

City of Alexandria, Virginia

MEMORANDUM

DATE: JANUARY 24, 2011

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: JAMES K. HARTMANN, CITY MANAGER 

SUBJECT: RECOMMENDATIONS AND STATUS REPORT (NO. 1) ON LEGISLATION INTRODUCED AT THE 2011 GENERAL ASSEMBLY SESSION

ISSUE: Recommendations and status report (No. 1) on legislation introduced at the 2011 General Assembly Session.

RECOMMENDATION: That City Council:

- (1) Approve the legislative positions included in Attachment 1 (Recommended Positions on Bills of Importance to the City), as recommended by City Council’s Legislative Subcommittee (Vice Mayor Donley and Councilman Smedberg); and
- (2) Approve the positions on budget issues included in Attachment 2 (Recommended Positions on Budget Issues of Importance to the City), as also recommended by City Council’s Legislative Subcommittee.

DISCUSSION: The 2011 General Assembly Session began on January 12 and is scheduled to adjourn on February 26. The deadline for introduction of legislation was Friday, January 21.¹ As of that day, at least 1,872 bills and 397 resolutions had been introduced (it is possible that additional bills and resolutions were introduced but have not yet appeared on the State’s Legislative Information System).

City Package The following are bills from the City's legislative package that the City asked members of the City’s delegation to introduce (Attachment 3 is a status report on “City Package” bills):

- HB 1677 sought to increase the maximum fine from \$500 to \$750 in order to discourage drivers from illegally using other persons’ handicapped parking placards. The bill was

¹There are some exceptions to this rule (e.g., bills can be introduced by unanimous consent or at the request of the governor), but relatively few bills are introduced after the deadline.

considered in a Subcommittee of the House Transportation Committee. Subcommittee members felt the current \$500 fine should be sufficient to discourage illegal use of the placards, and voted to defeat the bill.

- HB 1815 was introduced jointly by Delegates David Englin and Patrick Hope (Arlington). It would have increased the state tax on cigarettes (now \$0.30 per pack) to \$1.45 per pack. The additional revenue that would have been produced would have been used for programs to discourage smoking by minors and others, and to pay for additional services for those who are mentally ill or intellectually disabled. The bill was defeated in the tax-averse House Finance Committee.
- House Bill 2045 proposes to expand the definition of blighted property to include any residential structure (i) for which a building permit was not obtained or the building permit has been revoked or has expired in accordance with the Uniform Statewide Building Code and (ii) which endangers the public's health, safety, or welfare. If the legislation is approved, it will give the City an additional tool to use with property owners who begin new buildings but leave them unfinished, creating safety problems for those who live near them.
- The Meals on Wheels Association of America expressed concern prior to Session that the Commonwealth of Virginia was diverting funds from federal appropriations given to the Commonwealth to provide nutrition assistance to seniors. Vice Mayor Donley recommended that the delegation propose a budget amendment to require Virginia to use a greater portion of nutrition funds to purchase meals. After meeting with the State's Commissioner of Aging, who explained that any funds diverted from the actual purchase of meals are used for related supportive services (e.g., to take seniors to day centers where meals are provided), staff recommended, and the Legislative Subcommittee concurred, that the City not pursue this budget amendment.
- Several bills have been introduced to allow early or unrestricted absentee voting, as requested by the City. As in the past, the House of Delegates is rejecting all these measures. Any Senate proposals are likely to pass the Senate, but are likely to be killed in the House.
- Measures have been introduced in the House to restrict access to higher education by undocumented persons. The City's position is to oppose such legislation, unless it includes safeguards like those proposed by Governor Warner in 2003. Action has not been taken on any of this legislation.
- Constitutional amendments have been proposed in both the House and Senate to provide by general law for the restoration of civil rights for persons who have been convicted of nonviolent felonies, but completed their sentence, probation, and parole. Action has yet to be taken on these bills in committee.

- Legislation to require the State to construct any new buildings according to “green” standards is awaiting action by the Senate.
- Legislation that would prohibit discrimination against State employees has been introduced in both the House and the Senate, but no action has been taken on it.
- Legislation to lower the interest rate that may be charged on car title and payday loans has been defeated in the Senate. If such legislation passes the House, it is expected to be rejected by the Senate.
- Bills have been introduced that would reduce revenues from the BPOL and Machinery and Tools taxes. No action has been taken on these, and Council’s Legislative Subcommittee has recommended that the City oppose them (they are included in Attachment 1).

Transportation Bills have been introduced in both houses dealing with transportation governance, primarily in Northern Virginia, and transportation funding.

Delegate David Albo, with the endorsement of Governor McDonnell, introduced legislation (HB 2016) to combine the Northern Virginia Transportation Authority (NVTA), the Northern Virginia Transportation Commission (NVTC), and the Potomac and Rappahannock Transportation Commission (PRTC). These three entities have very different duties and responsibilities, and serve different geographic regions. NVTA, NVTC, and PRTC have all taken positions in opposition to the merger. Council’s Legislative Subcommittee has also recommended that the City oppose the Albo bill.

A number of bills have been introduced to increase the gas tax or convert it to a sales tax. None of these is expected to be approved by the House of Delegates. House Bill 1604 proposes to tax some out-of-state corporate income that is not yet taxed. This bill has not yet been considered by the tax-averse House Finance Committee.

The Governor has proposed a transportation funding package with two main components: selling bonds to pay for transportation capital improvements, and directing a portion of the state sales tax to transportation projects in Northern Virginia and Hampton Roads, the two most congested areas of the State. Council’s Legislative Subcommittee has recommended that the City oppose any legislation that would redirect general fund appropriations away from general fund programs, such as education and mental health, and into transportation. In addition, the City’s 2011 Legislative Package already states that “any new transportation funding must not be taken from traditional core service funding programs, such as education and public safety.”

The Governor has said that his transportation funding program will support 900 projects statewide. All of the Alexandria projects on this list have been previously approved, and virtually all of them are related to the Woodrow Wilson Bridge project.

BRAC Budget Amendments Delegates Herring and Ebbin have introduced budget amendments for traffic improvements related to BRAC-133. Delegate Herring's would provide \$17 million for the short and mid-term improvements (turn lanes, through lane improvements in the area around Mark Center) that have been approved by the City. Delegate Ebbin asked for funding to begin the environmental studies needed for transit improvements (streetcar or otherwise) that will be needed in the area (an ongoing transitway study is expected to identify the preferred means of transit along the Beauregard corridor to serve BRAC-133).

State Budget Like the City of Alexandria, the Commonwealth's revenue is slowly improving. For the 2011 Session, few reductions in aid to localities were proposed by the Governor. Nonetheless, reductions that were proposed will be detrimental to City programs if they are accepted by the General Assembly. Attachment 2 includes positions recommended by the Legislative Subcommittee on several of the Governor's proposals and related budget issues.

The House and Senate Finance Committees will make their budget recommendations on February 6, and will spend the remainder of Session negotiating their differences. An approved budget bill will likely be one of the last measures that come out of the Session. Staff will continue to report on budget in future General Assembly Updates.

Virginia Retirement System (VRS) Major changes have been proposed again this Session to the Virginia Retirement System. The 2010 Session passed legislation that would allow local governments to require new employees to pay a portion of their retirement contributions (Council chose to require employees hired on or after July 1, 2010, to pay four percent of their salary into VRS). In his budget amendments, the Governor has proposed letting local governments and school boards require existing employees pay five percent of their salary into VRS, as long as the local government or school board provides a salary increase of at least three percent. Other proposals relating to VRS propose the creation of defined contribution plans (VRS is currently a defined benefit plan). Council's Legislative Subcommittee will review the various VRS bills at its January 28 meeting, after additional information on the VRS proposals becomes available.

ABC Privatization The Governor's long-awaited legislation to privatize ABC stores (SB 1417) was introduced into the Senate last week (Delegate Bob Brink also introduced it in the House—HB2456—but not on behalf of the Governor). The bill seeks to take the State out of operation of retail liquor stores (although the State would continue to operate a warehouse for the wholesale purchase of liquor). If the legislation is passed, licenses will be auctioned to as many as 1,000 retail operators (Alexandria could have almost 20 stores selling liquor). The bill has been assigned to the Senate Committee on Rehabilitation and Social Services, and will likely be considered by that committee on January 28 or February 4. The House bill has not been assigned to Committee.

Redistricting Following the receipt of 2010 census data at the end of the regular Session, the General Assembly will begin redistricting the House and Senate. All seats of both bodies will be up for election in this November. Because of the delays resulting from redistricting, the usual June primaries will likely be held on August 23 or September 13.

ATTACHMENTS:

Attachment 1: Recommended Positions on Bills of Importance to the City, January 22, 2011

Attachment 2: Budget Amendments Recommended for Support by City Council's Legislative Subcommittee

Attachment 3: Current Status of City Package Bills, January 22, 2011

STAFF: Bernard Caton, Legislative Director

**Recommended Positions on Bills of Importance to the City of Alexandria
January 22, 2011**

HB 1403 Eluding police; forfeiture of vehicle.

A BILL to amend and reenact § 19.2-386.16 of the Code of Virginia, relating to penalty for eluding police.

Summary as introduced:

Forfeiture of vehicle used to elude police. Provides that any vehicle driven to elude police and in such a manner as to interfere with or endanger the operation of a law-enforcement vehicle or officer or to endanger a person (in violation of subsection B of § 46.2-817) shall be forfeited and sold by the sheriff. The proceeds of the sale are to be delivered to the Literary Fund.

Patron: Loupassi

08/10/10 House: Referred to Committee for Courts of Justice

01/12/11 House: Assigned Courts sub: #1 Criminal

01/19/11 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N)

Notes: Position: Support

HB 1404 Handheld personal communications devices; prohibits use thereof while operating motor vehicle, etc.

A BILL to amend and reenact § 46.2-1078.1 of the Code of Virginia, relating to use of handheld personal communications devices while operating certain vehicles.

Summary as introduced:

Prohibits any use of a handheld personal communications device while operating a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth and makes such use a primary offense.

Patron: Howell, A.T.

08/25/10 House: Referred to Committee on Militia, Police and Public Safety

01/18/11 House: Assigned MPPS sub: #2

Notes: Position: Support

HB 1413 Motor fuels tax rate; converts rate of taxation from cents per gallon to a percentage rate.

A BILL to amend and reenact §§ 58.1-2217, 58.1-2249, 58.1-2289, as it is currently effective and as it may become effective, 58.1-2701, as it is currently effective and as it may become effective, and 58.1-2706 of the Code of Virginia, relating to motor fuels tax rate.

Summary as introduced:

Motor fuels tax rate. Converts the rate of taxation on motor fuels from cents per gallon to a percentage rate. The bill provides that the Commissioner of the Department of Motor Vehicles shall calculate the percentage rate in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill.

Thereafter, the percentage rates would not change, but would be applied against the average price per gallon of the fuel, less federal and state taxes, as determined by the Commissioner of the Department of Motor Vehicles over rolling six-month periods, to determine the cents to be charged.

Patrons: Scott, J.M. and Kory

09/27/10 House: Prefiled and ordered printed; offered 01/12/11

09/27/10 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #1

HB 1421 Immigration laws, federal; enforcement by State and localities.

A BILL to amend the Code of Virginia by adding a section numbered 2.2-602.1 and by adding in Article 5 of Chapter 9 of Title 15.2 a section numbered 15.2-982, relating to enforcement of federal immigration law by the Commonwealth and its political subdivisions.

Summary as introduced:

Enforcement of federal immigration law by the Commonwealth and its political subdivisions. Provides that no agency of the Commonwealth, political subdivision of the Commonwealth or locality, or an employee of any of them acting in his official capacity, may limit or restrict the enforcement of federal immigration laws to less than the full extent permitted by federal law. The bill also provides, in a second enactment, that the Governor may withhold the appropriation of state funds under his control to any agency, political subdivision of the Commonwealth, or locality in violation of this act, or to any agency, political subdivision of the Commonwealth, or locality whose employee is in violation of this act, in an amount deemed sufficient to ensure compliance, and shall release the funds to the entity when compliance is achieved.

Patrons: Albo, Cole, Landes, Oder and Pogge

10/25/10 House: Referred to Committee for Courts of Justice

01/19/11 House: Assigned Courts sub: #3 Immigration

Notes: Position: Oppose

HB 1425 Taxes, local; collection.

A BILL to amend and reenact §§ 58.1-3919.1 and 58.1-3934 of the Code of Virginia, relating to collection of delinquent local taxes.

Summary as introduced:

Local taxes; collection. Reduces the period of nonpayment of taxes, from six months to three months, before sheriffs or private collector agents may be used to collect delinquent local taxes. The bill also removes the exclusion of real estate taxes from the local taxes that treasurers may refer to private collection agents for collection.

Patron: Albo

10/28/10 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #2

Notes: Position: Support

HB 1430 Arresting officer to ascertain citizenship of arrestee; supplements existing law.

A BILL to amend and reenact § 19.2-83.2 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 7 of Title 19.2 a section numbered 19.2-83.3, relating to determination of citizenship of arrestee by arresting officer.

Summary as introduced:

Supplements the existing law that requires sheriffs to make a query into legal presence when a person is "taken into custody" at a jail. Expands such inquiries by requiring inquiries of everyone arrested, independent of whether they were taken into custody at a jail and requires that an arresting officer inquire of every arrestee whether he (i) was born in a country other than the United States and (ii) is a citizen of a country other than the United States and that, if the person responds he was born in another country and is not a citizen of the United States, the officer shall make an immigration alien query to the Law Enforcement Support Center of the United States Immigration and Customs Enforcement and shall communicate the results of any immigration alien query to the Central Criminal Records Exchange of the Department of State Police.

Patron: Albo

11/02/10 House: Referred to Committee for Courts of Justice

01/19/11 House: Assigned Courts sub: #3 Immigration

Notes: Position: Oppose

HB 1431 Recordation tax; reduces state tax on deeds of trust.

A BILL to amend and reenact § 58.1-803 of the Code of Virginia, relating to recordation taxes.

Summary as introduced:

Recordation tax. Reduces the state recordation tax on deeds of trust from \$0.25 per \$100 of the amount financed to \$0.2375 per \$100 of such amount. The bill also eliminates the reduced recordation tax based on deeds of trust securing a refinanced mortgage with the same lender. Under current law, the recordation tax on deeds of trust for such refinancing applies only to the extent that the amount of the refinancing exceeds the original amount of financing.

Patron: Albo

11/02/10 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #2

Notes: Position: Oppose

HB 1437 BPOL tax; localities to decide to impose on business gross receipts or State taxable income.

A BILL to amend and reenact § 58.1-3702 of the Code of Virginia, relating to localities' authority regarding the business, professional, and occupational license tax.

Summary as introduced:

BPOL tax; gross receipts or Virginia taxable income. Allows localities to decide whether to impose the BPOL tax on a business's gross receipts or its Virginia taxable income.

Patrons: Cole and Peace

11/08/10 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #1

01/19/11 House: Subcommittee recommends reporting (8-Y 1-N)

Notes: Position: Oppose

HB 1479 Search warrant affidavit; public availability.

A BILL to amend and reenact § 19.2-54 of the Code of Virginia, relating to public availability of search warrant affidavit.

Summary as introduced:

Public availability of a search warrant affidavit. Makes the affidavit for a search warrant publicly available only after the warrant that is the subject of the affidavit has been served.

Patron: Loupassi

12/10/10 House: Referred to Committee for Courts of Justice

01/10/11 House: Assigned Courts sub: #1 Criminal

01/12/11 House: Subcommittee recommends reporting (9-Y 0-N)

01/19/11 House: Reported from Courts of Justice (22-Y 0-N)

Notes: Position: Support

HB 1485 Medical emergency response plan and automated external defibrillator; required in certain buildings.

A BILL to amend and reenact § 22.1-274 of the Code of Virginia and to amend the Code of Virginia by adding in Article 6 of Chapter 2 of Title 2.2 a section numbered 2.2-214.2, by adding in Article 4 of Chapter 11 of Title 2.2 a section numbered 2.2-1161.2, and by adding sections numbered 15.2-922.2 and 59.1-296.2:2, relating to automated external defibrillators in health spas and state and local public buildings.

Summary as introduced:

Medical emergency response plan and automated external defibrillators; required in certain buildings. Requires the development of medical emergency response plans and the installation of automated external defibrillators in health spas and certain state and local buildings open to the public. The bill also establishes the Automated External Defibrillator Grant Fund to provide matching funds to localities to assist with the cost of compliance.

Patron: Hope

12/13/10 House: Referred to Committee on General Laws

01/12/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

Notes: Position: Oppose as written; no funding provided for significant new workload

HB 1496 Providing alcohol to an underage person; person who purchases is guilty of a Class 1 misdemeanor.

A BILL to amend and reenact § 4.1-306 of the Code of Virginia, relating to providing alcohol to underage persons; penalty.

Summary as introduced:

Provides that any person who purchases alcoholic beverages for or otherwise gives, provides, or willfully assists by act of commission or omission in the provision of alcoholic beverages to or consumption of alcoholic beverages by another person, knowing or having reason to believe that such person was less than 21 years of age is guilty of a Class 1 misdemeanor. Current law does not address “acts” of omission, consumption by an underage person, or a violation committed when the violator has reason to believe a person is underage.

Patron: Herring

12/16/10 House: Referred to Committee for Courts of Justice

01/12/11 House: Assigned Courts sub: #1 Criminal

01/21/11 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N)

Notes: Position: Support

HB 1506 Foreclosure procedures; assignment of deed of trust.

A BILL to amend and reenact §§ 26-15, 55-59.1, and 55-66.01 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 55-59.5 and 55-59.6, relating to foreclosure procedures; assignment of deed of trust.

Summary as introduced:

Foreclosure procedures; assignment of deed of trust. Provides that the trustee under any deed of trust or mortgage shall not proceed with any sale of the property unless the land records of the locality in which the property is located contain a duly recorded assignment to the person who asserts that he is the holder of the obligation. The trustee may proceed with the sale (i) upon the recordation of any assignments not recorded or, if an intervening assignment cannot be located, upon the receipt of an affidavit from the party secured that he is the party secured by the deed of trust, and (ii) upon the payment by the person who asserts that he is the holder of the obligation of any fees and taxes for recording the assignment. The bill also provides that a nominee of a grantee or mortgagee for a deed of trust or mortgage has no authority to request that the trustee proceed with any sale of the property conveyed to him by the deed of trust or mortgage. The bill also requires that the party secured by the deed of trust or mortgage provide notice of his intent to foreclose to the property owner at least 45 days before any proposed sale. The bill provides further that a person who (i) knowingly makes, used, or causes to be made or used any false or fraudulent record, document, or statement or (ii) knowingly swears or affirms falsely to any matter, in support of any foreclosure is liable for a civil penalty of \$5,000, which shall be paid into the local treasury. The bill also creates a civil cause of action for such a violation in favor of the owner of the property foreclosed upon.

Patrons: Marshall, R.G., Carr and Watts; Senator: Petersen

12/17/10 House: Referred to Committee for Courts of Justice

01/21/11 House: Assigned Courts sub: #2 Civil

Notes: Position: Support

HB 1510 Pawnbrokers & Precious Metals Dealers; records required to be maintained, daily electronic reports.

A BILL to amend and reenact §§ 54.1-4009, 54.1-4010, and 54.1-4101 of the Code of Virginia, relating to Pawnbrokers and Precious Metals Dealers; records required to be maintained; electronic reports.

Summary as introduced:

Pawnbrokers and Precious Metals Dealers; records required to be maintained; electronic reports. Requires pawnbrokers and precious metals dealers to take a photograph or digital image of (i) the person pawning or pledging or selling an article, precious metal or gem taken at the time of the transaction and (ii) the article, precious metal or gem pawned or pledged or sold. The bill also requires the pawnbrokers and precious metals dealers to submit a daily report containing information on transactions to law-enforcement officials by electronic means. Currently, for pawnbrokers the requirement to submit electronic reports is a local option and precious metals dealers are required to mail or deliver the report within 24 hours of the transaction.

Patron: Scott, J.M.

12/17/10 House: Referred to Committee on General Laws

01/12/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

Notes: Position: Support

HB 1517 Criminal street gangs; broadens definition.

A BILL to amend and reenact § 18.2-46.1 of the Code of Virginia, relating to crimes by gangs; penalties.

Summary as introduced:

Criminal street gangs; penalties. Broadens the definition of a "criminal street gang" by removing the requirement that one of the predicate crimes be an act of violence. Various Code sections provide increased penalties and consequences if crimes are committed by a person who is a member of a criminal street gang.

Patron: Orrock

12/17/10 House: Referred to Committee for Courts of Justice

Notes: Position: Support

HB 1524 Retail Sales and Use Tax; collection by certain contractors.

A BILL to amend and reenact § 58.1-610 of the Code of Virginia, relating to sales and use tax; collection by certain contractors.

Summary as introduced:

Sales and use tax; collection by certain contractors. Provides that any person or entity primarily engaged in the business of furnishing and installing tangible personal property that provides electronic or physical security on real property for the use of a financial institution shall be

deemed a retailer of such personal property and the sales and use tax for such property shall be collected from the contractor's customer rather than being paid by the contractor when he purchases the property. Such collection procedure shall also apply when the contractor installs the personal property on real property not for the use of a financial institution.

Patron: Landes

12/17/10 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #2

Notes: Position: Support

HB 1526 Real property tax appeal; information regarding income and expenses of income-producing property.

A BILL to amend and reenact § 58.1-3294 of the Code of Virginia, relating to real property tax appeal; consideration of certain information.

Summary as introduced:

Real property tax; appeal. Provides that information regarding the income and expenses of income-producing real property may be used in a complaint to a board of assessment, even though such information was not timely presented to the assessor. In addition, the information may be used in an action for relief in court from the decision of a board of equalization in which such information was presented. Under current law, the information cannot be considered in court if it was not timely presented to the assessor.

Patron: Greason

12/20/10 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #2

Notes: Position: Oppose as introduced (may be amended to address City concerns)

HB 1528 Precious metals dealers; required to prepare daily reports.

A BILL to amend and reenact § 54.1-4101 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 54.1-4101.01, relating to precious metals dealers; daily reports.

Summary as introduced:

Precious metals dealers; daily reports. Requires every dealer to prepare a daily report containing certain information and to file such report by noon of the following day with the chief of police or other law-enforcement officer of the county, city or town where his business is conducted designated by the local attorney for the Commonwealth to receive it. The bill allows a dealer to compile and maintain the daily report in an electronic format and, if so maintained, to file the required daily report electronically with the appropriate law-enforcement officer through use of a disk, electronic transmission, or any other electronic means of reporting approved by the law-enforcement officer. Any local governing body may, by ordinance, require a dealer to maintain and file a daily report electronically through the use of a disk, electronic transmission, or any other electronic means of reporting approved by the law-enforcement officer. The bill allows a

dealer to charge a service fee per transaction for making the daily electronic reports to the appropriate law-enforcement officers and for creating and maintaining the electronic records. Such fee shall not exceed five percent of the amount paid by the dealer for an item or \$3, whichever is less.

Patron: Bell, Richard P.

12/22/10 House: Referred to Committee on General Laws

Notes: Position: Support

HB 1531 Motor fuels tax; increases rate; dedicates revenue to transportation system.

A BILL to amend and reenact §§ 58.1-2217, 58.1-2249, 58.1-2289, as it may become effective, 58.1-2701, as it is currently effective and as it may become effective, and 58.1-2706 of the Code of Virginia, relating to motor fuels tax and allocation of construction funds for state primary highway system.

Summary as introduced:

Increases the motor fuels tax rate by \$0.10 per gallon and dedicates the additional revenue to the operation, maintenance, improvement, and expansion of the State transportation system.

Patron: Howell, A.T.

12/27/10 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #1

Notes: Position: Support

HB 1532 Tax administration, local; special commissioner to execute title to real estate.

A BILL to amend and reenact § 58.1-3970.1 of the Code of Virginia, relating to appointment of special commissioner to execute title to certain real estate in localities.

Summary as introduced:

Local tax administration; special commissioner to execute title to real estate. Lowers the threshold percentage of taxes and liens together on property from 50 percent to 20 percent of the assessed value of the parcel and, if only taxes, from 25 percent to 10 percent of the assessed value of the parcel in order to allow more properties to be conveyed to the locality in lieu of a public sale at auction.

Patron: Howell, A.T.

12/27/10 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #2

Notes: Position: Support

HB 1544 Commonwealth Mass Transit Fund; increases percentage of Transportation Trust Fund revenues, etc.

A BILL to amend and reenact §§ 33.1-23.03:2, 58.1-638, and 58.1-2425 of the Code of Virginia, allocations from the Transportation Trust Fund to the Commonwealth Mass Transit Fund.

Summary as introduced:

Increases the percentage of Transportation Trust Fund revenues flowing into the Commonwealth Mass Transit Fund from 14.7 to 19 percent.

Patrons: Kory, Sickles, Surovell and Watts

01/03/11 House: Referred to Committee on Appropriations

01/13/11 House: Assigned App. sub: Transportation

Notes: Position: Support

HB 1561 Zoning administrator; appeal of decisions.

A BILL to amend and reenact §§ 15.2-2286 and 15.2-2311 of the Code of Virginia, relating to appeal of zoning administrator decisions.

Summary as introduced:

Provides that the zoning administrator shall give notice to the governing body of the issuance of any written order, requirement, decision, or determination regarding the permissibility of a specific use or density of use of a landowner's property at the next public meeting of the governing body following such issuance. The notice to the governing body shall be deemed as public notice to the interested parties for purposes of calculating time limits for appealing or challenging the written order, requirement, decision, or determination.

Patron: Cole

01/04/11 House: Referred to Committee on Counties, Cities and Towns

01/13/11 House: Assigned CC & T sub: #2

Notes: Position: Oppose

HB 1578 Fair Housing Law; unlawful discriminatory practice on applications that are for affordable housing.

A BILL to amend and reenact § 36-96.3 of the Code of Virginia, relating to the Fair Housing Law; unlawful discriminatory housing practices.

Summary as introduced:

Fair Housing Law; unlawful discriminatory practice, affordable housing. Specifies that localities shall not discriminate by failing to grant an application for land use or the permitting of a development, that is to be used either wholly or in part as affordable housing, solely on that basis. This bill is recommended by the Virginia Housing Commission.

Patron: Dance

01/05/11 House: Referred to Committee on General Laws

Notes: Position: Support

HB 1588 Real property tax assessments; appeals.

A BILL to amend and reenact §§ 58.1-3379, 58.1-3381, and 58.1-3984 of the Code of Virginia, relating to real property tax assessments; appeals.

Summary as introduced:

Real property tax assessments; appeals. Transfers the burden of proof from the taxpayer to the assessor when a taxpayer appeals the assessment of real property to a board of equalization, and transfers it from the taxpayer to the locality when such appeal is to a circuit court. The bill also extends statewide provisions regarding boards of equalization currently applicable only to the City of Virginia Beach. The bill is applicable to tax years beginning on or after January 1, 2011.

Patrons: Iaquinto, Cole and Joannou

01/06/11 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #2

Notes: Position: Oppose

HB 1604 Income tax, corporate; market-based sourcing.

A BILL to amend and reenact § 58.1-416 of the Code of Virginia, relating to corporate income tax; sourcing of sales, other than sales of tangible personal property.

Summary as introduced:

Corporate income tax; market-based sourcing. Changes the way the sales factor is determined, for purposes of the corporate income tax, so that it will be market-based sourcing rather than costs-of-performance, which is the current method used.

Patrons: Albo, Rust, Lewis and May

01/07/11 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #1

Notes: Position: Support

HB 1632 TANF; eligibility of assistance when convicted of drug-related felonies.

A BILL to amend the Code of Virginia by adding a section numbered 63.2-607.1, relating to TANF eligibility; drug-related felonies.

Summary as introduced:

Eligibility for TANF; drug-related felonies. A person who is otherwise eligible to receive TANF assistance shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance provided he complies with all obligations imposed by the court, has completed substance abuse treatment, and participates in drug screenings.

Patrons: Watts, Keam, Sickles and Surovell; Senators: Puller and Whipple

01/13/11 House: Assigned HWI sub: #2

01/20/11 House: Referred from Health, Welfare and Institutions

01/20/11 House: Referred to Committee for Courts of Justice

Notes: Position: Support

HB 1709 Pawnbrokers and precious metals dealers; records required to be maintained.

A BILL to amend and reenact §§ 54.1-4005, 54.1-4009, 54.1-4010, 54.1-4101, and 54.1-4104 of the Code of Virginia, relating to pawnbrokers and precious metals dealers; records required to be maintained.

Summary as introduced:

Pawnbrokers and precious metals dealers; records required to be maintained. Requires pawnbrokers and precious metals dealers to take a photograph or digital image of (i) the person pawning or pledging or selling an article, precious metal or gem at the time of the transaction; (ii) the identification used by the person in the transaction; and (iii) the article, precious metal or gem pawned or pledged or sold. The bill provides for pawnbrokers to retain a pawned or pledged item and for precious metal dealers to retain precious metals or gems purchased for 60 days. Pawnbrokers are now required to hold an item for 45 days; precious metal dealers for 10 days.

Patron: Merricks

01/10/11 House: Referred to Committee on Health, Welfare and Institutions

01/18/11 House: Referred from Health, Welfare and Institutions

01/18/11 House: Referred to Committee on General Laws

01/19/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

Notes: Position: Support

HB 1716 Protective orders; may include provisions prohibiting harm to companion animal.

A BILL to amend and reenact §§ 16.1-253, 16.1-253.1, 16.1-253.4, 16.1-279.1, 19.2-152.8, 19.2-

Summary as introduced:

Protective orders. Provides that a court may include in a protective order provisions prohibiting harm to a companion animal and damage to any item of personal property.

Patrons: Scott, J.M., Armstrong and Herring

01/10/11 House: Referred to Committee for Courts of Justice

Notes: Position: Support

HB 1739 Municipal separate storm sewer facilities; right of entry of operators.

A BILL to amend and reenact § 10.1-603.12:1 of the Code of Virginia, relating to right of entry of any operator of a municipal separate storm sewer system facility.

Summary as introduced:

Right of entry. Gives the operators of a permitted MS4 system (localities) the right of entry to inspect properties that discharge into their municipal separate storm sewer facilities.

Patron: Bulova

01/10/11 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/19/11 House: Reported from Agriculture, Chesapeake and Natural Resources (21-Y 0-N)

Notes: Position: Support

HB 1740 Special safety corridors; county or city to designate for vehicles transporting explosives, etc.

A BILL to amend the Code of Virginia by adding in Chapter 13 of Title 46.2 a section numbered 46.2-1315, relating to designation of special safety corridors for vehicles transporting explosives or inflammable gas or liquid.

Summary as introduced:

Designation of special safety corridors for vehicles transporting explosives or inflammable gas or liquid. Allows the governing body of any county or city to designate any portion of the primary or secondary road system as a special safety corridor if the number of vehicles transporting explosives or inflammable gas or liquid averages more than 200 vehicles per day and the corridor is located near a school. Applicable fines for certain violations within the established special safety corridor shall be doubled.

Patrons: Bulova and Watts; Senator: Petersen

01/10/11 House: Referred to Committee on Transportation

01/14/11 House: Assigned Transportation sub: #2

Notes: Position: Support

HB 1757 Victims of domestic violence; expands Address Confidentiality Program to all jurisdictions in State.

A BILL to amend and reenact § 2.2-515.2 of the Code of Virginia, to amend and reenact the second enactment of Chapter 599 of the Acts of Assembly of 2007, as amended by Chapter 649 of the Acts of Assembly of 2008, and to repeal the third enactment of Chapter 599 of the Acts of Assembly of 2007, as amended by Chapter 649 of the Acts of Assembly of 2008, relating to address confidentiality for victims of domestic violence.

Summary as introduced:

Address Confidentiality Program. Expands the Address Confidentiality Program for victims of domestic violence to all jurisdictions within the Commonwealth. The bill also provides that the Office of the Attorney General will prepare an evaluation of the statewide implementation of the program by December 31, 2011, and repeals the enactment clause that conditioned the continuation of the program upon an appropriation for that purpose.

Patron: Wilt

01/11/11 House: Referred to Committee on Militia, Police and Public Safety

Notes: Position: Support

HB 1775 Immigration; parent enrolling student in public school must indicate citizenship.

A BILL to amend and reenact § 22.1-3.1 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-208.01, relating to the immigration status of the parents of enrolled students.

Summary as introduced:

Immigration status of the parents of public school students. Requires that the person enrolling a pupil in a public school must indicate the citizenship or immigration status of such pupil's parents. The bill provides that the child of a parent lacking citizenship or lawful immigration status documentation must still be admitted into the public school, but the immigration status information must be reported to the Secretary of Education annually. Additionally, the Secretary of Education must submit an annual report to the Governor and the General Assembly on the

number of children whose parents lack lawful status documentation attending public school in the Commonwealth and the cost of such students' education, aggregated by school division.

Patrons: Gilbert, Cole, Oder and Pogge

01/11/11 House: Referred to Committee for Courts of Justice

01/19/11 House: Assigned Courts sub: #3 Immigration

Notes: Position: Oppose

HB 1781 Street gang; punishment for predicate act.

A BILL to amend and reenact § 18.2-46.2 of the Code of Virginia, relating to level of association with gang necessary for guilt for commission of predicate act.

Summary as introduced:

Street gang; punishment for predicate act. Provides that any person who actively participates in or is a member of a criminal street gang and who knowingly and willfully participates in any predicate criminal act is guilty of a Class 5 felony (or a Class 4 felony if the perpetrator is an adult and the gang has a juvenile member). Current law requires that, for punishment of the crime of committing a predicate act, the act be committed for the benefit of, at the direction of, or in association with any criminal street gang.

Patrons: Gilbert and Lingamfelter

01/11/11 House: Referred to Committee for Courts of Justice

Notes: Position: Support

HB 1834 Statewide Fire Prevention Code; permissible fireworks.

A BILL to amend and reenact §§ 27-95, 27-96.1, and 27-97 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 27-96.1:1, relating to Statewide Fire Prevention Code; permissible fireworks.

Summary as introduced:

Statewide Fire Prevention Code; permissible fireworks. Redefines what constitutes permissible fireworks in Virginia, and prevents localities from prohibiting the use, design, possession, ignition, display, storage, sale, or transportation of permissible fireworks, or the setup or supervision thereof. Further, the bill provides that the storage and sale of permissible fireworks shall be governed solely by the Code for the Manufacture, Transportation, Storage, and Retail Sale of Fireworks and Pyrotechnic Articles adopted by the National Fire Protection Association (NFPA 1124, 2006 Edition).

Patron: Scott, E.T.

01/11/11 House: Referred to Committee on General Laws

01/17/11 House: Assigned GL sub: #1 Housing

Notes: Position: Oppose

HB 1854 Local mandates; mandate shall include fiscal impact statement and identify funding source.

A BILL to amend and reenact § 2.2-613 of the Code of Virginia, relating to local mandates.

Summary as introduced:

Local mandates. Provides that any mandate on localities shall include a fiscal impact statement and identify the funding source.

Patron: Dance

01/11/11 House: Referred to Committee on General Laws

01/17/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

Notes: Position: Support

HB 1915 Local grievance procedure; circuit court shall make determination as to whether relief granted.

A BILL to amend and reenact § 15.2-1507 of the Code of Virginia, relating to local grievance procedure.

Summary as introduced:

Local grievance procedure. Provides that the circuit court, rather than the chief administrative officer, shall make the determination as to whether relief granted by a panel or hearing officer is consistent with written policy.

Patron: Miller, J.H.

01/11/11 House: Referred to Committee for Courts of Justice

01/17/11 House: Assigned Courts sub: #2 Civil

Notes: Position: Oppose

HB 1918 Uniform Statewide Building Code; limitation on prosecutions for violation.

A BILL to amend and reenact §§ 19.2-8 and 36-106 of the Code of Virginia, relating to the Uniform Statewide Building Code; limitation on prosecutions for violation.

Summary as introduced:

Uniform Statewide Building Code; limitation on prosecutions for violation. Changes the time within which a prosecution for violations of the Uniform Statewide Building Code must be commenced from two years to one year. As a result there is no longer a conflict between the Building Code and the statute of limitations on prosecutions (§ 19.2-8). The bill also provides that the prosecution shall commence within one year of discovery by the building official and not the owner. For prosecutions relating to the maintenance code, the bill clarifies that any such prosecutions must be commenced within one year of the discovery of the offense by the building official.

Patron: Merricks

01/19/11 House: Referred from Courts of Justice

01/19/11 House: Referred to Committee on General Laws

01/21/11 House: Assigned GL sub: #1 Housing

Notes: Position: Support

HB 1935 Legal notices; locality to meet notice requirements by utilizing their web sites, radio, etc.

A BILL to amend and reenact § 15.2-107.1 of the Code of Virginia, relating to legal notices.

Summary as introduced:

Legal notices. Allows localities to meet certain notice requirements by utilizing their web sites, radio or television rather than a newspaper of general circulation.

Patron: Ware, O.

01/11/11 House: Referred to Committee on Science and Technology

01/19/11 House: Assigned S & T sub: Subcommittee #1

Notes: Position: Support

HB 1936 Family abuse protective orders; upon conviction of assault & battery, court may enter for a period.

A BILL to amend and reenact § 18.2-57.2 of the Code of Virginia, relating to assault and battery against a family or household member; protective order.

Summary as introduced:

Family abuse protective orders. Provides that upon conviction of assault and battery against a family or household member, the court may enter a protective order for a specified period not exceeding two years from the date of conviction.

Patrons: Ware, O. and Kilgore

01/11/11 House: Referred to Committee for Courts of Justice

01/17/11 House: Assigned Courts sub: #1 Criminal

Notes: Position: Support

HB 1963 Resident curator programs; locality may develop for managing, etc., historic areas owned or leased.

A BILL to amend and reenact §§ 15.2-2201 and 15.2-2306 of the Code of Virginia, relating to local resident curator programs.

Summary as introduced:

Resident curator programs. Provides that a locality may develop a resident curator program for the purpose of managing, preserving, maintaining, or operating historic areas owned or leased by the locality.

Patrons: Rust, Comstock, Hugo, Kearn and Oder

01/20/11 House: Subcommittee recommends reporting (11-Y 0-N)

01/21/11 House: Reported from Counties, Cities and Towns (21-Y 0-N)

Notes: Position: Support

HB 1964 Public employment; prohibits discrimination based on race, color, etc.

A BILL to amend and reenact §§ 2.2-3004, 15.2-1507, 15.2-1604, and 22.1-306 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 2.2-2901.1, 15.2-1500.1, and 22.1-295.2, relating to nondiscrimination in public employment.

Summary as introduced:

Public employment; nondiscrimination. Prohibits discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a veteran. The bill contains technical amendments.

Patrons: Rust, Albo, Carr and Ware, R.L.

01/11/11 House: Referred to Committee on General Laws

01/17/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

Notes: Position: Support

HB 1984 Child welfare; placement of children.

A BILL to amend and reenact §§ 63.2-319 and 63.2-900 of the Code of Virginia, relating to child welfare; placement of children.

Summary as introduced:

Child welfare; placement of children. Provides that in cases in which a child cannot be returned to his family and kinship care is not in the best interests of the child, the Department of Social Services shall consider other services that may be in the best interests of the child.

Patron: Kilgore

01/18/11 House: Assigned HWI sub: #2

01/19/11 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N)

01/20/11 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N)

Notes: Position: Support

HB 1990 Judicial circuits and districts; establishes new boundaries & reallocates number of judges serving.

A BILL to amend and reenact §§ 15.2-2308, 16.1-69.9:3, 16.1-69.16, 16.1-69.18, 16.1-69.31, 16.1-266.2, 17.1-113, 17.1-114, 17.1-121, 17.1-501, 17.1-508, 17.1-510, 17.1-511, 19.2-6, and 55-168 of the Code of Virginia; to amend the Code of Virginia by adding sections numbered 16.1-69.6:01, 16.1-69.6:02, 17.1-506.1, and 17.1-507.1; and to repeal §§ 16.1-69.6, 16.1-69.6:1, 17.1-506, and 17.1-507 of the Code of Virginia, relating to judicial circuits, districts, and judges.

Summary as introduced:

Courts of record; courts not of record; judicial circuits and districts; number of judges.

Establishes new boundaries for the various judicial circuits and districts of the Commonwealth and reallocates the number of judges serving such circuits and districts. Effective July 1, 2012.

Patron: Janis

01/11/11 House: Referred to Committee for Courts of Justice

01/17/11 House: Assigned Courts sub: #2 Civil

Notes: Position: Oppose

HB 1991 Traffic lights; motorcycle drivers, etc., in certain situations, to proceed through intersections.

A BILL to amend and reenact § 46.2-833 of the Code of Virginia, relating to traffic lights.

Summary as introduced:

Traffic lights. Allows motorcycle and moped drivers and bicycle riders, in certain situations, to proceed through intersections controlled by traffic lights showing steady red signals.

Patron: Janis

01/11/11 House: Referred to Committee on Transportation

01/20/11 House: Incorporated by Transportation (HB1981-Greason)

Notes: Position: Oppose

HB 1998 Northern Virginia Transportation District; long-range transportation planning.

A BILL to amend the Code of Virginia by adding a section numbered 33.1-13.03, relating to evaluation of transportation projects in the Northern Virginia Transportation District; reports.

Summary as introduced:

Northern Virginia Transportation District; long-range planning. Establishes responsibilities for various entities for long-range transportation planning for the Virginia Department of Transportation in the Northern Virginia Transportation District.

Patrons: LeMunyon, Albo, Comstock, Greason and Oder

01/11/11 House: Referred to Committee on Transportation

01/14/11 House: Assigned Transportation sub: #4

01/20/11 House: Subcommittee recommends reporting with amendment(s) (4-Y 0-N)

Notes: Position: Support

HB 1999 Northern Virginia Transportation District; revises criteria for allocation of revenues.

A BILL to amend and reenact §§ 15.2-4838.1 and 33.1-221.1:3 of the Code of Virginia, relating to use of revenues by the Northern Virginia Transportation Authority.

Summary as introduced:

Northern Virginia Transportation District. Revises criteria for allocation of revenues to highway projects within the Northern Virginia Transportation District. The bill also contains technical amendments.

Patrons: LeMunyon, Albo and Comstock

01/11/11 House: Referred to Committee on Transportation

01/14/11 House: Assigned Transportation sub: #4

01/20/11 House: Subcommittee recommends reporting (3-Y 1-N)

Notes: Position: Oppose

HB 2012 Law-enforcement employment; disclosure of juvenile records.

A BILL to amend and reenact §§ 16.1-308 and 19.2-389.1 of the Code of Virginia, relating to law-enforcement employment; disclosure of juvenile records.

Summary as introduced:

Law-enforcement employment; disclosure of juvenile records. Provides that a person who was adjudicated delinquent may be denied employment with the State Police or a local police department or sheriff's office. The bill also provides that juvenile record information may be disseminated to the State Police or a local police department or sheriff's office for the purpose of screening a person for employment.

Patron: Carrico

01/11/11 House: Referred to Committee for Courts of Justice

01/17/11 House: Assigned Courts sub: #1 Criminal

01/19/11 House: Subcommittee recommends reporting (9-Y 0-N)

Notes: Position: Support

HB 2016 Northern VA Transportation Authority, Northern VA Transportation Commission, etc.; consolidation.

A BILL to amend and reenact §§ 15.2-4503.1, 15.2-4507, 15.2-4515, 15.2-4832, 15.2-4839, 15.2-4840, 33.1-221.1:3, 46.2-753, 58.1-3, 58.1-638, and 58.1-815.1 of the Code of Virginia, relating to the consolidation of the Northern Virginia Transportation Authority, the Northern Virginia Transportation Commission, and the Potomac and Rappahannock Transportation Commission.

Summary as introduced:

Consolidation of the Northern Virginia Transportation Authority, the Northern Virginia Transportation Commission, and the Potomac and Rappahannock Transportation Commission. Expands the duties of the Northern Virginia Transportation Authority to include the assumption and oversight of the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission administrative activities, bus and commuter rail transit planning, programming, funding, and operation activities that occur in the areas embraced by the Northern Virginia Transportation Authority. Upon enactment, the Northern Virginia Transportation Commission and the Potomac and Rappahannock Transportation Commission will be dissolved. This bill has a delayed enactment of July 1, 2012.

Patron: Albo

01/11/11 House: Referred to Committee on Transportation

01/14/11 House: Assigned Transportation sub: #4

Notes: Position: Oppose

HB 2036 Commitment on parole supervision; court services unit to consult with local social services.

A BILL to amend and reenact § 16.1-293 of the Code of Virginia, relating to the release of persons from commitment on parole supervision.

Summary as introduced:

Release of persons from commitment on parole supervision. Changes from four weeks to 90 days the time by which the court services unit shall consult with the local department of social services prior to a person's release from commitment on parole supervision about the return of the person to the locality and the placement of the person. The bill also provides that the court services unit shall collaborate with the local department of social services to develop a plan that prepares the person for successful transition from the Department's commitment to the custody of the local department of social services. The plan shall identify the services necessary for such transition and how the services are to be provided.

Patron: Peace

01/11/11 House: Referred to Committee for Courts of Justice

01/18/11 House: Assigned Courts sub: #1 Criminal

01/19/11 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N)

Notes: Position: Support

HB 2037 Social work; unlawful for person not licensed by Board of Social Work to use title social worker.

A BILL to amend the Code of Virginia by adding a section numbered 54.1-3706.1, relating to the practice of social work.

Summary as introduced:

Social work; title protection. Provides that it shall be unlawful for any person not licensed by the Board of Social Work to use the title "Social Worker" in writing or in advertising in connection with his practice unless he simultaneously uses the clarifying initials signifying a degree in social work. The bill provides exceptions for federally required and defined social workers in nursing homes and hospices and has a delayed effective date of July 1, 2013.

Patrons: Peace and Bell, Richard P.

01/21/11 House: Read third time and passed House (91-Y 4-N)

01/21/11 House: VOTE: PASSAGE (91-Y 4-N)

Notes: Position: Oppose

HB 2047 Virginia Waterways Clean Up and Consumer Choice Act; paper, plastic bag fee.

A BILL to amend the Code of Virginia by adding in Chapter 17 of Title 58.1 an article numbered 9, consisting of sections numbered 58.1-1734, 58.1-1735, 58.1-1736 and 58.1-1737, relating to the Virginia Waterways Clean Up and Consumer Choice Act; paper and plastic bag fee.

Summary as introduced:

Paper and plastic bag fee. Imposes a fee of \$0.05 on paper and plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning

and prescription drugs are exempt from the fee. Retailers are allowed to retain \$0.01 of the \$0.05 fee or \$0.02 if the retailer has a customer bag credit program. Fee revenues will be deposited in the Virginia Water Quality Improvement Fund. Failure to collect and remit the fee will result in fines of \$250, \$500, and \$1,000 for the first, second, third and thereafter offenses.

Patrons: Ebbin and Surovell

01/11/11 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #1

Notes: Position: Support

HB 2050 Scrap metal processors; required to make and retain photograph of nonferrous scrap, etc.

A BILL to amend and reenact § 59.1-136.3 of the Code of Virginia, relating to purchases by scrap metal processors.

Summary as introduced:

Requires scrap metal processors to make and retain a photograph of nonferrous scrap, metal articles, and proprietary articles received from the seller. Also requires, in transactions where the seller is not an authorized scrap metal seller or his authorized agent or employee, that scrap metal processors (i) withhold payment for any sale of such items for five business days and (ii) not pay cash to the seller of such items if the cost of the items exceeds \$100.

Patrons: Carrico and Lewis

01/11/11 House: Referred to Committee on Commerce and Labor

01/17/11 House: Assigned C & L sub: #2

Notes: Position: Support

HB 2063 Protective orders; expands class of persons eligible to obtain.

A BILL to amend and reenact §§ 16.1-69.55, 17.1-213, 17.1-272, 18.2-60.4, 19.2-81.3, 19.2-120, 19.2-152.8, 19.2-152.9, and 19.2-152.10 of the Code of Virginia, relating to protective orders.

Summary as introduced:

Protective orders; availability; penalty. Renames "protective orders for stalking" as "protective orders" and expands the class of persons who is eligible to obtain a protective order to include persons who have been subjected to assault or any conduct that creates a reasonable fear of death or where a warrant or petition for arrest for such conduct has been issued. The bill also authorizes a law-enforcement officer to request an extension of an emergency protective order, not to exceed three days, for a person in need of protection who is physically or mentally incapable of filing a petition for a preliminary or permanent protective order. The bill also makes the penalties for violating a protective order consistent with the penalties for violating a family abuse protective order: (i) any person convicted of a second violation of a protective order, when the offense is committed within five years of a conviction for a prior offense and when either the instant or prior offense was based on an act or threat of violence, shall be sentenced to a mandatory minimum term of confinement of 60 days; (ii) any person convicted of a third or

subsequent offense, when such offense is committed within 20 years of the first conviction and when either the instant or any of the prior offenses was based on an act or threat of violence, is guilty of a Class 6 felony and punishment shall include a mandatory minimum term of confinement of six months; (iii) any person who commits an assault and battery resulting in serious bodily injury upon a person protected by a protective order is guilty of a Class 6 felony; and (iv) any person who violates a protective order by furtively entering the home of the protected party while such party is present or enters and remains in such home until the protected party arrives is guilty of a Class 6 felony. The bill also provides that any person convicted of violating a protective order for which no mandatory minimum sentence is specified shall be sentenced to a term of confinement and shall not have his entire sentence suspended.

Patron: Bell, Robert B.

01/11/11 House: Referred to Committee for Courts of Justice

Notes: Position: Support

HB 2067 Criminal proceedings; investigative costs of law-enforcement agency.

A BILL to amend and reenact § 17.1-275.5 of the Code of Virginia, and to amend the Code of Virginia by adding a section numbered 16.1-69.48:1.02, relating to criminal proceedings; costs of law-enforcement agency.

Summary as introduced:

Criminal proceedings; costs of law-enforcement agency. Allows a law-enforcement agency to apply to the court for the recovery of investigative costs to be imposed upon a defendant as court costs.

Patron: Bell, Robert B.

01/11/11 House: Referred to Committee for Courts of Justice

01/18/11 House: Assigned Courts sub: #1 Criminal

Notes: Position: Support

HB 2089 Emergency protective orders; law-enforcement officer may serve notice.

A BILL to amend and reenact § 16.1-264 of the Code of Virginia, relating to service of notice of emergency protective order.

Summary as introduced:

Service of notice of emergency protective orders. Provides that a law-enforcement officer may effect service of an emergency protective order by personally serving the person subject to the order with a notification of the issuance of the order, which shall be on a form approved by the Supreme Court of Virginia. The officer making service shall enter or cause to be entered the date and time of service and other appropriate information into the Virginia Criminal Information Network and make due return to the court.

Patrons: Herring, Armstrong, BaCote, Ebbin, Englin, Hope, Kilgore, Morrissey, Plum and Tyler;
Senator: Howell

01/12/11 House: Referred to Committee for Courts of Justice

01/18/11 House: Assigned Courts sub: #1 Criminal
Notes: Position: Support

HB 2090 Emergency custody orders; increases hours in which orders must be executed after its issuance.

A BILL to amend and reenact §§ 16.1-340 and 37.2-808 of the Code of Virginia, relating to execution of emergency custody orders.

Summary as introduced:

Execution of emergency custody orders. Increases from four to six hours the time in which an emergency custody order must be executed after its issuance.

Patron: Herring

01/12/11 House: Referred to Committee for Courts of Justice

01/18/11 House: Assigned Courts sub: #2 Civil

01/19/11 House: Subcommittee recommends reporting with amendment(s) (10-Y 0-N)

Notes: Position: Support

HB 2100 Child care facility; national criminal background check.

A BILL to amend and reenact § 15.2-914 of the Code of Virginia, relating to regulation of child-care facilities.

Summary as introduced:

Allows certain Northern Virginia localities to require persons who provide child-care services to require certification from a national criminal background check as well as other certifications.

Patrons: Bulova, Filler-Corn, Herring, Plum and Watts

01/12/11 House: Referred to Committee on Counties, Cities and Towns

01/19/11 House: Assigned CC & T sub: #1

Notes: Position: Support

HB 2154 Virginia Initiative for Employment Not Welfare Program (VIEW); eligibility

A BILL to amend the Code of Virginia by adding a section numbered 63.2-608.1, relating to eligibility for the Virginia Initiative for Employment Not Welfare Program; screening and assessment for use of illegal substances.

Summary as introduced:

Substance abuse screening and assessment of public assistance applicants and recipients.

Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year.

Patron: Cline

01/12/11 House: Referred to Committee on Health, Welfare and Institutions

01/18/11 House: Assigned HWI sub: #2

Notes: Position: Oppose

HB 2168 Uniform Statewide Building Code; harmonizes statute of limitations for criminal prosecutions.

A BILL to amend and reenact § 36-106 of the Code of Virginia, relating to Uniform Statewide Building Code; statute of limitations.

Summary as introduced:

Uniform Statewide Building Code; statute of limitations. Harmonizes the statute of limitations for criminal prosecutions under the Uniform Statewide Building Code at one year. Currently, the Uniform Statewide Building Code provides that such prosecutions shall be commenced within two years while § 19.2-8 provides that such prosecutions must be commenced within one year.

Patron: Abbitt

01/12/11 House: Referred to Committee on General Laws

01/17/11 House: Assigned GL sub: #1 Housing

Notes: Position: Support

HB 2210 Repair of derelict buildings; authority of locality to appoint receivers.

A BILL to amend the Code of Virginia by adding a section numbered 15.2-907.2, relating to repairing derelict buildings.

Summary as introduced:

Repair of derelict buildings; authority of locality to appoint receivers. Allows any locality that has adopted an ordinance pursuant to § 15.2-907.1 to petition the circuit court for the appointment of a receiver to repair a residential building that has been declared a derelict building. The appointed receiver shall have the right of possession of the property and shall have the authority to contract for necessary labor and supplies, borrow money for repair, manage the property after repair, and enforce the receiver's lien or accept a deed in lieu of any enforcement action. The owner of any property subject to receivership may redeem it at any time by paying the receiver's lien in full and any accumulated taxes, penalties, reasonable attorney fees, interest, and costs thereon. The costs incurred by a court-appointed receiver shall constitute a lien against the property, which may be enforced by a sale of the property at public auction.

Patron: McQuinn

01/12/11 House: Referred to Committee on Counties, Cities and Towns

01/19/11 House: Assigned CC & T sub: #2

Notes: Position: Support

HB 2211 Eluding police; vehicle driven shall be forfeited and sold by sheriff.

A BILL to amend and reenact §§ 4.1-340 and 19.2-386.16 of the Code of Virginia, relating to forfeiture of vehicle for felony offense of eluding police.

Summary as introduced:

Forfeiture of vehicle used to elude police. Provides that any vehicle driven to elude police and in such a manner as to interfere with or endanger the operation of a law-enforcement vehicle or officer or to endanger a person (in a felony violation of § 46.2-817) shall be forfeited and sold by the sheriff. The proceeds of the sale are to be delivered to the Literary Fund.

Patron: McQuinn

01/12/11 House: Referred to Committee for Courts of Justice

01/18/11 House: Assigned Courts sub: #1 Criminal

01/19/11 House: Subcommittee recommends incorporating (HB1403-Loupassi)

Notes: Position: Support

HB 2269 Freedom of Information Act; criminal records are exempt from mandatory provisions.

A BILL to amend and reenact § 2.2-3706 of the Code of Virginia, relating to the Virginia Freedom of Information Act; access to criminal records.

Summary as introduced:

Virginia Freedom of Information Act; access to criminal records. Provides that criminal records are exempt from the mandatory provisions of FOIA prior to judicial proceedings, but pertinent records or pertinent information from records that are otherwise unlawful to disclose shall be disclosed in any judicial proceeding where such records or information is requested in the interest of transparency of government, except where disclosure of any pertinent record or information is specifically prohibited by law. A denial without legal grounds of pertinent records or information disclosure or a failure upon appeal to remand a case back to the court where there had been a denial without legal grounds of pertinent records or information disclosure by any judge is grounds for judicial impeachment, enforceable retroactively, in the interest of forcing the executive and judicial departments to become and to remain separate and distinct in accordance with Article I, Section 5 and Article III, Section 1 of the Constitution of Virginia.

Patron: Keam (by request)

01/12/11 House: Referred to Committee on General Laws

01/20/11 House: Assigned GL sub: #2 FOIA/Procurement

Notes: Position: Oppose

HB 2276 Commitment on parole supervision; court services unit to consult with local department.

A BILL to amend and reenact § 16.1-293 of the Code of Virginia, relating to the supervision of juveniles or persons during commitment and on parole.

Summary as introduced:

Supervision of juvenile or person during commitment and on parole. Requires the court services unit to consult with the local department of social services 60 days prior to a person's release from the Department of Juvenile Justice's commitment on parole supervision about the return of the person to the locality and the placement of the person. Under current law, the court services unit shall make such consultation four weeks prior to such person's release.

Patron: Keam

01/12/11 House: Referred to Committee for Courts of Justice

01/18/11 House: Assigned Courts sub: #1 Criminal

01/19/11 House: Subcommittee recommends incorporating (HB2036-Peace)

Notes: Position: Support

HB 2327 Photo monitoring systems; limitations on local adoption of systems.

A BILL to amend and reenact § 15.2-968.1 of the Code of Virginia, relating to photo-monitoring systems; limitations on adoption of systems.

Summary as introduced:

Photo monitoring systems; limitations on local adoption of systems. Limits the operation of a traffic signal enforcement program, commonly referred to as a "photo red program," to those localities that have adopted ordinances establishing the program prior to July 1, 2011. In addition, localities that have adopted such ordinances are prohibited from implementing or expanding a photo red program after July 1, 2011.

Patrons: Lingamfelter and Carr

01/12/11 House: Referred to Committee on Militia, Police and Public Safety

Notes: Position: Oppose

HB 2332 Citizenship of arrestee; arresting officer to ascertain.

A BILL to amend and reenact § 19.2-83.2 of the Code of Virginia and to amend the Code of Virginia by adding in Chapter 7 of Title 19.2 a section numbered 19.2-83.3, relating to determination of citizenship of arrestee by arresting officer.

Summary as introduced:

Arresting officer to ascertain citizenship of arrestee. Supplements the existing law that requires sheriffs to make a query into legal presence when a person is "taken into custody" at a jail. This bill expands such inquiries by requiring inquiries of everyone arrested, independent of whether they were taken into custody at a jail, and requires that an arresting officer inquire of every arrestee whether he (i) was born in a country other than the United States and (ii) is a citizen of a country other than the United States, and that if the person responds he was born in another country and is not a citizen of the United States, the officer shall make an immigration alien query to the Law Enforcement Support Center of the U.S. Immigration and Customs Enforcement and shall communicate the results of any immigration alien query to the Central Criminal Records Exchange of the Department of State Police in a format approved by the Exchange. The bill further provides that when a warrantless arrest is made and the law-

enforcement officer finds probable cause to believe that the person is not legally present in the United States, he shall communicate to the judicial officer the facts and circumstances underlying his belief. If the judicial officer concurs in the determination of the officer and makes the further determination that the person will not appear for trial or hearing, the judicial officer may refuse to admit the person to bail.

Patrons: Lingamfelter, Anderson and Cole

01/12/11 House: Referred to Committee for Courts of Justice

01/19/11 House: Assigned Courts sub: #3 Immigration

Notes: Position: Oppose

HB 2348 Fertilizer and deicing agents; requires certain localities to regulate sale and application.

A BILL to amend and reenact § 15.2-924.1 of the Code of Virginia and to amend the Code of Virginia by adding in Article 1 of Chapter 1 of Title 10.1 a section numbered 10.1-104.5, relating to fertilizer and deicing agents; regulation of application; penalty.

Summary as introduced:

Fertilizer and deicing agents; regulation of application; penalty. Requires certain localities to regulate the sale and application of fertilizers and deicing agents. In those localities, effective January 1, 2014, fertilizer shall not (i) contain phosphorus, (ii) be applied during winter months, or (iii) be applied on impervious surfaces. The restrictions do not apply to newly established turf or lawn areas during their first growing season, turf or lawn areas where recent soil tests confirm the need for phosphorus, or gardens or to the application of compost. The sale of any deicing agent containing urea or other forms of nitrogen or phosphorus is also prohibited. A locality may impose a civil penalty not to exceed \$250 per violation per day, not to exceed a total of \$2,000 per year.

Patron: Morrissey

01/12/11 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources

01/18/11 House: Assigned ACNRsub: #2 Natural Resources

Notes: Position: Oppose

HB 2352 Motor fuels tax; rate increase.

A BILL to amend and reenact §§ 58.1-2217, 58.1-2230, 58.1-2249, 58.1-2289, as it is currently effective and as it may become effective, 58.1-2701, as it is currently effective and as it may become effective, and 58.1-2706 of the Code of Virginia, relating to motor fuels tax rate and distribution of the revenue.

Summary as introduced:

Motor fuels tax; rate increase. Increases the motor fuels tax rate by \$0.10 per gallon and dedicates the additional revenue for the expansion or improvement of rail transportation, and construction and maintenance of roads and bridges within each county, city, and town, on a pro rata basis according to the number of gallons distributed in each locality.

Patron: Morrissey

01/12/11 House: Referred to Committee on Finance

01/19/11 House: Assigned Finance sub: #1

Notes: Position: Support

HB 2371 Real property tax assessment; notice to be published in newspaper 30 to 45 days prior.

A BILL to amend and reenact § 58.1-3330 of the Code of Virginia, relating to real property tax assessment; notice.

Summary as introduced:

Real property tax assessment; notice. Requires that notice be published in a newspaper 30 to 45 days prior to the beginning of a reassessment cycle of real property advising taxpayers that they have (i) the right to have the assessor examine their property on site and (ii) the right to be present during such examination.

Patrons: Edmunds, Abbitt, Crockett-Stark and Poindexter

01/13/11 House: Referred to Committee on Finance

01/19/11 House: Assigned Finance sub: #2

Notes: Position: Oppose

HB 2376 Agency mandates; DSS to eliminate those related to office space, etc., of local social services.

A BILL to require the Department of Social Services to eliminate certain mandates.

Summary as introduced:

Elimination of agency mandates. Directs the Department of Social Services to eliminate mandates related to office space and facility requirements imposed on local departments of social services.

Patron: Habeeb

01/13/11 House: Referred to Committee on Health, Welfare and Institutions

01/18/11 House: Assigned HWI sub: #2

Notes: Position: Oppose; would cost localities funding

HB 2381 Street gang prosecution; expands definition of predicate criminal act to include burglary, etc.

A BILL to amend and reenact § 18.2-46.1 of the Code of Virginia, relating to gang prosecution; criminal acts.

Summary as introduced:

Gang prosecution; predicate criminal acts. Expands the definition of "predicate criminal act" for purposes of street gang prosecutions to include burglary (§ 18.2-89) and shooting into an occupied dwelling (§ 18.2-279) in the list of offenses constituting predicate acts.

Patron: Pogge

01/13/11 House: Referred to Committee for Courts of Justice

Notes: Position: Support

HJ 499 Constitutional amendment; limits total on appropriations (first reference).

Proposing an amendment to the Constitution of Virginia by adding in Article X a section numbered 7-B, relating to limits on appropriations.

Summary as introduced:

Constitutional amendment (first resolution); limit on appropriations. Limits total appropriations in a year to the preceding year's total appropriations plus a percentage equal to the sum of the percentage increase in the rate of inflation plus the rate of population increase. However, additional appropriations may be made (i) for tax relief, (ii) for deposits to the Revenue Stabilization Fund, or (iii) for nonrecurring capital projects. "Total appropriations" is defined so as not to include appropriated moneys that are received from the federal government or an agency or unit thereof.

Patron: Loupassi

09/08/10 House: Referred to Committee on Privileges and Elections

01/13/11 House: Assigned P & E sub: #1 Constitutional

Notes: Position: Oppose

HJ 539 Constitutional amendment; imposition of taxes and fees by General Assembly or local governing body.

Proposing amendments to Section 11 of Article IV and Section 7 of Article VII of the Constitution of Virginia, relating to the imposition of taxes and fees; three-fifths vote required.

Summary as introduced:

Constitutional amendment (first resolution); imposition of taxes and fees. Requires that any bill or ordinance passed by the General Assembly or a local governing body creating, imposing, or increasing a tax, license, fee, or any other charge pass by a three-fifths majority vote of elected members.

Patron: Cole

12/07/10 House: Referred to Committee on Privileges and Elections

01/13/11 House: Assigned P & E sub: #1 Constitutional

Notes: Position: Oppose

HJ 540 Constitutional amendment; state and local budgets, limits on appropriations.

Proposing amendments to Section 7 of Article VII and to Article X of the Constitution of Virginia by adding a section numbered 7-B, relating to state and local budgets; limits on appropriations.

Summary as introduced:

Constitutional amendment (first resolution); state and local budgets; limits on appropriations. Limits the state's or a locality's total appropriations in a year to the preceding year's total

appropriations plus a percentage equal to the sum of the percentage increase in the rate of inflation plus the rate of population increase. "Total appropriations" is defined so as not to include appropriated moneys for tax relief or moneys that are received from the federal government or an agency or unit thereof. The General Assembly or a local governing body may exceed this limitation only by an affirmative vote of at least three-fifths of the elected members.

Patron: Cole

01/06/11 House: Referred to Committee on Privileges and Elections

01/13/11 House: Assigned P & E sub: #1 Constitutional

Notes: Position: Oppose

SB 754 Preliminary protective orders; purchase or transportation of firearms by persons subject to orders.

A BILL to amend and reenact § 18.2-308.1:4 of the Code of Virginia, relating to the purchase or transportation of firearms by persons subject to preliminary protective orders; penalty.

Summary as introduced:

Preliminary protective orders. Makes the prohibition on purchasing and transporting a firearm applicable to persons subject to preliminary protective orders that contain a finding of abuse. Under current law, persons subject to a preliminary protective order are prohibited from purchasing or transporting a firearm regardless of any court finding.

Patron: Reynolds

12/07/10 Senate: Referred to Committee for Courts of Justice

01/11/11 Senate: Assigned Courts sub: Civil

Notes: Position: Oppose

SB 757 Pneumatic guns; regulations, exceptions.

A BILL to amend and reenact § 15.2-915.4 of the Code of Virginia, relating to localities regulation of pneumatic guns.

Summary as introduced:

Pneumatic gun regulations; exceptions. Requires that any ordinance which prohibits the shooting of pneumatic guns in certain areas shall have, among its exceptions, an exception to allow the firearm to be discharged on private property with permission of the owner when discharge is conducted with reasonable care to prevent a projectile from crossing the bounds of the property.

Patron: Reynolds

12/07/10 Senate: Referred to Committee on Local Government

Notes: Position: Oppose

SB 758 Preliminary protective orders; purchase or transportation of firearms by persons subject to orders.

A BILL to amend and reenact § 18.2-308.1:4 of the Code of Virginia, relating to the purchase or transportation of firearms by persons subject to preliminary protective orders; penalty.

Summary as introduced:

Preliminary protective orders. Makes the prohibition on purchasing and transporting a firearm applicable to persons subject to preliminary protective orders that contain a finding of abuse or neglect. Under current law, persons subject to a preliminary protective order are prohibited from purchasing or transporting a firearm regardless of any court finding.

Patron: Reynolds

12/07/10 Senate: Referred to Committee for Courts of Justice

01/11/11 Senate: Assigned Courts sub: Civil

Notes: Position: Oppose

SB 767 Protective orders; expungement of police and court records.

A BILL to amend and reenact § 19.2-392.4 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 19.2-392.2:1, relating to expungement of protective orders.

Summary as introduced:

Expungement of protective orders. Provides that a person against whom a protective order has been issued may petition to have police and court records relating to the protective order expunged if the order is subsequently dissolved by the issuing court.

Patron: Marsden

12/08/10 Senate: Referred to Committee for Courts of Justice

01/11/11 Senate: Assigned Courts sub: Criminal

Notes: Position: Oppose

SB 781 VIEW; screening and assessment for use of illegal substances.

A BILL to amend the Code of Virginia by adding a section numbered 63.2-608.1, relating to eligibility for the Virginia Initiative for Employment Not Welfare Program; screening and assessment for use of illegal substances.

Summary as introduced:

Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year.

Patron: Reynolds

12/27/10 Senate: Referred to Committee on Rehabilitation and Social Services

01/18/11 Senate: Assigned Rehab sub: Social Services

01/21/11 Senate: Reported from Rehabilitation and Social Services with amendment (8-Y 6-N)

Notes: Position: Oppose

SB 782 Magistrates; power to issue felony arrest warrants.

A BILL to amend and reenact §§ 19.2-71 and 19.2-72 of the Code of Virginia, relating to power of magistrate to issue felony arrest warrant.

Summary as introduced:

Power of magistrates to issue felony arrest warrants. Provides that a magistrate may not issue an arrest warrant for a felony offense upon the basis of a citizen complaint without prior authorization from the attorney for the Commonwealth or a law-enforcement agency in his jurisdiction. Currently, the magistrate need only consult with the attorney for the Commonwealth or law-enforcement agency.

Patron: Reynolds

12/27/10 Senate: Referred to Committee for Courts of Justice

01/11/11 Senate: Assigned Courts sub: Criminal

01/19/11 Senate: Reported from Courts of Justice with substitute (13-Y 0-N)

01/21/11 Senate: Constitutional reading dispensed (35-Y 0-N)

Notes: Position: Oppose

SB 786 Mortgage loan originator for residential mortgage loan; allows for exception under definition.

A BILL to amend and reenact § 6.2-1700 of the Code of Virginia, relating to the definition of mortgage loan originator for residential mortgage loan.

Summary as introduced:

Definition of mortgage loan originator for residential mortgage loan; exception. Allows for a limited exception under the mortgage loan originator definition for an individual who is employed by a housing counseling organization certified or approved by the U.S. Department of Housing and Urban Development and who assists borrowers in default, or imminent default, on their residential mortgages by negotiating or offering terms of such loans but does not otherwise engage in activities for which a license is required. This bill is recommended by the Virginia Housing Commission.

Patron: Watkins

01/21/11 Senate: Read third time and passed Senate (35-Y 0-N)

01/21/11 Senate: Reconsideration of passage agreed to by Senate (35-Y 0-N)

01/21/11 Senate: Passed Senate (35-Y 0-N)

Notes: Position: Support

SB 797 Human Rights Act; adds sexual orientation to definition of unlawful discriminatory practice.

A BILL to amend and reenact §§ 2.2-3900 and 2.2-3901 of the Code of Virginia, relating to the Virginia Human Rights Act; unlawful discriminatory practice; sexual orientation.

Summary as introduced:

Virginia Human Rights Act; unlawful discriminatory practice; sexual orientation. Adds sexual orientation to the definition of unlawful discriminatory practice.

Patrons: Locke; Delegates: Englin and Kory

12/29/10 Senate: Referred to Committee on General Laws and Technology

Notes: Position: Support

SB 842 Humane investigators; appointment.

A BILL to amend and reenact §§ 3.2-6558, 3.2-6559, 3.2-6560, and 3.2-6561 of the Code of Virginia, relating to humane investigators.

Summary as introduced:

Humane investigators. Allows the appointment of new humane investigators. Currently, existing humane investigators may be reappointed, but the program is no longer open to new participants. The administrative entity that oversees animal control will be required to (i) supervise humane investigators and (ii) maintain and annually update a list of persons eligible for appointment as humane investigators. Circuit courts that appoint a humane investigator must notify the administrative entity that oversees animal control in the locality where the humane investigator serves if a humane investigator's term expires and he is not appointed to a succeeding term before or within 30 days. The administrative entity that oversees animal control in the locality where the humane investigator was appointed may suspend, discharge or restrict the performance of humane investigator appointees for good cause under the same administrative process used for disciplinary actions against animal control officers.

Patron: Petersen

01/07/11 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources

Notes: Position: Oppose

SB 898 Photo-monitoring systems; repeals requirement that localities submit list of intersections approved.

A BILL to amend and reenact § 15.2-968.1 of the Code of Virginia, relating to photo-monitoring systems by localities.

Summary as introduced:

Photo-monitoring systems. Repeals the requirement that localities submit the list of intersections approved for installation of photo-monitoring systems to the Virginia Department of Transportation for final approval if the locality has a population of 200,000 or more.

Patron: Miller, Y.B.

01/21/11 Senate: Committee amendment agreed to

01/21/11 Senate: Engrossed by Senate as amended SB898E

Notes: Position: Support with amendment to change 200,000 to 149,500

SB 911 Local grievance procedures; allows local government at its option to permit observer for each party.

A BILL to amend and reenact § 15.2-1507 of the Code of Virginia, relating to grievance procedures.

Summary as introduced:

Local grievance procedures. Allows the local government at its option to permit an observer for each party at the informal first step of the grievance process. The grievant and the local government at their option may also have an observer of their choice at each subsequent step of the process. These persons may observe only and may not participate, interrupt, or act as either party's representative until the final management step, unless otherwise permitted by the locality.

Patron: Herring

01/10/11 Senate: Referred to Committee on Local Government

01/18/11 Senate: Reported from Local Government (8-Y 7-N)

01/21/11 Senate: Read second time and engrossed

Notes: Position: Support

SB 925 Protective orders; judicial officer to require respondent be subject to GPS monitoring.

A BILL to amend and reenact §§ 16.1-253.1, 16.1-253.4, 16.1-279.1, 18.2-60.3, 19.2-152.8, 19.2-152.9, 19.2-152.10, and 20-103 of the Code of Virginia, relating to protective orders; judicial authority for GPS monitoring.

Summary as introduced:

Protective orders; GPS devices. Authorizes a judicial officer to require that a protective order respondent be subject to GPS monitoring that notifies the person to be protected and law enforcement when the monitored person is in violation of the order. The cost of the monitoring is to be paid by the monitored person.

Patron: McDougle

01/10/11 Senate: Referred to Committee for Courts of Justice

01/12/11 Senate: Assigned Courts sub: Criminal

Notes: Position: Support

SB 941 Uniform Statewide Building Code; harmonizes statute of limitations for criminal prosecutions.

A BILL to amend and reenact § 36-106 of the Code of Virginia, relating to Uniform Statewide Building Code; statute of limitations.

Summary as introduced:

Uniform Statewide Building Code; statute of limitations. Harmonizes the statute of limitations for criminal prosecutions under the Uniform Statewide Building Code at one year. Currently, the

Uniform Statewide Building Code provides that such prosecutions shall be commenced within two years while § 19.2-8 provides that such prosecutions must be commenced within one year.

Patron: Miller, J.C.

01/10/11 Senate: Referred to Committee on General Laws and Technology

01/19/11 Senate: Reported from General Laws and Technology (15-Y 0-N)

Notes: Position: Support

SB 1040 Foster care; placement of child through an agreement between parents and local board.

A BILL to amend and reenact §§ 63.2-100 and 63.2-901.1 of the Code of Virginia, relating to foster care placement.

Summary as introduced:

Foster care placement. Removes the placement of a child through an agreement between the parents or guardians and a public agency designated by a community policy and management team from the definition of "foster care placement" so that "foster care placement" means placement of a child through (i) an agreement between the parents or guardians and the local board where legal custody remains with the parents or guardians or (ii) an entrustment or commitment of the child to the local board or licensed child-placing agency. The bill also eliminates language granting local boards of social services and licensed child-placing agencies discretion in deciding when to obtain background checks on adult household members residing in a home with a person with whom the local board or agency is considering placing a child on an emergency, temporary, or permanent basis and makes such checks mandatory.

Patron: Barker

01/11/11 Senate: Referred to Committee on Rehabilitation and Social Services

01/18/11 Senate: Assigned Rehab sub: Social Services

01/21/11 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N)

Notes: Position: Support

SB 1042 Handheld personal communications devices; repeals secondary enforcement.

A BILL to amend and reenact § 46.2-1078.1 of the Code of Virginia, relating to use of handheld personal communications devices while driving.

Summary as introduced:

Texting while driving. Repeals the "secondary enforcement" provisions of the statute prohibiting texting, etc., while driving.

Patron: Barker

01/11/11 Senate: Referred to Committee on Transportation

01/20/11 Senate: Rereferred from Transportation (12-Y 0-N)

01/20/11 Senate: Rereferred to Courts of Justice

01/21/11 Senate: Assigned Courts sub: Criminal

Notes: Position: Support

SB 1066 Judicial retirement; mandatory retirement.

A BILL to amend and reenact § 51.1-305 of the Code of Virginia, relating to mandatory judicial retirement.

Summary as introduced:

Judicial retirement; mandatory retirement. Adjusts the mandatory retirement age under judicial retirement to age 73. Currently, judges are required to retire at age 70. This bill is a recommendation of the Judicial Council.

Patrons: Edwards; Delegates: Englin and Landes

01/11/11 Senate: Referred to Committee for Courts of Justice

01/13/11 Senate: Assigned Courts sub: Civil

Notes: Position: Support

SB 1078 Child care; administration of certain medicines of those regulated by local government.

A BILL to amend and reenact § 54.1-3408 of the Code of Virginia, relating to administration of certain medications to a children.

Summary as introduced:

Local government run child care; administration of certain medicines. Allows the employees of a child care regulated by a local government to administer medication to a child if such employee (i) has satisfactorily completed a training program for this purpose approved by the Board of Nursing and taught by a registered nurse, licensed practical nurse, doctor of medicine or osteopathic medicine, or pharmacist; (ii) has obtained written authorization from a parent or guardian; (iii) administers drugs only to the child identified on the prescription label in accordance with the prescriber's instructions pertaining to dosage, frequency, and manner of administration; and (iv) administers only those drugs that were dispensed from a pharmacy and maintained in the original, labeled container that would normally be administered by a parent or guardian to the child.

Patron: Barker

01/11/11 Senate: Referred to Committee on Education and Health

01/20/11 Senate: Reported from Education and Health (13-Y 0-N)

Notes: Position: Support

SB 1170 Commitment on parole supervision; court services unit to consult with local department.

A BILL to amend and reenact § 16.1-293 of the Code of Virginia, relating to the supervision of juveniles or persons during commitment and on parole.

Summary as introduced:

Supervision of juvenile or person during commitment and on parole. Requires the court services unit to consult with the local department of social services 60 days prior to a person's release

from the Department of Juvenile Justice's commitment on parole supervision about the return of the person to the locality and the placement of the person. Under current law, the court services unit shall make such consultation four weeks prior to such person's release.

Patron: Marsden

01/12/11 Senate: Referred to Committee for Courts of Justice

01/13/11 Senate: Assigned Courts sub: Criminal

Notes: Position: Support

SB 1178 Child welfare; placement of children.

A BILL to amend and reenact §§ 63.2-319 and 63.2-900 of the Code of Virginia, relating to child welfare; placement of children.

Summary as introduced:

Child welfare; placement of children. Provides that in cases in which a child cannot be returned to his family and kinship care is not in the best interests of the child, the Department of Social Services shall consider other services that may be in the best interests of the child.

Patron: Marsden

01/12/11 Senate: Referred to Committee on Rehabilitation and Social Services

01/18/11 Senate: Assigned Rehab sub: Social Services

01/21/11 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 0-N)

Notes: Position: Support

SB 1199 Victims of domestic violence; expands Address Confidentiality Program to all jurisdictions in State.

A BILL to amend and reenact § 2.2-515.2 of the Code of Virginia, to amend and reenact the second enactment of Chapter 599 of the Acts of Assembly of 2007, as amended by Chapter 649 of the Acts of Assembly of 2008, and to repeal the third enactment of Chapter 599 of the Acts of Assembly of 2007, as amended by Chapter 649 of the Acts of Assembly of 2008, relating to address confidentiality for victims of domestic violence.

Summary as introduced:

Address Confidentiality Program. Expands the Address Confidentiality Program for victims of domestic violence to all jurisdictions within the Commonwealth. The bill also provides that the Office of the Attorney General will prepare an evaluation of the statewide implementation of the program by December 31, 2011, and repeals the enactment clause that conditioned the continuation of the program upon an appropriation for that purpose.

Patron: Obenshain

01/12/11 Senate: Referred to Committee for Courts of Justice

01/13/11 Senate: Assigned Courts sub: Criminal

Notes: Position: Support

SB 1220 Virginia Residential Landlord Tenant Act; notice to tenant in event of foreclosure.

A BILL to amend the Code of Virginia by adding a section numbered 55-248.15:01, relating to the Virginia Residential Landlord Tenant Act; notice to tenant in event of foreclosure.

Summary as introduced:

Virginia Residential Landlord Tenant Act; notice to tenant in event of foreclosure. Requires a landlord to notify the tenant, by certified mail, of a mortgage default, notice of mortgage acceleration, or notice of foreclosure sale relative to the loan on the dwelling unit. Notification must occur within 10 business days after written notice from the lender is received by the landlord. If the notice is not provided, then the rental agreement is immediately terminated with the tenant being entitled to the return of the full security deposit within 10 days after the termination. The bill also requires that the landlord disclose the same information to a prospective tenant at or before the commencement of a tenancy.

Patron: Barker

01/12/11 Senate: Referred to Committee on General Laws and Technology

Notes: Position: Support

SB 1222 Protective orders; person to seek if a victim of assault.

A BILL to amend and reenact §§ 19.2-152.8, 19.2-152.9, and 19.2-152.10 of the Code of Virginia, relating to protective orders; penalty.

Summary as introduced:

Protective orders; acts of assault. Allows a person to seek a protective order if a victim of assault. The bill also authorizes courts to issue protective orders that prohibit acts of assault and removes the requirement that bodily injury against an alleged victim be serious in order for a court to issue a protective order against the alleged perpetrator. Expanding the behavior for which a protective order may be issued implicates crimes for which a violation of a protective order is an element of the offense (e.g., trespass).

Patron: Barker

01/12/11 Senate: Referred to Committee for Courts of Justice

01/18/11 Senate: Assigned Courts sub: Criminal

Notes: Position: Support

SB 1240 Courts; establishes new boundaries for judicial circuits and districts.

A BILL to amend and reenact §§ 15.2-2308, 16.1-69.9:3, 16.1-69.16, 16.1-69.18, 16.1-69.31, 16.1-266.2, 17.1-113, 17.1-114, 17.1-121, 17.1-501, 17.1-508, 17.1-510, 17.1-511, 19.2-6, and 55-168 of the Code of Virginia; to amend the Code of Virginia by adding sections numbered 16.1-69.6:01, 16.1-69.6:02, 17.1-506.1, and 17.1-507.1; and to repeal §§ 16.1-69.6, 16.1-69.6:1, 17.1-506, and 17.1-507 of the Code of Virginia, relating to judicial circuits and districts; number of judges.

Summary as introduced:

Courts of record; courts not of record; judicial circuits and districts; number of judges.

Establishes new boundaries for the various judicial circuits and districts of the Commonwealth

and reallocates the number of judges serving such circuits and districts. The bill contains technical amendments. This bill is effective July 1, 2012.

Patron: Edwards

01/12/11 Senate: Referred to Committee for Courts of Justice

01/18/11 Senate: Assigned Courts sub: Civil

Notes: Position: Oppose

SB 1325 Financial exploitation of elderly or vulnerable adults; penalty.

A BILL to amend the Code of Virginia by adding a section numbered 18.2-178.1 and by adding in Chapter 22.2 of Title 19.2 a section numbered 19.2-386.32, relating to financial exploitation of elderly persons or vulnerable adults; penalties.

Summary as introduced:

Financial exploitation of elderly or vulnerable adults; penalty. Provides that it is a Class 5 felony to knowingly, by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation, use, obtain, convert, or take control of an elderly or vulnerable adult's property or financial resources with the intent to temporarily or permanently deprive the adult of the use, benefit, or possession of the property or financial resources. If the violation is by a caregiver or person with a fiduciary relationship it is a Class 3 felony.

Patron: Herring

01/12/11 Senate: Referred to Committee for Courts of Justice

01/18/11 Senate: Assigned Courts sub: Criminal

Notes: Position: Support

SB 1382 State agency mandates; assessment of mandates imposed on localities.

A BILL to amend and reenact § 2.2-613 of the Code of Virginia, relating to state agency mandates on localities.

Summary as introduced:

State agency mandates on localities. Provides that the assessment of mandates imposed on local governments currently required include a detailed cost-benefit analysis and utilization of performance-based metrics to determine the value of the mandate in relation to the required or intended output or desired result.

Patron: Stanley

01/14/11 Senate: Referred to Committee on General Laws and Technology

Notes: Position: Support

ATTACHMENT 2

Budget Amendments Recommended for Support by City Council's Legislative Subcommittee January 24 2011

1. The Governor's introduced budget amendments propose to change local match rates for the Comprehensive Services Act (CSA). City staff estimates that the proposed changes will cost the City approximately \$350,000 annually, beginning in FY2012. Budget amendments have been introduced to reject this proposal. Council's Legislative Subcommittee recommends that the City support the amendment to reject the Governor's proposal.
2. The Line of Duty Act provides benefits for public safety employees who have been killed, or wounded and unable to work, in the line of duty. This is a state-initiated program that has always been funded by the State. The 2010 Session included language in the approved budget that will transfer the cost to localities. The City expects the annual fiscal impact to be in excess of \$600,000. Budget amendments have been proposed to require the State to continue to pay for this program. Council's Legislative Subcommittee recommends that the City support the budget amendments to require the continuation of State funding for Line of Duty.
3. HB 599 local law enforcement funding is supposed to be determined by a formula in the State Code that is linked to growth in the State general fund. The current budget does not fund the program at the level specified in the Code, and budget amendments have been submitted to increase HB 599 funding. Council's Legislative Subcommittee recommends that the City support these amendments.
4. The General Assembly balanced the current biennial budget in part by requiring localities to reduce some of their funding in programs operated jointly by the State and localities—something referred to by local governments as Local Aid to the State. Statewide, this costs localities \$60 million annually; the cost to Alexandria is about \$1.3M/year. Budget amendments seek to end the Local Aid to the State program. Council's Legislative Subcommittee recommends that the City support these amendments.
5. The State has reduced the administrative funds that are provided to local social services programs. As a result, localities have had to absorb these costs. Budget amendments propose to restore these State reductions. Council's Legislative Subcommittee recommends that the City support these amendments.
6. Traditionally, the State has paid a portion of the cost to provide liability insurance for constitutional officers. The Governor's 2011 budget amendments propose to shift these costs entirely to local governments. Council's Legislative Subcommittee recommends that the City oppose these amendments.
7. Project Discovery is a drop-out prevention program that seeks to promote education among economically disadvantaged students, and prepare them for college (these students are usually the first in their family to attend college). The State provides nearly \$700,000 to 25 local programs statewide, including one in Alexandria. House members have proposed the elimination of this funding. Council's Legislative Subcommittee recommends that the City oppose these amendments.

Current Status of City Package Bills
January 22, 2010

HB 1402 Elections; qualified voters may vote absentee in person without providing an excuse or reason.

A BILL to amend and reenact §§ 24.2-700 and 24.2-701 of the Code of Virginia, relating to absentee voting; persons eligible to vote absentee; and applications for absentee ballots.

Summary as introduced:

Elections; absentee voting. Provides that qualified voters may vote absentee in person without providing an excuse or reason for not being able to vote in person on election day. The bill retains the present statutory list of specific reasons entitling a voter to cast an absentee ballot for those persons who vote absentee by mail.

Patrons: Dance and Kory

08/03/10 House: Prefiled and ordered printed; offered 01/12/11

08/03/10 House: Referred to Committee on Privileges and Elections

01/13/11 House: Assigned P & E sub: #2 Elections

01/18/11 House: Subcommittee recommends laying on the table

Notes: Position: Support

HB 1465 Higher educational institutions; admission of illegal aliens.

A BILL to amend and reenact § 23-9.2:3 of the Code of Virginia, relating to the admission of illegal aliens at institutions of higher education.

Summary as introduced:

Admission of illegal aliens at institutions of higher education.

Patrons: Peace and Miller, J.H.

12/06/10 House: Prefiled and ordered printed; offered 01/12/11

12/06/10 House: Referred to Committee for Courts of Justice

01/19/11 House: Assigned Courts sub: #3 Immigration

Notes: Position: Oppose

HB 1509 Employment; prohibits discrimination based on sexual orientation.

A BILL to amend and reenact §§ 2.2-2639, 2.2-3004, 2.2-3900, 2.2-3901, 15.2-1507, and 15.2-1604 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 2.2-2901.1 and 15.2-1501.1, relating to prohibited discrimination in employment based on sexual orientation.

Summary as introduced:

Employment; prohibit discrimination based on sexual orientation. Prohibits discrimination in employment based on sexual orientation.

Patron: Scott, J.M.

12/17/10 House: Prefiled and ordered printed; offered 01/12/11

12/17/10 House: Referred to Committee on General Laws

01/17/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

Notes: Position: Support

HB 1677 Parking in spaces reserved for persons with disabilities; increases maximum fine.

A BILL to amend and reenact § 46.2-1242 of the Code of Virginia, relating to parking in spaces reserved for persons with disabilities; penalty.

Summary as introduced:

Parking in spaces reserved for persons with disabilities. Increases the maximum fine from \$500 to \$750.

Patron: Englin

01/10/11 House: Prefiled and ordered printed; offered 01/12/11

01/10/11 House: Referred to Committee on Transportation

01/14/11 House: Assigned Transportation sub: #2

01/19/11 House: Subcommittee recommends laying on the table

Notes: Position: Support

HB 1815 Cigarette and other tobacco products; increases tax rate.

A BILL to amend and reenact §§ 32.1-366, 58.1-1001, 58.1-1018, 58.1-1021.02, and 58.1-1021.05 of the Code of Virginia, relating to tax rates for cigarettes and other tobacco products.

Summary as introduced:

Cigarette and other tobacco products tax rates. Increases the cigarette tax rate from \$0.30 per pack to \$1.45 per pack and increases the cigarette excise tax on roll-your-own tobacco from 10 percent to 50 percent. The bill also increases the tax rate on certain other tobacco products from 10 percent of the manufacturer's sales price to 50 percent. The additional revenue attributable to the increase in tax rates on cigarettes and roll-your-own tobacco is distributed as follows: 52 percent for Medicaid waivers for intellectual disabilities, 40 percent for Medicaid reimbursement to hospitals and doctors, four percent to the Virginia Department of Health for the Virginia state tobacco quitline, and four percent to the Virginia Healthy Youth Foundation to prevent tobacco use. The additional revenue attributable to the increase in the tax rate on other tobacco products is dedicated to Medicaid waivers for intellectual disabilities.

Patrons: Hope, Englin and Ebbin

01/11/11 House: Prefiled and ordered printed; offered 01/12/11

01/11/11 House: Referred to Committee on Finance

01/17/11 House: Assigned Finance sub: #1

01/19/11 House: Subcommittee recommends laying on the table (9-Y 0-N)

Notes: Position: Support

HB 2045 Blighted property; expands definition to include any residential structure.

A BILL to amend and reenact § 36-3 of the Code of Virginia, relating to housing; definition of blighted property.

Summary as introduced:

Housing; definition of blighted property. Expands the definition of blighted property to include any residential structure (i) for which a building permit was not obtained or the building permit has been revoked or has expired in accordance with the Uniform Statewide Building Code and (ii) which endangers the public's health, safety, or welfare.

Patron: Ebbin

01/11/11 House: Prefiled and ordered printed; offered 01/12/11

01/11/11 House: Referred to Committee on General Laws

01/17/11 House: Assigned GL sub: #1 Housing

Notes: Position: Support

HB 2046 Public employment; nondiscrimination.

A BILL to amend and reenact §§ 2.2-3004, 15.2-1507, 15.2-1604, and 22.1-306 of the Code of Virginia and to amend the Code of Virginia by adding sections numbered 2.2-2901.1, 15.2-1500.1, and 22.1-295.2, relating to nondiscrimination in public employment.

Summary as introduced:

Public employment; nondiscrimination. Prohibits discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a veteran. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments.

Patrons: Ebbin, Abbitt, Abbott, Armstrong, BaCote, Barlow, Brink, Bulova, Carr, Dance, Englin, Filler-Corn, Herring, Hope, Howell, A.T., James, Keam, Kory, Lewis, McClellan, McQuinn, Miller, P.J., Morrissey, Plum, Pollard, Scott, J.M., Sickles, Spruill, Surovell, Torian, Toscano, Tyler, Ward, Ware, O. and Watts; Senators: Barker, Herring, Howell, Locke, McEachin and Ticer

01/11/11 House: Prefiled and ordered printed; offered 01/12/11

01/11/11 House: Referred to Committee on General Laws

01/17/11 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

Notes: Position: Support

HB 2153 Tuition, in-state; unlawfully present aliens in U.S. shall not be eligible.

A BILL to amend the Code of Virginia by adding a section numbered 23-7.4:01, relating to in-state tuition and educational benefits to unlawfully present aliens.

Summary as introduced:

In-state tuition and educational benefits for unlawfully present aliens. Provides that an alien who is unlawfully present in the United States shall not be eligible on the basis of residency within Virginia for any postsecondary educational benefit including, but not limited to, in-state tuition and state financial aid unless citizens or nationals of the United States are eligible for such benefits in no less an amount, duration, and scope, without regard to whether such citizens or nationals are Virginia residents.

Patron: Cline

01/12/11 House: Prefiled and ordered printed; offered 01/12/11

01/12/11 House: Referred to Committee for Courts of Justice

01/19/11 House: Assigned Courts sub: #3 Immigration

Notes: Position: Oppose

HJ 497 Constitutional amendment; restoration of civil rights to persons convicted of felonies, etc.

Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to the qualifications of voters.

Summary as introduced:

Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The proposed amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law.

Patrons: Dance and Englin

08/03/10 House: Prefiled and ordered printed; offered 01/12/11

08/03/10 House: Referred to Committee on Privileges and Elections

01/13/11 House: Assigned P & E sub: #1 Constitutional

Notes: Position: Support

HJ 524 Constitutional amendment; restoration of civil rights for persons convicted of felonies.

Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to the qualifications of voters.

Summary as introduced:

Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The proposed amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law.

Patrons: Ware, O. and Englin

12/02/10 House: Prefiled and ordered printed; offered 01/12/11

12/02/10 House: Referred to Committee on Privileges and Elections

01/13/11 House: Assigned P & E sub: #1 Constitutional

Notes: Position: Support

HJ 543 Constitutional amendment; restoration of civil rights to persons convicted of nonviolent felonies.

Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to the qualifications of voters.

Summary as introduced:

Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds an alternative for restoration of rights pursuant to law for nonviolent felons.

Patrons: Herring, Dance, Englin, Scott, J.M. and Sickles

12/16/10 House: Prefiled and ordered printed; offered 01/12/12/16/10 House: Referred to Committee on Privileges and Elections
01/13/11 House: Assigned P & E sub: #1 Constitutional
Notes: Position: Support

HJ 610 Constitutional amendment; restoration of civil rights for persons convicted of felonies.

Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to the qualifications of voters.

Summary as introduced:

Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law.

Patrons: Carr and Englin

01/11/11 House: Prefiled and ordered printed; offered 01/12/11

01/11/11 House: Referred to Committee on Privileges and Elections

01/13/11 House: Assigned P & E sub: #1 Constitutional

Notes: Position: Support

HJ 634 Constitutional amendment; restoration of civil rights for persons convicted of felonies.

Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to the qualifications of voters.

Summary as introduced:

Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by general law for the restoration of civil rights for persons convicted of felonies who have completed service of their sentence including any period or condition of probation, parole, or suspension of sentence. The present Constitution provides for restoration of rights by the Governor. The proposed amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to general law.

Patron: Morrissey

01/12/11 House: Prefiled and ordered printed; offered 01/12/11

01/12/11 House: Referred to Committee on Privileges and Elections

01/13/11 House: Assigned P & E sub: #1 Constitutional

Notes: Position: Support

SB 747 Nondiscrimination in state employment; prohibited based on race, color, religion, etc.

A BILL to amend and reenact § 2.2-3004 of the Code of Virginia and to amend the Code of Virginia by adding a section numbered 2.2-2901.1, relating to nondiscrimination in state government employment.

Summary as introduced:

Nondiscrimination in state employment. Prohibits discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments. Patrons: McEachin; Delegates: Carr, Dance, Englin, Kory and McClellan
10/29/10 Senate: Prefiled and ordered printed; offered 01/12/11
10/29/10 Senate: Referred to Committee on General Laws and Technology
Notes: Position: Support

SB 832 Green Public Buildings Act; definitions, building standards.

A BILL to amend the Code of Virginia by adding in Chapter 11 of Title 2.2 an article numbered 8, consisting of sections numbered 2.2-1182 and 2.2-1183, relating to the Green Public Buildings Act.

Summary as introduced:

Green Public Buildings Act. Requires executive branch agencies and institutions entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to meet standards at least as stringent as the LEED or Green Globes standards.

Exemptions from the requirement may be granted by the Director of the Department of General Services upon a finding of special circumstances that make construction or renovation to the standards impracticable.

Patron: Petersen

01/07/11 Senate: Prefiled and ordered printed; offered 01/12/11

01/07/11 Senate: Referred to Committee on General Laws and Technology

01/14/11 Senate: Impact statement from DPB (SB832)

Notes: Position: Support

SJ 284 Constitutional amendment; restoration of civil rights to persons convicted of nonviolent felonies.

Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to the qualifications of voters.

Summary as introduced:

Constitutional amendment (first resolution); restoration of civil rights. Authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to law.

Patrons: Miller, Y.B. and Reynolds; Delegate: Englin

12/27/10 Senate: Prefiled and ordered printed; offered 01/12/11

12/27/10 Senate: Referred to Committee on Privileges and Elections

01/14/11 Senate: Assigned to P&E sub: Constitutional Amendments, Reapportionment, Referenda
Notes: Position: Support

SJ 306 Constitutional amendment; restoration of civil rights to persons convicted of nonviolent felonies.

Proposing an amendment to Section 1 of Article II of the Constitution of Virginia, relating to the qualifications of voters.

Summary as introduced:

Constitutional amendment (first resolution); restoration of civil rights. Provides for the automatic restoration of civil rights to persons convicted of nonviolent felonies (excepting felony drug and election fraud crimes) upon completion of sentence, including any term of probation or parole. The bill further provides that persons convicted of violent felonies, felony drug crimes, or election fraud crimes may have their civil rights restored by the Governor upon completion of sentence, including any term of probation or parole, and authorizes the General Assembly to provide by law for the restoration of civil rights to such persons. The restoration of rights pursuant to this provision has no effect on the right to possess firearms.

Patrons: McEachin; Delegates: Englin and McClellan

01/05/11 Senate: Prefiled and ordered printed; offered 01/12/11

01/05/11 Senate: Referred to Committee on Privileges and Elections

01/14/11 Senate: Assigned to P&E sub: Constitutional Amendments, Reapportionment, Referenda

Notes: Position: Support