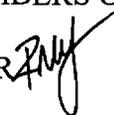


# City of Alexandria

## MEMORANDUM

DATE: FEBRUARY 12, 2012

TO: THE HONORABLE MAYOR AND MEMBERS OF CITY COUNCIL

FROM: RASHAD M. YOUNG, CITY MANAGER 

SUBJECT: RECOMMENDATIONS AND STATUS REPORT (NO. 2) ON LEGISLATION INTRODUCED AT THE 2012 GENERAL ASSEMBLY SESSION

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**ISSUE:** Recommendations and status report (No. 2) on legislation introduced at the 2012 General Assembly Session.

**RECOMMENDATION:** That City Council 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).

**DISCUSSION:** The 2012 General Assembly Session has now passed the halfway mark. Beginning Wednesday, February 15, the House may consider only Senate bills, and the Senate may consider only House bills. Committee action must be completed on all bills by Monday, March 5, and adjournment is scheduled for March 10.

**City Package.** The following are bills from the City's legislative package that the City asked members of the City's delegation to introduce or support (Attachment 2 is a status report on "City Package" bills):

- A number of bills were introduced in both the House and the Senate to change state law regarding the opening day of school. As noted in previous memoranda, no school system can open prior to Labor Day unless it has been given a waiver by the State Board of Education. The 2012 legislation (including Senator Ebbin's SB 257) would allow each local school board to determine the opening day of school. The Senate legislation was defeated in the Senate Education and Health Committee by a vote of 9-6. The House passed its own bill, which is now before the Senate Education and Health Committee. At least two members of that Committee will have to reverse their earlier votes for the House bill (HB 1063) to go to the Senate floor.
- HB 144 and SB 261, introduced by Delegate Englin and Senator Ebbin, seek to create a grant program to improve preschool programs, using unused moneys that have been appropriated to the Virginia Preschool Initiative. Grants would be awarded by the State pursuant to a competitive process. HB 144 was defeated by the Appropriations Committee last

week. SB 261 has been approved by the Senate Education and Health, and Finance Committees, subject to approval of funding for it.

- HB 894 and SB 493 are identical bills that direct the State Corporation Commission to evaluate potential energy saving and conservation projects based on the total energy savings and return on investment they create for the entire state. The House and Senate have approved their respective bills.
- SB 263 (Ebbin), which would have prohibited discrimination against public employees based on sexual orientation, was defeated.
- HB 1099 (Delegate Herring) would amend the Virginia Human Rights Act to prohibit discriminatory actions with respect to hiring or the terms and conditions of employment; and prohibit the various types of employment discrimination, including age discrimination, for any employer with five or more employees. The bill has been passed by in favor of a similar bill (HB 1033), which includes only the age discrimination provision.
- HB 1027 would allow two or more localities to enact a new 2.1 percent motor fuels tax to pay for the construction and operation of one or more high capacity transit lines. HJ 146 and SJ 52 ask the Commonwealth Transportation Board to make high capacity transit a priority for funding by the Commonwealth. All of these bills have been defeated.
- Budget amendments have been introduced to increase funding for the Aids Drug Assistance Program (ADAP); to pay for psychiatric beds at the Northern Virginia Mental Health Institute that are needed for persons with mental health emergencies; for CSB pilot programs that will offer a full array of Crisis Stabilization services for children undergoing acute crises; and for psychiatric services for children. No action will be taken on budget amendments until February 19.

Attachment 3 is a status report on other bills on which the City has taken a position.

**State Budget.** The House Appropriations and Senate Finance Committees will make their budget recommendations on February 19; staff will provide preliminary information on the proposals shortly thereafter. At this time, staff has no additional information on the budget.

**Eminent Domain.** Legislation has been approved by House and Senate committees to continue the effort to amend Virginia's Constitution with respect to eminent domain (this is step 2 of a 3-step process that began with legislation enacted last year and will end, if not halted this Session, with a November voter referendum on the proposed amendment). The bills propose an amendment to the Virginia Constitution, and also seek to define what is meant by "lost profits" and "lost access" as cited in the proposed constitutional amendment. These measures will be debated on the House and Senate floors early this week.

**Regional Transportation Governance.** Bills that were introduced in both houses on behalf of the Governor to combine the Northern Virginia Transportation Authority (NVTA) and the Northern Virginia Transportation Commission (NVTC) have been substantially modified. Both measures proposed major governmental reorganizations, of which the NVTA/NVTC merger was but a small part. Northern Virginia localities, including Alexandria, have opposed similar proposals in the past.

The Senate bill has been amended to eliminate the merger language. The House bill was amended on February 9 to include language that would not effect this merger, but would require NVTA to provide recommendations to the House and Senate on:

- The consolidation of NVTA, NVTC, and NVRC (the Northern Virginia Regional Commission) into one or two bodies; and
- The advantages and disadvantages of including a sub-regional Metropolitan Planning Organization (MPO) as a part of a consolidated transportation and planning organization (the Council of Governments serves and will continue to serve as the MPO for the entire Washington Metropolitan area).

The language that has been incorporated into the House bill is included as Attachment 4.

Legislation (HB 601) to set qualifications and requirements for persons appointed to the WMATA Board has passed the House and is now before the Senate Committee on Local Government.

**Transportation Funding.** As expected, the House of Delegates has defeated any of the measures it considered that would have addressed the continuing lack of sufficient transportation revenue by increasing or indexing the gas tax or converting it to a sales tax. The Senate Finance Committee, on the other hand, has approved a bill (SB 631) to index the gasoline tax, using the annual percentage increase in the cost of highway construction materials to determine the tax rate increase (or decrease).

The more significant transportation funding package this Session was introduced on behalf of the Governor. It included a number of controversial components, including the transfer of general fund revenues into the Transportation Trust Fund; the sale of naming rights for transportation infrastructure; the allocation of up to \$500 million annually by the Commonwealth Transportation Board, bypassing existing funding formulas; and requirements for approval by the State of local transportation plans and Comprehensive Plans. The House Appropriations Committee has approved a rewrite (HB 1248) with relatively slight revisions to the proposal from the Governor.

The Senate Finance Committee has approved a revised bill (SB 639) that is substantially different. It removes all of the controversial provisions. It indexes the motor fuels tax (as also provided in SB 631, described above); allows localities to use VDOT revenue sharing money for

maintenance (it can now be used only for construction and reconstruction); and reduces from two years to one the time a locality has to begin spending revenue-sharing funds once awarded.

The Senate bill also amends a Code provision that has been on the books for over twenty years, but has never been used. This provision allows certain localities (including those in Northern Virginia) to charge an income tax of up to one percent to help pay for “transportation purposes,” following a referendum. The amendment to this law eliminates a 5-year sunset provision which prevented the use of this revenue to sell and repay bonds. Even with the repeal of this sunset provision, however, it is questionable whether any locality will make use of this option. The House and Senate bills will be debated on the floor of each house this week. Given the substantial differences between the two, the bills are likely to end up in a conference committee that will try to craft a compromise before Session ends.

Attachment 5 is a table comparing the introduced bill, the amended House version, and the amended Senate version.

**Primary Election Schedule.** The State Constitution required the General Assembly to reconfigure State House and Senate districts, as well as the State’s eleven congressional districts, in 2011. The General Assembly completed its redistricting of General Assembly districts as required under the law, but failed to agree on the eleven congressional district boundaries; the Republican-controlled House wanted one version, and the Democratic-controlled Senate, another. When the Republicans took control of both the House and Senate this Session, they quickly passed the House-favored plan—but they missed the 2011 deadline.

The 2012 Congressional redistricting legislation has now been submitted to the U.S. Justice Department for preclearance under the Voting Rights Act. When the Justice Department will approve (or not approve) the plan is unknown. In addition, a State court challenge has been filed, alleging that the plan is invalid, since the General Assembly missed the 2011 constitutional deadline. This suit seeks to have the courts draw up the congressional district boundaries. The date for the court to rule on this case (which would then be subject to appeal) is also unknown.

Because of this uncertainty about congressional district boundaries, legislation (HB 736) is making its way through the General Assembly to move the date for the state primary for all offices save the presidency (the primary for this is March 6) from June 12 to August 7. The legislation does have a contingency clause, saying it will not take effect if Justice Department pre-clearance occurs by April 3. The bill passed the House unanimously and is now before the Senate.

**Virginia Retirement System (VRS).** The General Assembly has now focused on four bills proposing significant changes to the Virginia Retirement System.

- SB 497 would require all local government and school employees to pay the five percent employee contribution to VRS. It would also require the employer to give a salary increase of at least the same amount. School boards may choose to phase in the

employee contribution over a 5-year period for employees who were hired prior to July 1, 2012.

- SB 498 would create a new optional hybrid retirement plan, including defined benefit and defined contribution components. Beginning January 1, 2014, all new VRS-covered employees (except for certain hazardous duty employees and judges) would be required to join this plan. Employees hired before this date would have to decide by April 30, 2012, whether to switch their membership from the current defined benefit plan to the new hybrid plan. The hybrid plan requires an employee contribution of 4 percent for the defined benefit component, and an employer rate that would be determined actuarially. The pension benefit would be based on a multiplier of 1 percent, so this benefit would be significantly lower than under the current defined benefit plan. For the defined contribution component, employees would have to contribute at least one percent and could contribute up to 5 percent. The employer would be required to match the first 1 percent, and would have a graduated match rate for employee contributions above that (to a 3.5 percent maximum).

This bill would also require the General Assembly to fund the contribution rates set by the VRS Board, unless a supermajority vote determines otherwise.

- HB 1129 proposes major changes to the current defined benefit plan for Pre-2010 (Plan A) employees, including a lengthier period of time (60 months, versus the current 36 months) for calculation of average final pay; a cap on cost of living adjustments at 3 percent annually, except for current members who are within 5 years of normal retirement; and, for new hires after January 1, 2013, a reduction in the multiplier (the percentage of average salary multiplied by years of service to determine retirement benefits) from 1.7 to 1.6.
- HB 1130 creates a new optional hybrid retirement plan. It includes defined benefit and defined contribution components for most state employees. The plan will not be available to local employees or teachers.

These House measures will be considered by the full House and the Senate measures by the full Senate over the next few days. Staff will continue to report on VRS legislation in future updates.

**ATTACHMENTS:**

Attachment 1: Recommended Positions on Bills of Importance to the City, February 10, 2012

Attachment 2: Current Status of City Package Bills, February 10, 2012

Attachment 3: Current Status of Bills of Bills on Which the City Has Taken a Position, February 10, 2012

Attachment 4: Proposal for Consolidation of Northern Virginia Transportation and/or Planning Agencies

Attachment 5: Comparison of Major Provisions of Introduced (Governor's) Transportation Bill and the House and Senate Amended Proposals, as of February 10, 2012

**STAFF:**

Bernard Caton, Legislative Director

**Recommended Positions on Bills of Importance to the City  
February 10, 2012**

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**HB 26 Concealed handgun permits; failure to produce upon demand of a law-enforcement officer, penalty.**

Patrons: Cole and Poindexter

Summary as introduced:

Failure to carry concealed handgun permit; penalty. Provides that failure to produce, upon demand of a law-enforcement officer, a concealed handgun permit and a government-issued photo identification while carrying a concealed handgun is punishable by a \$25 civil penalty. A court may waive this penalty if the person presents a valid concealed handgun permit and government-issued photo identification to the court. The bill also introduces an affirmative defense of having a valid concealed handgun permit to a charge of violating the concealed weapons statute.

02/01/12 House: Read third time and passed House (82-Y 17-N)

02/02/12 Senate: Referred to Committee for Courts of Justice

Notes: Position: Support

**HB 211 Forward energy pricing; authorizes any public body to use mechanisms for budget risk reduction.**

Patron: Miller

Summary as introduced:

Procurement; forward energy pricing. Authorizes any public body to use forward pricing mechanisms for budget risk reduction. Forward pricing mechanisms are contracts or financial instruments that obligate the public body to buy or sell a specified quantity of energy at a future date at a set price or provide the option to buy or sell the contract or financial instrument. Forward pricing mechanism transactions may be made only if (i) the quantity of energy affected by the mechanism does not exceed the estimated energy use for the public body for the same period, (ii) the period of the mechanism does not exceed 48 months, (iii) a separate account is established for operational energy for the public body, (iv) the public body develops written policies and procedures, and (v) the public body establishes an oversight process.

02/09/12 House: Reported from General Laws with amendments (20-Y 0-N)

Notes: Position: Support

**HB 287 Gang-free zones; expansion of zone areas.**

Patrons: Jaquinto, Helsel, Hodges, Minchew and Ramadan

Summary as introduced:

Expansion of gang-free zones. Adds school bus stops and publicly owned parks, libraries, and hospitals to the list of places denoted "gang-free zones." Criminal gang activity that occurs in gang-free zones receives additional punishment.

02/03/12 House: Committee substitute printed 12105025D-H1

02/03/12 House: Referred to Committee on Appropriations

02/06/12 House: Assigned App. sub: Public Safety

Notes: Position: Support

**HB 289 Handicapped parking; allows localities by ordinance to grant free parking.**

Patron: Sherwood

Summary as introduced:

Handicapped parking. Allows localities by ordinance to grant four hours free parking to vehicles exhibiting disabled parking indicia in some places while not granting such free parking in other places.

01/25/12 Senate: Referred to Committee on Transportation

02/08/12 Senate: Reported from Transportation (12-Y 1-N)

Notes: Position: Support

**HB 315 Check cashers; practice for customer identification, civil penalty.**

Patron: Ingram

Summary as introduced:

Check cashers; customer identification; civil penalty. Requires a person conducting business as a check casher to make a copy of each item cashed and either the customer's valid identification document or thumbprint. Records for each transaction are required to be retained for a period of one year and to be made available to law-enforcement officials. A violation of these requirements is punishable by a civil penalty not to exceed \$200.

02/07/12 House: Failed to report (defeated) in Commerce and Labor (1-Y 20-N)

Notes: Position: Support

**HB 334 Public Procurement Act; bid match preference for State businesses.**

Patrons: Villanueva, Carr, Surovell and Torian

Summary as introduced:

Virginia Public Procurement Act; bid match preference for Virginia businesses. Provides a bid match preference for Virginia business in procurements up to \$100,000. Under the bill, a Virginia business has an opportunity to match the lowest bid of an out-of-state bidder if the bid of a Virginia business is within five percent or \$10,000 of the lowest bid of an out of state bidder, whichever is less.

02/09/12 House: Continued to 2013 with amendment in General Laws

Notes: Position: Oppose

**HB 352 Emergency management plans; victims' rights.**

Patron: Cox, J.A.

Summary as introduced:

Emergency management plans; victims' rights. Requires the Department of Criminal Justice Services and the Virginia Criminal Injuries Compensation Fund to be the lead responding agencies for individuals determined to be victims during critical events and emergencies under emergency management plans developed by school boards, institutions of higher education, the Board of Health, the State Emergency Medical Services Advisory Board, the Department of Emergency Management, and political subdivisions.

01/10/12 House: Referred to Committee on Militia, Police and Public Safety

02/08/12 House: Assigned MPPS sub: #2

02/09/12 House: Subcommittee recommends reporting with amendment(s) (4-Y 0-N)

Notes: Position: Support

**HB 393 Motor fuels tax; dedicates additional revenue to operation, etc., of transportation system.**

Patron: Howell, A.T.

Summary as introduced:

Motor fuels tax; rate increase. 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 Commonwealth's transportation system.

01/10/12 House: Referred to Committee on Finance

01/20/12 House: Assigned Finance sub: #2

02/01/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 405 Planning commissions; appointments.**

Patron: Torian

Summary as introduced:

Planning commissions; appointments. Provides that no member shall be appointed to a planning commission who holds a pecuniary interest or professional position with any organization to which the outcome of local planning and zoning policies is integral to the organization's mission.

01/10/12 House: Referred to Committee on Counties, Cities and Towns

01/13/12 House: Assigned CC & T sub: #1

01/25/12 House: Subcommittee recommends reporting with amendment(s) (8-Y 1-N)

02/01/12 House: Subcommittee recommends passing by indefinitely

Notes: Position: Oppose

**HB 409 Financial exploitation of elderly or incapacitated adults; penalty.**

Patrons: Watts and Filler-Corn

Summary as introduced:

Financial exploitation of elderly and incapacitated; penalty. Provides that any person who knowingly exploits the impaired mental or physical capacity of an incapacitated adult or an adult (defined in the section as 60 years old or older) by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation to use, obtain, convert, or take control of or endeavor to use, obtain, convert, or take control of the incapacitated adult's or adult's money, assets, property, or financial resources with the intent to deprive the incapacitated adult or adult of the use, benefit, or possession of the money, assets, property, or financial resources and to convert such money, assets, property, or financial resources to the perpetrator's own use or benefit is guilty of a Class 5 felony. However, any responsible person or a person who has a fiduciary relationship with the incapacitated adult or adult who commits such a violation is guilty of a Class 3 felony. It is not a defense that the accused did not know the age of the victim.

01/10/12 House: Referred to Committee for Courts of Justice

01/30/12 House: Incorporated by Courts of Justice (HB987-Loupassi)

Notes: Position: Support

**HB 420 Eligibility for TANF; drug-related felonies.**

Patrons: Watts, Brink, Keam, Kory, Plum, Scott, J.M., Sickles and Surovell; Senators: Barker, Favola and Petersen

Summary as introduced:

Eligibility for TANF; drug-related felonies. Prohibits a person who is eligible to receive Temporary Assistance for Needy Families assistance from being denied assistance only because he has been convicted of a felony offense of possession of a controlled substance provided he complies with obligations imposed by the court and the Department of Social Services, is engaged in or has completed substance abuse treatment, and participates in drug screenings.

02/02/12 House: Referred to Committee on Appropriations

02/03/12 House: Assigned App. sub: Health & Human Resources

02/06/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 422 Transportation; additional funding by imposing and increasing certain taxes.**

Patrons: Watts, Rust, Brink, Kory, Plum, Scott, J.M., Sickles and Surovell; Senator: Favola

Summary as introduced:

Transportation funding and administration. Provides additional funding for transportation by (i) imposing a motor fuels sales tax rate of four percent, phased in over four years, for highway maintenance; (ii) increasing the state sales tax in Northern Virginia by 0.5 percent for transportation projects in Northern Virginia; and (iii) adding an additional recordation tax in Northern Virginia at a rate of \$0.40 per \$100 valuation. The motor fuels tax is not effective until the unemployment rate in the Commonwealth decreases for four consecutive quarters after July 1, 2011. The bill also reduces the sales and use tax rate on food for human consumption from 1.5 percent to one percent, and repeals the authority for certain localities to impose a local income tax. In addition, the bill removes the sunset date from the 2009 Act of Assembly that reduced the special real property tax rate on commercial property in the localities embraced by the Northern Virginia Transportation Authority from \$0.25 per \$100 of assessed value to \$0.125 per \$100 of assessed value. Finally, the bill increases the special real property tax rate on commercial property in localities in Hampton Roads from \$0.10 per \$100 of assessed value to \$0.125 per \$100 of assessed value.

01/10/12 House: Referred to Committee on Finance

01/20/12 House: Assigned Finance sub: #2

02/01/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 449 Virginia Public Procurement Act; preferences by localities, etc.**

Patrons: Toscano and Surovell

Summary as introduced:

Virginia Public Procurement Act; preferences by localities, public institutions of higher education and regional public bodies. Allows a locality to give a procurement preference for goods, services, and construction produced in the locality or by persons, firms, or corporations having principal places of business in the locality. The bill also allows public bodies that are public institutions of higher education or regional public bodies to give such a preference to goods, services, and construction produced in the localities in which the institution or regional public body is located. Currently such preference is allowed only in the case of a tie.

01/10/12 House: Referred to Committee on General Laws

01/13/12 House: Assigned GL sub: #2 FOIA/Procurement

02/02/12 House: Subcommittee recommends laying on the table

Notes: Position: Oppose

**HB 451 Adoption; appointment of counsel if parent is determined to be indigent.**

Patrons: Toscano and Scott, J.M.

Summary as passed House:

Adoption; appointment of counsel. Provides that a parent who does not consent to the adoption of the parent's child, but whose consent to the adoption is required, shall be appointed counsel upon the parent's request if such parent is determined to be indigent. The bill also provides that the court shall provide written notice to the birth parent withholding consent of the parent's right to counsel prior to any hearing or decision on a petition for adoption. As introduced, this bill was a recommendation of the Boyd-Graves Conference.

02/06/12 Senate: Referred to Committee on Rehabilitation and Social Services

Notes: Position: Support

**HB 459 Pawnbrokers and precious metals dealers; photograph required of person pawning, selling, etc.**

Patrons: BaCote, Scott, J.M., McQuinn, Pogge and Ward

Summary as introduced:

Pawnbrokers; records required to be maintained; digital images. Requires pawnbrokers to take a digital image of (i) the person involved in the transaction, (ii) the form of identification used by the person involved in the transaction, and (iii) the article or thing pawned or pledged or received on account of money loaned.

02/01/12 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N)

02/02/12 Senate: Referred to Committee on General Laws and Technology

Notes: Position: Support

**HB 476 Mandatory outpatient treatment hearing; determination of treatment prior to release from commitment.**

Patron: Albo

Summary as introduced:

Mandatory outpatient treatment hearing prior to release from commitment. Provides that prior to the release of a person who has been involuntarily admitted or who has voluntarily admitted himself, a hearing shall be held, upon the motion of the treating physician, a family member or personal representative of the person, or the community services board, to determine whether such person should be ordered to mandatory outpatient treatment upon release if he has been involuntarily admitted or has voluntarily admitted himself on at least two previous occasions.

01/10/12 House: Referred to Committee for Courts of Justice

01/16/12 House: Assigned Courts sub: #5 Mental Health

02/06/12 House: Subcommittee recommends reporting with amendment(s) (5-Y 0-N)

Notes: Position: Oppose

**HB 477 Interstate Highway System; allocation of funds for maintenance.**

Patrons: Albo and Bulova

Summary as introduced:

Highway maintenance funds. Provides that when allocating funds for the interstate system of highways, the primary system of state highways, the secondary system of state highways, city and town street maintenance payments, and the payments made to counties that have withdrawn

or elect to withdraw from the secondary system maintained by the Commonwealth, the Commonwealth Transportation Board shall consider achieving a minimal level of disparity among highway construction districts, city and town streets, and those counties that have withdrawn from the secondary system of highways. It also provides that the Board shall release for public review a comparison of the proposed allocation of funds by highway construction district with the allocation of such based entirely on asset management methodology. The bill replaces funding based on a per-lane-mile rate for counties that withdraw with funding based solely on asset management methodology. It replaces maintenance payments based on annual growth to cities and towns with payments based on asset management methodology.

02/06/12 House: Subcommittee recommends reporting with amendment(s) (6-Y 1-N)

02/08/12 House: Reported from Appropriations with substitute (20-Y 2-N)

Notes: Position: Oppose

**HB 483 Real property tax; tax concerning validity of valuation of property, etc.**

Patron: Iaquinto

Summary as introduced:

Real property tax; collection of certain taxes. Provides that the current authority to increase the assessment of real property taxes for three preceding tax years by increasing the amount of the valuation of the property applies only to errors related to (i) new construction or improvements to the property, (ii) a change in the use of the property, or (iii) fraud on the part of the taxpayer.

02/02/12 House: Read third time and passed House (90-Y 10-N)

02/03/12 Senate: Referred to Committee on Finance

Notes: Position: Oppose

**HB 498 Funeral processions; sheriff and police escorts.**

Patron: Dance

Summary as introduced:

Funeral processions; sheriff and police escorts. Provides that either the sheriff or the police department in a locality may provide traffic control for funeral processions. Currently, sheriffs may only provide traffic control in localities that do not have a separate police department.

02/02/12 Senate: Referred to Committee on Transportation

02/08/12 Senate: Reported from Transportation (15-Y 0-N)

Notes: Position: Support

**HB 528 Drug-free and gang-free zones; penalties.**

Patron: McQuinn

Summary as introduced:

Drug-free and gang-free zones; penalties. Provides enhanced penalties for gang activities or drug manufacture, distribution, or possession with intent to distribute within 1,000 feet of multifamily housing for older persons.

01/10/12 House: Referred to Committee for Courts of Justice

01/20/12 House: Assigned Courts sub: #1 Criminal

02/01/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 529 Virginia Public Procurement Act; preference for local products and firms.**

Patron: McQuinn

Summary as introduced:

Virginia Public Procurement Act; preference for local products and firms; applicability.

Authorizes localities to apply a preference for bidders or offerors located in the locality of up to 10 percent, provided (i) for competitive sealed bidding the percentage of the discount is stated in the Invitation to Bid, (ii) for competitive negotiations the percentage of the increase is stated in the Request for Proposal, and (iii) the discount percentage or increase percentage is included in the informal solicitation for small purchase.

01/10/12 House: Referred to Committee on General Laws

01/27/12 House: Assigned GL sub: #2 FOIA/Procurement

02/02/12 House: Subcommittee recommends laying on the table

Notes: Position: Oppose

**HB 530 Virginia Public Procurement Act; permissive contract provisions for localities.**

Patron: McQuinn

Summary as introduced:

Virginia Public Procurement Act; permissive contract provisions for localities; resident employment. Authorizes any locality to include in its contracts a provision requiring the contractor to ensure that a specified percentage, not to exceed 20 percent, of the work under the contract be performed by residents of the locality.

01/10/12 House: Referred to Committee on General Laws

01/27/12 House: Assigned GL sub: #2 FOIA/Procurement

02/02/12 House: Subcommittee recommends laying on the table

Notes: Position: Oppose

**HB 532 Motor vehicles; prohibits operator from engaging in activities that impair operation of vehicle.**

Patrons: Orrock and Torian

Summary as introduced:

Operation of moving motor vehicles while distracted; penalty. Prohibits the operator of a moving motor vehicle from being engaged in activities that are unnecessary to and that actually impair the operation of a motor vehicle. Certain exemptions apply. A violation of the statute would be a traffic offense.

01/10/12 House: Referred to Committee on Militia, Police and Public Safety

01/25/12 House: Assigned MPPS sub: #2

Notes: Position: Support

**HB 533 Four-for-Life; substantive review.**

Patron: Orrock

Summary as introduced:

Four-for-Life; substantive review. Requires that a reallocation of moneys set aside from the Four-for-Life fees be made pursuant to legislation that has been reviewed by the House Health, Welfare and Institutions Committee and the Senate Committee on Education and Health. The bill includes technical amendments.

01/10/12 House: Referred to Committee on Appropriations

01/16/12 House: Assigned App. sub: Health & Human Resources

02/06/12 House: Subcommittee recommends laying on the table  
Notes: Position: Support

**HB 542 Highway maintenance projects; allows localities to use revenue-sharing funds.**

Patron: Poindexter

Summary as introduced:

Highway maintenance projects. Allows counties, cities, and towns to use "revenue-sharing funds" for highway maintenance projects.

01/10/12 House: Referred to Committee on Transportation

01/13/12 House: Assigned Transportation sub: #3

Notes: Position: Support

**HB 579 Applications for public assistance; may be made electronically.**

Patrons: Helsel and Lopez

Summary as introduced:

Electronic application for public assistance. Provides that applications for public assistance may be made electronically.

02/06/12 House: VOTE: PASSAGE (95-Y 3-N)

02/07/12 Senate: Referred to Committee on Rehabilitation and Social Services

Notes: Position: Support

**HB 582 VITA; excludes procurement of information technology and telecommunications goods and services.**

Patrons: Watson and Yancey

Summary as introduced:

Procurement of information technology and telecommunications goods and services; Virginia Information Technologies Agency. Excludes procurements of information technology and telecommunications goods and services from certain requirements under methods of procurement for public bodies.

02/01/12 House: Motion to rerefer to committee agreed to

02/01/12 House: Rereferred to Science and Technology

Notes: Position: Oppose

**HB 601 Washington Metropolitan Area Transit Authority; board membership.**

Patrons: LeMunyon, Albo and Ramadan

Summary as introduced:

Washington Metropolitan Area Transit Authority; board membership. Provides that in appointing Virginia members of the Board of Directors of the Washington Metropolitan Area Transit Authority (WMATA), the Northern Virginia Transportation Commission shall include the Secretary of Transportation or his designee as a principal member on the WMATA Board of Directors. Other requirements for appointment and removal from the board are also specified.

02/06/12 House: Read third time and passed House (71-Y 26-N)

02/07/12 Senate: Referred to Committee on Local Government

Notes: Position: Oppose

**HB 625 Transportation planning; proposed comprehensive plans in Northern Virginia.**

Patrons: LeMunyon, Hugo and Kory

Summary as introduced:

Transportation planning; comprehensive plan. Provides that when a locality in Planning District 8 (Northern Virginia) submits a proposed comprehensive plan or amendment to the Department of Transportation for review, the Department will make a determination as to whether the proposal will increase traffic congestion or reduce the mobility of citizens in the event of a homeland security emergency. If the Department makes such a determination, the locality's proposed plan or amendment shall not become effective unless the Department also determines that adequate transportation improvements are planned that will mitigate the effects of the proposed plan or amendment. The bill contains technical amendments.

02/08/12 House: Read third time and passed House (91-Y 6-N)

02/09/12 Senate: Referred to Committee on Local Government

Notes: Position: Oppose

**HB 690 Financial exploitation of elderly or vulnerable adults; penalty.**

Patrons: Plum and Scott, J.M.

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. The bill also allows forfeiture of personal property used in connection with the crime.

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

01/20/12 House: Assigned Courts sub: #1 Criminal

01/30/12 House: Incorporated by Courts of Justice (HB987-Loupassi)

Notes: Position: Support

**HB 699 Highway maintenance funds; allocation of funds.**

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

Summary as introduced:

Highway maintenance funds. Provides that when allocating funds for the interstate system of highways, the primary system of state highways, and the secondary system of state highways maintained by the Commonwealth, the Commonwealth Transportation Board shall consider achieving a minimal level of disparity among highway construction districts in meeting asset performance standards. Prior to such allocation, the Board shall release for public review a comparison of the proposed allocation of funds by highway construction district with an allocation of funds based entirely on specific asset performance standards by highway construction district.

01/27/12 House: Assigned Transportation sub: #4

02/02/12 House: Subcommittee recommends laying on the table

Notes: Position: Oppose

**HB 700 Crimes against incapacitated or elder adults; penalty.**

Patrons: Filler-Corn, Bulova, Plum and Scott, J.M.

Summary as introduced:

Crimes against incapacitated or elder adults; penalty. Provides that any person who commits an offense set forth in Chapter 4 (crimes against the person), Chapter 5 (crimes against property), or Chapter 6 (crimes involving fraud) of Title 18.2, knowing or having reason to know that the victim of the offense is an incapacitated or elder adult is guilty of a separate and distinct Class 1 misdemeanor if the underlying offense is a misdemeanor and a separate and distinct Class 6 felony if the underlying offense is a felony. The bill also provides that if the offender is a person responsible for the care of the victim, punishment shall include a mandatory minimum term of confinement of 30 days if the underlying offense is a misdemeanor and a mandatory minimum term of confinement of six months if the underlying offense is a felony.

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

01/20/12 House: Assigned Courts sub: #1 Criminal

01/30/12 House: Incorporated by Courts of Justice (HB987-Loupassi)

Notes: Position: Support

**HB 751 Criminal street gang; recruitment of persons by telephone or electronic communication, penalty.**

Patrons: Cline, Byron, Helsel, Merricks, Poindexter and Ramadan

Summary as introduced:

Recruitment of persons for criminal street gang; penalty. Provides that any person who, by telephone or by any electronically transmitted communication producing a visual or electronic message, solicits, invites, recruits, encourages, or otherwise causes or attempts to cause another to actively participate in or become a member of what he knows to be a criminal street gang is guilty of a Class 5 felony.

02/03/12 House: Reported from Courts of Justice with substitute (18-Y 0-N)

02/03/12 House: Referred to Committee on Appropriations

02/06/12 House: Assigned App. sub: Public Safety

Notes: Position: Support

**HB 752 Assault and battery against a family or household member by strangulation; penalty.**

Patron: Cline

Summary as introduced:

Assault and battery of a family or household member by strangulation; penalty. Raises the penalty for assault and battery of a family or household member from a Class 1 misdemeanor to a Class 6 felony when the assault and battery is accomplished by strangling the victim. The bill also raises from a Class 6 to a Class 5 felony the penalty for assault and battery of a family or household member when the perpetrator has been convicted of certain prior offenses and commits the offense by strangulation. The bill also expands the list of prior offenses for which aggravated punishment is authorized to include unlawful wounding as well as malicious wounding.

02/03/12 House: Reported from Courts of Justice with substitute (18-Y 0-N)

02/03/12 House: Referred to Committee on Appropriations

02/06/12 House: Assigned App. sub: Public Safety

Notes: Position: Support

**HB 785 Following too closely; includes bicycles, electric personal assistive mobility devices, mopeds, etc.**

Patron: Lopez

Summary as introduced:

Following too closely. Includes bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds among vehicles that the driver of a motor vehicle shall not follow more closely than is reasonable.

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

01/20/12 House: Assigned Transportation sub: #2

02/01/12 House: Subcommittee recommends passing by indefinitely

Notes: Position: Support

**HB 788 Green Public Buildings Act; created.**

Patron: Lopez

Summary as introduced:

Department of General Services; Green Public Buildings Act. Requires public bodies entering the design phase for construction of a new building greater than 7,500 gross square feet in size, or renovating such a building where the cost of renovation exceeds 75 percent of the value of the building, to build to either the LEED Silver or Green Globes two globe standard. Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or by the governing body of a locality or school board for local projects. The bill provides for a delayed effective date for localities of July 1, 2013.

02/02/12 House: Subcommittee recommends striking from docket

02/09/12 House: Incorporated by General Laws (HB1167-Jones)

Notes: Position: Support

**HB 802 Virginia Pump Toll; established.**

Patrons: May, Albo and Rust

Summary as introduced:

Transportation funding and administration; Virginia Pump Toll ("FareShare"). Imposes the Virginia Pump Toll ("FareShare"), in the amount of (i) \$0.50 on each use of a retail motor fuels pump and an additional \$0.50 when purchasing 35 or more gallons; (ii) \$1.00 on each 12-gallon sale of gasoline (other than for resale) from a transport truck or tank wagon and on each 60-gallon sale of diesel fuel (other than for resale) from a transport truck or tank wagon; (iii) an amount to be determined by the Commissioner of the Department of Motor Vehicles on the bulk purchase of clean fuel other than electricity at a rate equivalent to \$1.00 times the volume of clean fuel required to fill the average size fuel tank to three quarters full; and (iv) \$0.50 on each sale of clean fuel at an electric vehicle charging service facility. Revenue from the FareShare shall be used for highway maintenance and operation in the highway construction district in which the motor fuel is sold. The amount of the FareShare increases by 10 percent every five years. The bill has a delayed effective date of January 1, 2013.

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

01/20/12 House: Assigned Finance sub: #2

02/01/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 834 Fines and fees; imposed under certain local ordinances are to be paid to school division, etc.**

Patron: Carr

Summary as introduced:

Fines under certain local ordinances paid to local school division and Literary Fund. Provides that fines imposed under certain local ordinances dealing with DUI, disposition of children in juvenile and domestic relations district courts, and appropriate provisions of Title 46.2, when those ordinances incorporate Code of Virginia provisions, are to be paid to the school division of the locality in which the fines were imposed and into the state treasury to the credit of the Literary Fund in the proportions as follows: beginning July 1, 2012, and through June 30, 2013, 67% to the local school division and 33% to the Literary Fund; beginning July 1, 2013, and through June 30, 2014, 33% to the local school board and 67% to the Literary Fund; and beginning July 1, 2014, 100% to the Literary Fund.

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

01/19/12 House: Assigned Courts sub: #1 Criminal

01/25/12 House: Subcommittee recommends passing by indefinitely

Notes: Position: Oppose

**HB 861 Vehicle and trailer immobilization; subject to removal for outstanding parking violations.**

Patrons: Rust; Senator: Herring

Summary as introduced:

Vehicle and trailer immobilization. Makes all vehicles and trailers, in addition to motor vehicles, subject to removal or immobilization for outstanding parking violations.

02/01/12 House: Subcommittee recommends reporting (7-Y 0-N)

02/07/12 House: Reported from Transportation (17-Y 0-N)

02/09/12 House: Read first time

Notes: Position: Support

**HB 882 Financial exploitation of elderly or vulnerable adults; penalty.**

Patron: Sickles

Summary as introduced:

Financial exploitation of elderly or vulnerable adults; barrier crimes; 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. The bill also prohibits a person convicted of the offense from working at a nursing home, home care organization, hospice, assisted living facility, adult day care center, or state facility of the Department of Behavioral Health and Developmental Services.

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

01/20/12 House: Assigned Courts sub: #1 Criminal

01/30/12 House: Incorporated by Courts of Justice (HB987-Loupassi)

Notes: Position: Support

**HB 888 Companion animals, tethering of; allows any locality to regulate by ordinance.**

Patron: Alexander

Summary as introduced:

Tethering of companion animals. Allows any locality to regulate by ordinance the tethering of companion animals.

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

01/23/12 House: Assigned ACNRsub: Agriculture

01/30/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 898 Highway Maintenance and Operating Fund; for transportation funding.**

Patron: Albo

Summary as introduced:

Transportation funding. Dedicates to the Highway Maintenance and Operating Fund (i) one-third of the total revenue from the insurance license tax and (ii) the amount of current state sales and use tax revenue attributable to a 0.25 percent sales and use tax rate.

02/06/12 House: Referred from Finance

02/06/12 House: Referred to Committee on Appropriations

02/07/12 House: Assigned App. sub: Transportation

Notes: Position: Oppose

**HB 909 Highway maintenance and construction; allocation of funds.**

Patron: Minchew

Summary as introduced:

Highway maintenance and construction. Prohibits allocation by the Commonwealth Transportation Board (CTB) of any funds in the Transportation Trust Fund for highway maintenance purposes.

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

01/20/12 House: Assigned Transportation sub: #4

01/26/12 House: Subcommittee recommends laying on the table

Notes: Position: Oppose

**HB 927 Purchasers of secondhand metal items; retention requirement.**

Patron: Lingamfelter

Summary as introduced:

Purchasers of secondhand metal items; retention requirement. Requires persons purchasing nonferrous scrap and proprietary articles to hold and retain them for three days from the date of purchase before selling, dismantling, defacing, or in any manner altering or disposing of them.

01/17/12 House: Assigned C & L sub: #2

02/07/12 House: Reported from Commerce and Labor with substitute (21-Y 0-N)

02/09/12 House: Read first time

Notes: Position: Support

**HB 945 Virginia Public Procurement Act; performance and payment bonds on transportation-related projects.**

Patrons: Villanueva, Cole and Helsel

Summary as introduced:

Procurement; performance and payment bonds on transportation-related projects. Raises from \$250,000 to \$500,000 the contract amount for which performance and payment bonds are required on transportation-related projects partially or wholly funded by the Commonwealth.

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

Notes: Position: Support

**HB 982 Crimes against incapacitated adults; penalty.**

Patron: Scott, J.M.

Summary as introduced:

Crimes against incapacitated adults; penalty. Provides that any person who commits an offense set forth in Chapter 4 (crimes against the person), Chapter 5 (crimes against property), or Chapter 6 (crimes involving fraud) of Title 18.2 knowing or having reason to know that the victim of the offense is an incapacitated adult is guilty of a separate and distinct Class 1 misdemeanor. The bill adds that if the offender is a person responsible for the care of the victim, punishment shall include a mandatory minimum term of confinement of 30 days if the underlying offense is a misdemeanor and a mandatory minimum term of confinement of six months if the underlying offense is a felony.

02/01/12 House: Assigned Courts sub: #1 Criminal

02/03/12 House: Incorporated by Courts of Justice (HB987-Loupassi)

Notes: Position: Support

**HB 987 Financial exploitation of elderly or incapacitated adults; penalty.**

Patrons: Loupassi, Cole, Comstock, Filler-Corn, Helsel, Hodges, Massie, Minchew, Peace, Poindexter, Ramadan, Scott, J.M., Torian, Villanueva and Watson

Summary as introduced:

Financial exploitation of elderly or incapacitated 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 incapacitated 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. The bill allows forfeiture of personal property used in connection with the crime.

02/06/12 House: Incorporates HB982, HB882, HB409

02/06/12 House: Assigned App. sub: Public Safety

Notes: Position: Support

**HB 1020 Precious metal dealers; retention of purchases for a minimum of 15 calendar days.**

Patrons: Spruill, Cosgrove and Dance

Summary as introduced:

Precious metal dealers; retention of purchases. Increases from 10 to 30 days the period that precious metal dealers must retain purchases before they may be sold.

02/01/12 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/02/12 Senate: Referred to Committee on General Laws and Technology

Notes: Position: Support

**HB 1060 Citizenship of arrestee; arresting officer to ascertain.**

Patrons: Anderson, Lingamfelter, Cole, Cox, J.A., Crockett-Stark, Helsel, Hodges and Poindexter

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. 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 finds probable cause to believe that the person will not appear for trial or hearing, the judicial officer may refuse to admit the person to bail.

01/31/12 House: Assigned Courts sub: #1 Criminal

02/08/12 House: Subcommittee recommends reporting with amendment(s) (6-Y 2-N)

Notes: Position: Oppose

**HB 1088 Reduced cigarette ignition propensity; eliminates an exemption.**

Patron: O'Bannon

Summary as passed House:

Reduced cigarette ignition propensity. Eliminates an exemption that currently allows retailers to sell from their inventory cigarettes that do not comply with reduced ignition propensity standards if the cigarettes were stamped prior to January 1, 2010, which was the effective date of the legislation establishing the standards. This measure provides that retailers will not be subject to the requirements regarding the sale of reduced ignition propensity cigarettes only with respect to sales occurring prior to January 1, 2013. Senate Bill 307 is identical.

01/30/12 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

01/31/12 Senate: Referred to Committee on Commerce and Labor

Notes: Position: Support

**HB 1100 Virginia Housing Trust Fund Authority; created, report.**

Patron: Herring

Summary as introduced:

Virginia Housing Trust Fund Authority. Creates the Virginia Housing Trust Fund Authority to administer the Virginia Housing Trust Fund also created by the bill to assist in increasing the capacity of community housing organizations and encourage private sector businesses and individuals to contribute capital to community-based housing organizations and assist them in providing safe, decent, and affordable housing to Virginia citizens. The bill sets the powers and duties of the Authority and its Board, and the lawful purposes for which the Fund may be used.

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

01/27/12 House: Assigned GL sub: #1 Housing

02/08/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 1110 Landlord and tenant laws; dwelling units.**

Patron: Greason

Summary as introduced:

Landlord and tenant law; dwelling units. Allows a plaintiff in an unlawful detainer action to submit electronic or paper copies of the lease under certain circumstances. The bill also (i) removes the four-residential-unit limitation on the exemption from licensure as a mold inspector or remediator; (ii) revises the definition of dwelling unit; (iii) allows a tenant to stay in the dwelling unit after foreclosure of the property containing the dwelling unit under certain circumstances; (iv) provides in unlawful detainer actions, the proceeding shall be dismissed if the tenant may pay the landlord or his attorney, or pay into court all: (a) rent due and owing as of the court date, (b) damages and other charges contracted for in the rental agreement, (c) late charges contracted for in the rental agreement, (d) reasonable attorney fees, and (e) costs of the proceeding; and (v) allows the landlord to recover from the tenant the tenant's prorated share of the actual costs of other insurance coverages provided by the landlord relative to the premises, including the landlord's administrative or other fees.

01/17/12 House: Assigned GL sub: #1 Housing

02/08/12 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N)

02/09/12 House: Reported from General Laws with substitute (21-Y 0-N)

Notes: Position: Oppose

**HB 1111 Statewide Fire Prevention Code & Uniform Statewide Building Code; fees for enforcement and appeals.**

Patron: Greason

Summary as introduced:

Fees for enforcement and appeals under Statewide Fire Prevention Code and Uniform Statewide Building Code. Defines the term "defray the cost" for purposes of fees authorized to be collected by a locality for costs for enforcement and appeals of the application of the Statewide Fire Prevention Code and the Uniform Statewide Building Code.

01/17/12 House: Assigned GL sub: #1 Housing

02/08/12 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N)

02/09/12 House: Reported from General Laws with substitute (21-Y 0-N)

Notes: Position: Oppose

**HB 1149 Freedom of Information Act; electronic communication meetings by local and regional public bodies.**

Patron: Dudenhefer

Summary as introduced:

Freedom of Information Act; electronic communication meetings by local and regional public bodies. Expands the authority for the conduct of electronic communication meetings to all public bodies. Currently, local public bodies are prohibited from conducting public meetings in this manner, except when the Governor declares a state of emergency. The bill contains technical amendments.

01/16/12 House: Referred to Committee on General Laws

01/20/12 House: Assigned GL sub: #2 FOIA/Procurement

Notes: Position: Support

**HB 1193 Public procurement; posting by local public bodies of procurement opportunities.**

Patron: Villanueva

Summary as introduced:

Public procurement; posting by local public bodies of procurement opportunities. Requires local public bodies to post required procurement notices on the Department of General Services' central electronic procurement website and makes newspaper publication optional. Currently, only state public bodies are required to post procurement notices on the Department of General Services' central electronic procurement website.

02/09/12 House: Reported from General Laws (15-Y 6-N)

Notes: Position: Support

**HB 1196 Zoning provisions; private schools and child day centers operated by religious institutions.**

Patron: Cole

Summary as introduced:

Zoning provisions for private schools and child day centers; religious institutions. Provides that zoning ordinances for all purposes shall consider (i) private schools operated by a religious institution and (ii) certain child day centers operated by a religious institution as permitted uses in any zoning classification in which religious institutions are a permitted use.

01/19/12 House: Referred to Committee on Counties, Cities and Towns

01/25/12 House: Assigned CC & T sub: #2

02/09/12 House: Subcommittee recommends laying on the table (11-Y 0-N)

Notes: Position: Oppose

**HB 1232 Virginia Public Procurement Act; resident employment and apprenticeship participation, required.**

Patron: Morrissey

Summary as introduced:

Virginia Public Procurement Act; resident employment and apprenticeship participation; required contract provisions. Requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within Virginia provisions requiring the contractor to agree (i) that 51 percent of all positions created in performance of the contract be filled by Virginia residents, (ii) that 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and (iii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" shall not include a position that is filled by a current employee of the contractor or an individual previously laid off by him.

01/20/12 House: Referred to Committee on General Laws

02/07/12 House: Assigned GL sub: #2 FOIA/Procurement

02/09/12 House: Subcommittee recommends laying on the table

Notes: Position: Oppose

**HB 1235 Virginia Public Procurement Act; contract pricing arrangements.**

Patron: Massie

Summary as introduced:

Virginia Public Procurement Act; contract pricing arrangements. Provides that the award of a public contract may be made on the basis of cost plus a percentage of the private investment made by a private entity in cases of the procurement of commercial or financial consulting services related to a qualifying transportation facility under the Public-Private Transportation Act or a qualifying project under the Public-Private Education Facilities and Infrastructure Act, where the commercial or financial consulting services are sought to solicit or to solicit and evaluate proposals for the qualifying transportation facility or the qualifying project. The bill defines "private entity," "qualifying transportation facility," and "qualifying project."

02/09/12 House: Subcommittee recommends reporting (7-Y 0-N)

02/09/12 House: Subcommittee recommends referring to Committee on Appropriations

02/09/12 House: Reported from General Laws (21-Y 0-N)

02/09/12 House: Referred to Committee on Appropriations

Notes: Position: Oppose

**HB 1241 Motor fuels tax; required to be indexed starting on January 1, 2014.**

Patron: Purkey

Summary as introduced:

Motor fuels tax; indexed. Requires that the motor fuels tax rate be indexed on January 1, 2014, and each year thereafter, to the average percentage change in the U.S. Department of Transportation's Transportation Services Index for the three years ending October 31 of the year immediately preceding the affected year.

01/20/12 House: Referred to Committee on Finance

01/24/12 House: Assigned Finance sub: #2

02/08/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 1248 Transportation; provides for construction, operation, maintenance, and funding, report.**

Patrons: Lingamfelter, Rust, Cole, Albo and Cox, M.K.

Summary as introduced:

Transportation construction, operation and maintenance, and funding. Provides for the construction, maintenance, and funding of transportation by (i) creating transportation construction districts and the Transportation Improvement District Fund to identify, construct, and fund certain transportation projects, including the authority to issue revenue bonds; (ii) creating the Virginia Toll Road Authority to fund transportation projects through tolls and other charges, (iii) increasing the dedicated transportation allocation of the sales and use tax from 0.5 percent to 0.75 percent, phased in over eight years, with the additional revenue dedicated for highway maintenance and operation, (iv) increasing transportation's share of year-end surpluses to 75 percent, (v) dedicating a portion of revenue growth each year to transportation, and (vi) requiring localities to create transportation plans as part of comprehensive planning.

The bill also authorizes the Commonwealth Transportation Board (CTB) to name highways, bridges, interchanges, and other transportation facilities for private entities if an annual naming rights fee is paid, with the revenue dedicated to highway maintenance and operation. The bill also charges the CTB with greater responsibilities involving integration of land use and transportation planning and authorizes the CTB to withhold federal and state funds for certain local or regional capital improvement projects if those projects are inconsistent with the

Statewide Transportation Plan or the Six-Year Improvement Program. Provision is made for use of "revenue-sharing" funds for secondary highway system maintenance projects carried out by local governments. The bill also provides for special allocations by the CTB for bridge reconstruction, high priority highway projects, and reconstruction of highways with particularly deteriorated pavements. It also provides for the performance of maintenance projects directly by VDOT when it can be demonstrated to the Commissioner or the CTB that VDOT can do it at lesser cost than an outside contractor.

01/20/12 House: Referred to Committee on Appropriations

02/10/12 House: Committee recommends reporting with amendments

Notes: Position: Oppose

**HB 1252 Construction of structures affecting navigable airspace; technical review.**

Patron: Knight

Summary as introduced:

Construction of structures affecting navigable airspace; technical review. Requires the Virginia Aviation Board, upon request by a locality, to issue a nonbinding technical review of the effects that certain proposed construction will have on navigable airspace. The bill provides that for each proposed structure that does not require a Board permit under § 5.1-25.1 but nevertheless will stand at least 200 feet high or within 20,000 feet of an airport, the locality in which the structure is to be located is required to obtain and consider a technical airspace review from the Board. The bill also requires each political subdivision in the Commonwealth to protect airspace within its jurisdiction by ordinance or action.

01/27/12 House: Assigned Transportation sub: #1

01/31/12 House: Subcommittee recommends striking from docket

02/02/12 House: Passed by indefinitely in Transportation

Notes: Position: Oppose

**HB 1280 Psychiatric hospital admissions; local inmates.**

Patron: Stolle

Summary as introduced:

Psychiatric hospital admissions; local inmates. Amends the criteria for psychiatric inpatient admission for inmates at local correctional facilities to add mentally ill inmates for whom there exists a substantial likelihood that they will suffer serious harm due to their lack of capacity to protect themselves from harm or to provide for their basic human needs. Under current law the standard is that the mentally ill inmate will cause serious physical harm to himself or others as evidenced by recent behavior causing, attempting or threatening harm.

01/20/12 House: Referred to Committee for Courts of Justice

01/24/12 House: Assigned Courts sub: #5 Mental Health

02/06/12 House: Subcommittee recommends reporting (5-Y 0-N)

Notes: Position: Support

**HB 1282 Tuition, in-state; and educational benefits for unlawfully present aliens.**

Patron: Cline

Summary as introduced:

In-state tuition; unlawfully present aliens. Makes an alien who is unlawfully present in the United States ineligible on the basis of residency within Virginia for any postsecondary educational benefit including, but not limited to, in-state tuition and state financial aid.

01/20/12 House: Referred to Committee for Courts of Justice

Notes: Position: Oppose

**HB 1294 Churches, synagogues, etc.; localities shall not charge an assembly fee or any similar fee.**

Patrons: Spruill, Alexander, Anderson, Cline, Cosgrove, Cox, J.A., Cox, M.K., Dance, Garrett, Gilbert, Herring, Iaquinto, Ingram, James, Joannou, Jones, Kilgore, Knight, Landes, Marshall, D.W., Morris, O'Bannon, Peace, Robinson, Rush, Torian, Villanueva and Ware, O.; Senators: Blevins, Lucas and Miller, Y.B.

Summary as introduced:

Prohibition of certain local fees. Provides that localities shall not charge an operational permit fee, assembly fee, or any similar fee to any religious institution.

02/08/12 House: Read third time and passed House BLOCK VOTE (98-Y 0-N)

02/09/12 Senate: Referred to Committee on Local Government

Notes: Position: Oppose

**SB 75 Mortgage loan originators; exempts from licensing employees of bona fide nonprofit organizations.**

Patron: Watkins

Summary as introduced:

Mortgage loan originators; exempts from licensing employees of bona fide nonprofit organizations; technical changes. Allows the SCC to prescribe by regulation what constitutes a bona fide nonprofit organization. Changes "acting as" a mortgage broker to "engages in the business" of a mortgage loan originator and other technical changes. This bill is recommended by the Virginia Housing Commission.

01/20/12 Senate: Passed Senate (39-Y 0-N)

Notes: Position: Support

**SB 193 Freedom of Information Act; cell phone numbers; EMS personnel and firefighters.**

Patron: Miller, J.C.

Summary as introduced:

Freedom of Information Act; exemption for cell phone numbers for EMS personnel and firefighters. Provides an exemption from the mandatory disclosure provisions of the Freedom of Information Act for records of a fire/EMS department, to the extent that they disclose the telephone numbers for cellular telephones, pagers, or comparable portable communication devices provided to its personnel for use in the performance of their official duties.

01/10/12 Senate: Referred to Committee on General Laws and Technology

01/24/12 Senate: Assigned GL&T sub: #1

Notes: Position: Support

**SB 228 Vehicle and trailer immobilization; subject to removal for outstanding parking violations.**

Patron: Herring

Summary as introduced:

Vehicle and trailer immobilization. Makes all vehicles and trailers, in addition to motor vehicles, subject to removal or immobilization for outstanding parking violations.

01/18/12 Senate: Reported from Transportation (14-Y 0-N)

01/24/12 Senate: Read third time and passed Senate (40-Y 0-N)

Notes: Position: Support

**SB 285 Crimes against incapacitated or elder adults; penalty.**

Patron: Herring

Summary as introduced:

Crimes against incapacitated or elder adults; penalty. Provides that any person who commits an offense set forth in Chapter 4 (crimes against the person), Chapter 5 (crimes against property), or Chapter 6 (crimes involving fraud) of Title 18.2, knowing or having reason to know that the victim of the offense is an incapacitated or elder adult, is guilty of a separate and distinct Class 1 misdemeanor if the underlying offense is a misdemeanor and a separate and distinct Class 6 felony if the underlying offense is a felony. The bill also provides that if the offender is a person responsible for the care of the victim, punishment shall include a mandatory minimum term of confinement of 30 days if the underlying offense is a misdemeanor and a mandatory minimum term of confinement of six months if the underlying offense is a felony.

01/10/12 Senate: Referred to Committee for Courts of Justice

02/01/12 Senate: Incorporated by Courts of Justice (SB431-Stuart) (14-Y 0-N)

Notes: Position: Support

**SB 298 Virginia Retirement System; fiscal impact analysis of employer contribution rates.**

Patron: Howell

Summary as introduced:

Virginia Retirement System; fiscal impact analysis of employer contribution rates. Requires the Board of the Virginia Retirement System to conduct a fiscal impact analysis whenever the appropriation for employer contribution rates included in the budget bill submitted by the Governor to the General Assembly is less than the Board-certified contribution rate, or when either house of the General Assembly adopts an amendment to the budget appropriating less than the Board-certified contribution rate.

01/31/12 Senate: Reported from Finance (15-Y 0-N)

02/03/12 Senate: Read third time and passed Senate (38-Y 0-N)

Notes: Position: Support

**SB 299 Kinship foster care placements; Commissioner of Social Services may grant variance from requirement.**

Patron: Howell

Summary as introduced:

Kinship foster care placements. Provides that the Commissioner of Social Services may grant a variance from requirements governing approval of foster homes for children if the placement is a kinship foster care placement, the requirement would impose a hardship on the kinship foster care provider, and the variance will not adversely affect the safety and well-being of the child.

The bill also provides that a local board of social services or child-placing agency may approve a kinship foster care provider who has been convicted of a felony related to the possession of drugs

other than felony offenses related to possession with the intent to distribute drugs, a misdemeanor conviction for arson, or an equivalent offense in another state, provided 10 years have elapsed since the date of the conviction and the local board or child-placing agency makes a specific finding that the placement would not endanger the safety or well-being of the child.

01/31/12 Senate: Engrossed by Senate - committee substitute SB299S1

02/01/12 Senate: Read third time and passed Senate (36-Y 3-N)

Notes: Position: Support

**SB 301 Sexual assault response teams; State attorney to invite chiefs of campus police to annual meeting.**

Patron: Howell

Summary as introduced:

Sexual assault response teams; addition of campus police. Requires each attorney for the Commonwealth to invite any chiefs of campus police located within the jurisdiction to the annual SART meeting.

01/17/12 Senate: Reported from Local Government (14-Y 0-N)

01/23/12 Senate: Read third time and passed Senate (40-Y 0-N)

Notes: Position: Support

**SB 302 Campus police; mutual aid agreements with local law-enforcement agencies and State Police.**

Patron: Howell

Summary as introduced:

Campus police; MAAs with local law-enforcement agencies. Requires campus police to enter into mutual aid agreements with a local law-enforcement agency or the State Police for cooperation in providing assistance with the investigation of deaths and alleged rapes occurring on college campuses.

02/06/12 Senate: Committee substitute agreed to 12104427D-S1

02/07/12 Senate: Read third time and passed Senate (40-Y 0-N)

Notes: Position: Support

**SB 307 Reduced cigarette ignition propensity; eliminates an exemption.**

Patron: Blevins

Summary as introduced:

Reduced cigarette ignition propensity. Eliminates an exemption that currently allows retailers to sell from their inventory cigarettes that do not comply with reduced ignition propensity standards if the cigarettes were stamped prior to January 1, 2010, which was the effective date of the legislation establishing the standards. This measure provides that retailers will not be subject to the requirements regarding the sale of reduced ignition propensity cigarettes only with respect to sales occurring prior to July 1, 2012.

01/26/12 Senate: Committee amendment agreed to

01/27/12 Senate: Read third time and passed Senate (39-Y 0-N)

Notes: Position: Support

**SB 312 Four-for-Life; substantive review.**

Patron: Blevins

Summary as introduced:

Four-for-Life; substantive review. Requires that a reallocation of moneys set aside from the Four-for-Life fees be made pursuant to legislation that has been reviewed by the House Health, Welfare and Institutions Committee and the Senate Committee on Education and Health. The bill includes technical amendments.

01/18/12 Senate: Reported from Transportation (14-Y 0-N)

01/18/12 Senate: Rereferred to Finance

01/31/12 Senate: Continued to 2013 in Finance (15-Y 0-N)

Notes: Position: Support

**SB 364 Towing; allows police-requested towing to be initiated by employees authorized by local agency.**

Patron: Deeds

Summary as passed Senate:

Police-requested vehicular towing. Allows "police-requested towing" to be initiated by uniformed employees of the local police department who are authorized to do so by the chief local law enforcement officer.

01/31/12 Senate: Passed Senate (40-Y 0-N)

Notes: Position: Support

**SB 407 Erosion & Sediment Control, Stormwater, & Chesapeake Bay Preservation Acts; integration of programs.**

Patrons: Hanger and Stuart

Summary as introduced:

Integration of agencies' programs. Integrates elements of the Erosion and Sediment Control Act, the Stormwater Act, and Chesapeake Bay Preservation Act so that these regulatory programs can be implemented in a consolidated and consistent manner, resulting in greater efficiencies (one-stop shopping) for those being regulated. The bill also eliminates the Chesapeake Bay Local Assistance Board and places its responsibilities with the Virginia Soil and Water Conservation Board.

01/31/12 Senate: Committee substitute agreed to 12104788D-S1

02/01/12 Senate: Read third time and passed Senate (35-Y 4-N)

Notes: Position: Support

**SB 431 Financial exploitation of elderly or incapacitated adults; penalty.**

Patrons: Stuart, Herring, Vogel and Ruff

Summary as introduced:

Financial exploitation of elderly or incapacitated 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 incapacitated 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. The bill allows forfeiture of personal property used in connection with the crime.

02/09/12 Senate: Reading of substitute waived

02/09/12 Senate: Committee substitute agreed to 12104967D-S1

Notes: Position: Support

**SB 443 Financial exploitation of elderly or vulnerable adults; penalty.**

Patron: Vogel

Summary as introduced:

Financial exploitation of elderly or vulnerable adults; penalty. Provides that it unlawful 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. A violation is deemed larceny unless the violation is by a caregiver or person with a fiduciary relationship in which case it is a Class 3 felony. The bill also allows forfeiture of personal property used in connection with the crime.

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

02/01/12 Senate: Incorporated by Courts of Justice (SB431-Stuart) (14-Y 0-N)

Notes: Position: Support

**SB 445 Protective orders, permanent; provides circuit court jurisdiction to hear petitions to modify.**

Patron: Vogel

Summary as passed Senate:

Permanent protective orders. Provides a circuit court jurisdiction to hear petitions to modify, dissolve, or extend a permanent protective order if the circuit court issued the order. The bill requires the court, when a protective order is issued, to enter and transfer identifying information to the Virginia Criminal Information Network (VCIN) system. Circuit court clerks who are not currently using the Statewide Case Management System shall provide protective orders directly to the Virginia Criminal Information Network in an electronic format approved by the Department of State Police.

02/01/12 Senate: Committee amendment agreed to

02/02/12 Senate: Read third time and passed Senate (40-Y 0-N)

Notes: Position: Support

**SB 454 Handicapped parking; allows localities by ordinance to grant free parking.**

Patron: Vogel

Summary as introduced:

Handicapped parking. Allows localities by ordinance to grant four hours free parking to vehicles exhibiting disabled parking indicia in some places while not granting such free parking in other places.

01/18/12 Senate: Reported from Transportation (12-Y 2-N)

01/24/12 Senate: Read third time and passed Senate (36-Y 4-N)

Notes: Position: Support

**SB 525 Virginia Public Procurement Act; preference for local products and firms.**

Patron: Marsh

Summary as introduced:

Virginia Public Procurement Act; preference for local products and firms; applicability. Authorizes localities to apply a preference for bidders or offerors located in the locality of up to 10 percent, provided (i) for competitive sealed bidding the percentage of the discount is stated in the Invitation to Bid, (ii) for competitive negotiations the percentage of the increase is stated in the Request for Proposal, and (iii) the discount percentage or increase percentage is included in the informal solicitation for small purchase.

01/30/12 Senate: Passed by indefinitely in General Laws and Technology (14-Y 0-N)

Notes: Position: Oppose

**SB 526 Virginia Public Procurement Act; permissive contract provisions for localities.**

Patron: Marsh

Summary as introduced:

Virginia Public Procurement Act; permissive contract provisions for localities; resident employment. Authorizes any locality to include in its contracts a provision requiring the contractor to ensure that a specified percentage, not to exceed 20 percent, of the work under the contract be performed by residents of the locality.

01/30/12 Senate: Passed by indefinitely in General Laws and Technology (14-Y 0-N)

Notes: Position: Oppose

**SB 539 Forward energy pricing; authorizes any public body to use mechanisms for budget risk reduction.**

Patron: Puller

Summary as introduced:

Procurement; forward energy pricing. Authorizes any public body to use forward pricing mechanisms for budget risk reduction. Forward pricing mechanisms are contracts or financial instruments that obligate the public body to buy or sell a specified quantity of energy at a future date at a set price or provide the option to buy or sell the contract or financial instrument. Forward pricing mechanism transactions may be made only if (i) the quantity of energy affected by the mechanism does not exceed the estimated energy use for the public body for the same period, (ii) the period of the mechanism does not exceed 48 months, (iii) a separate account is established for operational energy for the public body, (iv) the public body develops written policies and procedures, and (v) the public body establishes an oversight process.

02/02/12 Senate: Committee amendments agreed to

02/03/12 Senate: Read third time and passed Senate (38-Y 0-N)

Notes: Position: Support

**SB 551 Real estate tax; counties may establish discount no greater than 5 percent for payment in full.**

Patron: Puller

Summary as introduced:

Real property tax; discount for payment in full. Allows a locality to provide, by ordinance, a discount for the payment of real estate taxes in full on or before the due date.

02/03/12 Senate: Committee amendment agreed to

02/06/12 Senate: Read third time and passed Senate (40-Y 0-N)

Notes: Position: Support

**SB 552 Eligibility for TANF; drug-related felonies.**

Patron: Favola

Summary as introduced:

Eligibility for TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families 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 and the Department of Social Services, is actively engaged in or has completed substance abuse treatment, and participates in drug screenings.

02/03/12 Senate: Reported from Rehabilitation and Social Services with substitute (15-Y 0-N)

02/03/12 Senate: Rereferred to Finance

02/09/12 Senate: Reported from Finance with amendment (12-Y 2-N)

Notes: Position: Support

**SB 553 School divisions, local; may use unexpended state funds to provide one-time bonus to teachers.**

Patron: Favola

Summary as introduced:

Local school divisions; unexpended state funds. Provides that local school divisions may elect to use any unexpended state funds to provide a one-time bonus to all teachers of up to three percent of the annual base salary.

01/26/12 Senate: Reported from Education and Health (11-Y 4-N)

01/26/12 Senate: Rereferred to Finance

02/09/12 Senate: Continued to 2013 in Finance (15-Y 0-N)

Notes: Position: Oppose

**SB 556 Pawnbrokers; holding period for purchases.**

Patron: Miller, Y.B.

Summary as introduced:

Pawnbrokers; holding period for purchases. Requires pawnbrokers to retain all purchased goods intact for a minimum of 15 calendar days from the date the goods were purchased.

01/16/12 Senate: Referred to Committee on General Laws and Technology

01/24/12 Senate: Assigned GL&T sub: #1

Notes: Position: Support

**SB 558 Forfeited drug assets; redirection of assets to construction of Public Safety Memorial.**

Patrons: Colgan and Obenshain

Summary as introduced:

Redirection of forfeited drug assets to construction of Commonwealth Public Safety Memorial. Provides that between July 1, 2012, and July 1, 2014, state and local agencies may direct cash funds and proceeds from forfeited drug assets to the Virginia Public Safety Foundation to support the construction of the Commonwealth Public Safety Memorial. Funding decisions shall be made following an internal analysis that determines contributions will not negatively impact law-enforcement training or operations.

02/08/12 Senate: Committee substitute agreed to 12105134D-S1

02/09/12 Senate: Read third time and passed Senate (40-Y 0-N)

Notes: Position: Oppose

**SB 572 Virginia Public Procurement Act; preference for local businesses.**

Patron: Vogel

Summary as introduced:

Virginia Public Procurement Act; preference for local businesses. Allows a locality to give a procurement preference to persons, firms, or corporations having principal places of business in the locality if such bidder's bid is within five percent of the lowest bid. The bill provides that prior to awarding a contract under the preference, the locality must certify in writing that (i) exercising the preference provides goods, services, and construction comparable in quality to that of other non-local bids and (ii) using a local business provides beneficial economic effects in the community through creating and sustaining local jobs and by generating local tax revenues.

01/30/12 Senate: Passed by indefinitely in General Laws and Technology (14-Y 0-N)

Notes: Position: Oppose

**SB 589 Virginia Public Procurement Act; resident employment and apprenticeship participation.**

Patrons: Deeds and Edwards

Summary as introduced:

Virginia Public Procurement Act; resident employment and apprenticeship participation; required contract provisions. Requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within the Commonwealth provisions requiring the contractor to agree (i) that 51 percent of all positions created in performance of the contract be filled by Virginia residents, (ii) that 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and (iii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" shall not include a position that is filled by a current employee of the contractor or an individual who was previously laid off by the contractor.

01/30/12 Senate: Passed by indefinitely in General Laws and Technology (12-Y 2-N)

Notes: Position: Oppose

**SB 614 Local sales tax distribution; correction of erroneous payments.**

Patron: Edwards

Summary as introduced:

Local sales tax distribution; correction of erroneous payments. Requires the state to make adjustments in the next month's distribution of sales tax revenues to a locality after it is discovered that an error in payment was made. Current law allows the adjustment to be made over a period of six months.

01/25/12 Senate: Reported from Finance (10-Y 5-N)

01/30/12 Senate: Read third time and passed Senate (28-Y 12-N)

Notes: Position: Support

**SB 640 Capital improvements; no locality shall approve project involving locality's courthouse, etc.**

Patron: Ruff

Summary as introduced:

Capital improvement; courthouses. Provides that no locality shall approve a capital project involving the locality's courthouse until such time as the United States Gross Domestic Product Annual Growth Rate is three percent or greater.

01/20/12 Senate: Referred to Committee on Local Government

02/07/12 Senate: Failed to report (defeated) in Local Government (6-Y 9-N)

Notes: Position: Oppose

**SB 671 Retail sales and transient occupancy taxes; taxes on room rentals based upon charges for use, etc.**

Patron: Hanger

Summary as introduced:

Retail sales and transient occupancy taxes on room rentals. Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill would require the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The effective date of the bill is January 1, 2013.

01/20/12 Senate: Referred to Committee on Finance

02/07/12 Senate: Continued to 2013 in Finance (15-Y 0-N)

Notes: Position: Support

**SJ 5 Constitutional amendment; contributions to defined benefit retirement plan maintained for employees.**

Patron: Howell

Summary as introduced:

Constitutional amendment (first resolution); contributions to defined benefit retirement plans maintained for employees. Requires that contributions to defined benefit retirement plans that are maintained for state employees and employees of participating political subdivisions and school divisions be made in strict adherence with contribution rates and times for the payment of the contributions as recommended by the Board of Trustees of the Virginia Retirement System (VRS).

Under the resolution, for the six fiscal years beginning on and after July 1, 2014, the General Assembly could make contributions at a rate that is less than the VRS recommended contribution rate without any deferred contributions being recognized so long as the contributions are at least equal to certain minimum amounts. In addition, for fiscal years beginning on or after July 1, 2020, the General Assembly could provide for the deferral of all or any portion of such contributions for any fiscal year in which the maximum amount is appropriated from the Revenue Stabilization Fund by a separate vote of a majority of all the members voting in each house. All contributions deferred would be required to be repaid within 10 years at an annual interest rate equal to the current actuarially calculated long-term rate of return as determined by

VRS. The resolution also requires that retirement contributions deferred in 2010 be repaid by June 30, 2022.

The resolution also specifies how certain other factors and variables used in setting contribution rates are to be determined.

12/19/11 Senate: Referred to Committee on Privileges and Elections

01/17/12 Senate: Continued to 2013 in Privileges and Elections (15-Y 0-N)

Notes: Position: Support

**SJ 96 ICPRB; joint subcommittee to study State's withdrawal & effects upon source of drinking water, etc.**

Patron: Marsden

Summary as introduced:

Study; joint subcommittee to study Virginia's withdrawal from ICPRB; report. Establishes a joint subcommittee to study Virginia's withdrawal from the Interstate Commission on the Potomac River Basin and its effects upon the viability of the Potomac as a source of drinking water, recreation, and other benefits.

01/12/12 Senate: Referred to Committee on Rules

Notes: Position: Support

## **Current Status of City Package Bills February 10, 2012**

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**HB 5 Constitutional amendment; taking or damaging of private property for public use.**

Patrons: Bell, Robert B., Byron, Cole, Head, Hodges, Joannou, Massie, Morris, O'Bannon, Poindexter, Ramadan, Rush, Scott, E.T. and Webert

Summary as introduced: Constitutional amendment (voter referendum); taking or damaging of private property; public use. Provides for a referendum at the November 6, 2012, election to approve or reject an amendment eliminating the General Assembly's authority to define a public use for which private property may be taken or damaged and providing that no private property shall be taken or damaged for a public use without just compensation to the property owner and that only so much of the property as is necessary to achieve the public use is taken or damaged.

02/10/12 House: Reported from Privileges and Elections with amendments (22-Y 0-N)

Notes: Position: Oppose

**HB 15 School calendar; setting and determining opening of school year.**

Patrons: Habeeb, Greason, Albo, Anderson, BaCote, Brink, Bulova, Carr, Cline, Comstock, Cox, M.K., Crockett-Stark, Dance, Dudenhefer, Edmunds, Englin, Fariss, Filler-Corn, Garrett, Head, Helsel, Herring, Hodges, Hope, Howell, A.T., Johnson, Keam, Kilgore, Kory, LeMunyon, Lopez, Marshall, D.W., May, McClellan, McQuinn, Merricks, Minchew, Morefield, Morrissey, O'Quinn, Orrock, Plum, Putney, Ramadan, Robinson, Rush, Rust, Scott, J.M., Stolle, Surovell, Tata, Torian, Toscano, Tyler, Ward, Ware, O., Ware, R.L., Webert, Wilt, Wright and Yost

Summary as introduced: School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year.

12/02/11 House: Referred to Committee on Education

01/13/12 House: Assigned Education sub: Teachers and Admin. Action

01/26/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 43 School calendar; setting and determining opening of school year.**

Patrons: Tata, Kory and Rust

Summary as introduced: Public schools; opening of the school year. Allows local school boards to set the school calendar so that the first day students are required to attend school shall be no earlier than two weeks prior to Labor Day and no later than the day after Labor Day.

01/13/12 House: Assigned Education sub: Teachers and Admin. Action

01/26/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 86 School calendar; setting and determining opening of school year.**

Patrons: Greason and Surovell

Summary as introduced:

School calendar. Makes local school boards responsible for setting the opening day of the year.

01/13/12 House: Assigned Education sub: Teachers and Admin. Action

01/26/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 113 School calendar; setting and determining opening of school year.**

Patron: Morrissey

Summary as introduced: School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school.

12/02/11 House: Referred to Committee on Education

01/13/12 House: Assigned Education sub: Teachers and Admin. Action

01/26/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 144 Virginia Preschool Initiative Local Grant Program; created.**

Patrons: Englin, Filler-Corn and Surovell

Summary as introduced:

Virginia Preschool Initiative Local Grant Program. Creates a grant program to be administered by the Department of Education to improve training for preschool educators; create, outfit, or expand preschool classrooms; implement the Virginia Quality Rating and Improvement System; ensure the availability of preschool education for the children of veterans; and create innovative early childhood programs for rural communities where access to services is difficult. The grant program shall be funded by the unused moneys allocated towards the Virginia Preschool Initiative. Grants shall be awarded pursuant to a competitive request for proposals process designed to ensure that all service providers in the Commonwealth, regardless of size or geographic location, are afforded the opportunity to apply for funds.

01/23/12 House: Reported from Education (21-Y 1-N)

01/23/12 House: Referred to Committee on Appropriations

01/24/12 House: Assigned App. sub: Elementary & Secondary Education

02/06/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 254 School calendar; local school boards allowed to set opening of school year.**

Patrons: Stolle and Surovell

Summary as introduced: Public schools; opening of the school year. Allows local school boards, for years in which Labor Day falls on September 5 or later, to set the school calendar so that the first day of school is no earlier than one week before Labor Day.

01/13/12 House: Assigned Education sub: Teachers and Admin. Action

01/26/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 312 Electric and natural gas utilities; energy efficiency programs.**

Patron: Ware, R.L.

Summary as introduced: Utility energy efficiency programs. Provides that an energy efficiency program proposed by an electric utility is in the public interest if the net present value of the benefits exceeds the net present value of the costs as determined by any three of four benefit cost tests. The four tests to be considered are the Total Resource Cost Test, the Utility Cost Test (also referred to as the Program Administrator Test), the Participant Test, and the Ratepayer Impact Measure Test. An electric utility's energy efficiency program may be deemed to be in the public interest if it provides measurable and verifiable energy savings to low-income customers or

elderly customers. The current standard for what constitutes a cost-effective conservation and energy efficiency program conducted by a natural gas utility is revised to conform to these new provisions for electric utilities. Finally, the measure expands the definition of "energy efficiency program" with regard to electric utilities to include customer engagement programs that result in measurable and verifiable energy savings that lead to efficient use patterns and practices.

01/10/12 House: Referred to Committee on Commerce and Labor

01/19/12 House: Stricken from docket by Commerce and Labor

Notes: Position: Support

**HB 434 School calendar; setting and determining opening of school year.**

Patrons: Tata and Surovell

Summary as introduced: School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year.

01/13/12 House: Assigned Education sub: Teachers and Admin. Action

01/26/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 602 School calendar; local school divisions to set.**

Patron: LeMunyon

Summary as introduced: Public schools; opening of the school year. Allows local school divisions to set the school calendar so that the first day students are required to attend must be no earlier than the fourth Monday in August.

01/18/12 House: Assigned Education sub: Teachers and Admin. Action

01/26/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 613 Public employment; prohibits discrimination.**

Patron: LeMunyon

Summary as introduced: Public employment; nondiscrimination. Prohibits discrimination in public employment based on race, color, religion, political affiliation, national origin, sex, age, disability, or any other reason except reasons related to qualifications, ability, or performance.

01/10/12 House: Referred to Committee on General Laws

02/03/12 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

02/07/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 653 School calendar; local school boards responsible for setting and determining opening of school year.**

Patrons: Kory, Albo, Brink, Bulova, Comstock, Filler-Corn, Scott, J.M. and Surovell; Senators: Ebbin, Favola and Petersen

Summary as introduced: School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year.

01/18/12 House: Assigned Education sub: Teachers and Admin. Action

01/26/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 692 Public employment; prohibits discrimination based on sexual orientation, race, etc.**

Patrons: Plum and Scott, J.M.

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, political affiliation, age, marital status, disability, sexual orientation, or status as a veteran.

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

02/03/12 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

02/07/12 House: Subcommittee recommends incorporating (HB613-LeMunyon)

Notes: Position: Support

**HB 894 Electric and natural gas utilities; energy efficiency programs.**

Patrons: Ware, R.L., Cosgrove, Alexander, Englin, Joannou, Keam, Kory, Lewis, Lopez, McClellan, Plum, Purkey, Tyler and Ward

Summary as introduced: Utility energy efficiency programs. Provides that an energy efficiency program proposed by an electric utility is in the public interest if the net present value of the benefits exceeds the net present value of the costs as determined by any three of four benefit cost tests. The four tests to be considered are the Total Resource Cost Test, the Utility Cost Test (also referred to as the Program Administrator Test), the Participant Test, and the Ratepayer Impact Measure Test. An electric utility's energy efficiency program may be deemed to be in the public interest if it provides measurable and verifiable energy savings to low-income customers or elderly customers. Finally, the measure expands the definition of "energy efficiency program" with regard to electric utilities to include customer engagement programs that result in measurable and verifiable energy savings that lead to efficient use patterns and practices.

01/26/12 House: Passed House (98-Y 1-N 1-A)

01/27/12 Senate: Referred to Committee on Commerce and Labor

Notes: Position: Support

**HB 1003 Employment discrimination; no employer shall discharge on basis of age.**

Patrons: Ramadan and Herring

Summary as introduced: Human Rights Council; causes of action for discrimination. Provides that no employer employing more than five but less than 20 persons shall discharge any such employee on the basis of age if the employee is 40 years of age or older. Currently, the protection against age discrimination applies to an employer employing more than five but less than 15 persons. Federal law applies to workplaces with 20 or more employees.

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

02/03/12 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

02/07/12 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N)

Notes: Position: Support

**HB 1027 Motor fuels tax; permits two or more localities to impose.**

Patron: Englin

Summary as introduced: Local motor fuels tax. Permits two or more localities to impose a 2.1% local motor fuels tax to pay for the construction or operation of high capacity transit systems.

02/06/12 House: Passed by indefinitely in Finance

Notes: Position: Support

**HB 1063 School calendar; setting and determining opening of school year.**

Patrons: Tata, Greason, Habeeb, LeMunyon, Albo, BaCote, Bell, Richard P., Brink, Bulova, Carr, Comstock, Dance, Englin, Farrell, Filler-Corn, Garrett, Herring, Hope, Johnson, Keam, Kory, Lopez, McClellan, Merricks, Morrissey, Plum, Ramadan, Robinson, Rush, Rust, Scott, J.M., Sickles, Spruill, Surovell, Torian, Toscano, Ward, Ware, O., Watts, Wright and Yost  
Summary as introduced: School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year.

02/02/12 House: Read third time and passed House (78-Y 23-N)

02/03/12 Senate: Referred to Committee on Education and Health

Notes: Position: Support

**HB 1099 Employment discrimination; circumstances creating an individual cause of action.**

Patron: Herring

Summary as introduced: Employment discrimination; liability. Expands the circumstances creating an individual cause of action regarding employment discrimination by employers with more than five but fewer than 15 employees. Currently, discharging an employee on the basis of race, national origin, sex, and other status is actionable; the measure adds that the failure or refusal to hire or other discrimination against an individual on such a basis is actionable, and prohibits discrimination based on sexual orientation. Currently, discrimination against employees 40 years old or older is actionable if the employer has fewer than 15 employees; this measure increases the maximum to 20 employees. The measure adds that demonstrated compliance by an employer with any federal law or regulation is an affirmative defense to any claim. 01/11/12 House: Referred to Committee on General Laws

02/03/12 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

02/07/12 House: Subcommittee recommends incorporating (HB1003-Ramadan)

Notes: Position: Support

**HJ 3 Constitutional amendment; taking or damaging of private property for public use.**

Patrons: Bell, Robert B., Byron, Cole, Head, Helsel, Hodges, Landes, O'Bannon, Ramadan, Scott, E.T., Ware, R.L. and Wilt

Summary as introduced: Constitutional amendment; eminent domain. Revises the eminent domain provisions of the Virginia Constitution. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The proposed amendment provides that private property can be taken or damaged only for a public use, only with just compensation to the owner, and only so much taken as is necessary for the public use. Just compensation must equal or exceed the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking. A public service company, public service corporation, or railroad exercises the power of eminent domain for public use when such exercise is for the authorized provision of utility, common carrier, or railroad services. In all other cases, a taking or damaging of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the elimination of a public nuisance existing on the property. The condemnor bears the burden of proving that the use is public, without a presumption that it is.

02/10/12 House: Reported from Privileges and Elections (19-Y 3-N)

Notes: Position: Oppose

**HJ 146 High capacity transit; Transportation Board to make priority for funding by State.**

Patrons: Herring and Kory

Summary as introduced: High capacity transit. Requests the Commonwealth Transportation Board to make high capacity transit a priority for funding by the Commonwealth.

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

01/16/12 House: Assigned App. sub: Transportation

01/30/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**SB 240 Constitutional amendment; taking or damaging of private property for public use.**

Patrons: Obenshain; Delegate: Joannou

Summary as introduced: Constitutional amendment; eminent domain. Sets a referendum at the November election on an amendment eliminating the General Assembly's authority to define a public use for which private property may be taken and (i) requiring that eminent domain be exercised for public uses and not for the primary purpose of private gain, benefit, or enterprise; increasing jobs or tax revenue; or economic development; (ii) defining just compensation; and (iii) prohibiting the taking of more private property than is necessary for the stated public use.

02/09/12 Senate: Passed by for the day

Notes: Position: Oppose

**SB 257 School calendar; local school boards responsible for setting and determining opening of school year.**

Patron: Ebbin

Summary as introduced: School calendar. Makes local school boards responsible for setting the opening day of the school year. This bill was incorporated into SB 457.

01/10/12 Senate: Referred to Committee on Education and Health

01/26/12 Senate: Incorporated by Education and Health (SB457-Marsden) (15-Y 0-N)

Notes: Position: Support

**SB 261 Virginia Preschool Initiative Local Grant Program; created.**

Patron: Ebbin

Summary as introduced: Virginia Preschool Initiative Local Grant Program. Creates a grant program to be administered by the Department of Education to improve training for preschool educators; create, outfit, or expand preschool classrooms; implement the Virginia Quality Rating and Improvement System; ensure the availability of preschool education for the children of veterans; and create innovative early childhood programs for rural communities where access to services is difficult. The grant program will be funded by the unused moneys allocated for the Virginia Preschool Initiative, which requires a local match in order for such funds to be utilized. Grants shall be awarded pursuant to a competitive request for proposals process designed to ensure that all service providers in the Commonwealth, regardless of size or geographic location, are afforded the opportunity to apply for funds.

02/09/12 Senate: Reported from Finance with amendment (12-Y 2-N)

Notes: Position: Support

**SB 263 Public employment; prohibits discrimination based on sexual orientation, race, etc.**

Patrons: Ebbin, McEachin and Herring

Summary as introduced: Public employment; nondiscrimination. Prohibits discrimination in public employment based on sexual orientation. 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.

01/10/12 Senate: Referred to Committee on General Laws and Technology

01/30/12 Senate: Passed by for the day in General Laws and Technology (8-Y 7-N)

Notes: Position: Support

**SB 456 School calendar; allows local school boards to determine opening date date.**

Patron: Vogel

Summary as introduced: School calendar; allows local school boards to set. Allows local school boards to determine the opening date of the school year. This bill was incorporated into SB 457.

01/26/12 Senate: Incorporated by Education and Health (SB457-Marsden) (15-Y 0-N)

Notes: Position: Support

**SB 457 School calendar; setting and determining opening of school year.**

Patrons: Marsden, Ebbin, Vogel and Petersen

Summary as introduced: School calendar. Makes local school boards responsible for setting the school calendar and determining the opening of the school year.

01/26/12 Senate: Passed by indefinitely in Education and Health (9-Y 6-N)

Notes: Position: Support

**SB 493 Electric and natural gas utilities; energy efficiency programs.**

Patrons: Watkins and Puckett

Summary as introduced: Utility energy efficiency programs. Provides that an energy efficiency program proposed by an electric utility is in the public interest if the net present value of the benefits exceeds the net present value of the costs as determined by any three of four benefit cost tests. The four tests to be considered are the Total Resource Cost Test, the Utility Cost Test (also referred to as the Program Administrator Test), the Participant Test, and the Ratepayer Impact Measure Test. An electric utility's energy efficiency program may be deemed to be in the public interest if it provides measurable and verifiable energy savings to low-income customers or elderly customers. Finally, the measure expands the definition of "energy efficiency program" with regard to electric utilities to include customer engagement programs that result in measurable and verifiable energy savings that lead to efficient use patterns and practices.

02/09/12 Senate: Engrossed by Senate - committee substitute SB493S1

Notes: Position: Support

**SJ 3 Constitutional amendment; taking or damaging of private property for public use.**

Patrons: Obenshain, Deeds, McDougle, Black, Carrico, Garrett, McWaters, Newman, Reeves, Ruff, Stanley and Stuart; Delegate: Cole

Summary as introduced: Constitutional amendment; eminent domain. Revises the prohibition on the enactment by the General Assembly of laws whereby private property may be taken or damaged. An existing provision authorizing the General Assembly to define what constitutes a public use is removed. The proposed amendment provides that private property can be taken or damaged only for a public use, only with just compensation to the owner, and only so much

taken as is necessary for the public use. Just compensation must equal or exceed the value of the property taken, lost profits and lost access, and damages to the residue caused by the taking. A public service company, public service corporation, or railroad exercises the power of eminent domain for public use when such exercise is for the authorized provision of utility, common carrier, or railroad services. In all other cases, a taking or damaging of private property is not for public use if the primary use is for private gain, private benefit, private enterprise, increasing jobs, increasing tax revenue, or economic development, except for the elimination of a public nuisance existing on the property. The condemnor bears the burden of proving that the use is public, without a presumption that it is.

02/09/12 Senate: Passed by for the day

Notes: Position: Oppose

**SJ 52 High capacity transit; Transportation Board to make priority for funding by State.**

Patron: Ebbin

Summary as introduced: High capacity transit. Requests the Commonwealth Transportation Board to make high capacity transit a priority for funding by the Commonwealth.

02/03/12 Senate: Passed by indefinitely in Rules

Notes: Position: Support

**Current Status of Bills on Which the City Has Taken a Position  
February 10, 2012**

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**HB 10 BPOL tax; maximum fee and tax rates established by a locality.**

Patrons: Cole, Watson and Webert

Summary as introduced:

BPOL tax; maximum fee and tax rates established. Precludes a locality from increasing its local license (BPOL) fees or taxes above the rates of its BPOL fees and taxes imposed for the 2011 license year. The bill also provides that a locality that elects to impose a BPOL tax on Virginia taxable income may not thereafter impose the tax on gross receipts.

02/02/12 House: Read third time and passed House (88-Y 12-N)

02/03/12 Senate: Referred to Committee on Finance

Notes: Position: Oppose

**HB 20 Emergency Services & Disaster Law; shall not be interpreted to prohibit carrying, etc., of firearms.**

Patrons: Wilt and Watson

Summary as introduced:

Emergency services and disasters; constitutional rights. Provides that nothing in the Emergency Services and Disaster Law shall be interpreted to limit or prohibit the possession, carrying, transportation, sale, or transfer of firearms.

02/01/12 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/02/12 Senate: Referred to Committee on General Laws and Technology

Notes: Oppose

**HB 23 Transportation Trust Fund; increases amount of sales and use tax revenue dedicated to Fund.**

Patron: Cole

Summary as introduced:

Sales and use tax revenue—Transportation Trust Fund. Increases the amount of sales and use tax revenue dedicated to the Transportation Trust Fund from an amount generated by a 0.5 percent tax rate under current law to an amount generated by a one percent tax rate, phased in over five years, or longer if there is a lack of growth in general fund revenues.

01/30/12 House: Referred to Committee on Appropriations

01/31/12 House: Assigned App. sub: Transportation

02/06/12 House: Subcommittee recommends laying on the table

Notes: Position: Oppose

**HB 31 Real property tax valuation; fair market value shall be based on non-restricted uses.**

Patron: Marshall, R.G.

Summary as introduced:

Real property tax valuation; property's use restricted by law. Prohibits attributing any value to any unlawful use of real property when determining fair market value.

12/08/11 House: Referred to Committee on Finance

Notes: Position: Oppose

**HB 72 Highway work zones; warning signs and flashing lights.**

Patron: Bell, Richard P.

Summary as introduced:

Highway work zones. Requires highway work zones to be clearly marked with warning signs and flashing lights.

02/08/12 House: Reported from Appropriations (22-Y 0-N)

Notes: Position: Support

**HB 73 VIEW; substance abuse screening and assessment of public assistance applicants and recipients.**

Patrons: Bell, Richard P., Crockett-Stark, Peace and Wilt

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 substances. When a screening indicates reasonable cause to believe a participant is using illegal substances, the local department of social services must 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 substances shall be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program.

01/24/12 House: Incorporates HB221

02/08/12 House: Continued to 2013 in Appropriations

Notes: Position: Oppose

**HB 74 Child abuse or neglect; reduces mandatory time limit for reporting, requirements of certain persons.**

Patron: Bell, Richard P.

Summary as passed House:

Mandatory report of suspected child abuse; time limit. Reduces the time limit for reporting suspected child abuse or neglect by mandated reporters from 72 hours to 24 hours. In addition, the bill provides that in cases in which the initial report of suspected abuse or neglect is made by a mandated reporter to the person in charge of the institution or department in which the mandated reporter works, as provided in current law, the person who receives the report shall notify the person who made the initial report when the suspected child abuse or neglect is reported to the local department or state hotline and of the name of the individual receiving the report and shall forward any communications or information about action taken regarding the report to the person who made the initial report.

01/20/12 House: Read third time and passed House (96-Y 0-N)

01/23/12 Senate: Referred to Committee on Rehabilitation and Social Services

Notes: Position: Support

**HB 89 Citizenship of arrestee; arresting officer to ascertain.**

Patrons: Albo, Bell, Robert B., Cole, Helsel and Poindexter

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, 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.

12/22/11 House: Referred to Committee for Courts of Justice

01/31/12 House: Assigned Courts sub: #1 Criminal

02/08/12 House: Subcommittee recommends incorporating (HB958-Bell, Robert B.)

Notes: Position: Oppose

**HB 97 Motorcycles; driving two abreast in a single lane.**

Patrons: Wilt, Comstock, Cox, J.A., Dudenhefer, Edmunds, Fariss, Farrell, Greason, Head, Hodges, Knight, Morefield, Peace, Ramadan, Robinson, Rush, Tata, Webert, Wright and Yost  
Summary as introduced:

Driving two abreast in a single lane. Allows motorcycles to drive two abreast in a single lane.

01/31/12 Senate: Referred to Committee on Transportation

02/08/12 Senate: Reported from Transportation with amendment (9-Y 4-N 2-A)

Notes: Position: Oppose

**HB 117 Taxes, local; interest on refunds and delinquent taxes.**

Patrons: Wilt, Sherwood and Crockett-Stark

Summary as introduced:

Local taxes; interest on refunds and delinquent taxes. Authorizes localities not to pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer.

02/02/12 House: Read third time and passed House BLOCK VOTE (100-Y 0-N)

02/03/12 Senate: Referred to Committee on Finance

Notes: Position: Support

**HB 121 Virginia Housing Trust Fund Authority; created, report.**

Patrons: Morrissey and Herring

Summary as introduced:

Virginia Housing Trust Fund Authority. Creates the Virginia Housing Trust Fund Authority to administer the Virginia Housing Trust Fund also created by the bill to assist in increasing the capacity of community housing organizations and encourage private sector businesses and individuals to contribute capital to community-based housing organizations and assist them in providing safe, decent, and affordable housing to Virginia citizens. The bill sets the powers and duties of the Authority and its Board, and the lawful purposes for which the Fund may be used.

02/09/12 House: Reported from General Laws with substitute (21-Y 0-N)

02/09/12 House: Referred to Committee on Appropriations

Notes: Position: Support

**HB 142 Smoking; allows localities to ban in designated public parks.**

Patron: Englin

Summary as introduced:

Smoking in public parks. Allows localities to ban smoking in designated public parks.

01/05/12 House: Referred to Committee on Counties, Cities and Towns

01/24/12 House: Assigned CC & T sub: #2

02/09/12 House: Subcommittee recommends laying on the table (11-Y 0-N)

Notes: Position: Support

**HB 147 Statewide fraud control program; medical assistance overpayment moneys Fund.**

Patron: Toscano

Summary as introduced:

Statewide fraud control program; medical assistance. Provides that all overpayment moneys collected or recovered from recipients of medical assistance by local departments of social services shall be paid into the Fraud Recovery Special Fund and made available to local departments for fraud control activities. Currently, only overpayment moneys collected or recovered from recipients of food stamp, TANF, and other federal programs administered by the Department of Social Services must be paid into the Fraud Recovery Special Fund.

01/24/12 House: Referred to Committee on Appropriations

01/24/12 House: Assigned App. sub: Health & Human Resources

02/06/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 155 Revenue sharing funds for highways; funds provided to localities are a grant, etc.**

Patron: Ware, R.L.

Summary as introduced:

Revenue sharing funds for highways in certain localities. Provides that funds provided to localities are a grant and that the Department of Transportation shall not have administrative oversight on local projects.

01/13/12 House: Assigned Transportation sub: #4

01/26/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 157 Party identification on ballots; requirement extends to local elections.**

Patrons: Greason and Surovell

Summary as introduced:

Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such.

01/06/12 House: Referred to Committee on Privileges and Elections

01/12/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

01/23/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 164 Virginia Indoor Clean Air Act; smoking in public buildings prohibited, penalty.**

Patron: Hope

Summary as introduced:

Virginia Indoor Clean Air Act; smoking in public buildings prohibited. Prohibits smoking in any building owned or leased by the Commonwealth or any agency thereof or any locality.

02/07/12 House: Passed by indefinitely in General Laws

Notes: Position: Support

**HB 166 Zoning administrator; narrows instances in which administrator may modify certain orders.**

Patron: Cosgrove

Summary as introduced:

Decisions of zoning administrator. Narrows the instances in which a zoning administrator may modify certain previously issued written orders outside a 60-day time period by deleting the phrase "or other nondiscretionary" from the provision that currently excludes "clerical or other nondiscretionary errors" from the 60-day limitation.

01/25/12 House: Read third time and passed House (97-Y 1-N)

01/26/12 Senate: Referred to Committee on Local Government

Notes: Position: Oppose

**HB 176 Nutrient credit certification; regulations.**

Patrons: Knight and Ransone

Summary as introduced:

Regulation of nutrient credit certification. Directs the Virginia Soil and Water Conservation Board to adopt regulations governing the certification of certain nutrient credits. Referring to the Chesapeake Bay Total Maximum Daily Load (TMDL), the legislation sets out certain requirements of the regulations, permits the Department of Conservation and Recreation to establish an online registry of certified credits, and allows municipal separate storm sewer systems to acquire and use credits under certain conditions.

02/08/12 House: Substitute reported from Agriculture, Chesapeake & Natural Resources (22-0)

Notes: Position: Support

**HB 215 Child abuse and neglect; mandatory reporting, penalties.**

Patron: Miller

Summary as introduced:

Suspected child abuse and neglect; mandatory reporting; penalties. Reduces the time allowed for reporting suspected child abuse or neglect by a mandated reporter from 72 to 24 hours and provides that failure to report is punishable as a Class 1 misdemeanor for the first failure and a Class 6 felony for a second or subsequent offense. Current law imposes a fine of not more than \$500 for a first offense and not less than \$100 nor more than \$1,000 for a subsequent offense.

01/09/12 House: Referred to Committee for Courts of Justice

01/24/12 House: Assigned Courts sub: #1 Criminal

02/01/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 221 VIEW; substance abuse screening and assessment of public assistance recipients.**

Patron: Head

Summary as introduced:

Substance abuse screening and assessment of public assistance 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. This bill provides that, when a screening indicates reasonable cause to believe a participant is using illegal drugs, the local department of social services 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, unless he enters into and complies with the requirements of a drug treatment program.

01/10/12 House: Referred to Committee on Health, Welfare and Institutions

01/20/12 House: Assigned HWI sub: #1

01/23/12 House: Subcommittee recommends incorporating (HB73-Bell, Richard P.)

Notes: Position: Oppose

**HB 222 Legal notices; localities can meet notice requirements by using their websites, etc.**

Patron: Head

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.

01/13/12 House: Assigned Courts sub: Civil

01/25/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 249 VIEW; substance abuse screening and assessment of public assistance recipients.**

Patrons: Cline, Albo, Cole, Crockett-Stark, Edmunds, Helsel, Hodges, Massie and Poindexter

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.

01/10/12 House: Referred to Committee on Health, Welfare and Institutions

01/20/12 House: Assigned HWI sub: #1

01/23/12 House: Subcommittee recommends incorporating (HB73-Bell, Richard P.)

Notes: Position: Oppose

**HB 309 Absentee voting; persons age 65 and older on day of election may vote absentee.**

Patron: Crockett-Stark

Summary as introduced:

Elections; absentee voting Allows persons 65 and older to vote absentee.

01/10/12 House: Referred to Committee on Privileges and Elections

01/12/12 House: Assigned P & E sub: Elections Subcommittee

02/07/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 327 Historic structures; demolition.**

Patrons: Peace and Surovell

Summary as introduced:

Historic structures; demolition. Provides that a locality may require by ordinance that certain structures within a historic district not be demolished except in compliance with the local ordinance, unless the local building department determines that it constitutes such a hazard that it shall be razed and removed.

02/01/12 House: Read third time and passed House BLOCK VOTE (99-Y 0-N)

02/02/12 Senate: Referred to Committee on General Laws and Technology

Notes: Position: Support

**HB 351 Party identification on ballots; extends option in local elections.**

Patrons: Cox, J.A., Peace and Surovell

Summary as introduced:

Elections; party identification on ballots; local elections. Gives candidates in local elections the option to be identified by party on the ballot.

01/10/12 House: Referred to Committee on Privileges and Elections

01/12/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

01/23/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 361 Stalking; enhanced penalties.**

Patrons: McClellan, Filler-Corn, Hope and Watts

Summary as introduced:

Stalking; enhanced penalties. Provides that any person who commits a second or subsequent offense of stalking within five years of a conviction of a prior offense is guilty of a Class 6 felony. Currently, the Class 6 felony applies for a third or subsequent offense. The bill also provides that any person who commits an offense of stalking is guilty of a Class 6 felony when, at the time of the offense, there is in effect any court order prohibiting contact between the defendant and the victim or the victim's family or household member.

02/03/12 House: Reported from Courts of Justice with amendments (18-Y 0-N)

02/03/12 House: Referred to Committee on Appropriations

02/07/12 House: Assigned App. sub: Public Safety

Notes: Position: Support

**HB 363 Protective orders; animals.**

Patrons: McClellan, Hope and Scott, J.M.

Summary as introduced:

Protective orders; animals. Provides that a court may include in a protective order provisions granting to the petitioner the care, custody, and control of an animal owned, possessed, or kept by either the petitioner, the respondent, or a child residing in the household.

02/03/12 House: Referred to Committee on Appropriations

02/06/12 House: Assigned App. sub: Public Safety

Notes: Position: Support

**HB 374 Party identification on ballots; requirement extends to local elections.**

Patron: Pogge

Summary as introduced:

Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such.

01/10/12 House: Referred to Committee on Privileges and Elections

01/12/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

01/23/12 House: Subcommittee recommends laying on the table

Notes: Position: Oppose

**HB 401 Landlord and tenant laws; landlord obligations, receipts for certain rent payments.**

Patron: Hope

Summary as introduced:

Landlord and tenant law; landlord obligations; receipt required for certain rent payments.

Requires a landlord to provide, upon request, a written receipt whenever a tenant pays rent in the form of cash or money orders. The bill also requires written rental or lease agreements to include a notice of the tenant's right to receive the written receipt beginning January 1, 2013. The notice is not required for leases entered into prior to January 1, 2013, which are subsequently renewed.

01/23/12 House: Referred to Committee on General Laws

01/27/12 House: Assigned GL sub: #1 Housing

02/08/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 415 Wireless telecommunications device; prohibits use while driving.**

Patron: Watts

Summary as introduced:

Operation of moving motor vehicle while distracted; penalties. Prohibits the operation of a moving motor vehicle while engaged in other activities, such as using a wireless telephone or other wireless telecommunications device without a hands-free apparatus, searching for an item, or personal grooming. Current law specifically prohibits the use of a handheld personal communications device to send or read an email or text message while operating a moving motor vehicle. The bill allows for certain exceptions, including the use of a citizens band radio. The offense would be a secondary offense punishable by a \$40 fine on the first offense and a \$100 fine for each subsequent offense.

01/10/12 House: Referred to Committee on Militia, Police and Public Safety

01/25/12 House: Assigned MPPS sub: #2

Notes: Position: Support

**HB 475 Involuntary commitment; criteria for ordering mandatory outpatient treatment.**

Patron: Albo

Summary as introduced:

Involuntary commitment; mandatory outpatient treatment. Alters the criteria for ordering a person to mandatory outpatient treatment, replacing the requirements that the person has the capacity to understand and comply with the treatment, has expressed an interest in outpatient treatment, and has agreed to comply with the treatment with a requirement that the person, if left untreated, is reasonably likely to meet the criteria for involuntary commitment and whose mental illness has caused the person to refuse treatment on more than one previous occasion. The bill also eliminates the requirement that the treating physician determine that the person has the

capacity to understand and comply with the treatment, has expressed an interest in outpatient treatment, and has agreed to comply with the treatment before discharging a person for a period of mandatory outpatient treatment following involuntary commitment. The bill also provides that the duration of mandatory outpatient treatment following involuntary commitment shall not exceed 90 days, unless the order is continued. The bill also eliminates the requirement that providers of mandatory outpatient treatment services must have actually agreed to deliver such services before mandatory outpatient treatment may be ordered. The bill also eliminates certain types of evidence that the judge or special justice was required to consider before ordering involuntary commitment. The bill also provides that mandatory outpatient treatment shall be provided in the least restrictive appropriate manner and that treatment with anti-psychotic medication does not include the use of force or restraint in administering such medication.

01/16/12 House: Assigned Courts sub: #5 Mental Health

02/06/12 House: Subcommittee recommends reporting with amendment(s) (5-Y 0-N)

Notes: Position: Oppose

**HB 489 Fees; additional fees for conviction. Domestic violence offenses;**

Patron: Ware, O.

Summary as introduced:

Fees; additional fees for conviction of domestic violence offenses. Assesses an additional \$50 fee for conviction of domestic violence offenses to be retained by the locality to support investigation and prosecution of domestic violence cases and to provide services to victims in such cases. This is in addition to the fees, available to localities, assessed to support the Virginia Sexual and Domestic Violence Victim Fund.

01/10/12 House: Referred to Committee for Courts of Justice

Notes: Position: Support

**HB 491 Derelict and blighted buildings; authorizes locality to serve as receiver to repair.**

Patrons: Dance, Marshall, D.W., Carr, McClellan, McQuinn, Morrissey and Spruill

Summary as introduced:

Receivership of derelict and blighted buildings. Authorizes a locality to serve as a receiver, appointed by the circuit court, to repair blighted and derelict buildings. Buildings must previously have been determined to be blighted under current spot blight provisions. The owner of the property may redeem the property subject to receivership during the receivership process or prior to sale and will be awarded any profits gained through sale at public auction. This bill was recommended by the Virginia Housing Commission.

01/25/12 House: VOTE: PASSAGE #2 (99-Y 0-N)

01/26/12 Senate: Referred to Committee on Local Government

Notes: Position: Support

**HB 499 Vacant building registration; increases annual fee.**

Patron: Dance

Summary as introduced:

Vacant building registration. Increases the annual registration fee that cities may charge to owners of property that has been vacant for 12 months or more from \$25 to \$200.

01/20/12 House: Tabled in Counties, Cities and Towns

Notes: Position: Support

**HB 502 Landlord and tenant laws; receipt required for cash or money order payments.**

Patrons: Dance and Spruill

Summary as introduced:

Receipt required for certain rental payments; upon request. Provides a tenant with a written receipt from the landlord, upon the tenant's request, whenever the tenant pays rent in the form of cash or a money order. This bill is recommended by the Virginia Housing Commission.

01/25/12 House: VOTE: PASSAGE #2 (99-Y 0-N)

01/26/12 Senate: Referred to Committee on General Laws and Technology

Notes: Position: Support

**HB 546 Gang crimes; includes definition of predicate criminal act.**

Patrons: Comstock, Albo, Bell, Robert B., Farrell, Helsel, Hugo, Iaquinto, Kilgore, Minchew, Villanueva and Wilt; Senator: Garrett

Summary as introduced:

Crimes by gangs. Includes within the definition of "predicate criminal act" the offenses of the taking or detaining of any person into a place for the purpose of prostitution and the receiving of money from earnings of any person engaged in prostitution.

02/03/12 House: Reported from Courts of Justice (18-Y 0-N)

02/03/12 House: Referred to Committee on Appropriations

02/06/12 House: Assigned App. sub: Public Safety

Notes: Position: Support

**HB 599 Northern Virginia Transportation District; responsibilities for various entities.**

Patrons: LeMunyon, Albo, Anderson, Bulova, Comstock, Filler-Corn, Greason, Hugo, Keam, Miller, Minchew, Ramadan and Rust

Summary as introduced:

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

02/07/12 House: Committee substitute printed 12104802D-H1

Notes: Position: Oppose

**HB 615 Zoning; clarifies that localities may approve by special exception all modifications to property.**

Patron: LeMunyon

Summary as introduced:

Zoning; special exceptions. Clarifies that localities may approve by special exception all modifications to property that may currently also be granted by variance.

01/10/12 House: Referred to Committee on Counties, Cities and Towns

01/17/12 House: Assigned CC & T sub: #2

02/02/12 House: Subcommittee recommends striking from docket

Notes: Position: Support

**HB 622 Elections; party identification on ballots in local elections.**

Patron: LeMunyon

Summary as introduced:

Elections; form of ballots; local elections. Authorizes any locality to provide for party identification of candidates for local offices who are nominated by a political party or in a primary.

01/10/12 House: Referred to Committee on Privileges and Elections

01/16/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

01/23/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 667 Political contributions; prohibitions during procurement process.**

Patron: Surovell

Summary as introduced:

Political contributions; prohibitions during procurement process. Includes the mayor or chief executive officer of a locality, school superintendent, and any member of a local governing body, planning commission, or school board in the current prohibition against knowingly soliciting or accepting a contribution, gift, or other item with a value greater than \$50 from any bidder, offeror, or private entity who has submitted a bid or proposal pursuant to the Virginia Public Procurement Act, the Public-Private Transportation Act, or the Public-Private Education Facilities and Infrastructure Act during the bidding period. The restrictions only apply if the stated or expected value of the contract is \$5 million or more and do not apply to contracts awarded as the result of competitive sealed bidding. Furthermore, no bidder, offeror, or private entity who has submitted a bid or proposal under such acts shall offer or promise to make such a gift to the mayor or chief executive officer of a locality, school superintendent, or any member of a local governing body, planning commission, or school board.

02/07/12 House: Passed by indefinitely in General Laws

Notes: Position: Oppose

**HB 669 Absentee voting; persons age 65 and older on day of election may vote absentee.**

Patron: Surovell

Summary as introduced:

Elections; absentee voting. Provides that persons age 65 and older on the day of an election for which an absentee ballot is requested are entitled to vote absentee.

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

01/17/12 House: Assigned P & E sub: Elections Subcommittee

02/07/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 674 Protective orders; minor may petition on his own behalf without consent of parent or guardian.**

Patrons: Surovell and Kory; Senator: Petersen

Summary as introduced:

Protective orders; minors; jurisdiction. Provides that a minor may petition for a protective order on his own behalf without the consent of a parent or guardian. The bill also provides that protective orders sought against individuals who are not family or household members of the person seeking the order may be brought in juvenile and domestic relations district court where the person seeking the order or the respondent is a juvenile.

01/11/12 House: Referred to Committee for Courts of Justice  
01/16/12 House: Assigned Courts sub: #1 Criminal  
02/08/12 House: Subcommittee recommends passing by indefinitely  
Notes: Position: Oppose

**HB 694 Virginia Human Rights Act; policy of State.**

Patron: Plum

Summary as introduced:

Virginia Human Rights Act. Adds sexual orientation and gender identity to the safeguards for individuals from unlawful discrimination. Defines sexual orientation and gender identity.

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

02/03/12 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process

02/07/12 House: Subcommittee recommends incorporating (HB613-LeMunyon)

Notes: Position: Support

**HB 769 Elections; party identification on ballots in local elections.**

Patrons: Landes, Greason and Lingamfelter

Summary as introduced:

Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such.

01/27/12 House: Failed to report (defeated) in Privileges and Elections (10-Y 12-N)

Notes: Position: Support

**HB 773 Local government; publication of notices for charter changes, etc.**

Patrons: Landes and Head

Summary as introduced:

Local government; publication of notices for charter changes, referenda, and public hearings, etc.; alternatives. Gives localities alternatives to publication in a newspaper of general circulation in the locality for legal ads and other notices of proposed action. These alternatives include publication in at least two of the following forms of publication: (i) in a newspaper of general circulation; (ii) on the locality's website; (iii) on any public access channel operated by the locality, to be aired during prime-time programming and at least two other times during the day; (iv) using any automated voice or text alert systems used by the locality; or (v) posting at the local public library. In addition, the bill provides that any resident of the locality annually filing a written request for notification must be provided notice by the locality in a manner mutually agreed upon by the locality and such individual.

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

01/17/12 House: Assigned CC & T sub: #2

02/09/12 House: Subcommittee failed to recommend reporting (3-Y 7-N)

Notes: Position: Support

**HB 779 In-state tuition; undocumented persons eligibility.**

Patron: Lopez

Summary as introduced:

In-state tuition; undocumented persons. Establishes that an undocumented person who is unlawfully present in the United States shall not be eligible for in-state tuition unless he meets all of the following criteria: (i) he has resided with his parent, guardian, or other person standing in loco parentis while attending a public or private high school in this state; (ii) he has graduated from a public or private high school in Virginia or has received a General Education Development (GED) certificate in Virginia; (iii) he has resided in the Commonwealth for at least three years since the date he graduated from high school, or for one year if a veteran or an active duty member of the United States armed forces; (iv) he has registered as an entering student in an institution of higher education; (v) he has provided an affidavit to the institution stating that he has filed an application to become a permanent resident of the United States and is actively pursuing such permanent residency or will do so as soon as he is eligible; and (vi) he has submitted evidence that he or, in the case of a dependent student, at least one parent, guardian, or person standing in loco parentis, has filed, unless exempted by state law, Virginia income tax returns for at least three years prior to the date of enrollment.

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

Notes: Position: Support

**HB 806 Overweight and oversize vehicle permits and fees; cost-based fees.**

Patrons: May and Keam

Summary as introduced:

Overweight vehicle permits and fees. Provides a uniform method of assigning cost-based fees based on the amount that a vehicle is overweight. The bill also allocates payment of fees into specific funds. The bill has a delayed effective date of January 1, 2013.

02/08/12 House: Reported from Appropriations (22-Y 0-N)

Notes: Position: Support

**HB 931 Elections; party identification on ballots in local elections.**

Patron: Lingamfelter

Summary as introduced:

Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such.

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

01/17/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

01/23/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 977 Virginia Human Rights Act; employment discrimination; sexual orientation.**

Patrons: Scott, J.M., Hope and McClellan

Summary as introduced:

Virginia Human Rights Act; prohibited discrimination; sexual orientation. Prohibits discrimination in employment based on sexual orientation. 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. Also codifies existing prohibited discrimination in employment based on race, color, religion, national origin, sex, pregnancy,

childbirth or related medical conditions, age, marital status, disability, or status as a veteran.  
01/11/12 House: Referred to Committee on General Laws  
02/03/12 House: Assigned GL sub: #4 Professions/Occupations and Administrative Process  
02/07/12 House: Subcommittee recommends incorporating (HB613-LeMunyon)  
Notes: Position: Support

**HB 983 Motor fuels tax rate; converts rate from cents per gallon to a percentage rate.**

Patron: Scott, J.M.

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.

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

01/20/12 House: Assigned Finance sub: #2

02/01/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 1038 Overweight and oversize vehicle permits and fees; cost-based fees.**

Patron: Keam

Summary as introduced:

Overweight and oversize vehicle permits and fees. Allows temporary registration of overweight and oversize vehicles and assigns fees based on the amount that a vehicle is overweight or oversize. The bill also designates fees into specific funds.

01/20/12 House: Assigned Transportation sub: #4

01/26/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 1051 Primary elections; adds party affiliation to application when registering to vote.**

Patron: Anderson

Summary as introduced:

Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2013, will be designated as independent unless they provide a political party designation in writing to the general registrar. Voters may change their party affiliation or independent status by written notice. The state party chairman of each political party must notify the State Board of Elections by January 31 of each year of the party rules governing who may participate in the party primary.

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

01/17/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

01/23/12 House: Subcommittee recommends laying on the table

Notes: Position: Oppose

**HB 1069 Primary elections; adds party affiliation to application when registering to vote.**

Patrons: Hugo and Anderson

Summary as introduced:

Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2013, will be designated as independent unless they provide a political party designation in writing to the general registrar. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The state party chairman of each political party must notify the State Board of Elections by January 31 of each year of the party rules governing who may participate in the party primary.

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

01/17/12 House: Assigned P & E sub: Constitutional Amendments Subcommittee

02/06/12 House: Subcommittee recommends incorporating (HB628-LeMunyon)

Notes: Position: Oppose

**HB 1073 Residential rental properties; establishes criteria by which an assessor determines market value.**

Patron: Hugo

Summary as introduced:

Assessment of residential rental properties. Establishes criteria by which an assessor shall determine fair market value for real estate used in whole or in part as residential rental property as defined by ordinance or the locality. Criteria include actual gross income generated, losses due to vacancies, collection losses, and rent concessions as well as actual operating expenses and expenditures. Evidence as to fair market value presented by the property owner shall be considered by the real estate assessor in his property assessment.

02/08/12 House: Reported from Finance with substitute (22-Y 0-N)

Notes: Position: Support

**HB 1098 Civil rights; automatically restored to certain persons for eligibility to register to vote.**

Patron: Herring

Summary as introduced:

Restoration of civil rights. Provides for the automatic restoration of civil rights to persons convicted of nonviolent felonies (excepting election fraud crimes) upon completion of sentence, including any term of probation or parole, and the payment of all restitution, fines, costs, and fees assessed as a result of the felony conviction.

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

02/01/12 House: Assigned MPPS sub: #2

02/02/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 1105 Freedom of Information Act; electronic communication meetings.**

Patron: Greason

Summary as introduced:

Freedom of Information Act; electronic communication meetings. Revises the rules for which meetings of state public bodies may be conducted by audio or video means. The bill provides that (i) at least one member of the public body must be physically assembled at the principal meeting location, (ii) the quorum of the public body is determined by members participating in person or by electronic means in the meeting, (iii) a member of the public shall pay for the documented marginal cost that a public body may incur in expanding public participation to the meeting, and (iv) the number of meetings a public body may conduct through electronic communications means is limited to 50 percent of its regular meetings in any calendar year.

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

01/17/12 House: Assigned GL sub: #2 FOIA/Procurement

01/26/12 House: Subcommittee recommends laying on the table

Notes: Position: Oppose

**HB 1122 Derelict and blighted buildings; authorizes locality to serve as receiver to repair.**

Patron: Morrissey

Summary as introduced:

Receivership of derelict and blighted buildings. Authorizes a locality to serve as a receiver, appointed by the circuit court, to repair blighted and derelict buildings. Buildings must previously have been determined to be blighted under current spot blight provisions. The owner of the property may redeem the property subject to receivership during the receivership process or prior to sale and will be awarded any profits gained through sale at public auction. This bill was recommended by the Virginia Housing Commission.

01/31/12 House: Assigned Courts sub: #2 Civil

02/01/12 House: Subcommittee recommends laying on the table

Notes: Position: Support

**HB 1137 Historic districts; owner of buildings, etc., shall be given notice of public hearing.**

Patron: Marshall, D. W.

Summary as introduced:

Designation of historic districts. Provides that before any locality designates by ordinance any building, structure, district, object, or site as part of a local historic district, the owners of such property proposed for designation shall be given written notice of the public hearing on the ordinance. If a majority of the owners of the property within the proposed new local historic district or amended existing local historic district object, the locality shall not include the properties of the objecting owners in the proposed local historic district.

01/13/12 House: Referred to Committee on Counties, Cities and Towns

01/20/12 House: Assigned CC & T sub: #2

02/09/12 House: Subcommittee recommends reporting with amendment(s) (10-Y 0-N)

Notes: Position: Oppose

**HJ 17 Constitutional amendment; restoration of civil rights to persons convicted of felonies, etc.**

Patron: Morrissey

Summary as introduced:

Constitutional amendment; restoration of civil rights. Authorizes the General Assembly to provide 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.

01/03/12 House: Referred to Committee on Privileges and Elections

Notes: Position: Support

**HJ 49 Governor's Executive Reorganization Plan; approval by General Assembly.**

Patrons: Gilbert, Albo, Anderson, Bell, Richard P., Cole, Cox, J.A., Dudenhefer, Farrell, Garrett, Greason, Habeeb, Head, Helsel, Hodges, Ingram, Jones, Kilgore, Knight, Landes, Lingamfelter, Marshall, D.W., Merricks, Minchew, Morris, O'Bannon, O'Quinn, Peace, Pogge, Poindexter, Ramadan, Robinson, Rush, Scott, E.T., Sherwood, Stolle, Villanueva, Watson, Wilt, Wright and Yancey

Summary as introduced:

Governor's Executive Reorganization Plan. Sets out the Governor's executive reorganization plan dated November 25, 2011, for approval by each house of the General Assembly.

02/09/12 Senate: Agreed to by Senate with amendments (23-Y 15-N)

02/10/12 House: Placed on Calendar

Notes: Position: Oppose

**HJ 125 Constitutional amendment; restoration of civil rights to persons convicted of felonies, etc.**

Patron: Carr

Summary as introduced:

Constitutional amendment; restoration of civil rights. Authorizes the General Assembly to provide 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.

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

Notes: Position: Support

**SB 6 VIEW; substance abuse screening and assessment of public assistance applicants and recipients.**

Patrons: Martin, Carrico, McWaters, Black and Ruff; Delegate: Peace

Summary as introduced:

Substance abuse screening; public assistance recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant uses illegal substances. When a screening indicates reasonable cause to believe a participant is using illegal substances, the local department must require a formal substance abuse assessment. Anyone who fails or refuses to participate without good cause or tests positive will be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program.

02/06/12 Senate: Incorporates SB318, SB83

02/09/12 Senate: Reported from Finance with amendments (9-Y 6-N)

Notes: Position: Oppose

**SB 12 Elections; absentee voting.**

Patrons: Howell and Miller, J.C.

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.

12/19/11 Senate: Referred to Committee on Privileges and Elections

01/17/12 Senate: Failed to report (defeated) in Privileges and Elections (7-Y 8-N)

Notes: Position: Support

**SB 22 Real estate tax; exemption for disabled veterans.**

Patrons: Stuart and McDougale

Summary as introduced:

Real property tax; exemption for disabled veterans. Provides that the real property tax exemption for veterans whose disability rating occurs after January 1, 2011, begins on the date of the rating.

01/23/12 Senate: Read third time and passed Senate (40-Y 0-N)

Notes: Position: Support

**SB 34 Rental payments; landlord accounting of tenant credits and debits upon written request.**

Patron: Locke

Summary as introduced:

Landlord accounting of tenant credits and debits; upon request. Compels a landlord, upon the written request of a tenant, to produce a written accounting of charges and payments from the tenant over the tenancy or the past 12 months, whichever is shorter. This bill is recommended by the Virginia Housing Commission.

01/30/12 Senate: Reported from General Laws and Technology (14-Y 1-N)

02/03/12 Senate: Read third time and passed Senate (34-Y 4-N)

Notes: Position: Support

**SB 35 Landlords; recovery of possession limited.**

Patron: Locke

Summary as introduced:

Recovery of possession by landlord. Clarifies that an unlawful detainer action and the execution of a writ of possession is needed to evict a tenant from a residential rental unit. A provision in a rental agreement saying otherwise is unenforceable. "Dwelling unit" and "residential dwelling unit" are defined. This bill is recommended by the Virginia Housing Commission.

01/30/12 Senate: Reported from General Laws and Technology (11-Y 3-N 1-A)

02/03/12 Senate: Read third time and passed Senate (32-Y 6-N)

Notes: Position: Support

**SB 48 Residential rental properties; determination of market value.**

Patron: Watkins

Summary as introduced:

Assessment of residential rental properties. Establishes criteria by which an assessor shall determine fair market value for real estate used in whole or in part as residential rental property as defined by ordinance or the locality. Criteria include gross income generated, losses due to vacancies, collection losses, and rent concessions as well as actual operating expenses.

01/24/12 Senate: Stricken at request of Patron in Finance (15-Y 0-N)

Notes: Position: Oppose

**SB 62 Primary elections; adds party affiliation to application when registering to vote.**

Patrons: Stanley, Obenshain, Black and Ruff

Summary as introduced:

Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. Voters registered prior to January 1, 2013, will be designated as independent unless they provide a political party designation in writing to the general registrar. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed prior to an election. The state party chairman of each political party must notify the State Board of Elections by January 31 of each year of the party rules governing who may participate in the party primary.

02/09/12 Senate: Defeated by Senate (16-Y 24-N)

Notes: Position: Oppose

**SB 73 Residential rental housing; determination of fair market value.**

Patron: Watkins

Summary as introduced:

Assessment of residential rental properties. Establishes criteria by which an assessor shall determine fair market value for real estate used in whole or in part as residential rental property as defined by ordinance or the locality. Criteria include actual gross income generated, losses due to vacancies, collection losses, and rent concessions as well as actual operating expenses and expenditures. Evidence as to fair market value presented by the property owner shall be considered by the real estate assessor in his property assessment.

01/30/12 Senate: Read third time and passed Senate (37-Y 3-N)

Notes: Position: Oppose

**SB 83 VIEW; screening of public assistance recipients for use of illegal substances.**

Patrons: McWaters and Black

Summary as introduced:

Substance abuse screening; public assistance recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant uses illegal substances. When a screening indicates reasonable cause to believe a participant is using illegal substances, the local department must require a formal substance abuse assessment. Anyone who fails or refuses to participate without good cause or tests positive will be ineligible to receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program.

02/03/12 Senate: Incorporated by Rehabilitation and Social Services (SB6-Martin) (15-Y 0-N)

Notes: Position: Oppose

**SB 84 Foster care; extends option of independent living services.**

Patron: Favola

Summary as introduced:

Foster care; independent living services. Extends the option of receipt of independent living services to any person who was in foster care on his eighteenth birthday and who has not reached the age of 21 years, regardless of whether the individual has previously terminated receipt of independent living services. Under current law, an individual who was receiving independent living services may request reestablishment of services if under age 21 and if less than 60 days has elapsed from when the individual initially terminated independent living services.

02/09/12 Senate: Reported from Finance with amendment (14-Y 0-N)

Notes: Position: Support

**SB 107 Freedom of Information Act; criminal investigative records.**

Patron: Edwards

Summary as introduced:

Freedom of Information Act; criminal investigative records. Amends the definition of "criminal investigative file" so that the exemption applies to records relating to active or ongoing investigations or prosecutions.

01/09/12 Senate: Referred to Committee on General Laws and Technology

Notes: Position: Oppose

**SB 122 Derelict and blighted buildings; authorizes locality to serve as receiver to repair.**

Patron: Watkins

Summary as introduced:

Receivership of derelict and blighted buildings. Authorizes a locality to serve as a receiver, appointed by the circuit court, to repair blighted and derelict buildings. Buildings must previously have been determined to be blighted under current spot blight provisions. The owner of the property may redeem the property subject to receivership during the receivership process or prior to sale and will be awarded any profits gained through sale at public auction. This bill was recommended by the Virginia Housing Commission.

01/31/12 Senate: Reported from Local Government (14-Y 0-N)

02/06/12 Senate: Read third time and passed Senate (40-Y 0-N)

Notes: Position: Support

**SB 162 Fuels taxes; indexing of tax rates.**

Patron: Petersen

Summary as introduced:

Fuels taxes; indexing of tax rates. Increases or decreases each year the rates of Virginia's fuels taxes using a fuel efficiency index. The bill would define the fuel efficiency index as the quotient that is obtained when using as the numerator the total annual vehicle miles traveled in the Commonwealth for the relevant year and using as the denominator the total gallons of motor fuel consumed for highway use in the Commonwealth for the relevant year. The numerator and denominator would be the corresponding amounts as published by the Federal Highway Administration of the United States Department of Transportation. The bill would establish 2007 as the base year for the fuel efficiency index. Thus, the percentage change in the fuel efficiency index between the current year and 2007, the base year, would determine the annual percentage

increase or decrease in the rates of Virginia's fuels taxes. Each December the Commissioner of the Department of Motor Vehicles would compute the adjusted rates of fuels taxes. Currently, Virginia's fuels taxes are fixed at the rate of \$0.175 per gallon.

01/10/12 Senate: Referred to Committee on Finance

02/08/12 Senate: Incorporated by Finance into SB631-Watkins (15-Y 0-N)

Notes: Position: Support

**SB 224 Assault and battery; Class 1 misdemeanor against a family or household member.**

Patron: Herring

Summary as introduced:

Assault and battery of a family or household member; penalties. Provides for a Class 1 misdemeanor for the assault followed by a battery through the application of physical force against a member of a family or household member. The bill addresses the decision in U.S. v. White from the Fourth Circuit Court of Appeals in 2010.

02/10/12 Senate: Read third time and passed Senate (40-Y 0-N)

Notes: Position: Oppose

**SB 231 Taxicabs; local regulation.**

Patron: Herring

Summary as introduced:

Local regulation of taxicabs. Prohibits localities from reducing the number of taxicabs that are permitted or authorized under the local ordinance, unless there is non-use or cause.

01/27/12 Senate: Read third time and passed Senate (38-Y 0-N 1-A)

Notes: Position: Oppose

**SB 244 Primary elections; adds party affiliation to information an applicant to provide when registering.**

Patron: Obenshain

Summary as introduced:

Primary elections; voter registration by political party. Adds party affiliation to the information that an applicant is asked to provide when registering to vote. The applicant may indicate that he is an independent. The bill requires the State Board of Elections, in September 2012, to notify all registered voters of the new party registration law and send them a return card to indicate their party affiliation or independent status. Voters may change their party affiliation or independent status by written notice at any time before the registration records are closed in advance of an election. The state party chairman must notify the State Board by January 31 of each year whether the party will close or open its primaries. Further, the bill (i) adds a requirement that primary candidate petitions must be signed by voters registered as members of the party conducting the primary, (ii) sets the required number of petition signatures at one percent of the number of voters registered as members of the party in the election district where the primary is being held, and (iii) allows an official political party to retain that status so long as at least 15 percent of the Commonwealth's registered voters are registered as members of that party.

01/10/12 Senate: Referred to Committee on Privileges and Elections

01/31/12 Senate: Incorporated by Privileges and Elections (SB62-Stanley) (15-Y 0-N)

Notes: Position: Oppose

**SB 252 Elections; party identification on ballots in local elections.**

Patron: Martin

Summary as introduced:

Elections; party identification on ballots; local elections. Extends to local elections the requirement that ballots identify the nominating political party for party candidates and identify independent candidates as such..

01/10/12 Senate: Referred to Committee on Privileges and Elections

01/24/12 Senate: Incorporated by Privileges and Elections (SB56-Obenshain) (8-Y 7-N)

Notes: Position: Support

**SB 468 Virginia Indoor Clean Air Act; smoking in public buildings prohibited, penalty.**

Patron: Northam

Summary as introduced:

Virginia Indoor Clean Air Act; smoking in public buildings prohibited. Prohibits smoking in any building owned or leased by the Commonwealth or any agency thereof or any locality.

02/07/12 Senate: Reported from Local Government with substitute (11-Y 4-N)

Notes: Position: Support

**SB 525 Virginia Public Procurement Act; preference for local products and firms.**

Patron: Marsh

Summary as introduced:

Virginia Public Procurement Act; preference for local products and firms; applicability.

Authorizes localities to apply a preference for bidders or offerors located in the locality of up to 10 percent, provided (i) for competitive sealed bidding the percentage of the discount is stated in the Invitation to Bid, (ii) for competitive negotiations the percentage of the increase is stated in the Request for Proposal, and (iii) the discount percentage or increase percentage is included in the informal solicitation for small purchase.

01/30/12 Senate: Passed by indefinitely in General Laws and Technology (14-Y 0-N)

Notes: Position: Oppose

**SB 531 Northern Virginia Transportation District; responsibilities for various entities.**

Patron: Marsden

Summary as introduced:

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

02/07/12 Senate: Read third time and passed Senate (40-Y 0-N)

Notes: Position: Oppose

**SB 554 Firearms; possession by persons subject to protective orders.**

Patron: Favola

Summary as passed Senate:

Possession or transportation of firearms; certain emergency protective orders; penalty. Creates a Class 1 misdemeanor for the physical possession of a firearm while in the residence of the alleged victim or the transport of a firearm by a person subject to an emergency protective order.

02/02/12 Senate: Read third time and passed Senate (29-Y 11-N)

Notes: Position: Support

Alternative Proposal for Consolidation of Northern Virginia Transportation and/or Planning  
Agencies

DRAFT: February 9, 2012

To facilitate an effective consolidation and streamlining of transportation planning and policy making in Northern Virginia, the Northern Virginia Transportation Authority is directed to combine Northern Virginia transportation and planning agencies, including, but not limited to, the Northern Virginia Transportation Authority, the Northern Virginia Transportation Commission and the Northern Virginia Regional Commission, or if not practical, combine these three into two.

In addition, the Northern Virginia Transportation Authority shall consider the advantages and disadvantages of including sub-regional Metropolitan Planning Organization functions as part of a consolidated transportation and planning agency.

In developing these recommendations, the Northern Virginia Transportation Authority will involve affected local governments, the Secretary of Transportation, the Commissioner of Highways, the Director of the Department of Rail and Public Transportation and, as appropriate, the Federal Highway Administration and the Federal Transit Administration and all other stakeholders deemed necessary.

The Northern Virginia Transportation Authority is directed to address the complex legal and financial realities associated with various combinations to avoid unintended consequences and maximize the benefits of reform. This effort must also develop recommendations for addressing governance, membership, voting, geography and oversight.

The Northern Virginia Transportation Authority shall provide specific recommendations to the Chairmen of the House and Senate Committees on Transportation by December 1, 2012, on the establishment of such a body.

**Comparison of Major Provisions of Introduced (Governor's) Transportation Bill,  
and the House and Senate Amended Proposals, as of 2/10/12**

<b>Issue</b>	<b>Governor's bill</b>	<b>House amendment</b>	<b>Senate amendment</b>
Shifting general fund sales tax revenues to transportation	Transfers a portion of sales tax revenues out of the general fund and into the transportation trust fund	Same as Governor's proposal	Deletes provision
Shifting general fund year end balances and a portion of general fund growth to transportation	Devotes 75% of non-allocated surplus to transportation (this is an increase from current 66%); also earmarks a portion of future general fund growth in "good" years to transportation	Similar to Governor's proposal	Provision remains at this time, with objections from some Senators
Shifting general fund revenues to transportation (revenue growth in transportation districts)	Allows for dedication of a portion of state tax revenue growth in certain transportation districts for transportation projects	Deletes provision	Deletes provision
Allocation of up to \$500M by CTB outside the existing statutes and formulas	Creates a new transportation fund of up to \$500 M annually, for the CTB to allocate to major projects as it sees fit (this would take funds from the current locality allocations)	Relatively unchanged	Deletes provision
Reimbursement by locality for unforeseen expenses on a transportation project	Requires a locality to reimburse VDOT for additional project costs when the "original estimates" are exceeded	Relatively unchanged	Deletes provision
Proposed requirements for submission to and approval by VDOT/CTB of local transportation plans and changes to the locality's comprehensive plan	Requires a locality to submit changes to its transportation plans to VDOT for approval (this would shift authority and consume time)	Relatively unchanged	Deletes provision
Creation of a new Northern Virginia MPO	Requires the Secretary of Transportation to prepare a recommendation on creation of a Northern VA MPO (Metropolitan Planning Organization) [COG is now our only MPO]	Deletes provision, but study provision is included in the Governor's Government Reorganization legislation	Deletes provision
Devolution, and how it will affect "devolved" counties, as well as maintenance funds for cities, towns and counties	Proposes that Loudoun, Fairfax, Prince William, and Chesterfield take over responsibility	Deletes provision, but Governor is expected to seek its inclusion in the State budget	Deletes provision
Local Income Tax	Not included	Not included	Current law allows 1% local income tax for transportation, after a referendum. Tax sunsets in 5 years. Senate bill removes sunset provision.
Index increases for gas tax	Not included	Not included	Index increases for gas tax to changes in cost of highway construction materials

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