

01/08/03 House: Presented & ordered printed, prefiled 12/16/02 031962660

01/08/03 House: Referred to Committee on Appropriations

01/16/03 House: Fiscal impact statement from VRS (HB1507)

HB 1568 Virginia Retirement System.

Summary as introduced:

Virginia Retirement System. Increases the retirement allowance for all state and local members of the Virginia Retirement System by gradually increasing, over a 6-year period, the percentage of average final compensation that is multiplied by the amount of creditable service (i) from 2 percent to 2.3 percent for certain members of the Virginia Law Officers' Retirement System who are not eligible for the supplemental allowance and (ii) from 1.7 percent to 2 percent for all others. The bill also gradually increases, over a 6-year period, the monthly retirement allowance paid to members of the Virginia Retirement System who retired prior to July 1, 2003, by 3 percent.

Patron: Hamilton

01/08/03 House: Presented & ordered printed, prefiled 12/20/02 034124760

01/08/03 House: Referred to Committee on Appropriations

01/16/03 House: Fiscal impact statement from VRS (HB1568)

HB 1674 Virginia Retirement System; purchase of prior service credit.

Summary as introduced:

Virginia Retirement System; purchase of prior service credit. Permits any member to purchase up to 4 years of prior service credit, at the rate of 5 percent of creditable compensation, for any period of time when the member was employed by a nonprofit entity that was exempt from taxation under § 501 (c) (3) of the Internal Revenue Code.

Patron: Petersen

01/08/03 House: Presented & ordered printed, prefiled 01/03/03 035865882

01/08/03 House: Referred to Committee on Appropriations

01/14/03 House: Fiscal impact statement from VRS (HB1674)

HB 1766 Virginia Retirement System; age for retirement.

Summary as introduced:

Virginia Retirement System; age for retirement. Deletes any minimum age requirement for those retiring from the Virginia Retirement System with 30 or more years of creditable service.

Patron: Nutter

01/08/03 House: Presented & ordered printed, prefiled 01/06/03 035962869

01/08/03 House: Referred to Committee on Appropriations

01/15/03 House: Fiscal impact statement from VRS (HB1766)

HB 2345 Deputy sheriffs; retirement allowance.

Summary as introduced:

Deputy sheriffs; retirement allowance. Provides that deputy sheriffs employed by political subdivisions participating in the Virginia Retirement System ("VRS") shall receive the same retirement benefits as sheriffs. Under current law, any sheriff employed by a political subdivision participating in VRS shall receive retirement benefits equivalent to those provided under the State Police Officers' Retirement System ("SPORS") for state police officers. This bill would provide that deputy sheriffs, whose political subdivision participates in VRS, also receive retirement benefits equivalent to those provided under SPORS.

Patrons: Weatherholtz and Rapp

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 034285577

01/08/03 House: Referred to Committee on Appropriations

01/17/03 House: Fiscal impact statement from VRS (HB2345)

SB 720 Virginia Retirement System.

Summary as introduced:

Virginia Retirement System. Increases the retirement allowance for all state and local members of the Virginia Retirement System by gradually increasing, over a 6-year period, the percentage of average final compensation that is multiplied by the amount of creditable service (i) from 2 percent to 2.3 percent for certain members of the Virginia Law Officers' Retirement System who are not eligible for the supplemental allowance and (ii) from 1.7 percent to 2 percent for all others. The bill also gradually increases, over a 6-year period, the monthly retirement allowance paid to members of the Virginia Retirement System who retired prior to July 1, 2003, by 3 percent.

Patrons: Wampler, Blevins, Puckett and Reynolds

01/08/03 Senate: Presented & ordered printed, prefiled 12/18/02 038998556

01/08/03 Senate: Referred to Committee on Finance

01/16/03 Senate: Fiscal impact statement from VRS (SB720)

SB 848 Health insurance credit; retired teachers.

Summary as introduced:

Health insurance credit; retired teachers. Increases the health insurance credit for retired teachers from \$2.50 to \$4 per month for teachers for each full year of creditable service, not to exceed a maximum monthly credit of \$120 for teachers with 30 or more years of creditable service.

Patrons: Howell, Blevins and Reynolds

01/08/03 Senate: Presented & ordered printed, prefiled 01/07/03 038013448

01/08/03 Senate: Referred to Committee on Finance

01/16/03 Senate: Fiscal impact statement from VRS (SB848)

SB 883 Virginia Retirement System; average final compensation.

Summary as introduced:

Virginia Retirement System; average final compensation. Indexes the average final compensation of state and local employees who are members of the Virginia Retirement System, the State Police Officers' Retirement System, the Judicial Retirement System, and the Virginia Law Officers' Retirement System. Average final compensation is increased only for those members who retired between December 1, 2001, and November 30, 2002, or those members in continuous service since July 1, 2002.

Average final compensation is increased by a factor between 1.01011 and 1.10366 depending upon when the employee retired or retires and whether or not the Commonwealth or a locality participating in the Virginia Retirement System provided a general salary increase between

December 1, 2001, and November 30, 2004.

Patrons: Wampler and Puckett

01/08/03 Senate: Presented & ordered printed, prefiled 01/07/03 039047556

01/08/03 Senate: Referred to Committee on Finance

01/17/03 Senate: Fiscal impact statement from VRS (SB883)

Taxation, Finance & Budget

HB 2459 Commissioners of the revenue; agents of the Commissioner of DMV.

Summary as introduced:

Commissioners of the revenue; agents of the Commissioner of the Department of Motor Vehicles. Requires every commissioner of the revenue to enter into an agreement with the Commissioner of the Department of Motor Vehicles to act as an agent of the Commissioner to register motor vehicles that have situs in their localities and collect fees associated therewith.

Patron: McDougle

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 031237838

01/08/03 House: Referred to Committee on Transportation

HB 2525 Sales and use tax; exemptions for nonprofit entities.

Summary as introduced:

Sales and use tax; exemptions for nonprofit entities. Alters the procedures for granting sales and use tax exemptions to nonprofit entities in conformity with recommendations of the Joint Subcommittee to Study and Revise Virginia's State Tax Code (HJR 685/SJR 387, 2001; HJR 60, 2002) by giving the Department of Taxation the administrative duty to grant such exemptions according to certain broad criteria established by the bill. The bill has a delayed effective date of July 1, 2004.

Patrons: Orrock, Bloxom, Byron, Drake, Joannou, Johnson, Louderback, McDonnell, Melvin, Parrish, Ware and Watts; *Senators:* Bolling and Hanger

01/08/03 House: Presented & ordered printed, prefiled 01/08/03 031953880

01/08/03 House: Referred to Committee on Finance

HB 2672 Excess fees collected by clerks.

Summary as introduced:

Excess fees collected by clerks. Requires the Commonwealth to disburse to any locality its share of excess clerks' fees if the budget for clerks' offices is reduced and if that locality generates excess fees.

Patron: Drake

01/14/03 House: Presented & ordered printed 036044736

01/14/03 House: Referred to Committee for Courts of Justice

HB 2701 Virginia Public Procurement Act; cooperative procurement.

Summary as introduced:

Virginia Public Procurement Act; cooperative procurement. Clarifies that except for contracts for professional services, a public body may purchase from another public body's contract even if it did not participate in the request for proposal or invitation to bid, if the request for proposal or invitation to bid specified that the procurement was being conducted on behalf of other public bodies.

Patrons: Reid, Jones, S.C. and Woodrum; Senators: Stosch and Watkins

01/15/03 House: Presented & ordered printed 030896904

01/15/03 House: Referred to Committee on General Laws

HB 2713 Business, professional and occupational license (BPOL) tax, limitation

Summary as introduced:

Business, professional and occupational license (BPOL) tax, limitations on localities. Prohibits any county, city or town from imposing the BPOL tax on any person, firm or corporation engaging in the business of renting real property and having more than one definite place of business in different localities, provided such person, firm or corporation can produce sufficient evidence that the license tax has been paid on such income to the county, city or town in which it conducts the majority of its business. The bill has a retroactive effective date of January 1, 1998.

Patron: Drake

01/16/03 House: Presented & ordered printed 032518736

01/16/03 House: Referred to Committee on Finance

01/20/03 House: Fiscal impact statement from TAX (HB2713)

HB 2735 Business, Professional and Occupational Licensing Tax (BPOL); license

Summary as introduced:

Business, Professional and Occupational Licensing Tax (BPOL); license fees, rates and requirements. Requires localities that impose the BPOL tax to (i) eliminate license fees by January 1, 2005, (ii) exempt the first \$100,000 of gross receipts from taxation by January 1, 2005, and (iii) reduce the several different rates currently in the Code to a flat rate of 20 cents per \$100 of gross receipts for license years beginning on and after January 1, 2005.

Patron: Shuler

01/16/03 House: Presented & ordered printed 032529936

01/16/03 House: Referred to Committee on Finance

01/19/03 House: Fiscal impact statement from TAX (HB2735)

HB 2750 Commonwealth Private Investment Inducement Act of 2003.

Summary as introduced:

Commonwealth Private Investment Inducement Act of 2003. Dedicates the insurance license tax fee to transportation projects in all localities according to the percentage of such revenues attributable to subscribers who reside in each locality. A portion of these proceeds will finance the issuance of bonds that the bill authorizes for transportation projects in 3 regions of the Commonwealth. These 3 regions are the regions encompassed by (i) Arlington County, Fairfax County, Loudoun County, Prince William County, the City of Alexandria, the City of Fairfax, the City of Falls Church, the City of Manassas, and the City of Manassas Park; (ii) Isle of Wight County, James City County, York County, the City of Chesapeake, the City of Hampton, the City of Newport News, the City of Norfolk, the City of Poquoson, the City of Portsmouth, the City of Suffolk, the City of Virginia Beach, and the City of Williamsburg; (iii) Augusta County, Botetourt County, Frederick County, Montgomery County, Pulaski County, Roanoke County, Rockbridge County, Rockingham County, Shenandoah County, Smyth County, Warren County, Washington County, Wythe County, the City of Bristol, the City of Harrisonburg, the City of Radford, the City of Salem, the City of Staunton, and the City of Winchester. All funds paid from the revenues provided under this act for the 3 regions must be matched by equal or greater funds from private entities, localities, or both.

Patrons: Rollison, Marshall, R.G., Amundson, Black, Bolvin, Brink, Callahan, Darner, Devolites, Hugo, Lingamfelter, May, McQuigg, Moran, Parrish, Petersen, Plum, Reese, Rust, Scott, Suit and Watts; *Senators:* Byrne, Colgan, O'Brien, Puller and Ticer

01/17/03 House: Presented & ordered printed 032020916

01/17/03 House: Referred to Committee on Transportation

01/21/03 House: Referred from Transportation (22-Y 0-N)

01/21/03 House: Referred to Committee on Appropriations

HB 2792 Electronic Government Services Act created.

Summary as introduced:

Electronic Government Services Act created. Prohibits a public body from providing electronic commerce services that duplicate or compete with similar services provided by the private sector unless the public body provides notice and a hearing for the public to submit comments. The notice must include proposed findings of fact and law, costs, a statement of the public benefit and unmet need, and a statement describing the impact of such services on the private sector. The public body must sign factual and legal conclusions addressing the public comments and the factors required by the Act. Where competition exists, the public body must file an annual report. The bill also creates a cause of action for any private entity engaged in the electronic commerce business to challenge the sufficiency of the factual and legal conclusions, as well as to challenge the provision of services in general. Finally, the bill applies to state agencies, political subdivisions, and certain private/public entities that are established by an order or action of a state agency or political subdivision.

Patrons: Devolites and Hugo

01/17/03 House: Presented & ordered printed 034173448

01/17/03 House: Referred to Committee on General Laws

HB 2801 VA Public School Authority; School Construction Grant Act of 2003.

Summary as introduced:

Virginia Public School Authority; School Construction Grant Act of 2003. Authorizes the Virginia Public School Authority to issue bonds to fund grants to localities in the total amount of \$950 million to pay the costs of school construction, school renovation, and other school infrastructure projects. The schedule for the issuance of the bonds and the payment of the debt service on them shall be as provided in the general appropriation act. The \$950 million in grants shall be distributed to localities according to the following formula (i) one-half based on the proportion of sales and use tax revenue generated in each locality; and (ii) the remaining one-half based on a set per pupil amount, based on the latest actual adjusted average daily membership, and adjusted by the locality's composite index of ability to pay. In implementing this bill, the Virginia Public School Authority shall not incur more than a total of \$250 million in debt in any fiscal year.

Patrons: Scott, Albo, Almand, Amundson, Baskerville, Bolvin, Brink, Christian, Darner, Devolites, Hull, Moran, Petersen, Plum, Rust and Watts

01/17/03 House: Presented & ordered printed 032031928

01/17/03 House: Referred to Committee on Finance

SB 1227 Local taxes; administrative fees to collect delinquent taxes/charges.

Summary as introduced:

Local taxes; administrative fees to collect delinquent taxes or other delinquent charges.

Increases the fees that may be charged by local governments for administrative costs incurred in collecting delinquent taxes or other delinquent charges. The fees are increased from \$20 to \$30 for delinquent taxes and other charges collected before judgment is taken, and from \$25 to \$35 for such taxes and charges collected subsequent to a judgment.

Patron: Williams

01/08/03 Senate: Referred to Committee on Finance

01/14/03 Senate: Fiscal impact statement from TAX (SB1227)

01/21/03 Senate: Reported from Finance (13-Y 0-N)

01/22/03 Senate: Constitutional reading dispensed (38-Y 0-N)

01/22/03 Senate: VOTE: CONST. RDG. DISPENSED R (38-Y 0-N)

SB 1297 Northern Virginia Transportation Program Bond Act of 2003.

Summary as introduced:

Northern Virginia Transportation Program Bond Act of 2003. Authorizes the Northern Virginia Transportation Authority to issue bonds in an aggregate principal amount not to exceed \$1 billion to complete and implement certain transportation projects included in the Northern Virginia Transportation Program Bond Act of 2003.

In general, the first \$50 million available for allocation in each fiscal year to the Northern Virginia construction district shall be credited to a special nonreverting fund in the state treasury titled the Northern Virginia Transportation Authority Fund, for use by the Authority. Moneys in the Fund shall be used solely for paying the costs to complete and implement such transportation projects including, but not limited to, the costs associated with issuing bonds and other obligations and with entering into contracts or other agreements as provided under the Act.

Patrons: Colgan, Byrne, Cuccinelli, Howell, Mims, O'Brien, Puller, Saslaw, Ticer and Whipple;
Delegates: Hull, Parrish and Pollard

01/17/03 Senate: Presented & ordered printed 039065412

01/17/03 Senate: Referred to Committee on Finance

Transportation and Public Works

HB 2718 Allocation of highway construction funds.

Summary as introduced:

Allocation of highway construction funds. Provides that all allocations of primary, secondary, and urban highway system construction funds will be adjusted to reflect construction cost differentials based on topography, elevation, and soil conditions.

Patron: Nutter

01/16/03 House: Presented & ordered printed 036082869

01/16/03 House: Referred to Committee on Transportation

Miscellaneous

HB 2714 Preservation of monuments and memorials.

Summary as introduced:

Preservation of monuments and memorials. Provides that certain monuments or memorials that are erected on public property of the Commonwealth or any of its political subdivisions shall not be relocated, removed, disturbed or altered. However, the Commonwealth and its political subdivisions may temporarily relocate or remove a monument or memorial in order to perform necessary construction or maintenance on streets, highways or utilities. No street, bridge, structure, park, preserve, reserve, or other public area of the Commonwealth or any of its political subdivisions dedicated in memory of or named for any historic figure or historic event may be renamed or rededicated. No person may prevent the public body from taking proper measures and exercising proper means for the protection, preservation, and care of these monuments, memorials, or nameplates.

Patrons: Hargrove; Senator: Hawkins

01/16/03 House: Presented & ordered printed 036312436

01/16/03 House: Referred to Committee on Counties, Cities and Towns