

Legislative Subcommittee

January 10, 2003, 5 p.m., Council Workroom

Agenda

1. Update on City Package
2. Health & Human Services
Retention of records of reported child abuse/neglect
3. Housing
4. Human Rights
5. Miscellaneous
6. Planning
7. Public Safety
8. Taxation, Finance & Budget
9. Transportation & Public Works
10. Woodrow Wilson Bridge
11. Budget
12. Future Subcommittee meetings

January 10, 2003 (2:04pm)

Health and Human Services

HB 1499 Notification to parents of certain health services to minors.

Summary as introduced:

Notification to parents of certain health services to minors. Requires, notwithstanding other law to the contrary and unless prohibited by federal law or regulation, any state or local government agency employee who provides services to a minor, for which such minor is deemed an adult for purposes of consent, to notify, within 48 hours of delivery of such services, both parents, in the case of an intact family, or the custodial parent, legal guardian or other person standing in loco parentis of any service and any reason, condition or diagnosis requiring such service when the service relates to any disease or health condition or health risk posing a serious risk of harm to the health or well-being of such minor, including, but not limited to, sexually transmitted diseases, pregnancy, illegal drug use, promiscuous sexual behavior, and the contemplation of suicide. In addition, this bill requires state and local government agency employees to give parental notice at least seven days prior to providing or prescribing contraceptives to any minor.

Patrons: Lingamfelter, Athey, Black, Cole and Janis; *Senator:* Cuccinelli

01/08/03 House: Presented & ordered printed, prefiled 12/10/02 032122822

01/08/03 House: Referred to Committee on Health, Welfare and Institutions

Housing

HB 1678 Uniform Statewide Building Code; inspection of rental property.

Summary as introduced:

Uniform Statewide Building Code; inspection of rental property. Clarifies that a local governing body may only require the issuance of certificates of compliance with current building regulations for existing residential buildings located in conservation and rehabilitation districts designated by the local governing body, or in other areas designated as blighted, upon an affirmative finding of the need to protect the public health, safety and welfare. The bill further clarifies that an affirmative finding of the need to protect the public health, welfare and safety shall only be valid when there is evidence of specific violations of the Building Code that have not been remedied by the owner. The bill further provides that no local governing body may require registration of existing buildings or charge any fees for the issuance of certificates of compliance or for any other purpose associated with the inspection of such buildings. The bill contains technical amendments.

Patron: Rapp

01/08/03 House: Presented & ordered printed, prefiled 01/03/03 030869736

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

01/09/03 House: Assigned to General Laws sub-committee: 1

Human Rights

HB 1708 Government Data Collection and Dissemination Practices Act; genetic

Summary as introduced:

Government Data Collection and Dissemination Practices Act; genetic information. Amends the definition of "personal information" under the Government Data Collection and Dissemination Practices Act (formerly the Privacy Protection Act of 1976) to include genetic information, as defined in § 38.2-508.4.

Patron: Purkey

01/08/03 House: Presented & ordered printed, prefiled 01/03/03 034093896

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

01/09/03 House: Assigned to General Laws sub-committee: 2

01/09/03 House: Fiscal impact statement from DPB (HB1708)

HB 1812 Genetic characteristics; discrimination.

Summary as introduced:

Genetic characteristics; discrimination. Declares it to be the policy of the Commonwealth to safeguard individuals from unlawful discrimination based on genetic characteristics. Conduct that violates Virginia or federal law governing discrimination on the basis of genetic characteristics is defined to be an unlawful discriminatory practice. Contracting agencies entering into procurement contracts with the Commonwealth are required to agree that they will not discriminate against employees or applicants based on a genetic characteristic that is not a bona fide occupational qualification reasonably necessary to perform the normal operation of the contractor. In addition, localities, if they enact ordinances prohibiting discrimination, must also include discrimination based on genetic characteristics.

Patron: Welch

01/08/03 House: Presented & ordered printed, prefiled 01/07/03 035302986

01/08/03 House: Referred to Committee on General Laws
01/09/03 House: Assigned to General Laws sub-committee: 3

HB 1822 Medicaid-Buy-In.

Summary as introduced:

Medicaid-Buy-In. Requires the Board of Medical Assistance Services to include in the state plan for medical assistance services a provision to implement one of the options for a Medicaid Buy-In program pursuant to Section 4733 of the Balanced Budget Act of 1997 or the Ticket to Work and Work Incentives Improvement Act of 1999, as soon as practicable and cost effective. Such option must be designed to provide working persons with disabilities, who, because of their higher earnings, were not eligible for medical assistance services in Virginia, with access to coverage under the Virginia medical assistance services program. The provision for a Medicaid Buy-In must provide such working persons with disabilities access to this comprehensive health

care when they meet the Board's established income and resource or other eligibility criteria and upon payment of a premium to participate in the Virginia Medicaid program. The Board's Medicaid Buy-In provision may consist of a time-limited demonstration project or such other option as the Board shall determine to be appropriate for the purposes of removing barriers to work and providing comprehensive health coverage for disabled persons while assuring the fiscal integrity of the Commonwealth's medical assistance services program. The Board's Medicaid Buy-In provision must establish income eligibility, asset and resource limitations, premium payments, age eligibility, criteria for determining the level of disability required for participation, and, if feasible, criteria for providing continued participation upon medical improvement. The Board may develop a Medicaid Buy-In option, pursuant to this subdivision, during the implementation of Virginia's federal Medicaid Infrastructure Grant as awarded on January 1, 2002, for the development of infrastructure, in the form of improvements in the Commonwealth's Medicaid program, to support employment of disabled persons or at such other time as, in the Board's opinion, may be more appropriate.

Patron: Morgan

01/08/03 House: Presented & ordered printed, prefiled 01/07/03 034130856

01/08/03 House: Referred to Committee on Health, Welfare and Institutions

SB 836 Virginia Human Rights Act; discrimination in employment on the basis of genetic testing or genetic characteristics

Summary as introduced:

Virginia Human Rights Act; discrimination in employment on the basis of genetic testing or genetic characteristics. Provides that "unlawful discriminatory practice" under the Virginia Human Rights Act includes discrimination in employment based on genetic tests or genetic characteristics. The bill also authorizes a county to enact an ordinance prohibiting such discrimination and for local commissions on human rights to investigate alleged violations of the ordinance.

Patron: Howell

01/08/03 Senate: Presented & ordered printed, prefiled 01/06/03 034182448

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

SJ 283 Constitutional amend. (1st resolution); restoration of civil rights.

Summary as introduced:

Constitutional amendment (first resolution); restoration of civil rights for felons. Authorizes the General Assembly to provide by law for the restoration of civil rights for felons who have completed service of sentence, including probation, parole, and suspension of sentence and who meet such other conditions or limitations as may be prescribed by law.

Patron: Miller, Y.B.

01/08/03 Senate: Presented & ordered printed, prefiled 11/27/02 035038480

01/08/03 Senate: Referred to Committee on Privileges and Elections

Miscellaneous

HB 1405 Party designations on the ballot.

Summary as introduced:

Party designations on the ballot. Extends to local elections, other than school board and soil and water conservation district elections, the identification of candidates by party name on the ballot. Current law provides for party identification of candidates on ballots only for federal, statewide, and General Assembly elections. The bill also allows any locality to provide by charter or by ordinance for nonpartisan elections for the governing body without any party identification on the ballot for governing body candidates. The bill explicitly provides that an endorsement by a political party of a candidate who qualifies for the ballot through the petition process is not grounds for identifying that candidate by the party's name.

Patrons: Black, Lingamfelter and Rust

01/07/03 House: Fiscal impact statement from DPB (HB1405)

01/08/03 House: Presented & ordered printed, prefiled 10/04/02 035023636

01/08/03 House: Referred to Committee on Privileges and Elections

HB 1471 Alexandria Port Commission.

Summary as introduced:

Alexandria Port Commission. Repeals the Act of Assembly (as amended) that created the Alexandria Port Commission. The Commission does not exist and this Act of Assembly is obsolete. This legislation is a recommendation of the Virginia Code Commission.

Patrons: Landes, Howell and Lingamfelter; Senators: Edwards and Mims

01/08/03 House: Presented & ordered printed, prefiled 12/05/02 035811226

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

HB 1526 Personal watercraft; local ordinances; penalty.

Summary as introduced:

Personal watercraft; local ordinances; penalty. Allows localities to enact ordinances establishing minimum distances from the shoreline that personal watercraft may be operated in excess of the slowest possible speed required to maintain steerage and headway. Such distances shall be at least 50 feet and no greater than 200 feet. Penalties shall not exceed Class 4 misdemeanors.

Patron: Purkey

01/08/03 House: Presented & ordered printed, prefiled 12/19/02 036577896

01/08/03 House: Referred to Committee on Agr., Chesapeake & Natural Res.

SB 737 Virginia Freedom of Information Act; exemptions-contract negotiations.

Summary as introduced:

Virginia Freedom of Information Act; exemptions for contract negotiations. Adds a record exemption for records relating to the negotiation and award of a specific contract where competition or bargaining is involved and where the release of such records would adversely affect the bargaining position or negotiating strategy of the public body. The bill provides that such records shall not be withheld after the public body has made a decision to award or not to award the contract and shall not apply to the release of records in connection with procurement transactions governed by the Virginia Public Procurement Act. The bill also provides an open meeting exemption for the discussion of the award of a public contract involving the expenditure of public funds, including interviews of bidders or offerors, and discussion of the terms or scope of such contract, where discussion in an open session would adversely affect the bargaining position or negotiating strategy of the public body. The bill is a recommendation of the FOIA Council.

Patron: Houck

01/08/03 Senate: Presented & ordered printed, prefiled 12/20/02 030851444

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

SB 769 Party designations on the ballot.

Summary as introduced:

Party designations on the ballot. Extends to local elections, other than school board and soil and water conservation district elections, the identification of candidates by party name on the ballot. Current law provides for party identification of candidates on ballots only for federal, statewide, and General Assembly elections. The bill also allows any locality to provide by charter or by ordinance for nonpartisan elections for the governing body without any party identification on the ballot for governing body candidates. The bill explicitly provides that an endorsement by a political party of a candidate who qualifies for the ballot through the petition process is not grounds for identifying that candidate by the party's name.

Patron: Cuccinelli

01/07/03 Senate: Fiscal impact statement from DPB (SB769)

01/08/03 Senate: Presented & ordered printed, prefiled 01/03/03 035057414

01/08/03 Senate: Referred to Committee on Privileges and Elections

Planning) created on 01/02 at 11:45

HB 1538 Adequate public facilities

Summary as introduced:

Adequate public facilities. Allows any locality with a population of at least 55,000 and an annual growth rate of at least 1 percent for 3 of the previous 5 years to adopt provisions in its

subdivision ordinance for deferring the approval of subdivision plats or site plans when it determines that existing schools, roads, public safety, sewer or water facilities are inadequate to support the proposed development. Such deferrals cannot extend beyond 12 years, and applicants are entitled to approval of subdivision plats during the deferral period at the lowest density permitted in the locality for any zoning district.

Patron: Marshall, R.G.

01/08/03 House: Presented & ordered printed, prefiled 12/20/02 033375824

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

HB 1539 Adequate public facilities.

Summary as introduced:

Adequate public facilities. Allows any locality with a population of at least 55,000 and an annual growth rate of at least 1 percent for 3 of the previous 5 years to adopt provisions in its subdivision ordinance for deferring the approval of subdivision plats or site plans when it determines that existing schools, roads, public safety, sewer or water facilities are inadequate to support the proposed development. Applicants are entitled to approval of subdivision plats during the deferral period at the lowest density permitted in the locality for any zoning district. The bill specifies that any appraisal of property subject to a deferral under this subsection shall reflect the effect of such deferral on the fair market value of the property.

Patron: Marshall, R.G.

01/08/03 House: Presented & ordered printed, prefiled 12/20/02 033377824

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

HB 1540 Adequate public facilities.

Summary as introduced:

Adequate public facilities. Allows any locality with a population of at least 55,000 and an annual growth rate of at least 1 percent for 3 of the previous 5 years to adopt provisions in its subdivision ordinance for deferring the approval of subdivision plats or site plans when it determines that existing schools, roads, public safety, sewer or water facilities are inadequate to support the proposed development. Such deferrals cannot extend beyond 12 years, and applicants are entitled to approval of subdivision plats during the deferral period at the lowest density permitted in the locality for any zoning district. This bill deems infrastructure inadequate if at the time of plat or plan submission it would cost the locality more than \$100,000 to provide the infrastructure necessary to serve the proposed development.

Patron: Marshall, R.G.

01/08/03 House: Presented & ordered printed, prefiled 12/20/02 033376824

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

Public Safety

HB 1581 Control of firearms by localities.

Summary as introduced:

Control of firearms by localities. Deletes provisions that allow localities to enforce certain ordinances adopted prior to 1987, related to control of firearms.

Patron: Cole

01/08/03 House: Presented & ordered printed, prefiled 12/20/02 03595067101/08/03 House:
Referred to Committee on Militia, Police and Public Safety

HB 2033 Pointing, holding, or brandishing firearm or object similar in appearance; penalty

Summary as introduced:

Pointing, holding, or brandishing firearm or object similar in appearance; penalty. Provides that if a brandishing violation occurs in a facility open to the public during a meeting of any local, state or federal governing body or commission or committee thereof, the perpetrator is guilty of a Class 6 felony.

Patrons: Scott, Plum and Watts; Senators: Byrne, Howell and Ticer

01/08/03 House: Presented & ordered printed, prefiled 01/07/03 031645928

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

HJ 588 Study; Department of Fire Programs; report.

Summary as introduced:

Study; Department of Fire Programs; report. Directs the Virginia Department of Fire Programs to study the feasibility of adopting requirements within the Commonwealth that will ensure that buildings are constructed and equipped in such a way that will permit emergency public safety personnel to utilize effective and reliable radio communications while they are within buildings. The Department of Fire Programs shall complete its work by December 1, 2003 and shall submit an executive summary and report of its written findings and recommendations to the Governor and the 2004 Session of the General Assembly.

Patron: Callahan

01/08/03 House: Presented & ordered printed, prefiled 01/06/03 036703660

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

SB 744 Green warning lights.

Summary as introduced:

Green warning lights. Allows use of green warning lights on incident command vehicles.

Patron: O'Brien

01/08/03 Senate: Presented & ordered printed, prefiled 12/20/02 035618510

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

01/09/03 Senate: Reported from Transportation w/amd (14-Y 0-N)

SB 834 Violation of protective orders.

Summary as introduced:

Violation of protective orders. Provides that when a defendant is convicted of violating a domestic or stalking protective order, the court must extend an existing protective order for a specified period not to exceed 2 years, starting at the date of release from confinement, or if there is no confinement, from the date of conviction.

Patron: Howell

01/08/03 Senate: Presented & ordered printed, prefiled 01/06/03 031668448

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

SB 893 Protective orders; dating violence.

Summary as introduced:

Protective orders; dating violence. Creates a provision for issuing protective orders to persons in a dating relationship when the petitioner has been the victim of dating violence. A dating relationship is defined as a romantic relationship between individuals that exists or has existed for a reasonably continuous period of time but does not include a casual acquaintanceship or ordinary fraternization in a business or social context.

Patron: Watkins

01/08/03 Senate: Presented & ordered printed, prefiled 01/07/03 031652560

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

Taxation, Finance & Budget

HB 1382 Courthouse and courtroom security; assessment.

Summary as introduced:

Courthouse and courtroom security; assessment. Eliminates the "July 1, 2004" sunset on the provision that allows any county or city to assess a sum not in excess of five dollars as part of the costs in each criminal or traffic case in its district or circuit court in which the defendant is convicted that is collected by the clerk of the court, remitted to the treasurer and held by the treasurer subject to appropriation by the governing body to the sheriff's office for the funding of courthouse security.

Patron: Cosgrove

01/08/03 House: Presented & ordered printed, prefiled 09/09/02 032218674

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

01/08/03 House: Reported from Courts of Justice (19-Y 1-N)

HB 1387 Local business license fees; telecommuting enhancement exemption.

Summary as introduced:

Local business license fees; telecommuting enhancement exemption. Provides an exemption from local business license fees to any person, firm, or corporation whose annual gross receipts do not exceed \$250,000 and at least 75 percent of whose business operations are carried out through telecommuting. To qualify, the distance from the telecommuter's home to the central

worksite must be at least 50 miles except in areas designated as nonattainment for one-hour ozone and severe traffic congestion pursuant to the federal Clean Air Act. In addition, an alternate worksite must be at least 50 percent closer to the individual's home than the central worksite is to his home.

Patrons: Lingamfelter and Dudley

01/08/03 House: Presented & ordered printed, prefiled 09/17/02 033356822

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

HB 1519 Real estate tax; limitation on tax rate.

Summary as introduced:

Real estate tax; limitation on tax rate. Provides that an annual assessment, biennial assessment or general reassessment of real property may not result in more than a 5-percent increase in the total real estate tax levies, with 2 exceptions.

The first exception allows the locality to raise the property tax rate by the rate of population growth plus inflation in the locality for the immediately preceding year.

The second exception allows the locality to raise the rate above the 5-percent limit if approved by the voters in a local referendum.

Under current law, (i) the annual growth in a locality's total real estate taxes from an annual assessment, biennial assessment or general reassessment is not capped, provided the locality holds a public hearing in regard to its real property tax rate; and (ii) there is no cap on real property tax rates.

Patron: Black

01/08/03 House: Presented & ordered printed, prefiled 12/19/02 030973636

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

HB 1629 Sheriffs' fees.

Summary as introduced:

Sheriffs' fees. Increases and clarifies some of the fees charged by sheriffs for (i) out of state service, (ii) sheriff's commission on executing a writ, and (iii) collection of expenses of advertising.

Patron: Cosgrove

01/08/03 House: Presented & ordered printed, prefiled 12/27/02 038834674

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

HB 1758 Virginia Public School Authority; School Construction Grant Act of 2003

Summary as introduced:

Virginia Public School Authority; School Construction Grant Act of 2003. Authorizes the Virginia Public School Authority to issue bonds to fund grants to local school divisions in the total amount of \$1 billion to pay the costs of school construction, school renovation, and other

school infrastructure projects. The schedule for the issuance of the bonds and the payment of the debt service on them shall be as provided in the general appropriation act. One-half of the grants (\$500 million) shall be distributed to each school division in an equal amount of \$3,676,471. The remaining one-half shall be distributed to each local school division on a set per pupil amount based on each school division's actual September 30, 2002, fall membership data as a proportion of total actual September 30, 2002, fall membership data for all school divisions. In implementing this bill, the Virginia Public School Authority shall not incur more than a total of \$250 million in debt in any fiscal year.

Patron: Amundson

01/08/03 House: Presented & ordered printed, prefiled 01/06/03 039010610

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

HB 1760 Standards of Quality; apportionment of state and local share.

Summary as introduced:

Standards of Quality; apportionment of state and local share. Directs the General Assembly, in apportioning the state and local share for the costs of meeting the Standards of Quality, beginning July 1, 2003, to annually increase the state share by 4 percent of the total costs, so that, by July 1, 2008, the local share shall not exceed 60 percent and the state share shall be equal to at least 40 percent of the total costs for localities whose local share is greater than or equal to 65 percent of the total costs in any fiscal biennium.

Patron: Amundson

01/08/03 House: Presented & ordered printed, prefiled 01/06/03 033946610

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

HB 1883 Deed recordation fee for open-space preservation.

Summary as introduced:

Deed recordation fee for open-space preservation. Imposes a 1-dollar fee on every deed admitted to record as of July 1, 2003. The bill requires the Comptroller to distribute on a monthly basis the revenue from such collected fees to the Virginia Outdoors Foundation. The Foundation, established to promote the preservation of open-space lands and to encourage private gifts of money, securities, land or other property to preserve the natural, scenic, historic, scientific, open-space and recreational areas of the Commonwealth, shall hold and administer these funds in accordance with its statutory purpose and powers.

Patrons: May and Albo

01/08/03 House: Presented & ordered printed, prefiled 01/07/03 033363828

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

HJ 598 Constitutional amendment (first resolution); state and local funding for public education

Summary as introduced:

Constitutional amendment (first resolution); state and local funding for public education. Requires the General Assembly, in apportioning the state and local share for supporting an

educational program meeting the Standards of Quality, to ensure that the state share is no less than 55 percent of the total costs.

Patrons: Scott, Albo, Amundson, Bolvin, Dillard, Hull, Plum, Reese, Rust and Watts; *Senators:* Byrne, Howell, Puller and Ticer

01/08/03 House: Presented & ordered printed, prefiled 01/07/03 033953928

01/08/03 House: Referred to Committee on Privileges and Elections

SB 704 Sales tax on motor fuels.

Summary as introduced:

Sales tax on motor fuels. Provides for a statewide sales tax beginning July 1, 2004, on the sale of motor fuels in the Commonwealth. The tax would be imposed at the rate of 4.5% of the retail price of motor fuels sold in the Commonwealth and would be added to the per gallon or per unit price of motor fuel. All revenues generated and collected from the tax would be deposited into the Transportation Trust Fund of the state treasury and distributed in the manner currently provided for the 0.5% sales and use tax enacted by the 1986 Special Session of the General Assembly. Current law provides for a 2.0% sales tax on motor fuels in certain localities in the Commonwealth. The sales tax on motor fuels in these localities would increase to 6.5%.

Patron: Miller, K.G.

01/08/03 Senate: Presented & ordered printed, prefiled 11/19/02 038988476

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

SB 773 Real estate tax; limitation on tax rate.

Summary as introduced:

Real estate tax; limitation on tax rate. Provides that an annual assessment, biennial assessment or general reassessment of real property may not result in more than a 5-percent increase in the total real estate tax levies for a county, city or town, with 1 exception.

The bill also provides that a county, city or town may not set its real property tax for any tax year at a rate that would produce more than 105 percent of the previous year's total real property tax levies for such county, city or town, with 1 exception. The exception would allow a locality to set its property tax rate at a rate not to exceed the rate of population growth plus the rate of inflation in the locality for the immediately preceding year.

The average tax increase on individuals would not exceed 5 percent. However, some taxpayers could be above the average while others could fall below the average.

Under current law, (i) the annual growth rate in a locality's total real estate taxes from an annual assessment, biennial assessment or general reassessment is not capped, provided the locality holds a public hearing in regard to its real property tax rate; and (ii) there is no cap on real property tax rates.

Patron: Cuccinelli

01/08/03 Senate: Presented & ordered printed, prefiled 01/03/03 038976414

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

SB 777 Restriction on unfunded local mandates.

Summary as introduced:

Restriction on unfunded local mandates. Provides that no law shall be enacted by the General Assembly that results in an unfunded net additional expenditure, as defined in § 30-19.03:1, by any county, city, or town.

Patron: Blevins

01/08/03 Senate: Presented & ordered printed, prefiled 01/06/03 034151402

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

SB 789 Sales and use tax; limited time exemption for school supplies and certain articles of clothing

Summary as introduced:

Sales and use tax; limited time exemption for school supplies and certain articles of clothing. Provides a sales and use tax exemption for school supplies and certain clothing and footwear that are purchased during the third weekend in August beginning in 2004 and each year thereafter.

Patron: Deeds

01/08/03 Senate: Presented & ordered printed, prefiled 01/06/03 036236418

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

SB 819 Court fees and costs.

Summary as introduced:

Court fees and costs. Implements amendments made by the 2002 Session of the General Assembly to the fixed-fee provisions for felonies, misdemeanors, traffic infractions, and other violations in circuit and district court.

Patron: Norment

01/08/03 Senate: Presented & ordered printed, prefiled 01/06/03 032453508

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

SB 835 Cigarette manufacturing tax.

Summary as introduced:

Cigarette manufacturing tax. Imposes a state tax on cigarette manufacturers in the amount of twenty hundredths of a cent per cigarette manufactured or produced in Virginia on or after January 1, 2004 (the tax is 4 cents per pack of cigarettes, based on 20 cigarettes in a pack). The moneys collected from such tax, including penalties and interest, shall be credited to a special fund titled "Local Government School Construction Fund." All such moneys shall be distributed quarterly to counties and cities within 30 days after the end of each calendar quarter beginning with the calendar quarter ending March 31, 2004. Moneys in the Fund shall be distributed to counties and cities on a set per pupil amount, based on the latest actual adjusted average daily membership as determined by the Department of Education.

All moneys distributed to localities shall be used solely for public school construction, public

school additions and renovations, including retrofitting and enlarging public school buildings; public school infrastructure, including technology infrastructure; site acquisition for public school buildings and public school facilities; or debt service payments on such projects completed subsequent to December 31, 1993.

Patrons: Howell, Byrne, Puller and Ticer; *Delegates:* Dillard, Plum and Scott

01/08/03 Senate: Presented & ordered printed, prefiled 01/06/03 031982448

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

SB 911 Delinquent parking citations.

Summary as introduced:

Delinquent parking citations. Provides a mechanism whereby the Commissioner of the Department of Motor Vehicles will refuse to renew the vehicle registration of any applicant if the vehicle is subject to 2 or more unpaid parking citations that are more than 90 days delinquent.

Patrons: Whipple; *Delegates:* Albo, Bolvin, Callahan, Darner, Dillard, Rust, Scott and Watts

01/08/03 Senate: Presented & ordered printed, prefiled 01/07/03 034402660

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

SB 1073 Local meals and lodging taxes limitations.

Summary as introduced:

Local meals and lodging taxes limitations. Prohibits any city or town from imposing a meals tax or increasing such a tax unless the tax or its rate increase is approved by voter referendum. No city or town may impose a lodging tax at a rate in excess of 2 percent unless used for tourism promotion when the rate is limited to 5 percent. The limitations apply only to those cities and towns that do not have a meals or lodging tax as of January 1, 2003.

Patron: Rerras

01/08/03 Senate: Presented & ordered printed, prefiled 01/08/03 034303536

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

SJ 311 Constitutional amendment (first resolution); assessment of real property

Summary as introduced:

Constitutional amendment (first resolution); assessment of real property. Provides that beginning with the 2006 tax year, real property shall be assessed for tax purposes at no more than 105 percent of the assessed value of such property in the preceding tax year. However, if real property is sold or improved, it shall be assessed at fair market value for the tax year in which such transaction or improvement occurs. Such fair market value assessment shall then be subject to the 5 percent limitation in subsequent tax years until such time as the property is again sold or improved.

Patron: Reynolds

01/08/03 Senate: Presented & ordered printed, prefiled 01/06/03 034044524

01/08/03 Senate: Referred to Committee on Privileges and Elections

Transportation & Public Works

HB 1485 Urban and secondary highway system construction allocations.

Summary as introduced:

Urban and secondary highway system construction allocations. Allocates urban system and secondary system highway construction funds among affected jurisdictions on the basis of (i) area, (ii) vehicle miles traveled, and (iii) population, with area being weighted 15 percent, vehicle miles traveled per lane-mile weighted 25 percent, and population weighted 60 percent.

Patrons: Rust, Black, Lingamfelter, Parrish, Petersen, Plum and Reese; *Senators:* Cuccinelli, Howell, Mims and Puller

01/08/03 House: Presented & ordered printed, prefiled 12/09/02 031269922

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

SB 725 Buses; local ordinances may require traffic to yield right-of-way.

Summary as introduced:

Buses; local ordinances may require traffic to yield right-of-way. Allows localities to adopt ordinances to require motorists to yield the right-of-way to transit buses merging into traffic after having stopped to take on or discharge passengers.

Patrons: Deeds; *Delegate:* Van Yahres

01/08/03 Senate: Presented & ordered printed, prefiled 12/19/02 031281418

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

01/09/03 Senate: Reported from Transportation w/amd (14-Y 0-N)