



**FAIRFAX COUNTY BOARD OF SUPERVISORS’
2009 GENERAL ASSEMBLY
FINAL LEGISLATIVE REPORT
March 10, 2009**

**Section I (Pages 1-31)
INITIATIVES, PRIORITIES AND BUDGET**

- County Legislative Initiatives 4
- Northern Virginia Legislative Initiatives and Positions 5
- Other Items of Interest 7
- Transportation Funding 15
- State Budget 17

**Section II (Pages 32-110)
LEGISLATIVE SUMMARY WITH BOARD POSITIONS**

- County Initiatives 42-44
- Bills -- Oppose or Amend 45-55
- Bills -- Support or Monitor 56-82
- Bills No Longer Under Consideration 83-110

This report will be available on the Board of Supervisors Webpage at <http://www.fairfaxcounty.gov/government/board/> listed under “Programs and Reports.”

For a more detailed summary, action, and wording of an individual bill please visit the Virginia Legislative Information System Website at <http://leg1.state.va.us/lis.htm>

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***Final Report to Board of Supervisors
2009 General Assembly
March 10, 2009***

Section I –Report on Initiatives, Priorities and Preliminary Budget Analysis

The 2009 General Assembly conducted its business under the shadow of a national economy in distress. With a state revenue shortfall for the biennium projected at \$2.9 billion in December 2008 and growing to \$3.7 billion by February—a figure described by Senator Edward Houck in press reports as “a dose of ice-cold reality”—legislators typically looked askance at bills that would have required state funding to implement as they braced to make major cuts in education, public safety, and human services. Meanwhile, a new president was inaugurated during the early days of the Session, and the newly-sworn-in 111th Congress began deliberations on a massive infusion of federal dollars into the ailing economy. The American Recovery and Reinvestment Act, the official title of the economic stimulus package, was signed into law on February 17, which allowed General Assembly budget negotiators to use the federal dollars to restore some of the cuts proposed by the Governor in December and avoid further cuts that would otherwise have been necessary. Despite misgivings voiced by some lawmakers that the use of the stimulus funds meant “balancing the budget with borrowed federal dollars,” in the words of House Majority Leader H. Morgan Griffith, Virginia was the first state in the nation to incorporate stimulus funding in its budget.

The legislature notched other “firsts” this year as well, most notably the ban on smoking in restaurants without structurally separated smoking areas. Historically, attempts at such a ban had failed in the House General Laws Committee. Several procedural changes established by the House majority leadership were also new this year. For the first time, delegates were limited in the number of bills they could introduce; while Senators seemed to introduce slightly more bills, the fifteen-bill limit for House members resulted in about 500 fewer pieces of legislation considered by the General Assembly as compared to previous short sessions. In another significant change, while subcommittees retained the power to kill bills, subcommittee votes were recorded this year, enabling interested parties to track the fate of legislation on the state’s online Legislative Information System. This change, supported by House Democrats and members of the press, was also encouraged late last year by the conservative group Americans for Prosperity. Members of the public could also view House floor sessions via streaming video on the Internet for the first time this year as well.

The 2009 Session marked some “lasts” as well. It was the final legislative session for Governor Kaine’s term of office, and his agenda met with mixed success. The restaurant smoking ban, long advocated by the Governor, was a major success; the Governor also cited several initiatives in energy efficiency, part of his Renew Virginia campaign, as accomplishments in his end-of-the-Session letter to legislators. Other initiatives supported by the Governor were rebuffed, such as a proposed increase in the cigarette tax and a requirement that all state and local buildings be constructed to LEED or Green Globes standards. This year was also the last Session before elections for House members and the races for Attorney General, Lieutenant Governor and Governor, which produced politically-charged debates on issues such as reducing the number of out-of-state students at Virginia’s public universities and regulating the conduct of local gun buy-back programs. This Session was the last in office for five legislators—Delegates Eisenberg, Hargrove, Melvin, Fralin, and Frederick, and in keeping with General Assembly tradition, fellow legislators saluted the retiring members in often emotional floor speeches.

Other traditions also continued this year. There were contentious negotiations over appointing judges, including a dispute between the Supreme Court and the General Assembly over whether the contents of judicial performance evaluations should be made public. Other perennial issues included attempts to close the “gun show loophole,” to create an independent commission to oversee legislative redistricting, and to impose limits on local taxing authority.

Section I is a brief report on several items of particular interest to the Board, including the County’s initiatives. Section II contains a status report on legislation considered by the 2009 General Assembly on which the Board had taken positions.

COUNTY LEGISLATIVE INITIATIVES

HB 2150 (Rust) permits localities in Planning District 8 to adopt an ordinance to require that a notice be given to the chief administrative officer when residential property becomes subject to a sale under a deed of trust. Any such notice would be sent by the person authorized by the lender to conduct the foreclosure sale at the same time notice of the foreclosure sale must be sent pursuant to Va. Code §55-59.1. The notice to the locality shall include the street address of the property, the name of all property owners and the name and contact information of the person initiating the foreclosure sale. If a mortgage loan that is subject to a foreclosure sale has been registered with a national mortgage loan electronic registration system that includes the name of the borrower, the street address of the property, and contact information of the current mortgage lender or mortgage loan service provider and someone designated as a property preservation contact, then separate notice to the chief administrative officer as may be required by local ordinance need not be given provided the locality has access to that national electronic database.

Fortunately, Fairfax County is home to a business that has established an electronic registration system for mortgage loans on properties throughout the United States. At the company's invitation, County staff have been exploring the possibility of a pilot project with this company where the County would be granted access to its database at no charge. As this proposal moves forward, staff will bring it before the Board.

Other County initiatives were unsuccessful, with all but **SB 1227** left in their committees of origin. **HB 1933** (Plum) would have added "sexual orientation" as prohibited discrimination in Fairfax County in the County's human rights ordinance, which covers real estate transactions, employment, public accommodations, credit and education. **HB 2384** (Scott, J.M.) would have allowed the governing body of any county, city, or town to enact a local safety belt ordinance not inconsistent with the state law on the same subject, which would have allowed localities who enacted such an ordinance to retain the fines collected for violations of the ordinance. Presently, this ability is limited to the City of Lynchburg. **HB 2606** (Hugo) would have allowed the County to impose reasonable limitations on farm winery activities notwithstanding any other provision of law as part of any zoning approval of a farm winery that requires a license. **SB 1053** (Whipple), introduced by the City of Falls Church and supported by the Board, would have provided that the governing body of any locality may, by ordinance, make it unlawful for any person to possess a dangerous weapon upon the property, including buildings and grounds thereof, of any facility that is owned or leased by that locality and used by it for governmental purposes. **SB 1227** (Barker) would have made cell phone use while driving by a provisional driver's license holder a primary offense. The bill passed the Senate, but was tabled in a subcommittee of House Militia, Police, and Public Safety.

NORTHERN VIRGINIA LEGISLATIVE INITIATIVES AND POSITIONS

Comprehensive Services Act

Several changes were made to the state's Comprehensive Services Act (CSA) policies by the 2009 General Assembly. Seven bills were introduced by Senator Hanger as a result of the CSA study directed by SJ 75 in 2008. **SB 1179** increases the number of local government representatives seated on the policy-setting State Executive Council (SEC) from two to three (representatives from providers are also increased from two to three, a public provider is added, and the Governor's Special Advisor is added as a non-voting ex-officio member). **SB 1180** clarifies that the SEC is responsible for analyzing and reporting on spending, particularly for children with emotional or behavioral problems. **SB 1181** requires the Office of Comprehensive Services to improve data reports on expenditures for children served using CSA funds, and to assist local CSA programs by providing model CSA Coordinator job descriptions and guidelines for local Family Assessment and Planning Team (FAPT) activities. **SB 1506** provides that when a judge is to assign services under CSA and the judges' service choices differ from the recommendations of the FAPT, the judge shall request the Community Policy and Management Team submit a second report characterizing comparable services to the requested level of service.

Smoking Ban

For the last several years, the General Assembly has considered various bills to restrict or ban smoking in restaurants, but all of these bills have failed. This year, several bills were again introduced for consideration. In a surprising turn of events, Governor Kaine and Speaker Howell announced a compromise on legislation that would restrict smoking in restaurants, with exceptions for private clubs and restaurants with a designated smoking room that is physically separated and independently ventilated from non-smoking dining areas. An attempt was made in the House to weaken the compromise, but ultimately **HB 1703** (Cosgrove) and **SB 1105** (Northam) passed both houses with the original compromise, and await the Governor's signature. The new restrictions on smoking in restaurants constitute a significant change for Virginia, where the history of the tobacco industry has been particularly strong.

Limits on Transportation Revenues

At the request of key members of the Northern Virginia business community, two bills were introduced this session to restrict local governments' ability to impose and spend the commercial property tax for transportation that was authorized by the General Assembly in 2007 as part of HB 3202. The commercial property tax for transportation is the only significant regional transportation funding source from HB 3202 remaining after the February 2008 Virginia Supreme Court's ruling on the Northern Virginia Transportation Authority's taxes and fees. **HB 2479** (Hugo) reduces the rate of the additional commercial property tax for transportation that may be imposed by localities from \$0.25 per \$100 valuation to \$0.125 per \$100 valuation for four years. As passed, this restriction will complicate Fairfax County's ability to issue bonds supported by this revenue stream in the short-term and may also make it difficult to use this funding source to support Phase II of the Dulles rail project without deferring other pay-as-you-go projects.

In addition, **HB 2480** (Hugo) limits the use of these commercial property tax revenues. HB 3202 restricted these funds to transportation purposes benefiting the locality. In 2008, **HB 30/SB 30** (the budget bill) required that these funds can only be used to supplement, not supplant, any local funds provided for transportation programs within the locality. **HB 2480** restricts the funds solely for (i) new road construction and associated planning, design, and right-of-way acquisition, including new additions to, expansions, or extensions of existing roads that add new capacity, service, or access, (ii) new public transit construction and associated planning, design, and right-of-way acquisition, including new additions to, expansions, or extensions of existing public transit projects that add new capacity, service, or access, (iii) other capital costs related to new transportation projects that add new capacity, service, or access and the operating costs directly related to the foregoing, or (iv) the issuance costs and debt service on bonds that may be issued to support the capital costs permitted in subdivisions (i), (ii), or (iii). Based on the restrictions contained in **HB 2480**, it does not appear that commercial property tax money could be

used for safety projects or reconstruction of existing facilities. Both of these would have been permitted under HB 3202. Both **HB 2479** and **HB 2480** passed both houses and are waiting for the Governor's signature.

HB 1839 (Albo) would have provided that half of the current special tax on commercial real property in Northern Virginia be used for local projects pursuant to existing law, and half be used to construct new roads or transit projects that are approved by the most recent long-range plan of the Northern Virginia Transportation Authority. The bill would have accomplished this by halving the rate of the special tax under current law (from \$0.25 per \$100 valuation to \$0.125 per \$100 valuation) and providing for an additional tax for the new construction of roads and transit at (\$0.125 per \$100 valuation). The House Finance Committee Subcommittee #2 recommended tabling **HB 1839**.

OTHER ITEMS OF INTEREST

Commercial Parking

Several bills were introduced to provide Fairfax County and other Northern Virginia localities additional authority to regulate commercial parking. **HB 1694** (Albo) allows the jurisdictions to prohibit parking of any truck more than 20 feet in length on residential streets, other than vehicles used by a public service company or by others working on its behalf, or vehicles used in the provision of cable television service. Senate amendments to **HB 1694** also exempt vehicles used in the provision of propane gas service. The Senate amendments also allow the local governments to prohibit parking of any vehicle carrying commercial freight in a hazardous or unsightly manner. The House requested a committee of conference. The conference report adds "any vehicle carrying commercial freight in plain view" to the vehicles that Fairfax County and several other jurisdictions can regulate. The conference report was approved by both houses.

HB 2231 (Marsden) would have allowed jurisdictions to prohibit pickup and panel trucks from parking on residential streets. **HB 2231** was tabled by the House Transportation Committee.

SB 1138 (Petersen) would have allowed jurisdictions to prohibit any vehicle carrying commercial freight externally on residential streets. **SB 1138** passed the Senate, but was referred from the House floor back to the House Transportation Committee which essentially killed it. The major provision of the bill was added to **HB 1694** by the Senate.

Constitutional Amendments

A Constitutional amendment must be passed by both the House and Senate twice in identical form, with an intervening election between first and second passage. After the second resolution, the amendment must be put on the ballot for a referendum. Since there is a House of Delegates election in November, Constitutional amendments passed in the 2009 Session will need to pass again in 2010 in identical form to be placed on the ballot in November 2010.

Several Constitutional amendments dealing with local property taxes passed this Session and will need to be carefully monitored during the 2010 Session.

HJ 648 (O'Bannon)/**SJ 275** (Puller) directs the General Assembly to exempt from taxation real property that is the principal residence of a veteran (or widow or widower of a veteran) if the veteran has been determined by the United States Department of Veterans Affairs or its successor agency pursuant to federal law to have a 100 percent service-connected, permanent, and total disability.

As it passed the Senate, **SJ 332** (Petersen) would have authorized the General Assembly to directly exempt from property taxes, or to enact legislation that would permit localities to exempt from property taxes, any building constructed or designed to conserve energy and natural resources in a manner that meets or exceeds performance standards established for such purposes. It was amended in a House Privileges and Elections subcommittee to expand the exemption from buildings to "any property, including real or personal property, equipment, facilities, or devices." The full House committee accepted this amendment, but also amended the resolution to make the tax exemption permissive for localities.

HJ 688 (Cole) authorizes localities to either waive or establish their own income or financial worth limitations for purposes of granting real property tax relief for persons not less than 65 years of age or persons permanently and totally disabled. This legislation was introduced at the request of Stafford County, which would like the ability to create a "circuit breaker" for real estate taxes, in which a taxpayer would not have to pay any more real estate taxes once he or she had paid a certain percentage of his or her income in real estate taxes.

Several constitutional amendments were introduced to protect the Transportation Trust Fund from use for non-transportation purposes, but were unsuccessful.

HJ 620 (Oder) would have required the General Assembly to maintain permanent and separate transportation funds to include the Commonwealth Transportation Fund, Transportation Trust Fund,

Highway Maintenance and Operating Fund, and other funds established by general law for transportation. All revenues dedicated to transportation funds on January 1, 2009, shall be deposited to the transportation funds, unless the General Assembly alters the revenues dedicated to the funds. The amendment limits the use of fund moneys to transportation and related purposes. The General Assembly may borrow from the funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan must be repaid with reasonable interest within four years. This approach is known as the "single lockbox." The Senate substitute conformed the bill to **SJ 361** (Norment) as it passed the Senate. This substitute was rejected by the House; thereby placing the resolution in conference. No conference report was agreed to.

SJ 361 (Norment) requires the General Assembly to maintain permanent and separate transportation funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, and Priority Transportation Fund. All revenues dedicated to these funds on January 1, 2010, shall be deposited to the Funds, unless the General Assembly alters the revenues dedicated to the Funds. The amendment limits the use of funds moneys to transportation and related purposes. The General Assembly may borrow from the funds for other purposes only by a vote of 2/3 + 1 of the members voting in each house, and the loan must be repaid with reasonable interest within the three years. The amendment also limits the use of general and other non-transportation funds for transportation purposes, except for certain debt service payments and in an amount not to exceed \$80 million in any fiscal year. This approach is known as the "double lockbox." The House substitute generally conformed the bill to **HJ 620** (Oder) as it passed the House with a change to limit funds to services "benefiting" the Commonwealth rather than services "in" the Commonwealth. This substitute was rejected by the Senate; thereby placing the resolution in conference. No conference report was agreed to.

Amendments to restrict the use of eminent domain by local governments and other entities (**HJ 725**—Bell and **SJ 290**--Obenshain) were defeated in Senate Privileges and Elections after objections were voiced by a broad-based coalition of 38 entities, including the County, other localities, Virginia Association of Realtors, Northern Virginia Association of Realtors, Virginia Chamber of Commerce, Home Builders Association of Virginia, Verizon, and Washington Gas.

There were several unsuccessful attempts to restrict taxation and spending at the local and state levels. Resolutions that would have imposed limits on the growth of assessments or property tax rates (**HJ 709**—Frederick and **SJ 349**—Newman) died in their respective committees of origin. **HJ 789** (Loupassi) would have limited total state appropriations in a year to the preceding year's total appropriations plus the sum of the percentage increase in the rate of inflation plus the rate of population increase, with certain exceptions. The resolution was defeated in Senate Privileges and Elections 10-5.

Efforts to allow the General Assembly to provide by law for the restoration of civil rights for nonviolent felons were defeated in House Privileges and Elections, all but one in subcommittee. Similarly, attempts to create a commission to oversee the redrawing of legislative districts were all defeated, all but two in subcommittees of House Privileges and Elections.

Land Use – Home Builders Priorities

The Home Builders Association of Virginia (HBAV) had four bills introduced at their request that they described as the core of their legislative agenda for the 2009 Session. All four bills passed. The stated rationale for the four proposals was to provide some relief to the home building industry during these tough economic times.

HB 2029 (Marshall, D.W.) temporarily reduces from 25% to 10% the additional amount that a locality may require be added to the estimated construction costs secured by a public improvement performance bond or other surety, in order to cover a reasonable allowance for estimated administrative costs, inflation, and potential damage to existing public streets and utilities. This bill will take effect July 1, 2009, and shall continue in effect through June 30, 2014. Beginning July 1, 2014, the maximum amount of a reasonable allowance for such items shall return to 25% of the estimated construction costs of the bonded improvements.

HB 2077 (Oder) extends until July 1, 2014, the validity of site plans, preliminary subdivision plats, and final recorded subdivision plats valid as of January 1, 2009, provided that all related performance bonds and agreements or other financial guarantees of completion of public improvements in or associated with the proposed development are continued in force and effect. The validity of other approved plans and permits associated with such site plans and subdivision plats, for example, construction plans or grading plans, are also extended until July 1, 2014. **HB 2077** further extends until that same date, any deadline applicable to a special exception, special use permit or conditional use permit valid as of January 1, 2009, and that relates to new residential or commercial development that would require the property owner or developer to commence the project or to incur significant expenses related to improvements for the project within a certain time. Finally, with regard to proffered rezonings related to new residential or commercial development approved and valid as of January 1, 2009, **HB 2077** extends until July 1, 2014, any proffered condition that requires the landowner or developer to incur significant expenses upon an event related to a stage or level of development. The proffer extension does not apply (i) to proffered dedications of land or rights-of-way, (ii) when the event related to the stage or level of development has been completed, or (iii) to events required to occur on a date or within a timeframe specified in the proffers. The bill allows localities to grant additional extensions beyond July 1, 2014.

HB 1788 (Hull)/**HB 2294** (Merricks)/**SB 1276** (Martin) preclude localities from prohibiting the use of alternative onsite sewage systems that have been approved by the Virginia Department of Health [VDH] for use in particular circumstances and conditions. To date, alternative onsite sewage systems include systems classified by VDH as experimental, provisional, and generally accepted. These bills also prohibit localities from imposing and enforcing maintenance standards and requirements that exceed those allowed or established by VDH. As a precondition of the issuance of any permit for an alternative onsite sewage system to serve a residential structure, the State Health Commissioner shall require the property owner to first record an instrument in the local land records in the chain of title to the property that identifies by reference the applicable maintenance regulations for each component of the alternative onsite sewage system to be installed on the property.

Additional enactment clauses adopted at the end of the bills provide that the statutory prohibitions against local bans of alternative systems and against more stringent local maintenance standards and requirements shall not take effect until, respectively, 30 days after final promulgation of regulations by the Board of Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals governing licensure of onsite soil evaluators and installers and operators of such systems, and 30 days after final promulgation by the Board of Health of regulations governing the operation and maintenance of alternative onsite sewage systems pursuant to Chapters 892 and 924 of the Acts of Assembly of 2007.

These bills generated much opposition from local governments and members of the environmental community. There was some discussion that the catalyst for the introduction of these bills, at least from the perspective of HBAV, was Loudoun County's recent 5-year moratorium on any additional approvals of alternative on-site sewage systems. Prior versions of **HB 1788** would have required VDH to add representatives of local health departments to the Technical Advisory Committee that will assist VDH in the formulation of draft maintenance regulations for the numerous types of alternative onsite sewage systems that are on the market. However, that provision was stripped from the bill. Representatives of VDH stated that it will likely take 18 to 24 months before regulations governing operation and maintenance of the alternative systems may be adopted.

SB 1335 (Stuart), the fourth of HBAV's four legislative priorities, creates a local option whereby certain types of proffered conditions may be amended at the request of the profferor, without the need of a public hearing. At the request of a profferor, the governing body may waive any requirement for a public hearing where the proposed proffered condition amendment would not affect conditions of use or density. In such circumstance, any approval of the proffered condition amendment would be by motion or resolution of the governing body during a regular meeting. The bill specifically provides that once so amended, the proffered conditions shall continue to be an amendment to the zoning ordinance and may be enforced by the zoning administrator, just like any other proffered rezoning.

Local Taxing Authority

Daily Rental

As originally introduced, **HB 2472** (Hugo) and **SB 1419** (Watkins) would have changed the definition of merchant's capital taxation for those engaged in the short-term rental business. The bills were introduced at the request of several members of the American Rental Association so that leased heavy equipment could be taxed as short-term rental property; this is a significant expansion of the current law.

Because the bills revised current law and also created a potential loophole for business personal property taxation, especially for out-of-state leasing companies, localities expressed strong concern and opposition to the bills as written and as passed through their originating chambers. An eventual substitute was developed by opponents and proponents of the bill to mitigate several of the concerns of localities and eventually this "compromise" legislation passed both houses late into the session.

Under the bills as originally introduced the potential fiscal impact to Fairfax County was a worst case revenue loss of up to \$13 million. Under the compromise substitute language that was adopted, staff estimates the potential revenue loss was mitigated to less than \$50,000. As passed, while the legislation does broaden the definition of daily rental for certain heavy equipment, the loophole was eliminated.

Recordation Taxes

HB 2135 (Miller, J.H.), which incorporated **HB 1823** (Albo), increases the criminal penalty for knowingly misrepresenting the consideration for the interest in property conveyed for purposes of recordation and grantor taxes. As amended by the Senate and as passed both houses, the bill also provides a penalty equal to 100 percent of the tax due on the understatement of the consideration in cases in which the understatement is fraudulent with the intent to evade a tax; this provision was supported by the Fairfax County Board of Supervisors and the Clerk of the Court.

As passed by the Senate, **SB 1157** (Saslaw) paralleled **HB 2135**. However, when the bill was reported by the House Finance Committee, the legislation was transformed back into its introduced form; this version changed the basis on which recordation and grantor taxes are calculated on the transfer of real estate to the actual consideration for the real estate. In a depressed real estate market, the bill would have negatively affected state and local revenues. A committee of conference was established, and the bill was conformed to **HB 2135**.

Sunset on Taxes

HB 1730 (Cole) would have required a sunset date of no more than four years on all bills that added or increased a state or local tax, prior to reporting of the bill by a committee of the General Assembly. However, after passage, such bills would not expire on the sunset date if at that time the tax were dedicated to pay outstanding bonds; rather such bills would expire the date they were no longer dedicated to outstanding bonds. The bill was left in Senate Rules. **SB 1272** (Vogel) would have required a sunset date on all bills that added new taxes or fees or increase the rate of existing taxes or fees. The sunset dates would have been required for both state and local tax or fee bills. The bill was passed by indefinitely in Senate Rules.

Mental Health

One bill will result in significant change in the evidence that may be considered by a judge or special justice during commitment hearings. **HB 2257** (Albo) adds language to the Code governing involuntary commitment hearings explicitly allowing judges or special justices to consider evidence of past compliance or noncompliance with treatment when considering voluntary admissions, an issue that the bill was meant to address.

HB 2060 (Hamilton) and **SB 1083** (Howell) provide clarifying language to address issues resulting from the mental health law reforms undertaken in the 2008 Session.

As expected following last year's major mental health reforms, legislation was introduced that amends statutes governing Mandatory Outpatient Treatment of minors. **HB 2061** (Hamilton)/**SB 1122** (Lucas) are comprehensive in scope, and define the circumstances when mandatory outpatient treatment for minors may be used, including a provision that the minor has appropriate supervision to maximize the success of the outpatient treatment. The bills also provide for voluntary commitment petitions by minors in detention homes or shelter care facilities and seeking mental illness treatment.

Studies of Interest

As announced by the House leadership, the creation of new legislative study committees was held to a minimum this year, as part of efforts to cut expenses in the legislative branch. However, some existing joint subcommittees were continued, and some existing entities were asked to undertake additional studies. Several studies of interest to the County are as follows:

HJ 678 (Tata) requests the State Council of Higher Education for Virginia and the Virginia Community College System to study the shortage of classroom teachers in the Commonwealth, and specifically explore methods to attract students to the Virginia Community College System for the first two years of a teacher preparation program.

HJ 681 (Massie) directs the Joint Legislative Audit and Review Commission to study Virginia's corporate income tax system. It is a two-year study with its work to be completed by November 30, 2010.

SJ 328 (Herring) directs the Joint Legislative Audit and Review Commission to study the various forms of postelection audits and their costs and requirements.

SJ 357 (Barker) continues the mandate of the joint subcommittee (SJ 122, 2008) to study the feasibility of creating a regional rapid transit network for connecting existing and emerging population centers in major transportation corridors in Northern Virginia for a second year.

SJ 359 (Stolle) continues the joint subcommittee to study the operations of circuit court clerks' offices.

Two study resolutions supported by the County were unsuccessful. Initiated by Henrico County, **SJ 353** (McEachin) would have established a joint subcommittee to study the processes and the accuracy of the distribution of local taxes and state taxes collected by state entities for local governments. The resolution was tabled in House Rules, although language in the budget requires the state Tax Department to use GPS technology in the distribution of the local option sales tax, as mentioned in the "State Budget" section of this report. **SJ 356** (Smith) would have established a joint subcommittee to study teenage driving and ways to help teenagers become safer drivers. The resolution was recommended to be passed by indefinitely in a subcommittee of House Rules.

Several other study resolutions of interest to the County also failed, all in a subcommittee of House Rules:

SJ 277 (Edwards) would have directed the Joint Legislative Audit and Review Commission to study the costs incurred by the Commonwealth and localities resulting from tort claims brought against such entities.

SJ 324 (Howell) would have created a joint committee of members from the Senate and House Finance Committees, two and four respectively, to examine the way Virginia calculates the corporate income tax for multistate service corporations.

SJ 338 (Barker) would have established a joint subcommittee to study the level of state assistance to localities to assist with financing land acquisition, and the construction and renovation of school facilities. In conducting its study, the joint subcommittee was to ascertain alternative methods of financing the construction and renovation of public school facilities in Virginia, including the feasibility of public-private partnerships. The joint subcommittee was to report its findings and recommendations to the 2010 Regular Session of the General Assembly.

SJ 346 (Vogel) would have established a nine-member joint subcommittee to recommend methods for modernizing local government structure and organization.

Traffic Safety Legislation

Numerous bills were introduced this session to improve traffic safety and reduce the number of traffic deaths on Virginia's highways. Several were specific County and/or regional initiatives. Others were supported by the County. In 2008, there were more than 800 traffic fatalities on Virginia's highways. This number is equivalent to more than two fully loaded Boeing 747 airplanes. Secretary of Transportation Pierce Homer has said that if any other industry had that many deaths in one year, people would be outraged. The safety bills related to texting, cell phone use, seat belt use, pedestrian safety and driver training. Although many of the bills passed the Senate, most of the bills were defeated in a subcommittee of the House Militia, Police and Public Safety Committee which is made up exclusively of rural legislators.

Texting

The bright spot in traffic safety this year was **HB 1876** (Cosgrove) which prohibits texting while driving with several exceptions. However, the bill is limited to secondary enforcement which means a police officer must see another traffic violation before the officer can ticket a driver for texting. The bill incorporates **HB 1615** (Howell, A.T.) and **HB 2380** (Scott, J.).

Cell Phone Use

As mentioned in the "County Initiatives" section of this report, **SB 1227** (Barker) would have made cell phone use while driving by a provisional driver's license holder (generally those under 18) a "primary offense." This practice is currently illegal. However, the police are limited to secondary enforcement, which means a police officer must see another traffic violation before the officer can ticket a driver for cell phone use. This bill was a recommendation of Fairfax County's teen driving summit. Although the bill passed the Senate 33-6, the House Militia, Police and Public Safety Committee's Subcommittee #2 recommended that **SB 1227** be tabled.

There were also four bills that would have limited cell phone use to hands free devices for all drivers. **HB 1955** (Mathieson) was incorporated into **HB 1769** (Dance) by the House Militia, Police and Public Safety Committee's Subcommittee #2. The subcommittee subsequently recommended tabling HB 1769. **SB 966** (Blevins) was incorporated into **SB 874** (Ticer). **SB 874** was defeated in the Senate Courts of Justice Committee (6-7-2).

HB 1659 (Howell, A.T.) would have prohibited the use of wireless telecommunications devices, whether handheld or otherwise, while operating a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped, except in an emergency. The House Militia, Police and Public Safety Committee's Subcommittee #2 recommended that **HB 1659** be tabled.

SB 1444 (Martin) would have prohibited the use of wireless telecommunications devices while operating commercial motor vehicles. It was passed by indefinitely by the Senate Transportation Committee (14-0).

Seat Belt Use

Four separate bills were introduced seeking to change the current secondary enforcement to primary enforcement. Studies in other states have shown an increase in seat belt use when secondary enforcement is changed to primary enforcement. On the Senate side, **SB 970** (Blevins) was incorporated into **SB 1161** (Saslaw). **SB 1161** passed the Senate 25-15, but was tabled by the House Militia, Police and Public Safety Committee's Subcommittee #2. There were also two versions of the bill introduced in

the House, **HB 2253** (Barlow) and **HB 2339** (Amundson). The same subcommittee recommended tabling these bills.

SB 1408 (Norment) would have allowed for primary enforcement of safety belt requirements when violations are observed by law-enforcement officers at traffic safety checkpoints. **SB 1408** passed the Senate (40-0). It received no motion in the House Militia, Police and Public Safety Committee's Subcommittee #2.

SB 1502 (Barker) would have extended the requirement for safety belt use to all occupants of a motor vehicle, not just those in the front seat. **SB 1502** passed the Senate (24-15), but the House Militia, Police and Public Safety Committee's Subcommittee #2 recommended passing it by indefinitely.

In addition, **HB 2384** (Scott, J), also a County initiative, would have expanded statewide authority currently given to the City of Lynchburg to retain fines for seat belt violations which are written by the local police department. This was a Fairfax County initiative. The House Militia, Police and Public Safety Committee's Subcommittee #2 also recommended tabling **HB 2384**.

Pedestrian Safety

Four pedestrian safety bills were introduced this year. In 2007, there were 88 pedestrian fatalities on Virginia's roadways. **HB 2386** (Ebbin), **HB 2520** (Shannon) and **SB 1239** (Barker) would have required drivers to stop for pedestrians in crosswalks. They also clarified the existing code regarding the responsibilities of drivers and pedestrians. **HB 2520** was incorporated into **HB 2386**. **HB 2386** was reported by the House Transportation Committee (16-6), but when it was being considered on the House Floor, it was referred to the House Courts of Justice Committee. Ultimately, the Civil Subcommittee of the House Courts of Justice Committee recommended tabling the bill. **SB 1239** passed the Senate (24-16). It was referred to the House Courts of Justice Committee. Sen. Barker subsequently had a substitute prepared to limited the bill to only marked crosswalks, but the bill was referred to the House Militia, Police and Public Safety Committee's Subcommittee #2. A motion to recommend reporting **HB 1239** was not seconded.

Also **HB 2011** (Ebbin) would have prohibited crossing of railroad grade crossings by pedestrians using public highways, if a train or locomotive is present or approaching. This was a Virginia Railway Express (VRE) initiative designed to address significant problems being experienced at the Quantico and Manassas VRE stations. There have been several incidents recently during which pedestrians have been nearly stuck by trains. **HB 2011** was reported by the House Transportation Committee (13-8) but failed on the House Floor (43-55).

Teen Driving/Driver Training

SJ 356 (Smith) would have established a joint subcommittee to study teenage driving and ways to help teenagers become safer drivers. **SJ 356** passed the Senate on a voice vote. The Studies Subcommittee of the House Rules Committee recommended that **SJ 356** be passed by indefinitely.

HB 1782 (Albo) and **SB 1084** (Howell) will require that minor applicants for a driver's license in Planning District 8 (Northern Virginia) show they have successfully completed, with a parent or guardian, either in person or online, a 90-minute or longer driver safety course prescribed by DMV. **SB 1084** was stricken by the patron.

Motorcycle Safety

HB 1870 (Janis) would have provided that it shall be a traffic infraction punishable by a \$25 civil penalty for two motorcycles to travel abreast in a lane designated for one vehicle, rather than a reckless driving charge. **HB 1870** passed that House (72-25), but was ultimately defeated on the Senate floor (17-22).

Voting

Many bills were introduced in 2009 in response to issues encountered during the 2008 Presidential election. Two companion bills introduced on behalf of the Attorney General's office, **HB 1878** (Cosgrove) and **SB 1188** (Blevins), became the vehicles to address several of these issues. In response to differing interpretations among registrars as to where college students would be allowed to register to vote, the bills provide a definition of domicile for the purpose of determining residency and direct the State Board to promulgate regulations for determining a person's residence. The bills also provide that voters may wear campaign-related apparel to the polls, in reaction to a State Board of Elections-issued guideline in 2008 prohibiting the wearing of political clothing and other paraphernalia within 40 feet of a polling place. The bills also contain provisions allowing an electoral board to appoint an officer of election to assist with closing the polls on election night. The bills as introduced reduced the size of precincts from 5,000 to 3,500 registered voters, but this provision was removed in the Senate in both bills.

HB 1712 (Janis)/**SB 993** (Miller, J.C.) provides that the federal write-in absentee ballot need only contain the signature of the witness—rather than the witness's signature and his or her printed name and address, as was previously the case—to be considered valid for purposes of simultaneously satisfying both an absentee ballot application and a completed absentee ballot for federal offices. The bill also provides that the ballot must be received no later than the closing of the polls, rather than five days before the election, and that the federal write-in absentee ballot may serve as a registration application if the voter is eligible to register in Virginia.

At least nine bills were introduced to allow “no excuse” absentee voting in person prior to an election, in part as a response to the large turnout of in-person absentee voters prior to the 2008 election. All of these bills were killed in the House Privileges and Elections Subcommittee on Elections, in addition to a bill (**HB 2496**—Alexander) that would have provided for pilot absentee voting projects in 2010 and 2011 in counties or cities volunteering to participate. The General Assembly did add first responders to the list of those voters permitted to vote absentee in **HB 1877**(Cosgrove)/**SB 1070** (Martin).

There were several bills of interest to the County regarding the conduct of elections, particularly with respect to technology. **HB 2422** (May) and **SB 988** (Colgan), as introduced, would have removed the prohibition enacted in 2007 that prohibited the acquisition of direct recording electronic (DRE) machines by any locality on and after July 1, 2007. At the request of advocates of machines that produce a “paper trail,” the bills were narrowed to permit those localities that acquired DREs prior to July 1, 2007 to acquire the machines only on a temporary basis to conduct a special election. **SB 1320** (Northam), among other provisions, would have required the State Board of Elections to provide only electronic pollbooks, beginning with elections after July 1, 2010. It was defeated in House Privileges and Elections, but language stating that localities are to begin using electronic pollbooks beginning in November 2010 was included in the state budget.

HB 1780 (Athey) was introduced to address an issue that had arisen in Front Royal and was intended to require that vacancies in local governing bodies be filled by special election rather than by appointment. As the bill moved through the legislative process, it was discovered that it encompassed all localities' special election procedures, including those provided for in statute. The Senate voted to defeat the conference committee report on the measure 32-8 late on the last day of the Session, in part due to concerns expressed over possible unintended consequences of such an expansive rewrite of special election law. A subsequent motion to request a second conference committee was agreed to in the Senate, but not in the House, so the bill died when the legislature adjourned *sine die*.

TRANSPORTATION FUNDING

Very few transportation funding bills were introduced this session. Due to the upcoming House elections and the state of the economy, there was little appetite for raising taxes for any purpose. In addition, the anticipation of transportation funding from the federal economic stimulus package included in the American Recovery and Reinvestment Act of 2009, left General Assembly members even less likely to raise taxes for transportation projects and services.

HB 1579 (Oder) was the most comprehensive transportation funding bill introduced. It would have provided funds for transportation in Hampton Roads, Northern Virginia, the Richmond Highway Construction District, the Staunton Highway Construction District and the Salem Highway Construction District by capturing 30% of the growth in personal and corporate income taxes, sales taxes and insurance taxes in Northern Virginia (up to \$600 million per year); 30% of the economic growth attributable to or facilitated by the marine terminal for Hampton Roads (up to \$300 million per year); 30% of the economic growth attributable to or facilitated by the Port of Richmond for the Richmond Highway Construction District (up to \$50 million per year); by the Inland Port at Front Royal for the Staunton Highway Construction District (up to \$50 million per year); and by the Elliston Intermodal Facility for the Salem Highway Construction District (up to \$50 million per year). **HB1579** passed the House (67-31), but failed to report in the Senate Finance committee (7-9). A principal objection to the bill was that it would have allocated future state General Fund revenues that have already been anticipated in revenue projections to transportation. Opponents were concerned that doing so would reduce future General Fund revenues for other core government services.

Gas Tax Legislation

There are several bills that would have changed, increased or indexed the state's motor fuels tax, including **HB 1661** (Scott, J.M.), which would have converted the rate of taxation on motor fuels from cents per gallon to percentage rates; **HB 1846** (Lingamfelter), which would have replaced the \$0.175 per gallon gas tax with a 5% tax; **HB 2194** (Watts), which would have increased the motor fuels tax by \$0.10 per gallon, minus \$0.01 for each \$0.20 that the average price of gasoline exceeds \$3.00; **SB 1041** (Hanger), which would have adjusted motor fuels taxes each year by the percentage increase in the Corporate Average Fuel Economy (CAFE) for the immediately preceding calendar year over the CAFE for calendar year 2008; **SB 1283** (Newman), which would have replaced \$0.05 per gallon of the current \$0.175 per gallon gas tax with a cents-per-gallon tax equal to five percent of the wholesale price per gallon of gasoline; and **SB 1498** (Barker), which would have replaced the current \$0.175 per gallon gas tax with a percentage that is approximately equal to the \$0.175, based on the wholesale price of unleaded gasoline from October 1, 2008, and March 31, 2009.

Other Transportation Funding Legislation

In addition to **HB 1579** and the gas tax bills, there were several other miscellaneous transportation funding bills that also failed, including **HB 1633** (Saxman), which would have apportioned royalties from offshore drilling for natural gas and oil in part to the Transportation Trust Fund; **HB 1669** (Albo), which would have provided that the Commonwealth return to cities and counties 50 percent of the growth in income tax collections for each city or county; **HB 1759** (Marshall, R.G.), which would have authorized the Commonwealth Transportation Board to issue bonds, in an aggregate amount not to exceed \$4.81 billion, for specific transportation projects throughout the Commonwealth, paid for by tolls and other fares or fees; **HB 2130** (Miller, J. H.), which would have allocated 10 percent of the annual growth in general fund revenues to highway construction; **HB 2319** (Marshall, R.G.), which would have increased the fees for vehicle overload and overweight permits; and **SB 979** (Stuart), which would have allowed localities to pass an ordinance that would impose a fee, not to exceed \$10, on all motor vehicle violations, which would have gone to the locality for the purpose of purchasing fuel for local law-enforcement vehicles.

Transportation Allocation Formula Bills

HB 1723 (Albo), **HB 1861** (Shannon), **HB 1993** (Bulova), **HB 2020** (Rust), **HB 2118** (Nichols), **HB 2230** (Marsden) all would have changed current formulas for allocating transportation funds. The changes were generally beneficial to Northern Virginia in varying degrees. With the exception of **HB 2020**, all of

these bills were left in the House Appropriations Committee. **HB 2020** was tabled by the House Transportation Committee.

Metro Compact Amendments

HB 2596 (Ebbin) and **SB 1511** (Whipple) amend the Washington Metropolitan Area Transit Authority Compact to comply with certain federal requirements; increases the number of directors on the WMATA Board by adding two federal government appointees; establishes an Office of the Inspector General; and requires that non-federal matching payments made to WMATA be made from a dedicated funding source. Both bills have passed the House and Senate in different forms. **HB 2596** requires a federal appropriation before the new federal directors are added to the WMATA Board. The Governor will have the opportunity to amend one or both the bills when final language is agreed to with the District of Columbia and the State of Maryland.

STATE BUDGET

A severe downturn in the national economy cast a pall over the 2009 General Assembly session, as plummeting state revenues led to a shortfall of \$3.7 billion over the biennium. As a result, while budget negotiations are always an important part of any session, during the 2009 GA the budget became the defining and overarching issue, as the Governor and legislators anticipated significant budget cuts in many core state services. Ultimately, however, it was the passage of federal stimulus legislation, and the anticipated additional revenues for Virginia, that brought the budget conference to a timely conclusion.

Governor's Budget Proposal

In December 2008, Governor Kaine projected a state revenue shortfall of \$2.9 billion over the biennium – a shortfall that grew throughout the year as state revenues continued to fall in every category. As a result, his proposed budget amendments included numerous spending reductions. The most significant of these for local governments was a cap on K-12 support personnel, resulting in a 36 percent reduction (13,000 positions statewide). This would have cost Fairfax County tens of millions of dollars each year if it became permanent.

Another proposed structural change of particular concern to the County was the Governor's proposal that the state retain two-thirds of excess fees collected by the Clerks of the Circuit Courts, resulting in a loss of \$2.6 million to the County. Currently, localities retain two-thirds of the fees and the state receives one-third. These fees represent part of the difference between what the state is willing to pay for court operations and actual costs, and such a change would have been disproportionately borne by a handful of larger localities.

Finally, the Governor's budget made numerous cuts in other state programs and services, in an effort to balance the budget, and recommended a 30 cent per pack increase in the state cigarette tax, which would have provided \$150 million per year to help mitigate the costs incurred by Medicaid in treating smoking-related diseases.

Unusual Budget Times

As the session wore on and the House and Senate approached the deadline for reporting their respective budgets, it became clear that there were two major events unfolding that would determine the outcome of state spending and revenues – Governor Kaine's mid-session revenue reforecast, and the anticipated passage of the federal stimulus legislation. Because of these issues, the House and Senate took different approaches towards their respective budgets: the House passed its budget on the usual timetable, while the Senate decided to hold off passage of its budget until after the revenue reforecast and passage of the federal stimulus legislation. Thus, when the budget conference began, the House and Senate budgets were in different postures, with the Senate budget including anticipated federal revenues while the House budget did not.

Budget Conference Report

The Governor's mid-session revenue reforecast projected an additional \$800 million funding loss to the Commonwealth, bringing the 2008-2010 General Fund shortfall to \$3.7 billion. However, the adoption of a massive federal stimulus bill, officially known as the American Recovery and Reinvestment Act of 2009, helped ease some of the pain of state budget cuts this session. One area of agreement between the House and Senate was the rejection of the Governor's proposed increase in the cigarette tax. Another area of agreement was rejection of the Governor's proposed elimination of the dealer discount, which allows retailers to keep a portion of the sales taxes that they collect. The GA instead chose to adjust the sales tax remittance schedules for large retailers, yielding almost \$98 million in additional state revenue in FY 2010. But the conference process was not always a smooth one, with debates about a cap on K-12 support positions (described below), and several proposals that were not included in the final conference report, including: Governor Kaine's proposed early release program for non-violent offenders; a House proposal to limit out-of-state enrollment at state universities; and a proposed House plan to create an early retirement system for teachers.

- K-12 – The General Assembly accepted, at least in part, Governor Kaine's proposed cap on the number of support positions to be funded by the state. The conferees said that the cap is to be applied just for FY10, but the acceptance of the cap, even just for one year, is unprecedented. The General Assembly also agreed to eliminate the \$27.5 million a year of state dollars for school

construction grants fund, and only partially restored the school divisions' portion of lottery profits, using most of the lottery dollars to supplant state general fund dollars for education. The budget also uses \$365 million in federal stimulus funding for K-12 direct aid to localities, backfilling some of the cuts in the Governor's introduced budget.

- HB 599 – The budget restores \$6.6 million to localities with police departments, in order to level fund the program for FY 2010 (the introduced budget would have reduced funding below the FY 2009 level).
- Excess court fees – The budget includes language that the state retain two-thirds of excess fees collected by the Clerks of the Circuit Courts. Currently, localities retain two-thirds of the fees and the state receives one-third. The budget then requires the Commonwealth to reimburse two-thirds of the fringe benefit costs for circuit court clerks, instead of one third – it appears that these funds will be used to pay fringe benefits for all circuit court clerks statewide, though not all localities remit excess court fees. As a result, this is not a good “tradeoff” for the County.
- Transportation – The budget includes language to allow VRE to competitively procure liability insurance; authorize DRPT to take necessary actions to reduce appropriations to reflect reduced revenues; and details how VDOT will allocate spending reductions, due to reduced revenues. The conference committee report further reduces transportation revenues \$124.8 million to reflect continued deterioration (should already be incorporated into Six Year Program adopted on February 13, 2009); provides transit properties flexibility to use capital funding for operating expenses in FY 2010 (this amendment is a significant improvement over the previous set of budget amendments related to this topic and does not reduce revenue to Northern Virginia); and requires the Secretary of Transportation to provide a detailed list of projects to be funded with the estimated \$800 million in transportation funding Virginia will receive from the American Recovery and Reinvestment Act of 2009.
- Medicaid – The budget reflects additional revenue from the federal stimulus bill for Medicaid. The change in reimbursement for Medicaid increases the federal share of Medicaid from 50 percent to approximately 56.85 percent in FY 2009 and 60.19 percent in FY 2010, allowing the Commonwealth to reduce its share of Medicaid spending by \$368.8 million in fiscal year 2009 and \$593.7 million in fiscal year 2010. The enhanced Medicaid funding will continue through December 31, 2010, and is designed to offset higher caseloads in Medicaid and mitigate the need for further reductions in services and provider rates. Accepting this additional federal funding precludes the state from reducing eligibility levels below those established on July 1, 2008 and imposing additional cost-sharing by localities.

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

	FY 2009 Estimated Reduction	FY 2010 Estimated Reduction	
		Governor Kaine	Conference Report
Previous reductions included in the FY 2008 - FY 2010 Biennium Budget	\$3.9 million	\$3.9 million	\$3.9 million
Direct County Impact			
HB 599 Law Enforcement Funding	\$1.1 million	\$0.9 million	\$0.0 million
State-Supported Employee Compensation	\$0.2 million	\$1.4 million	\$0.2 million
Health Department	\$0.3 million	\$0.8 million	\$0.8 million
Communication Sales and Use Tax and Railroad and Pipeline Program	\$0.02 million	\$0.02 million	\$0.02 million
Clerk Fees	\$0.00	\$3.4 million	\$3.3 million
Court Services	\$0.00	\$0.20 million	\$0.20 million
Department of Motor Vehicles Transfer Payments	\$0.00	\$0.25 million	\$0.25 million
Subtotal	\$1.6 million	\$7.0 million	\$4.8 million
General Fund Supported			
Community Services Board	\$1.2 million	\$1.2 million	\$1.2 million
Fund 102 Federal/State Grant Fund	\$0.0 million	\$0.1 million	\$0.1 million
Subtotal	\$1.2 million	\$1.3 million	\$1.3 million
TOTAL LOSS OF COUNTY FUNDING	\$6.7 million	\$12.2 million	\$10.0 million

Fairfax County Public Schools
The Virginia Department of Education has indicated that in FY 2010 FCPS will receive an additional \$23.7 million as a result of the American Recovery and Reinvestment Act of 2009. However, the School Board's FY 2010 Advertised Budget assumed a reduction in state revenue of \$38.5 million.

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

Budget Bill Item #	Issue	Fairfax County Impact
Revenue		
4-1.08	<p><u>Communication Sales and Use Tax and Railroad and Pipeline Program</u></p> <p>Governor Kaine's Budget: Requires that the communications tax fund pay the department administrative costs, which will decrease distributions to localities by \$115,855 in FY 2009 and 2010.</p> <p>Conference Report: No changes.</p>	<p>This will result in a slight reduction of \$0.02 million in revenue to the County in FY 2009 and FY 2010.</p>
296 and 4-1.08	<p><u>Health Department</u></p> <p>Governor Kaine's Budget: Reduces funding to two locally administered Health Departments (Fairfax and Arlington). The total state reduction for the two jurisdictions is \$365,000 in FY 2009 and \$1.0 million in FY 2010.</p> <p>Conference Report: No changes.</p>	<p>A reduction of \$0.3 million in FY 2009 and a reduction of \$0.8 million in FY 2010.</p>
447 and 447.10	<p><u>Department of Motor Vehicles Transfer Payments</u></p> <p>Governor Kaine's Budget: Reduces estimates of the locality share for the vehicle rental tax and mobile home tax.</p> <p>Conference Report: No changes.</p>	<p>No reduction in FY 2009; a reduction of \$0.25 million in FY 2010.</p>
270	<p><u>Collection of Delinquent Local Taxes</u></p> <p>Conference Report: Provides for a treasury loan to the Department of Taxation if federal legislation is passed that permits the collection of delinquent local taxes through the use of offsets of federal income tax refunds.</p>	<p>No immediate impact but may benefit the County long-term.</p>
Public Safety		
397	<p><u>State Aid to Localities with Police Departments (HB 599)</u></p> <p>Governor Kaine's Budget: The FY 2009 reduction is due to the decrease in State general fund revenue growth as stipulated by statute. Although, State revenue is projected to increase in FY 2010, HB599 funding was reduced 7% below the FY 2008 level and 3.3% below FY 2009.</p> <p>Conference Report (made possible due to the American Recovery and Reinvestment Act of 2009): Endorses the Governor's executive action in October 2008 to reduce the program by \$7.7 million in FY 2009 but adds \$6.6 million (GF) in FY 2010 to level fund the program at \$197.3 million. The amounts to be distributed in FY 2010 will equal the FY 2009 allocations. <u>This amendment was made possible due to funding provided by the American Recovery and Reinvestment Act of 2009 to other areas of the budget thus "freeing up" General Fund dollars.</u></p>	<p>A reduction of \$1.1 million in FY 2009 and a reduction of \$0.9 million in FY 2010.</p> <p>A reduction of \$1.1 million in FY 2009; no reduction in FY 2010 from FY 2009.</p>

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

Budget Bill Item #	Issue	Fairfax County Impact
395	<p><u>Edward Byrne Memorial Justice Assistance Grant</u></p> <p>Conference Report (Funded with American Recovery and Reinvestment Act of 2009 Dollars.): Specifies that the distribution of \$23.3 million from Virginia's allocation from the Edward Byrne Memorial Justice Assistance Grant shall be used for sheriffs' offices and local and regional jails to the extent that such funds are made available as a part of the federal economic stimulus legislation.</p>	TBD
69 and 431.1	<p><u>Wireless E-911 Fund</u></p> <p>Governor Kaine's Budget: Transfers \$6 million each year from the Wireless E-911 Fund (from the service provider's share of the fund), thereby supplanting state general funds that support the efforts of sheriff dispatch center operations.</p> <p>Conference Report: No changes.</p>	No fiscal impact to the County.
Judicial Services		
4-1.08	<p><u>Court Services Programs</u></p> <p>Governor Kaine's Budget: Reduces funding by \$366,910 in FY 2010 to locally-operated courts services programs (Arlington, Fairfax and Falls Church).</p> <p>Conference Report: No changes.</p>	No reduction in FY 2009; a reduction of \$0.2 million in FY 2010.
29	<p><u>Court House Facilities</u></p> <p>Governor Kaine's Budget: No amendment.</p> <p>Conference Report: Directs the Joint Legislative Audit and Review Commission (JLARC) to study the funding of District and Circuit Courts in Virginia, the report is due November 1, 2009; Directs JLARC to study the funding of courthouse construction, operation, and maintenance, including the extent to which the current fee structure provides an equitable, efficient, and sufficient sources of revenue for this purpose.</p>	JLARC studies, no immediate County impact.
Compensation and Benefits		
472	<p><u>State-Supported Employee Compensation</u></p> <p>Governor Kaine's Budget: For FY 2009, eliminated the 2% salary increase for state-supported employees. In FY 2010, a 7% cut for sheriffs and commonwealth's attorneys offices and a 10% reduction for treasures, finance and court clerks.</p>	A reduction of \$0.2 million in FY 2009 and a reduction of \$1.4 million in FY 2010.

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

Budget Bill Item #	Issue	Fairfax County Impact
	<p>Conference Report: Maintains the Governor's proposed elimination of the 2% salary increase for state-supported employees in FY 2010. In FY 2010, restores the 7% cut for sheriffs and commonwealth's attorneys and restores the 10% reduction for treasurers, finance and court clerks as proposed by the Governor. <u>This amendment was made possible due to funding provided by the American Recovery and Reinvestment Act of 2009 to other areas of the budget thus "freeing up" General Fund dollars.</u></p>	A reduction of \$0.2 million in FY 2009 and FY 2010.
76	<p><u>Constitutional Officer Staffing Standards</u></p> <p>Conference Report: Directs the Compensation Board to convene a workgroup to revise and update the methodologies used to determine staffing standards for these offices.</p>	Study, no immediate County impact.
70	<p><u>Jails with Federal Inmates</u></p> <p>Governor Kaine's Budget: No amendment.</p> <p>Conference Report: Requires all local and regional jails with federal inmates to forego state support for the federal inmates housed in their facilities. This will generate \$256,000 for the state (and cost local and regional jails that same amount).</p>	TBD; minimal loss of revenue.
3-5.13	<p><u>Clerk Fees</u></p> <p>Governor Kaine's Budget: Reverses state policy regarding the distribution of excess fees collected by clerks of the circuit court. The State will now receive 2/3 while localities will receive 1/3.</p> <p>Conference Report: Accepts the Governor's proposal to reverse the distribution of excess fees collected by clerks of the circuit court. The State will now receive 2/3 while localities will receive 1/3. However, the statute also ties the percentage of fringe benefits paid to the amount of excess fees retained so the State now has to increase its reimbursement to two-thirds of the cost of fringe benefits. Please note, Item 3-5.13 #1c exempts Prince William County from changes in the distribution of excess fees.</p>	<p>No reduction in FY 2009; a reduction of \$3.4 million in FY 2010.</p> <p>No reduction in FY 2009; a reduction of \$3.4 million in FY 2010. This reduction is offset by an increase of \$0.1 million due to the increase in reimbursement for fringe benefits for a net reduction to the County of \$3.3 million.</p>
74	<p><u>Court Clerks Technology Trust Fund</u></p> <p>Governor Kaine's Budget: Use \$1.5 million in FY 2010 from the Technology Trust Fund to pay a share of state operating support for clerks' offices. The fund is supposed to be distributed to clerks for automation of land records.</p> <p>Conference Report: Uses an additional \$1.0 million (for a total of \$2.5 million) in FY 2010 from the Technology Trust Fund to pay a share of state operating support for clerks' offices.</p>	<p>TBD; Loss of revenue.</p> <p>TBD; Loss of revenue.</p>

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

Budget Bill Item #	Issue	Fairfax County Impact
76	<p><u>Retiree Health Care Credit</u></p> <p>Governor Kaine's Budget: Removes all state General funds supporting constitutional officers' retiree health care credit. (State support was reduced from 100 percent to 50 percent in the 2008 Session.)</p> <p>Conference Report: No changes.</p>	TBD
State Board of Elections		
89	<p><u>Electronic Poll Books</u></p> <p>Governor Kaine's Budget: Language amendment requiring all localities to use electronic poll books beginning as of the November 2010 general election.</p> <p>Conference Report: No changes.</p>	TBD; Additional cost to the County.
Department of Corrections		
388.G	<p><u>Local/Regional Jail Standards</u></p> <p>Governor Kaine's Budget: Language encourages the state board of corrections to review and revise its standard for design, construction and reimbursement of local jails to 1) conform security standards to those used for state facilities; 2) encouraging and enabling local/regional facilities to construct minimum security facilities to house convicted misdemeanants and other nonviolent inmates; and 3) requiring new jail construction or expansion projects to include adequate space to operate treatment programs, including substance abuse treatment programs.</p> <p>Conference Report: Creates a joint subcommittee to review state policies regarding the oversight, approval, and financing of local and regional jail capital projects and operational expenses, with a view towards developing appropriate and fiscally sound recommendations for defining and meeting the states' long-term obligations for such programs.</p>	<p>No immediate impact as the County is not building a jail.</p> <p>Study, no immediate County impact.</p>
Department of Fire Programs		
3.1.01	<p><u>Fire Programs Fund</u></p> <p>Governor Kaine's Budget: In FY 2010, transfers 5% or \$1.1 million to the state general fund from the Fire Programs fund. Funding currently supports transfer payments to localities for local fire departments expenditures and funding for training offered by the agency. This is supposed to be a one-time action.</p> <p>Conference Report: No changes.</p>	Staff estimates a reduction of approximately \$130,000 to Fund 102 Federal/State Grant Fund.
290, 420, 3.1.01	<p><u>\$4.25 for Life</u></p> <p>Governor Kaine's Budget: In FY 2010, directs \$0.25 of the "\$4.25 for Life" funding to the state police for operations of med-flight.</p>	Staff estimates a decrease to Fund 102 Federal/State Grant Fund.

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

Budget Bill Item #	Issue	Fairfax County Impact
	<p>Conference Report: Language reduces the amount of funding to be diverted from the \$4.25 for life fund, which is intended for the Rescue Squad Assistance Fund for training and other assistance. This language amendment restores \$1.0 million of the Governor's \$1.6 million proposed reduction.</p>	<p>Staff estimates a decrease to fund 102 Federal/State Grant Fund, although not as significant as what was proposed by the Governor.</p>
Comprehensive Services Act for At-Risk Youth and Families		
283	<p><u>CSA Service Pool of Funds</u></p> <p>Governor Kaine's Budget: Reduces state allocation for CSA by \$5.0 million in FY 2009 and \$5.0 million in FY 2010, based upon revised predictions on state's costs. No changes are made to the policy revisions made last Session establishing new match rates for community-based versus residential treatment services.</p> <p>Conference Report: In addition to the Governor's introduced reductions, another \$2.0 million in the first year, and \$1.0 million in the second year is cut from the Budget, reflecting slower growth than originally anticipated.</p> <p>Conference Report: Language is inserted that reverses last year's changes to local match rates for Medicaid-eligible CSA services only, returning the match rates for those services to rates in place on September 1, 2008. This language is necessary to allow the state to access additional federal Medicaid funding allocated through the ARRA.</p> <p>Conference Report: New language requires local CPMTs and CSBs to work collaboratively to develop plans for Intensive Care Coordination (ICC) for children in or at risk of residential care, and to determine the service provider for ICC services. Language also requires the State Executive Council and the state Office of Comprehensive Services to develop guidelines for ICC service rates, and to provide training and technical assistance related to ICC services.</p> <p>Conference Report: Language details specific tasks related to training responsibilities of the state OCS, and requires reports to the House Appropriations and Senate Finance Committees on training.</p> <p>Conference Report: Language requires the State Executive Council to work with the Department of Education to assure that funding is available to support IEPs for students placed in state or privately operated psychiatric or residential treatment facilities.</p>	<p>None; DPB reports that no change to the sum sufficiency provision for CSA's mandated services is contained in the Governor's budget.</p> <p>None.</p> <p>This amendment addresses one element of the Board's position on CSA, and will allow the CSA program added flexibility in securing ICC services. The impact of the SEC guidelines for ICC service rates is unclear at this time.</p> <p>This language conforms with a portion of the Board's position on CSA regarding trianing for local CSA programs.</p>
Department for the Aging		
284	<p><u>Individual Care Services</u></p> <p>Governor Kaine's Budget: While some reductions have been made to specific senior centers around the state, none are located in Fairfax. There are no reductions to the home-delivered meals programs.</p> <p>Conference Report: No changes.</p>	<p>None.</p>

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

Budget Bill Item #	Issue	Fairfax County Impact
Department of Rehabilitative Services		
331	<p><u>Disability Services Boards</u></p> <p>Governor Kaine's Budget: Overrides existing Code language that requires local governments to establish disability services boards (51.5-47), and provides discretion to local DSB's as to which duties and responsibilities required in §51.5-48 it will provide. Eliminates \$519,362 GF that had been used for administrative expenses to operate the DSBs. Other funding formerly used for grants to the DSBs is moved to support vocational rehab program for persons 24 years of age and younger.</p> <p>Conference Report: No changes.</p>	<p>Eliminates state support for the Fairfax Disabilities Services Board and provides discretion regarding services; could provide new vocational rehabilitation support for Fairfax residents currently on the waiting list for this service. The County currently receives \$13,000 each year in revenue.</p>
Department of Social Services		
341, 344, 475.50	<p><u>Use of TANF Funds</u></p> <p>Governor Kaine's Budget: General fund appropriations to certain programs is supplanted with TANF funding in the FY 2010. Included are: domestic violence crisis programs, domestic violence awareness campaign, community action agencies, Healthy Families, 2-1-1 (Information & Referral), and Centers for Employment & Training.</p> <p>Conference Report: Reduces \$3.2 million in FY 2010 from TANF earmarked for Community Action Agencies, and authorizes the Governor to use no less than \$3.2 million from ARRA to providing funding for Community Action Agencies.</p>	<p>None.</p>
342	<p><u>Foster Care Payment rates</u></p> <p>Governor Kaine's Budget: Reduces the foster care rate increase to 6% each year and eliminates \$1.2 million GF each year.</p> <p>Conference Report: Amendment positions state to receive additional ARRA allocations that change the federal share of foster care payments under Title IV-E from 50% to approximately 56.2% in FY 2009 and FY 2010. This amendment reflects a savings of \$4,915,790 GF in FY 2009 and \$6,639,545 GF in FY 2010.</p>	<p>Could impact upon County's ability to recruit and retain foster care parents.</p>
338, 344	<p><u>2-1-1 and Child Care Resource & Referral (CCRR)</u></p> <p>Governor Kaine's Budget: Eliminates \$350,000 in FY 2010 for CCRR's (County received approximately \$20,000). This reduction eliminates the service. 2-1-1 funds are maintained by supplanting GF with NGF federal funding (TANF) in both years.</p> <p>Conference Report: No changes.</p>	<p>Requires that 2-1-1 in Northern Virginia fully provide information on child care resources and make referrals.</p>

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

Budget Bill Item #	Issue	Fairfax County Impact
341	<p><u>Auxiliary Grant (AG) Rates</u></p> <p>Governor Kaine's Budget: Personal care allowance is increased from \$77 to \$81 per month. New language also allows for a pilot for portable Auxiliary Grants to pay for housing in the community under certain specific circumstances. Auxiliary grant rates are a combination of SSI payment and GF grants. Any increases to the AG rates in FY 2009 or FY 2010 are normal increases related to the SSI portion of the grant; no GF allocation is added to the rate in this budget.</p> <p>Conference Report: No changes.</p>	<p>The Board has supported increases in personal care allowances and a pilot for portable auxiliary grants in past Sessions.</p>
344	<p><u>Food Banks</u></p> <p>Governor Kaine's Budget: Provides \$1 million GF (FY 2009 only) to the Virginia Food Banks for the purchase of food only.</p> <p>Conference Report: No changes.</p>	<p>Could provided a source of food for the County's food banks.</p>
Department of Medical Assistance Services		
305 & 310	<p><u>Medicaid and FAMIS Services for Children</u></p> <p>Governor Kaine's Budget: Provides additional General Fund appropriation in each year to support increased enrollment of children in both Medicaid and FAMIS programs.</p> <p>Conference Report: No changes.</p>	<p>Supports increased demand for Medicaid and FAMIS by County residents.</p>
309	<p><u>State/Local Hospitalization Program</u></p> <p>Governor Kaine's Budget: Eliminates the State/Local Hospitalization program; saves \$15,865,799 GF in FY 2010. Local governments' contribution to this fund is eliminated in FY 2010.</p> <p>Conference Report: No changes.</p>	<p>Increase uncompensated in-patient and out-patient hospital care.</p>
306 S.1	<p><u>School Divisions Medical & Transportation Services</u></p> <p>Governor Kaine's Budget: Maintains 5% reduction in the Federal Financial Participation portion of cost reimbursement to school divisions for these services.</p> <p>Conference Report: No changes.</p>	<p>Reduces overall reimbursement available to schools for certain Medicaid-reimbursed services.</p>
306, 316	<p><u>Mental Retardation and Developmental Disability Waiver Slots for the Money Follows the Person Demonstration</u></p> <p>Governor Kaine's Budget: Delays implementation of 200 MR waiver slots scheduled to be available on April 1, 2009 to the 2010-2012 biennium; saves \$5,847,400 GF and \$5,847,400 NGF in FY 2010.</p>	<p>Delays reduction of the current MR waiver waiting list.</p>

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

Budget Bill Item #	Issue	Fairfax County Impact
	<p>Conferece Report: Restores the 200 MR waiver slots removed in the Governor's budget, and adds an additional 200 slots beginning January 1, 2010; restores \$7,410,596 GF and \$11,204,315 NGF in FY 2010 for this purpose.</p>	MR waiving waiting list should be reduced somewhat in FY 2010.
306 AAA & III	<p><u>Caps Elderly and Disabled Medicaid Waiver and Home & Community-Based long-Term Care Waiver</u></p> <p>Governor Kaine's Budget: (1) Limits the number of person covered under the Elderly and Disabled Waiver with Consumer Direction to 15,250 slots, beginning July 1, 2009. This action saves \$5,860,700 GF and \$5,860,700 NGF in FY 2010. (2) Also caps the expenditure amount available to each Home & Community-based Long-Term Care waiver participants to an amount equal to the average institutional placement cost. Current policy allows for this average a mount to be applied to the aggregate of all LTC waiver participants. This action saves \$9,187,275 GF and \$9,187,275 NGF in FY 2010.</p> <p>Conference Report: The Governor's amendments are reversed in order to meet the requirements of the American Recovery and Reimbursement Reinvestment Act, removing potential impendiments to \$962.4 millioin in federal Medicaid revenues.</p> <p>Conference Report: New language requires DMAS to enter into agreements with local Healthy Families sites to generate federal Medicaid matching funds with local resources when available.</p> <p>Conference Report: Adds \$3.400,000 GF and \$5,648,878 NGF in FY 2010 to increase Medicaid reimbursement rates for agency and consumer-directed personal care services.</p>	Could limit services to elderly and disabled Fairfax residents who would have qualified for these Waiver services prior to July 1, 2009. Furthermore, language authorizes the establishment of a waiting list for consumer directed waiver services.
	<p align="center">Department of Mental Health, Mental Retardation and Substance Abuse Services</p>	
316	<p><u>Funding Reduced to Community Services Boards</u></p> <p>Governor Kaine's Budget: Continues the 5% reductions in funding to CSBs as contained in the Governor's October 2008 reductions. Savings are to be found in administrative (not service) costs.</p> <p>Conference Report: No changes are made to the funding reductions. However, language is included that requires DMHMRSAS to report to the General Assembly by August 1, 2009 on the implications of reallocating new "mental health reform" funding provided in the FY 2009 to reflect the populations served by each CSB as opposed to the existing formula which uses ranges of populations served.</p>	<p>A reduction of \$1.2 million in FY 2009 and FY 2010.</p> <p>The existing formula has disadvantaged the Fairfax Falls Church CSB; this review could result in additional funding to the County's CSB.</p>

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

Budget Bill Item #	Issue	Fairfax County Impact
315 BB. 315 CC.	<p><u>Commonwealth Center for Children and Adolescents</u> <u>Southeastern Virginia Training Center</u></p> <p>Governor Kaine's Budget: Language directing the Commissioner to close the Commonwealth Center for Children and Adolescents and the Southeastern Virginia Training Center by June 30, 2009. The state and community planning team shall develop a timeline to transition state hospital consumers by June 30, 2009 to community services in the locality of their residence prior to admission or the locality of their choice after discharge.</p>	<p>The impact for the County on these closures will be the loss of facilities that now are at times the only practical residential facilities available to provide residential treatment for children and adolescents with significant diagnosis, including tendencies to violence. This in turn may increase CSA expenditures.</p>
306, 315	<p>Conference Report: Restores funding for operation of the Southeast Virginia Training Center (SEVTC); language directs various state agencies to develop plans for rebuilding a 75-bed facility and new community housing for persons who would be transitioned into the community for care now provided by the SEVTC.</p>	
306, 320, 322, 302.05	<p>Conference Report: Eliminates language that required closure of the Commonwelath Center for Children and Adolescents (CCCA) and restores funding for operations. Language also addresses the operation of the adolescent unit at the Southwestern Virginia Mental Health Institute in Marion, Va. Language also requires the DMHMRSAS to set up a process to determine the profile of youth currently served at these facilities, to assess the capacity of hte community to treat them, and the role of the state in providing treatment for these individuals.</p>	<p>CCCA will remain available as a treatment center for County youth as may be required.</p>
315 Y.	<p><u>Jail Diversion Services</u></p> <p>Governor Kaine's Budget: Reduces the new funds for the continuation and expansion of jail diversion services from \$3.0 million to \$2.7 million each year.</p> <p>Conference Report: No changes.</p>	<p>Smaller number of persons may be served.</p>
316	<p><u>Additional Part C funding through ARRA</u></p> <p>Conference Report: Adds language to ensure that any funding provided through the ARRA for early intervention services (Part C) are used to supplement and not supplant existing funding.</p>	<p>Positions state to use ARRA funding for early intervention (Part C) services; could provide additional funding for Part C-eligible County children.</p>
Department of Health		
294	<p><u>Health Systems Agencies</u></p> <p>Governor Kaine's Budget: Removes from the regional health planning agencies responsibility for Certificate Of Public Need reviews; consolidates the process for review to the VDH Office of Licensure & Certification; places decision to hold public hearings solely with the Commissioner. Provides new language that allows local governments to request public hearings.</p>	<p>Could require the County's Health Department staff to monitor local COPN applications more closely to assure appropriate public comment is solicited.</p>

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

Budget Bill Item #	Issue	Fairfax County Impact
	<p>Conference Report: Reverses the Governor's amendment described above; retains the role of RHPAs in the COPN process, restores funding from excess fee revenues, and eliminates language regarding public hearings.</p>	No change over current activities related to COPN reviews.
297	<p><u>Poison Control Centers</u></p> <p>Governor Kaine's Budget: Reduced second year funding for the Poison Control Centers, centralizing this activity into one Center in Central Virginia.</p> <p>Conference Report: Reverses the Governor's amendment, restores \$1.0 million to maintain current funding for the three existing Centers.</p> <p>Conference Report: \$850,000 GF is added in the Second Year for Free Clinics across the Commonwealth. This raises the total of additional funding to \$1.7 million in each year of the biennium.</p>	
303	<p>Conference Report: Adds language requiring the Secretary of Health and Human Resources and the Department of State Police to continue work on an unused pharmaceuticals disposal program to ensure safe, effective, and proper disposal.</p>	This language is consistent with the Board's position promoting policies to reduce pharmaceuticals in the state waters, thereby reducing the biological impact on water life.

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

Budget Bill Item #	Issue	Fairfax County Impact
Other State Funding/Items of Interest		
361	<p><u>Water Quality Improvement Fund</u></p> <p>Governor Kaine's Budget: The Department of Environmental Quality (DEQ) is recommending a bond issuance of \$137 million to support future Water Quality Improvement Fund (WQIF) grants. This grant Fund supports the upgrade of wastewater treatment facilities. According to DEQ, by September, 2009 available WQIF dollars will be depleted. Surplus budget dollars are statutorily appropriated to the Fund. To date, local governments have submitted nearly \$650 million in grant requests while DEQ has signed grant agreements totaling \$525 million to support 41 facilities.</p> <p>Conference Report: The budget conferees did not adopt the House budget amendment transferring \$149 million in WQIF cash balances to the state general fund. The conferees also directed the Governor to use funds from the State Fiscal Stabilization Fund as provided in the federal stimulus package to supplant general fund support for agricultural best management practices and land conservation.</p>	No direct County impact.
110	<p><u>Northern Virginia Regional Commission</u></p> <p>Governor Kaine's Budget: Reduces funding to \$283,998 in FY 2009 (\$4,326 reduction) and \$262,087 in FY 2010 (\$26,237 reduction).</p> <p>Conference Report: No changes.</p>	No direct County impact.
109	<p><u>Foreclosure Counseling</u></p> <p>Governor Kaine's Budget: Provides \$250,000 (GF) in the second year to support foreclosure counseling services across the Commonwealth. Funding will be used to provide grants to nonprofit organizations to support new or expanded foreclosure prevention counseling services targeted to areas and populations at greatest risk.</p> <p>Conference Report: No changes.</p>	No direct County impact.
297	<p><u>Jeanie Schmidt Free Clinic</u></p> <p>Governor Kaine's Budget: Reduces funding to \$22,500 in FY 2009 (\$2,500 reduction) and \$20,000 in FY 2010 (\$5,000 reduction). Funding is intended to expand services at the Jeanie Schmidt Free Clinic, located in Fairfax County.</p> <p>Conference Report: Restores funding the second year (\$5,000) to the Jeanie Schmidt Free Clinic and provides funding (\$20,000) to meet a portion of the growth in clinic patients.</p>	No direct County impact.
344	<p><u>Reston Interfaith</u></p> <p>Conference Report: Provides \$50,000 in FY 2010 to Reston Interfaith for social services support including food, immediate shelter, affordable housing, quality child care and other human services.</p>	No direct County impact.

**Budget Proposals for the 2008-2010 Biennium
As of March 6, 2009**

Budget Bill Item #	Issue	Fairfax County Impact
395 G.	<p><u>Fairfax Partnership on Youth</u></p> <p>Governor Kaine's Budget: Eliminates funding of \$75,000 in FY 2010.</p> <p>Conference Report: No changes.</p>	<p>No direct County impact.</p>



FAIRFAX COUNTY LEGISLATIVE SUMMARY

2009 GENERAL ASSEMBLY

March 10, 2009

Fairfax County Legislative Summary 2009 General Assembly

Board of Supervisors Report Key

Bold = Date Position taken by full Board of Supervisors
 [] = Date position taken by BOS Legislative Committee

Bill No. – Patron, (District No.)
 Bill Title

Committee/Floor
 Actions

<p>HB 589 - Watts (39) Blue Star Memorial Highway; designating as portion of Old Keene Mill Road in Fairfax County.</p>	<p>1/10/2006 House: Referred to Committee on Transportation</p>	<p>12/5/2005</p>
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Initiate (067916260)
Summary: Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway."

Bold = Board Position, [] = BOS Legislative Committee Position (LD No. is version of bill on which position was taken)
Summary -- Reflects latest version of summary available on the Legislative Information System Web Site (If not noted otherwise, reflects summary as introduced)

Table of Contents

Bill

Subject

Fairfax County Initiatives

(Bills Introduced at Fairfax County's Request) : Pages 42-44

Request) :

[HB 1933](#)

Del. Plum(36)

Urban county executive form of government; adds sexual orientation as prohibited discrimination.

[HB 2150](#)

Del. Rust(86)

Notice of sale; locality in Planning District 8 to adopt ordinance to give notice to admin. officer.

[HB 2384](#)

Del. Scott(53)

Safety belt ordinances; allows local body to enact consistent with state law.

[HB 2606](#)

Del. Hugo(40)

Farm wineries; county operating under urban county executive form of government to impose limits.

[SB 1053](#)

Sen. Whipple(31)

Government facilities; local government may by ordinance, make unlawful to possess dangerous weapon.

[SB 1227](#)

Sen. Barker(39)

Driver's license, provisional; makes cell phone use while driving a primary offense.

Fairfax County Positions

(Oppose or Amend) :

Pages 45-55

[HB 1788](#)

Del. Hull(38)

Alternative on-site sewage systems; no locality shall prohibit use thereof.

[HB 2029](#)

Del. Marshall, III(14)

Subdivision ordinances; bonding requirements.

[HB 2077](#)

Del. Oder(94)

Land use actions; extension of approvals to address housing crisis.

[HB 2084](#)

Del. Purkey(82)

Real and personal property taxes; exempts certain pollution control equipment & facilities.

[HB 2472](#)

Del. Hugo(40)

Short-term rental property; definition/removes daily rental property defin. from merchants' capital.

[HB 2479](#)

Del. Hugo(40)

Real property tax rate; reduces tax imposed on commercial property in Northern Virginia.

[HB 2480](#)

Del. Hugo(40)

Real property tax; commercial property in Northern Virginia and Hampton Roads.

[HB 2506](#)

Del. Pollard, Jr.(99)

Energy efficiency programs; investor-owned electric utilities to recover costs of designing, etc.

[SB 811](#)

Sen. Cuccinelli, II(37)

Elevator mechanics, certified; Board for Contractors shall extend time for compliance for certain.

[SB 982](#)

Sen. Wagner(7)

Stormwater; requires localities to regulate.

[SB 1179](#)

Sen. Hanger, Jr.(24)

State Executive Council; increases membership and establishes term limits.

[SB 1248](#)

Sen. Northam(6)

Electrical generation; base rates of return for certain types thereof.

[SB 1276](#)
Sen. Martin(11)
[SB 1335](#)
Sen. Stuart(28)
[SB 1419](#)
Sen. Watkins(10)
[SB 1533](#)
Sen. Saslaw(35)
[SJ 332](#)
Sen. Petersen(34)

***Fairfax County Positions
(Support or Monitor) :***

[HB 1629](#)
Del. Cole(88)
[HB 1655](#)
Del. Carrico, Sr.(5)
[HB 1680](#)
Del. Orrock, Sr.(54)
[HB 1694](#)
Del. Albo(42)
[HB 1703](#)
Del. Cosgrove(78)
[HB 1712](#)
Del. Janis(56)
[HB 1724](#)
Del. Rust(86)
[HB 1782](#)
Del. Albo(42)
[HB 1830](#)
Del. Fralin, Jr.(17)
[HB 1876](#)
Del. Cosgrove(78)
[HB 1904](#)
Del. Armstrong(11)
[HB 1938](#)
Del. Peace(97)
[HB 1991](#)
Del. Bulova(37)
[HB 2019](#)
Del. Rust(86)
[HB 2135](#)
Del. Miller(50)
[HB 2138](#)
Del. Miller(50)
[HB 2168](#)
Del. Abbitt, Jr.(59)

Alternative on-site sewage systems; no locality shall prohibit use thereof.

Conditional zoning; amendment to proffered condition is requested by profferror local body may waive.

Daily rental property tax; definition.

Special use permits; extension of expiration dates.

Constitutional amendment; tax exemptions for buildings constructed or designed to conserve energy.

Pages 56-82

Pedestrians; grants counties same authority as cities & towns to prohibit loitering on bridges, etc.

Firearms; award of court costs, etc., to entity that prevails in action challenging locality.

Vested rights; defines term 'act of God' to include any natural disaster or phenomena.

Parking; allows certain counties and towns to prohibit parking of certain vehicles on streets.

Indoor Clean Air Act; prohibits smoking in certain public buildings, restaurants, etc., exceptions.

Federal write-in absentee ballots; witness requirement.

Trespassing vehicle; local regulation of removal and immobilization thereof.

Driver's license; minors in planning district 8 to show completion of 90 min. driver safety course.

Setoff Debt Collection Act; allows local governments to collect past due local taxes.

Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicle.

Virginia Child Protection Accountability System; established.

Income tax, state; increases livable home tax credit.

Stormwater management programs; establishment by localities.

Transportation corridors; Transportation Board to establish connection with Transportation Plan.

Recordation/grantor tax; penalty if understatement of consideration is false with intent to evade.

Graffiti abatement; permits localities to charge property owner for cost thereof.

Stormwater offsets; authorizes permit-issuing authorities to allow permit holders to comply.

<u>HB 2169</u>	Towing and Recovery Operators, Board of; membership, powers & duties relating to suspension, etc.
Del. Abbitt, Jr.(59)	
<u>HB 2257</u>	Outpatient treatment; allows court to order mandatory treatment following involuntary admission.
Del. Albo(42)	
<u>HB 2326</u>	Zoning appeals, board of; changes standard by which variance can be granted.
Del. Athey, Jr.(18)	
<u>HB 2400</u>	Criminal sexual assault; establishment of a multidisciplinary response thereto.
Del. Bell(58)	
<u>HB 2422</u>	Voting equipment; locality that acquired DREs prior to 7-1-07 may temporarily conduct election..
Del. May(33)	
<u>HB 2476</u>	HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.
Del. Hugo(40)	
<u>HB 2477</u>	Popes Head Road; designating as State byway in Fairfax County.
Del. Hugo(40)	
<u>HB 2592</u>	Electric vehicles; creates separate class of property tax for rate purposes.
Del. Caputo(67)	
<u>HB 2596</u>	Washington Metropolitan Area Transit Authority; amends Compact relating to Board membership, etc.
Del. Ebbin(49)	
<u>HB 2615</u>	Public Procurement Act; increases amount for single or term contracts for professional services.
Del. Iaquinto(84)	
<u>HJ 688</u>	Constitutional amendment; real property tax relief for persons 65 years old, etc. (first reference).
Del. Cole(88)	
<u>SB 39</u>	Traffic accident reports; increases amount of damage threshold to be reported by law enforcement.
Sen. Deeds(25)	
<u>SB 834</u>	Public Procurement Act; procurement of architectural & professional engineering service for project.
Sen. Locke(2)	
<u>SB 845</u>	Livable home tax credit; increase limit on or after January 1, 2010.
Sen. Puller(36)	
<u>SB 896</u>	Duty to file lists of renters, etc.; provide name & address thereof to commissioner of revenue.
Sen. McDougale(4)	
<u>SB 936</u>	Auditor of Public Accounts; duties, standard vendor accounting information to include certain info.
Sen. Cuccinelli, II(37)	
<u>SB 988</u>	Voting equipment; locality that acquired DREs prior to 7-1-07 may temporarily conduct election.
Sen. Colgan(29)	
<u>SB 997</u>	Trespassing vehicle; local regulation of removal and immobilization thereof.
Sen. Miller(1)	
<u>SB 1028</u>	Adult neglect; religious treatment exemption.
Sen. Hanger, Jr.(24)	
<u>SB 1052</u>	Affordable housing assessments; determination of fair market value of affordable rental housing.
Sen. Whipple(31)	
<u>SB 1064</u>	Comprehensive plan; local planning commission to post plan being considered on their website.
Sen. Puller(36)	
<u>SB 1066</u>	Trains; fine for boarding or riding with fraudulent or counterfeit ticket, etc.
Sen. Puller(36)	
<u>SB 1096</u>	Design-Build Construction Management Review Board; authorized to make a one-time determination.
Sen. Herring(33)	

SB 1105 Sen. Northam(6)	Indoor Clean Air Act; prohibits smoking in certain public buildings, restaurants, etc., exceptions.
SB 1157 Sen. Saslaw(35)	Recordation and grantor taxes; penalty for misrepresentation.
SB 1292 Sen. Edwards(21)	Setoff Debt Collection Act; allows local governments to collect past due local taxes..
SB 1365 Sen. Ticer(30)	Elections; addresses of protected voters.
SB 1369 Sen. Barker(39)	Graffiti abatement; permits localities to charge property owner for cost thereof.
SB 1398 Sen. Norment, Jr.(3)	Transportation corridors; Transportation Board to establish connection with Transportation Plan.
SB 1416 Sen. Blevins(14)	Preservation of historical sites and architectural areas; local governing bodies may include.
SB 1506 Sen. Hanger, Jr.(24)	Comprehensive Services Act Program; judicial assignment of services for children.
SB 1511 Sen. Whipple(31)	Washington Metropolitan Area Transit Authority; amends Compact relating to Board membership, etc.
SB 1532 Sen. Saslaw(35)	Motor fuels tax; changes percentage in Northern Virginia.

Fairfax County Positions

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Legislation No Longer Under Consideration

Pages 83-110

(Killed, Failed to Report, Tabled, Incorporated into Other Legislation, etc.) :

HB 1588 Del. Marshall(13)	Autism spectrum disorder; mandated health insurance coverage therefor.
HB 1615 Del. Howell, Jr.(90)	Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicles.
HB 1616 Del. Marshall(13)	Conflict of Interests Act, State & Local Government; disclos. by certain members of advisory agency.
HB 1675 Del. Orrock, Sr.(54)	Pedestrians; grants counties same authority as cities & towns to prohibit loitering on bridges, etc.
HB 1710 Del. Oder(94)	Contracts; certain indemnification provisions in construction contracts declared void.
HB 1730 Del. Cole(88)	Tax legislation; requires a sunset date of no more than four years on all.
HB 1783 Del. Hull(38)	Government, local; equalizes municipal and county taxing authority.
HB 1823 Del. Albo(42)	Recordation taxes; changes basis on which taxes are calculated on transfer of real estate.
HB 1839 Del. Albo(42)	Commercial real estate tax; used for local projects and construct new roads.

HB 1870 Del. Janis(56)	Motorcycles; prohibits two to be operated abreast in single lane, civil penalty.
HB 1932 Del. Plum(36)	HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.
HB 1992 Del. Bulova(37)	Outdoor signs and advertising; all penalties & costs collected for violations of advertising.
HB 2011 Del. Ebbin(49)	Pedestrians; prohibits crossing of railroad grade crossings if train is present or approaching.
HB 2017 Del. Rust(86)	Transient occupancy tax; Fairfax County limitations.
HB 2117 Del. Nichols(51)	HOT lanes; prohibits on any portion of I-95 between Potomac River and City of Fredericksburg.
HB 2121 Del. Nichols(51)	Public Procurement Act; verification of legal presence of contractors for employment.
HB 2153 Del. Rust(86)	BPOL tax; allows towns to levy on any person, firm, etc., in business of renting real property.
HB 2205 Del. Frederick(52)	BPOL taxes; repeals local business taxes.
HB 2217 Del. Jones(76)	Board for Architects, Professional Engineers, etc.; required insurance for certain licensees.
HB 2231 Del. Marsden(41)	Parking; adds pickup and panel trucks to list of vehicles that Fairfax, etc. may prohibit therefrom.
HB 2232 Del. Marsden(41)	Crashes on HOT lanes under construction; if no apparent bodily injuries, drivers must move vehicles.
HB 2253 Del. Barlow(64)	Safety belts; makes non-use of a primary offense.
HB 2294 Del. Merricks(16)	Alternative on-site sewage systems; no locality shall prohibit use thereof.
HB 2299 Del. Caputo(67)	HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.
HB 2339 Del. Amundson(44)	Safety belts; makes non-use of a primary offense.
HB 2354 Del. Landes(25)	Suspension of mandates; requires Governor to temporarily suspend on locality facing fiscal stress.
HB 2380 Del. Scott(53)	Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicles.
HB 2385 Del. Ebbin(49)	Discrimination; prohibited in public employment based on race, color, religion, etc.
HB 2386 Del. Ebbin(49)	Pedestrians and drivers; responsibilities thereof at marked & unmarked crosswalks.
HB 2387 Del. Ebbin(49)	Green Public Buildings Act; certain new or renovated buildings to be built to certain standards.
HB 2416 Del. Bouchard(83)	Photo-monitoring systems; removes approval of VDOT of proposed intersections for system.
HB 2470 Del. Hugo(40)	Northern Virginia Transportation District Fund; dedication of state matching funds.

HB 2496 Del. Alexander(89)	Early voting pilot projects; State Board of Elections to establish for general elections in 2010.
HB 2520 Del. Shannon(35)	Pedestrians and drivers; responsibilities thereof at marked and unmarked crosswalks.
HB 2547 Del. Albo(42)	Federal economic stimulus funds; available for State use exclusively for transportation & education.
HB 2590 Del. Ebbin(49)	Financial accounting and reporting system; establish alternative system for postemployment benefits.
HB 2601 Del. Massie III(72)	Real estate tax; notice of change in assessment.
HB 2613 Del. Hall(69)	Cash proffers; requires localities to phase out acceptance thereof.
HB 2628 Del. Griffith(8)	Public Procurement Act; cooperative procurement.
HB 2631 Del. Caputo(67)	Firearms show; Fairfax County may require criminal history record information from promoter thereof.
HB 2635 Del. Cline(24)	Warrants, local; authorizes local governments to publish information relating thereto.
HB 2653 Del. Bulova(37)	Zoning ordinance enforcement; not to be charged therewith unless locality provided written notice.
HJ 709 Del. Frederick(52)	Constitutional amendment; assessments of real property and tax rates (first reference).
HJ 725 Del. Bell(58)	Constitutional amendment; taking of private property for public uses (first reference).
HJ 728 Del. Joannou(79)	Constitutional amendment; defines term public uses & specifies which private property may be taken.
SB 810 Sen. Howell(32)	Absentee voting; qualified voters may vote absentee in person without providing an excuse, etc.
SB 812 Sen. Cuccinelli, II(37)	Warrants, local; authorizes local governments to publish information relating thereto.
SB 830 Sen. Cuccinelli, II(37)	Advertising; allows local governing bodies to remove certain.
SB 832 Sen. Locke(2)	Firearms; possessing or carrying dangerous weapon in public buildings during official meetings.
SB 838 Sen. Ticer(30)	Land preservation tax credit; conveyance for public parks or public recreational facilities.
SB 872 Sen. Ticer(30)	TANF; eligibility for food stamps when convicted of drug-related felonies.
SB 914 Sen. Stuart(28)	Substance abuse screening & assessment for VIEW; person ineligible to receive TANF if using drugs.
SB 970 Sen. Blevins(14)	Safety belts; makes non-use of a primary offense.
SB 979 Sen. Stuart(28)	Fuel fee; allows authorities to pass an ordinance to impose a fee on motor vehicle violations.
SB 984 Sen. Wagner(7)	Chesapeake Bay Preservation Act; stormwater regulations.

SB 1065 Sen. Puller(36)	Wind energy drying devices; no community association shall prohibit an owner from installing, etc.
SB 1074 Sen. Howell(32)	BPOL tax; allows towns to levy on any person, firm, etc., in business of renting real property.
SB 1084 Sen. Howell(32)	Driver's license; requires minors to show completion of a 90-minute driver safety course.
SB 1099 Sen. Herring(33)	Incapacitated adults; financial exploitation thereof, penalty.
SB 1129 Sen. Petersen(34)	Warrants, local; local governments to publish information relating thereto.
SB 1131 Sen. Petersen(34)	Notice for setting local real property tax rate; public notice required for increasing rate.
SB 1134 Sen. Petersen(34)	Electronic summons system; localities to assess an additional fee as part of costs.
SB 1138 Sen. Petersen(34)	Parking on public highways; allows counties and towns, by ordinance, to regulate.
SB 1148 Sen. Whipple(31)	Income tax, state; livable home tax credit.
SB 1161 Sen. Saslaw(35)	Safety belts; makes non-use of a primary offense.
SB 1175 Sen. Watkins(10)	Property owned by locality; Cumberland County may levy and collect service charge.
SB 1191 Sen. Puckett(38)	Process and service fees; increases certain sheriffs' fees.
SB 1239 Sen. Barker(39)	Pedestrians and drivers; responsibilities thereof at marked and unmarked crosswalks.
SB 1247 Sen. Northam(6)	Human Rights Act; adds sexual orientation to definition of unlawful discriminatory practice.
SB 1252 Sen. Petersen(34)	Green Public Buildings Act; certain new or renovated buildings to be built to certain standards.
SB 1257 Sen. Marsh III(16)	Firearms; criminal records check performed at a gun show before vendor may transfer.
SB 1260 Sen. Vogel(27)	Health insurance; mandated coverage for autism spectrum disorder.
SB 1272 Sen. Vogel(27)	Tax and fee legislation; requires sunset dates on all and on those existing that are increased.
SB 1373 Sen. Ruff(61)	Property owned by locality; service charge levied when property in boundary of another locality.
SB 1408 Sen. Norment, Jr.(3)	Safety belt enforcement; allows for when violations are observed by officers at checkpoints.
SB 1423 Sen. Martin(11)	Subdivision ordinances; requirement that each locality provide a checklist to potential developers.
SB 1436 Sen. Howell(32)	Crime victims; no law-enforcement officer shall inquire into immigration status of victim of crime.
SB 1481 Sen. Ruff(61)	Criminal cases; allows circuit court clerk to assess local fee of up to 10% of total fees charged.

[SB 1482](#)
Sen. Hanger, Jr.(24)

Transportation Capital Projects Bond Act of 2007; repeals Act.

[SB 1502](#)
Sen. Barker(39)

Safety belt use; extends requirement for all occupants of a motor vehicle.

[SB 1514](#)
Sen. Smith(22)

Real estate tax; notice of change in assessment.

[SJ 290](#)
Sen. Obenshain(26)

Constitutional amendment; establishes limitations on takings of private property.

[SJ 349](#)
Sen. Newman(23)

Constitutional amendment; localities to cap annual increase in assessed values of real estate.

[SJ 353](#)
Sen. McEachin(9)

Local government; distribution of state and local taxes therefor.

[SJ 356](#)
Sen. Smith(22)

Teenage driving; joint subcommittee to study.

Fairfax County Initiatives

Bills Introduced at Fairfax County's Request

Bills	General Assembly Actions	Date of BOS Position
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<p><u>HB 1933</u> - Plum (36) Urban county executive form of government; adds sexual orientation as prohibited discrimination.</p>	<p>1/13/2009 House: Referred to Committee on Counties, Cities and Towns 2/4/2009 House: Subcommittee recommends laying on the table by voice vote 2/10/2009 House: Left in Counties, Cities and Towns</p>	<p>12/8/2008</p>
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Initiate (096597324)

Summary: Urban county executive form of government; human rights commission. Adds "sexual orientation" as prohibited discrimination in a county with the urban county executive form of government (Fairfax County).

<p><u>HB 2150</u> - Rust (86) Notice of sale; locality in Planning District 8 to adopt ordinance to give notice to admin. officer.</p>	<p>1/13/2009 House: Referred to Committee on Counties, Cities and Towns 2/6/2009 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N) 2/10/2009 House: Passed House BLOCK VOTE (99-Y 0-N) 2/11/2009 Senate: Referred to Committee on Local Government 2/17/2009 Senate: Reported from Local Government with amendment (15-Y 0-N) 2/23/2009 Senate: Passed Senate with amendment (40-Y 0-N) 2/25/2009 House: Senate amendment agreed to by House (98-Y 0-N) 3/4/2009 House: Enrolled 3/5/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>12/8/2008</p>
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Initiate (097671324)

Summary: Notice of certain sales under deed of trust. Permits localities in Planning District 8 to adopt an ordinance to require that a notice be given to the chief administrative officer when residential property becomes subject to a sale under a deed of trust.

<p><u>HB 2384</u> - Scott (53) Safety belt ordinances; allows local body to enact consistent with state law.</p>	<p>1/14/2009 House: Referred to Committee on Militia, Police and Public Safety 1/29/2009 House: Subcommittee recommends laying on the table 2/10/2009 House: Left in Militia, Police and Public Safety</p>	<p>12/8/2008</p>
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Initiate (096599324)

Summary: Safety belt ordinances. Allows the governing body of any county, city, or town to enact a local safety belt ordinance not inconsistent with the state law on the same subject. Presently, this ability is limited to the City of Lynchburg.

Bold – Indicates BOS formal action
[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2606 - Hugo (40) Farm wineries; county operating under urban county executive form of government to impose limits.</p>	<p>1/22/2009 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/28/2009 House: Passed by indefinitely in Agriculture, Chesapeake and Natural Resources by voice vote</p>	<p>1/26/2009</p>
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Initiate (097678548)
Summary: Farm wineries; urban county executive form of government. Allows a county operating under the urban county executive form of government to impose reasonable limitations on farm winery activities notwithstanding any other provision of law as part of any zoning approval of a farm winery that requires a license.

<p>SB 1053 - Whipple (31) Government facilities; local government may by ordinance, make unlawful to possess dangerous weapon.</p>	<p>1/13/2009 Senate: Referred to Committee on Local Government 1/27/2009 Senate: Failed to report (defeated) in Local Government (5-Y 10-N)</p>	<p>12/8/2008</p>
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Initiate (094341352)
Summary: Dangerous weapons in government facilities. Provides that the governing body of any locality may, by ordinance, make it unlawful for any person to possess a dangerous weapon upon the property, including buildings and grounds thereof, of any facility that is owned or leased by that locality and used by it for governmental purposes.

<p>SB 1227 - Barker (39) Driver's license, provisional; makes cell phone use while driving a primary offense.</p>	<p>1/13/2009 Senate: Referred to Committee on Transportation 1/22/2009 Senate: Rereferred to Courts of Justice 2/2/2009 Senate: Reported from Courts of Justice (10-Y 2-N 1-A) 2/9/2009 Senate: Read third time and passed Senate (33-Y 6-N) 2/11/2009 House: Referred to Committee on Militia, Police and Public Safety 2/19/2009 House: Subcommittee recommends laying on the table (3-Y 1-N) 2/28/2009 House: Left in Militia, Police and Public Safety</p>	<p>12/8/2008</p>
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Initiate (093564324)
Summary: Provisional driver's license holders. Makes cell phone use while driving by a provisional driver's license holder a "primary offense."

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 [] Indicates BOS Legislative Committee Action

Fairfax County Positions
(Oppose or Amend)

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 1788 - Hull (38) Alternative on-site sewage systems; no locality shall prohibit use thereof.</p>	<p>1/9/2009 House: Referred to Committee on Counties, Cities and Towns 2/6/2009 House: Reported from Counties, Cities and Towns with substitute (19-Y 3-N) 2/10/2009 House: VOTE: --- PASSAGE (50-Y 48-N) 2/10/2009 House: VOTE: --- RECONSIDER (56-Y 41-N) 2/10/2009 House: VOTE: --- PASSAGE #2 (57-Y 42-N) 2/11/2009 Senate: Referred to Committee on Local Government 2/17/2009 Senate: Reported from Local Government with amendment (12-Y 3-N) 2/25/2009 Senate: Passed Senate with floor substitute (37-Y 3-N) 2/26/2009 House: Senate substitute agreed to by House (78-Y 17-N)</p>	<p>1/26/2009</p>
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Oppose (090842552)

Summary: Provides that when sewers or sewerage disposal facilities are not available, a locality shall not prohibit the use of alternative onsite sewage systems that have been approved by the Virginia Department of Health for use in the particular circumstances and conditions, and that localities shall not require maintenance standards and requirements for alternative onsite sewage systems that exceed those allowed under or established by the State Board of Health. This bill provides that the State Health Commissioner shall require, as a precondition to the issuance of an alternative onsite sewage system permit to serve a residential structure, that the property owner record an instrument identifying by reference the applicable maintenance regulations for each component of the system in the land records of the clerk of the court for the jurisdiction where all or part of the site or proposed site of the onsite sewage system is to be located, which shall be transferred with the title to the property upon the sale or transfer of the property that is the subject of the permit. Additional enactment clauses adopted at the end of the bill provides that the statutory prohibitions against local bans of alternative systems and against more stringent local maintenance standards and requirements shall not take effect until, respectively, 30 days after final promulgation of regulations by the Board of Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals governing licensure of onsite soil evaluators and installers and operators of such systems, and 30 days after final promulgation by the Board of Health of regulations governing the operation and maintenance of alternative onsite sewage systems pursuant to Chapters 892 and 924 of the Acts of Assembly of 2007. This bill is identical to SB 1276.

Bold – Indicates BOS formal action
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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2029 - Marshall, III (14) Subdivision ordinances; bonding requirements.</p>	<p>1/13/2009 House: Referred to Committee on Counties, Cities and Towns 1/30/2009 House: Reported from Counties, Cities and Towns with amendments (21-Y 1-N) 2/4/2009 House: Passed House (91-Y 7-N) 2/4/2009 House: VOTE: --- PASSAGE (91-Y 7-N) 2/5/2009 Senate: Referred to Committee on Local Government 2/17/2009 Senate: Reported from Local Government (15-Y 0-N) 2/23/2009 Senate: Passed Senate (40-Y 0-N) 2/28/2009 House: Enrolled 2/28/2009 House: Signed by Speaker 2/28/2009 Senate: Signed by President</p>	<p>1/26/2009</p>
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Oppose (092022612)

Summary: Reduces the bonding requirement from 25 percent to 10 percent of estimated construction costs for the administrative allowance required from a developer. This provision will sunset in 5 years.

<p>HB 2077 - Oder (94) Land use actions; extension of approvals to address housing crisis.</p>	<p>1/13/2009 House: Referred to Committee on Counties, Cities and Towns 2/6/2009 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N) 2/10/2009 House: VOTE: --- PASSAGE (99-Y 0-N) 2/11/2009 Senate: Referred to Committee on Local Government 2/17/2009 Senate: Reported from Local Government (15-Y 0-N) 2/23/2009 Senate: Passed Senate (40-Y 0-N) 2/28/2009 House: Enrolled 2/28/2009 House: Signed by Speaker 2/28/2009 Senate: Signed by President</p>	<p>1/26/2009</p>
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Oppose (092029668) - Subcommittee substitute is much broader than the original bill.

Summary: Extends to July 1, 2014, the validity of site plans, preliminary and final subdivision plats valid as of January 1, 2009, provided applicable public improvement bonds and agreements are also extended. Extends to July 1, 2014, any deadline in a special exception or special permit valid as of January 1, 2009, for new residential or commercial development that would require the use to commence by a certain date or that significant expenses related to improvements for the development be incurred. For rezonings for new residential or commercial development approved prior to January 1, 2009, extends to July 1, 2014, any proffered condition that would require significant expenses to be incurred upon an event related to a stage or level of development. The automatic proffer deadline extension shall not apply: (i) to proffered land or right-of-way dedications; (ii) when completion of the event related to the stage or level of development has occurred; or (iii) to requirements proffered to occur on or before a specified date or within a specified time period.

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2084 - Purkey (82) Real and personal property taxes; exempts certain pollution control equipment & facilities.</p>	<p>1/13/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting (8-Y 0-N) 2/2/2009 House: Reported from Finance (22-Y 0-N) 2/5/2009 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/6/2009 Senate: Referred to Committee on Finance 2/18/2009 Senate: Reported from Finance with amendments (14-Y 2-N) 2/25/2009 Senate: Passed Senate with amendments (39-Y 0-N) 2/26/2009 House: Senate amendments agreed to by House (96-Y 1-N)</p>	<p>1/26/2009</p>
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Oppose (092585692) - Oppose as unfunded mandate; rough estimate of \$150,000 impact to County.
Summary: Real and personal property taxes. Exempts certain pollution control equipment and facilities from local property taxes.

<p>HB 2472 - Hugo (40) Short-term rental property; definition/removes daily rental property defin. from merchants' capital.</p>	<p>1/14/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting (6-Y 0-N) 2/2/2009 House: Reported from Finance (22-Y 0-N) 2/5/2009 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/6/2009 Senate: Referred to Committee on Finance 2/17/2009 Senate: Reported from Finance with substitute (16-Y 0-N) 2/19/2009 Senate: Passed Senate with substitute (40-Y 0-N) 2/24/2009 House: Senate substitute agreed to by House(98-Y 0-N) 2/28/2009 House: Enrolled 2/28/2009 House: Signed by Speaker 2/28/2009 Senate: Signed by President</p>	<p>1/26/2009</p>
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Oppose (091264548) - Revenue loss to County due to an expansion of definition of short-term rental. See also SB 1419. Note: In enrolled version, while loss to the County has been minimized at less than \$50,000 from up to \$13 million, this is an expansion of the current applicability of the tax.
Summary: Merchants' capital tax. Deems a business with at least 60 percent of its gross rental receipts from the rental of heavy equipment property for periods of 270 consecutive days or less to be a short-term rental business. Such business would be subject to a one percent tax on its gross receipts from the rental of short-term rental property.

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2479 - Hugo (40) Real property tax rate; reduces tax imposed on commercial property in Northern Virginia.</p>	<p>1/14/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/2/2009 House: Reported from Finance with substitute (21-Y 1-N) 2/6/2009 House: VOTE: --- PASSAGE (93-Y 5-N) 2/9/2009 Senate: Referred to Committee on Finance 2/18/2009 Senate: Reported from Finance with amendment (14-Y 2-N) 2/24/2009 Senate: Passed Senate with amendment (37-Y 2-N) 2/26/2009 House: Senate amendment agreed to by House (92-Y 4-N)</p>	<p>1/26/2009</p>
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Oppose (098128548) - Diminishes current County taxing authority.
Summary: Real property tax rate; commercial property in Northern Virginia. Reduces the rate of the additional real property tax that may be imposed on commercial property by localities embraced by the Northern Virginia Transportation Authority from \$0.25 per \$100 to \$0.125 per \$100. The bill has a sunset date of June 30, 2013.

<p>HB 2480 - Hugo (40) Real property tax; commercial property in Northern Virginia and Hampton Roads.</p>	<p>1/14/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/2/2009 House: Reported from Finance with amendment (22-Y 0-N) 2/5/2009 House: VOTE: PASSAGE (99-Y 0-N) 2/6/2009 Senate: Referred to Committee on Finance 2/18/2009 Senate: Reported from Finance with substitute (14-Y 2-N) 2/24/2009 Senate: Passed Senate with substitute (32-Y 5-N) 2/26/2009 House: Senate substitute agreed to by House (91-Y 4-N)</p>	<p>2/23/2009 1/26/2009</p>
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Amend (098028548-E) - Initial amendment allows broader use of the tax, but still limits Board's flexibility; needs further amendment. ~~**Oppose** (098028548) - Amendment allows broader use of the tax, but still limits Board's flexibility.~~
Summary: Requires localities to use the revenue from the special real property tax on commercial property in localities embraced by the Northern Virginia Transportation Authority or the Hampton Roads Transportation Authority solely for (i) new road construction and associated design and right of way acquisition, (ii) new public transit construction and associated design and right of way acquisition, (iii) other initial capital costs related to new transportation projects and the operating costs directly related thereto and (iv) the issuance costs and debt service on bonds to support the capital costs permitted in (i) through (iii). Under current law, the localities must use the revenue for transportation purposes that benefit the special regional transportation tax district to which the locality belongs.

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2506 - Pollard, Jr. (99) Energy efficiency programs; investor-owned electric utilities to recover costs of designing, etc.</p>	<p>1/15/2009 House: Referred to Committee on Commerce and Labor 2/5/2009 House: Reported from Commerce and Labor with substitute (20-Y 0-N) 2/10/2009 House: Passed House (99-Y 0-N) 2/11/2009 Senate: Referred to Committee on Commerce and Labor 2/23/2009 Senate: Reported from Commerce and Labor with substitute (12-Y 3-N) 2/26/2009 Senate: Passed Senate w/substitute (20-Y 18-N) 2/26/2009 House: Senate substitute rejected by House (1-Y 74-N) 2/26/2009 Senate: Senate insisted on substitute and requested conference committee(38-Y 0-N) 2/28/2009 House: Conference report agreed to by House (98-Y 1-N) 2/28/2009 Senate: Conference report agreed to by Senate (22-Y 18-N)</p>	<p>3/9/2009</p>
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Amend (HB2506ER) - Board letter to the Governor dated March 9, 2009.
Summary: Energy efficiency programs. Authorizes investor-owned electric utilities to recover, through a rate adjustment clause, the costs of designing and operating energy efficiency programs that have the effect of producing measured and verified reductions in the amount of electricity required. The utility may earn a general rate of return on energy efficiency programs. The State Corporation Commission may allow for the recovery of reductions in revenue related to energy efficiency programs, to the extent the revenue is not recovered through off-system sales. The costs of new energy efficiency programs shall not be assigned to any large general service customer that has implemented energy efficiency measures. HB 2176 is incorporated.

<p>SB 811 - Cuccinelli, II (37) Elevator mechanics, certified; Board for Contractors shall extend time for compliance for certain.</p>	<p>11/24/2008 Senate: Referred to Committee on General Laws and Technology 1/28/2009 Senate: Reported from General Laws and Technology with amendments (8-Y 7-N) 2/5/2009 Senate: Read third time and passed Senate (39-Y 0-N) 2/13/2009 House: Referred to Committee on General Laws 2/20/09 House: Reported from General Laws (13-Y 3-N) 2/25/2009 House: Passed House (93-Y 5-N) 3/4/2009 Senate: Enrolled 3/5/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>1/26/2009</p>
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Oppose (082438216)
Summary: Extends the time for compliance with elevator mechanic licensure requirements for individuals who install, service, or repair wheelchair lifts, incline chairlifts, dumbwaiters, and residential elevators until July 1, 2010. The bill also provides for the Board for Contractors to convene a group of stakeholders to evaluate the

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Bills	General Assembly Actions	Date of BOS Position
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level of regulation appropriate for individuals who install, service, or repair wheelchair lifts, incline chairlifts, dumbwaiters, residential elevators, and Limited Use Limited Application (LULA) elevators and provide recommendations to the Senate Committee on General Laws and Technology and the House Committee on General Laws by November 30, 2009.

<p>SB 982 - Wagner (7) Stormwater; requires localities to regulate.</p>	<p>1/12/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Reported from Local Government with amendment (14-Y 1-N) 2/9/2009 Senate: Passed Senate (40-Y 0-N) 2/13/2009 House: Referred to Committee on Counties, Cities and Towns 2/20/2009 House: Reported from Counties, Cities and Towns (22-Y 0-N) 2/25/2009 House: Passed House (100-Y 0-N) 3/4/2009 Senate: Enrolled 3/5/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>1/26/2009</p>
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Oppose (092841340)

Summary: Regulation of stormwater. Requires localities to provide full or partial waivers of charges to any person who develops, redevelops or retrofits outfalls, discharges or property so that there is a permanent reduction in post-development stormwater flow and pollutant loading, as long as a stormwater permit has been obtained by either the Department of Conservation and Recreation or the Department of Environmental Quality when such permit is required. Under current law, localities have the option of providing such waivers and permits were not required to be obtained from the Department of Conservation and Recreation.

<p>SB 1179 - Hanger, Jr. (24) State Executive Council; increases membership and establishes term limits.</p>	<p>1/13/2009 Senate: Referred to Committee on General Laws and Technology 1/21/2009 Senate: Rereferred to Rehabilitation and Social Services 2/6/2009 Senate: Reported from Rehabilitation and Social Services with substitute (13-Y 0-N) 2/13/2009 House: Referred to Committee on Health, Welfare and Institutions 2/17/2009 House: Reported from Health, Welfare and Institutions with amendments (20-Y 2-N) 2/17/09 House: Referred to Committee on Appropriations 2/23/2009 House: Reported from Appropriations with substitute (24-Y 0-N) 2/25/2009 House: VOTE: --- PASSAGE (97-Y 1-N) 2/26/2009 Senate: House substitute agreed to by Senate (38-Y 0-N)</p>	<p>2/23/2009</p>
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Amend (095865232-S1) - Amend to be consistent with Board's policy to increase the local government membership to be more in line with state representation on the State Executive Council.

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Bills	General Assembly Actions	Date of BOS Position
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Summary: State Executive Council; increases membership. Increases the membership of the State Executive Council by adding two local government representatives, the Governor's Special Advisor of Children's Services, a public provider, and two private providers. The bill also places a three year term limit and two consecutive term maximum on all of the Governor's appointments.

<p>SB 1248 - Northam (6) Electrical generation; base rates of return for certain types thereof.</p>	<p>1/14/2009 Senate: Referred to Committee on Commerce and Labor 2/9/2009 Senate: Reported from Commerce and Labor with substitute (10-Y 5-N) 2/10/2009 Senate: Passed Senate (28-Y 12-N) 2/13/2009 House: Referred to Committee on Commerce and Labor 2/19/2009 House: Reported from Commerce and Labor with substitute (21-Y 1-N) 2/24/2009 House: VOTE: --- PASSAGE (99-Y 0-N) 2/25/2009 Senate: House substitute agreed to by Senate (37-Y 0-N) 3/4/2009 Senate: Enrolled 3/5/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>3/9/2009</p>
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Amend ((SB1248ER)) - Board letter to the Governor dated March 9, 2009.

Summary: Energy efficiency programs. Authorizes investor-owned electric utilities to recover, through a rate adjustment clause, the projected and actual costs of designing, implementing, and operating energy efficiency programs and fair and effective peak-shaving programs. The utility may earn a general rate of return on energy efficiency programs. The State Corporation Commission may allow for the recovery of reductions in revenue related to energy efficiency programs, to the extent the revenue is not recovered through off-system sales. Certain large general service customers may be exempted from paying the costs of such energy efficiency programs. The measure also requires electric cooperatives to file assessments of impediments to their implementation of certain rate initiatives.

Bold – Indicates BOS formal action
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Bills	General Assembly Actions	Date of BOS Position
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<p><u>SB 1276</u> - Martin (11) Alternative on-site sewage systems; no locality shall prohibit use thereof.</p>	<p>1/14/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Reported from Local Government with substitute (12-Y 2-N 1-A) 2/10/2009 Senate: Passed Senate (35-Y 5-N) 2/13/2009 House: Referred to Committee on Health, Welfare and Institutions 2/19/2009 House: Reported from Health, Welfare and Institutions with amendments (17-Y 4-N) 2/25/2009 House: Passed House with floor substitute (79-Y 19-N) 2/26/2009 Senate: House substitute agreed to by Senate (37-Y 0-N)</p>	<p>1/26/2009</p>
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Oppose (098263338)

Summary: Provides that when sewers or sewerage disposal facilities are not available, a locality shall not prohibit the use of alternative onsite sewage systems that have been approved by the Virginia Department of Health for use in the particular circumstances and conditions, and that localities shall not require maintenance standards and requirements for alternative onsite sewage systems that exceed those allowed under or established by the State Board of Health. This bill provides that the State Health Commissioner shall require, as a precondition to the issuance of an alternative onsite sewage system permit to serve a residential structure, that the property owner record an instrument identifying by reference the applicable maintenance regulations for each component of the system in the land records of the clerk of the court for the jurisdiction where all or part of the site or proposed site of the onsite sewage system is to be located, which shall be transferred with the title to the property upon the sale or transfer of the property that is the subject of the permit. Additional enactment clauses adopted at the end of the bills provide that the statutory prohibitions against local bans of alternative systems and against more stringent local maintenance standards and requirements shall not take effect until, respectively, 30 days after final promulgation of regulations by the Board of Waterworks and Wastewater Works Operators and Onsite Sewage System Professionals governing licensure of onsite soil evaluators and installers and operators of such systems, and 30 days after final promulgation by the Board of Health of regulations governing the operation and maintenance of alternative onsite sewage systems pursuant to Chapters 892 and 924 of the Acts of Assembly of 2007. This bill is identical to HB 1788.

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Bills	General Assembly Actions	Date of BOS Position
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<p>SB 1335 - Stuart (28) Conditional zoning; amendment to proffered condition is requested by proffor local body may waive.</p>	<p>1/14/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Reported from Local Government with substitute (15-Y 0-N) 2/9/2009 Senate: Passed Senate (40-Y 0-N) 2/13/2009 House: Referred to Committee on Counties, Cities and Towns 2/20/2009 House: Reported from Counties, Cities and Towns with amendment (22-Y 0-N) 2/24/09 House: Passed House with amendment (99-Y 0-N) 2/25/2009 Senate: House amendment agreed to by Senate (37-Y 0-N)</p>	<p>1/26/2009</p>
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Oppose (092033668) - Oppose as overly broad.
Summary: Conditional zoning; public hearing. Provides that where an amendment to proffered conditions is requested by the proffor, and where such amendment does not affect conditions of use or density, a local governing body may waive the requirement for a public hearing.

<p>SB 1419 - Watkins (10) Daily rental property tax; definition.</p>	<p>1/14/2009 Senate: Referred to Committee on Finance 2/5/2009 Senate: Reported from Finance with substitute (8-Y 7-N) 2/10/2009 Senate: Passed Senate (34-Y 5-N) 2/13/2009 House: Referred to Committee on Finance 2/16/2009 House: Reported from Finance with substitute (17-Y 4-N) 2/24/2009 02/24/09 House: Passed House with floor substitute (99-Y 0-N) 2/25/2009 Senate: House substitute agreed to by Senate (36-Y 0-N)</p>	<p>2/9/2009</p>
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Oppose (091935348) - Revenue loss to County due to an expansion of definition of short-term rental. See also HB 2472. Note: For enrolled version, while loss to the County has been minimized at less than \$50,000 from up to \$13 million, this is an expansion of the current applicability of the tax.
Summary: Daily rental property. Creates a separate classification of property for daily rental property for taxation purposes. Currently, daily rental property is classified as merchants' capital for taxation purpose. The bill contains a reenactment clause.

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Bills	General Assembly Actions	Date of BOS Position
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<p>SB 1533 - Saslaw (35) Special use permits; extension of expiration dates.</p>	<p>1/23/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Reported from Local Government with amendment (15-Y 0-N) 2/9/2009 Senate: Passed Senate (40-Y 0-N) 2/13/2009 House: Referred to Committee on Counties, Cities and Towns 2/20/2009 House: Reported from Counties, Cities and Towns (22-Y 0-N) 2/24/2009 House: Passed House (99-Y 0-N) 3/4/2009 Senate: Enrolled 3/4/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>2/9/2009</p>
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Oppose (092061324)
Summary: Special use permits; extension of validity. Extends the expiration of special use permits that were valid and outstanding as of January 1, 2009, to July 1, 2011.

<p>SJ 332 - Petersen (34) Constitutional amendment; tax exemptions for buildings constructed or designed to conserve energy.</p>	<p>1/13/2009 Senate: Referred to Committee on Privileges and Elections 1/27/2009 Senate: Reported from Privileges and Elections with substitute (13-Y 2-N) 2/3/2009 Senate: Agreed to by Senate (37-Y 2-N 1-A) 2/11/2009 House: Referred to Committee on Privileges and Elections 2/16/2009 House: Subcommittee recommends reporting with amendment(s) 2/20/2009 House: Reported from Privileges and Elections with amendments (22-Y 0-N) 2/24/2009 House: Agreed to by House with amendments (99-Y 0-N) 2/25/2009 Senate: House amendments agreed to by Senate (36-Y 0-N)</p>	<p>2/9/2009</p>
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Oppose (097772293) - Note: Bill has been amended to remove General Assembly authority to directly exempt property from local taxation. However, bill was expanded beyond buildings, as in the original version.
Summary: Constitutional amendment (first resolution); property exempt from taxation. Authorizes the General Assembly to enact laws to permit localities to exempt from property taxes, any property, including real or personal property, equipment, facilities, or devices, constructed or designed to conserve energy and natural resources in a manner that meets or exceeds performance standards established for such purposes. The amendment also deletes the authorization for the General Assembly by general law to directly exempt from property taxes such property and property designed to abate pollution or transfer or store solar energy.

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Fairfax County Positions
(Support or Monitor)

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 1629 - Cole (88) Pedestrians; grants counties same authority as cities & towns to prohibit loitering on bridges, etc.</p>	<p>12/3/2008 House: Referred to Committee on Transportation 1/20/2009 House: Reported from Transportation with substitute (20-Y 0-N) 1/23/2009 House: VOTE: --- PASSAGE (93-Y 4-N) 1/26/2009 Senate: Referred to Committee on Transportation 2/19/09 Senate: Reported from Transportation (15-Y 0-N) 2/24/2009 Senate: Passed Senate (39-Y 0-N) 2/28/2009 House: Enrolled 2/28/2009 House: Signed by Speaker 2/28/2009 Senate: Signed by President</p>	<p>1/26/2009</p>
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Monitor (098003468)
Summary: Loitering. Grants counties the same authority as cities and towns to prohibit loitering of pedestrians on bridges and highway rights-of-way. Local jurisdictions must obtain agreement from the Commonwealth Transportation Commissioner on placement of signs and shall be responsible for costs of production, installation, and maintenance of those signs. This bill incorporates HB 1675.

<p>HB 1655 - Carrico, Sr. (5) Firearms; award of court costs, etc., to entity that prevails in action challenging locality.</p>	<p>12/12/2008 House: Referred to Committee for Courts of Justice 1/21/2009 House: Referred to Committee on Militia, Police and Public Safety 2/6/2009 House: Reported from Militia, Police and Public Safety with substitute (19-Y 3-N) 2/10/2009 House: VOTE: --- PASSAGE (82-Y 16-N) 2/11/2009 Senate: Referred to Committee for Courts of Justice 2/16/2009 Senate: Reported from Courts of Justice with amendment (10-Y 4-N) 2/19/2009 Senate: Passed Senate with amendment (30-Y 10-N) 2/23/2009 House: Senate amendment rejected by House (18-Y 81-N) 2/25/2009 Senate: Senate insisted on amendment and requested conference committee(35-Y 5-N) 2/28/2009 House: Conference report agreed to by House (84-Y 10-N) 2/28/2009 Senate: Conference report agreed to by Senate (37-Y 1-N)</p>	<p>[3/6/2009] 1/26/2009</p>
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[Monitor] ((HB1655ER)) - Senate version, which prevailed in conference, deletes the court mandate by changing "shall" to "may." ~~Oppose~~ (097759460)
Summary: Allows a court to award reasonable attorney fees, expenses, and court costs to any entity that prevails in an action challenging an ordinance, resolution or motion as being in conflict with a locality's

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Bills	General Assembly Actions	Date of BOS Position
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authority to control firearms pursuant to § 15.2-915. Attorney fees may also be awarded to the prevailing party in an action challenging an administrative action taken in bad faith as being in conflict with the section. This bill is identical to SB 1513.

<p>HB 1680 - Orrock, Sr. (54) Vested rights; defines term 'act of God' to include any natural disaster or phenomena.</p>	<p>12/23/2008 House: Referred to Committee on Counties, Cities and Towns 1/23/2009 House: Reported from Counties, Cities and Towns with amendments (21-Y 1-N) 1/28/2009 House: VOTE: --- PASSAGE (97-Y 1-N) 1/29/2009 Senate: Referred to Committee on Local Government 2/17/2009 Senate: Reported from Local Government with amendment (15-Y 0-N) 2/23/09 Senate: Passed Senate w/amendment (40-Y 0-N) 2/25/2009 House: VOTE: --- ADOPTION (98-Y 1-N) 2/25/2009 House: Senate amendment agreed to by House (98-Y 1-N) 3/4/2009 House: Enrolled 3/5/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>[3/6/2009] 1/26/2009</p>
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[Monitor] ((HB1680ER)) - Bill was amended to address arson. ~~Oppose Unless Amended (097654672) - Oppose unless amended to address arson.~~

Summary: Provides that the term "act of God" includes a hurricane, tornado, storm, flood, high water, wind-driven water, tidal wave, earthquake, or certain fires. Specifies that a fire caused by an individual other than the property owner shall not adversely affect the rights vested in the affected property. The bill also limits the owner's right to repair, rebuild, or replace the building to its original nonconforming condition only if such building is damaged greater than 50 percent.

<p>HB 1694 - Albo (42) Parking; allows certain counties and towns to prohibit parking of certain vehicles on streets.</p>	<p>1/5/2009 House: Referred to Committee on Transportation 1/29/2009 House: Reported from Transportation with substitute (22-Y 0-N) 2/4/2009 House: Passed House (98-Y 0-N) 2/5/2009 Senate: Referred to Committee on Transportation 2/19/2009 Senate: Reported from Transportation with amendments (15-Y 0-N) 2/24/09 Senate: Passed Senate w/amendments (39-Y 0-N) 2/26/2009 House: Senate amendments rejected by House (2-Y 95-N) 2/26/2009 Senate: Senate insisted on amendments and requested conference committee (38-Y 0-N) 2/28/2009 House: Conference report agreed to by House (91-Y 4-N) 2/28/2009 Senate: Conference report agreed to by Senate (38-Y 0-N)</p>	<p>1/26/2009</p>
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Bills	General Assembly Actions	Date of BOS Position
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Monitor (093529404) - Further review is needed.

Summary: Allows Fairfax and Prince William Counties and the towns of Clifton, Herndon, and Vienna to prohibit on-street parking of any truck more than 20 feet in length (other than commercial vehicles used by a public service company or by others working on its behalf, or commercial vehicles used in the provision of cable television service, or commercial vehicles used in the provision of propane gas service) and any vehicle carrying commercial freight in plain view.

HB 1703 - Cosgrove (78)
Indoor Clean Air Act; prohibits smoking in certain public buildings, restaurants, etc., exceptions.

1/5/2009 House: Referred to Committee on General Laws
 2/6/2009 House: Reported from General Laws with substitute (12-Y 6-N)
 2/10/2009 House: VOTE: --- PASSAGE (61-Y 37-N)
 2/11/2009 Senate: Referred to Committee on Local Government
 2/17/2009 Senate: Reported from Local Government (8-Y 7-N)
 2/18/2009 Senate: Rereferred to Education and Health
 2/19/2009 Senate: Reported from Education and Health with substitute (12-Y 3-N)
 2/24/09 Senate: Passed Senate with substitute (26-Y 13-N)
 2/26/2009 House: Senate substitute agreed to by House (60-Y 37-N)
 3/4/2009 House: Enrolled
 3/4/2009 Senate: Signed by President
 3/6/2009 House: Signed by Speaker
 3/9/2009 Governor: Approved by Governor (effective 12/1/09)

2/23/2009

Support (091848584-EH1) - Support as progress toward a statewide ban.

Summary: Virginia Indoor Clean Air Act; penalty. Establishes a statewide ban on smoking in restaurants. The bill contains several exemptions from this prohibition where smoking may be permitted, including a restaurant that is constructed in such a manner that areas where smoking may be permitted are structurally separated from the portion of the restaurant in which smoking is prohibited and such areas are separately vented. The bill contains technical amendments.

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 1712 - Janis (56) Federal write-in absentee ballots; witness requirement.</p>	<p>1/5/2009 House: Referred to Committee on Privileges and Elections 1/23/2009 House: Reported from Privileges and Elections with substitute (21-Y 0-N) 1/28/2009 House: Passed House (98-Y 0-N) 1/29/2009 Senate: Referred to Committee on Privileges and Elections 2/17/2009 Senate: Reported from Privileges and Elections with amendments (15-Y 0-N) 2/23/2009 Senate: Passed Senate with amendments (40-Y 0-N) 2/26/2009 House: Senate amendments agreed to by House (96-Y 0-N)</p>	<p>2/23/2009</p>
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Support (095605568-H1)

Summary: Removes the requirement that a federal write-in absentee ballot will only be considered valid for purposes of simultaneously satisfying both an absentee ballot application and a completed absentee ballot for federal offices if the envelope contains the signature of a witness and his printed name and address. The bill provides that the envelope need only contain the signature of the witness in order for the ballot to be considered valid. The bill also provides that the ballot must be received no later than the closing of the polls rather than five days before the election and that the federal write-in absentee ballot may serve as a registration application if the voter is eligible to register in Virginia. This bill incorporates HB 2221. This bill is identical to SB 993.

<p>HB 1724 - Rust (86) Trespassing vehicle; local regulation of removal and immobilization thereof.</p>	<p>1/6/2009 House: Referred to Committee on Transportation 1/29/2009 House: Reported from Transportation with substitute (21-Y 1-N) 2/3/2009 House: VOTE: --- PASSAGE (93-Y 5-N) 2/4/2009 Senate: Referred to Committee on Transportation 2/19/2009 Senate: Reported from Transportation with amendments (15-Y 0-N) 2/24/2009 Senate: Passed Senate with amendments (39-Y 0-N) 2/26/2009 02/26/09 House: Senate amendments agreed to by House (96-Y 0-N)</p>	<p>2/23/2009 1/26/2009</p>
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Monitor (093611708-H1) ~~**Oppose**~~ (098151708)

Summary: Trespassing vehicle; towing; local ordinances. Provides that local ordinances may require towing and recovery operators to obtain at the time the vehicle is towed, verbal approval of an agent designated in the ordinance. Further provides that local ordinances requiring "second signatures" before trespassing vehicles can be towed away only apply if the tow is performed during the normal business hours of the owner of the property from which the vehicle is towed. This bill is the same as SB 997 (J. C. Miller).

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 1782 - Albo (42) Driver's license; minors in planning district 8 to show completion of 90 min. driver safety course.</p>	<p>1/9/2009 House: Referred to Committee on Transportation 1/27/2009 House: Reported from Transportation with substitute (19-Y 3-N) 2/3/2009 House: VOTE: --- PASSAGE (68-Y 30-N) 2/4/2009 Senate: Referred to Committee on Transportation 2/19/2009 Senate: Reported from Transportation with amendment (15-Y 0-N) 2/24/09 Senate: Passed Senate w/amendment (38-Y 1-N) 2/26/2009 House: Senate amendment rejected by House (1-Y 96-N) 2/26/2009 Senate: Senate insisted on amendment and requested conference committee (38-Y 0-N) 2/28/2009 House: Conference report agreed to by House (72-Y 24-N) 2/28/2009 Senate: Conference report agreed to by Senate (35-Y 1-N)</p>	<p>2/9/2009</p>
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Support (093858404-H1) - See also SB 1084.
Summary: Requires that public school standardized driver education programs in Planning District 8, for any student completing a driver education program on or after January 1, 2010, include an additional minimum 90-minute parent/student driver education component, as part of the in-classroom portion of the driver education curriculum, requiring the participation of the student's parent or guardian and emphasizing parental responsibilities regarding juvenile driver behavior, juvenile driving restrictions pursuant to the Code of Virginia, and the dangers of driving while intoxicated and underage consumption of alcohol.

<p>HB 1830 - Fralin, Jr. (17) Setoff Debt Collection Act; allows local governments to collect past due local taxes.</p>	<p>1/12/2009 House: Referred to Committee on Finance 2/2/2009 House: Reported from Finance with substitute (22-Y 0-N) 2/10/2009 House: VOTE: --- PASSAGE (97-Y 0-N) 2/11/2009 Senate: Referred to Committee on Finance 2/17/2009 Senate: Reported from Finance with amendment (16-Y 0-N) 2/19/09 Senate: Passed Senate w/amendment (40-Y 0-N) 2/23/2009 House: Senate amendment rejected by House (1-Y 99-N) 2/25/2009 Senate: Senate insisted on amendment and requested conference committee (40-Y 0-N) 2/27/2009 Senate: Conference report agreed to by Senate (39-Y 0-N) 2/27/2009 House: Conference report agreed to by House (94-Y 0-N)</p>	<p>2/23/2009</p>
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Support (092902504-EH1)
Summary: Allows local governments, with the Department of Taxation's assistance, to collect past due local

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Bills	General Assembly Actions	Date of BOS Position
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debts from federal income tax returns. The provisions of the act will take effect on the effective date of federal legislation enacted by the United States Congress allowing such debt to be offset against federal income tax refunds.

<p><u>HB 1876</u> - Cosgrove (78) Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicle.</p>	<p>1/12/09 House: Referred to Committee on Transportation 2/5/2009 House: Reported from Transportation with substitute (15-Y 1-N) 2/5/09 House: Referred to Committee for Courts of Justice 2/6/2009 House: Reported from Courts of Justice with substitute (18-Y 4-N) 2/10/2009 House: VOTE: --- PASSAGE (88-Y 10-N) 2/11/09 Senate: Referred to Committee on Transportation 2/19/2009 Senate: Reported from Transportation with substitute (12-Y 3-N) 2/24/2009 Senate: Passed Senate w/substitute (33-Y 6-N) 2/26/2009 House: Senate substitute agreed to by House (88-Y 9-N)</p>	<p>1/26/2009</p>
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Support (095805868)
Summary: Prohibits operation of a motor vehicle, on the highways in the Commonwealth while using any handheld personal communications device to manually enter multiple letters or text or to read a text message. This bill provides exemptions for the use of global positioning systems (GPS), reading caller identification information, and using a wireless telecommunications device to report an emergency. The provisions of this bill do not apply to operators of emergency vehicles. This bill incorporates HB 1615 and HB 2380.

<p><u>HB 1904</u> - Armstrong (11) Virginia Child Protection Accountability System; established.</p>	<p>1/13/2009 House: Referred to Committee on Health, Welfare and Institutions 2/5/2009 House: Reported from Health, Welfare and Institutions with substitute (21-Y 0-N) 2/5/2009 House: Referred to Committee on Appropriations 2/6/2009 House: Reported from Appropriations with substitute (23-Y 0-N) 2/10/2009 House: VOTE: PASSAGE (99-Y 0-N) 2/11/2009 Senate: Referred to Committee on Rehabilitation and Social Services 2/20/2009 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 2/24/2009 Senate: Passed Senate (39-Y 0-N) 2/28/2009 House: Enrolled 2/28/2009 House: Signed by Speaker 2/28/2009 Senate: Signed by President</p>	<p>1/26/2009</p>
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Monitor (091293416)
Summary: Establishes the Virginia Child Protection Accountability System to collect and make available to the public information on the response to reported cases of child abuse in the Commonwealth. This bill requires the Department of Social Services to submit certain information for inclusion in the System.

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 1938 - Peace (97) Income tax, state; increases livable home tax credit.</p>	<p>1/13/2009 House: Referred to Committee on Finance 1/26/2009 House: Reported from Finance with substitute (21-Y 0-N) 1/29/2009 House: Passed House (99-Y 0-N) 1/30/2009 Senate: Referred to Committee on Finance 2/10/2009 Senate: Reported from Finance (16-Y 0-N) 2/12/2009 Senate: Passed Senate (40-Y 0-N) 2/16/2009 House: Enrolled 2/17/2009 House: Signed by Speaker 2/17/2009 Senate: Signed by President 2/23/2009 Governor: Approved by Governor (effective 7/1/09)</p>	<p>1/26/2009</p>
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Support (091929676) - Board has historically supported state tax credit; position in Human Services Issue Paper. See also SB 845 and SB 1148.

Summary: Income tax; livable home tax credit. Increases the individual tax credit limit from \$500 to \$2,000 and the 25 percent amount for retrofitting to 50 percent for taxable years beginning on or after January 1, 2010. This bill incorporates HB 2343.

<p>HB 1991 - Bulova (37) Stormwater management programs; establishment by localities.</p>	<p>1/13/2009 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/21/2009 House: Reported from Agriculture, Chesapeake and Natural Resources (21-Y 0-N) 1/26/2009 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 1/27/2009 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/9/2009 Senate: Reported from Agriculture, Conservation and Natural Resources (15-Y 0-N) 2/12/2009 Senate: Passed Senate (40-Y 0-N) 2/16/2009 House: Enrolled 2/17/2009 House: Signed by Speaker 2/17/2009 Senate: Signed by President 2/23/2009 Governor: Approved by Governor (effective - see bill)</p>	<p>1/26/2009</p>
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Support (093954822)

Summary: Establishment of stormwater programs by localities. Extends the period of time that localities have to adopt a local stormwater management program. Currently, they are required to adopt a program no sooner than 12 months and no later than 18 months after state regulations have become effective. This bill would extend the time for adoption from no sooner than 15 months to no later than 21 months. The Virginia Soil and Water Conservation Board can grant an extension to the locality of an additional 12 months if the Department of Conservation and Recreation finds that such an extension is warranted. A locality can adopt a program earlier than the minimum time frame with the consent of the Board. The bill also requires that the regulation that establishes local program criteria and delegation procedures not become effective until after July 1, 2010.

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2019 - Rust (86) Transportation corridors; Transportation Board to establish connection with Transportation Plan.</p>	<p>1/13/2009 House: Referred to Committee on Transportation 2/5/2009 House: Reported from Transportation with substitute (16-Y 0-N) 2/10/2009 House: Passed House (99-Y 0-N) 2/11/2009 Senate: Referred to Committee on Transportation 2/19/2009 Senate: Reported from Transportation with amendments (15-Y 0-N) 2/24/2009 Senate: Passed Senate with amendments (39-Y 0-N) 2/26/2009 House: Senate amendments agreed to by House (96-Y 0-N)</p>	<p>2/23/2009 2/9/2009</p>
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Monitor (093871708-H1) ~~**Oppose Unless Amended**~~ (093830708)
Summary: Transportation corridors. Allows the Commonwealth Transportation Board to establish transportation corridors in connection with the establishment of the Statewide Transportation Plan. This bill incorporates HB 2420 and is the same as SB 1398 (Norment).

<p>HB 2135 - Miller (50) Recordation/grantor tax; penalty if understatement of consideration is false with intent to evade.</p>	<p>1/13/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting with amendment(s) (6-Y 1-N) 2/2/2009 House: Reported from Finance with substitute (21-Y 1-N) 2/5/2009 House: VOTE: --- PASSAGE (98-Y 1-N) 2/6/2009 Senate: Referred to Committee on Finance 2/10/2009 Senate: Reported from Finance with substitute (16-Y 0-N) 2/12/2009 Senate: Passed Senate with substitute (40-Y 0-N) 2/16/2009 House: Senate substitute agreed to by House (93-Y 6-N) 2/17/2009 House: Enrolled 2/17/2009 House: Signed by Speaker 2/18/2009 Senate: Signed by President 2/25/2009 Governor: Approved by Governor (effective 7/1/09)</p>	<p>2/23/2009 1/26/2009</p>
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Support (096032212-S1) - Support Senate Finance version. ~~**Oppose**~~ (096644640) ~~Likely loss of revenue to the County and the State; also increases chance for fraud. See also HB 1823 and SB 1157.~~
Summary: Recordation taxes; basis. Changes from a Class 2 to a Class 1 misdemeanor the criminal penalty for knowingly misrepresenting the consideration for the interest in property conveyed for purposes of recordation and grantor taxes. The bill also would provide a penalty equal to 100 percent of the tax due on the understatement of the consideration in cases in which the understatement is false or fraudulent with the intent to evade a tax. The bill incorporates HB 1823.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2138 - Miller (50) Graffiti abatement; permits localities to charge property owner for cost thereof.</p>	<p>1/13/2009 House: Referred to Committee on Counties, Cities and Towns 1/29/2009 House: Subcommittee recommends referring to VA Housing Commission by voice vote 2/6/2009 House: Reported from Counties, Cities and Towns with substitute (21-Y 0-N) 2/10/2009 House: VOTE: --- PASSAGE (88-Y 9-N) 2/11/2009 Senate: Referred to Committee on Local Government 2/17/2009 Senate: Reported from Local Government (13-Y 2-N) 2/24/2009 Senate: Passed Senate (35-Y 3-N) 2/28/2009 House: Enrolled 2/28/2009 House: Signed by Speaker 2/28/2009 Senate: Signed by President</p>	<p>1/26/2009</p>
<p>Support (098477640) - Regional position. See also SB 1369. Summary: Graffiti abatement. Defines "defacement" to mean the unauthorized application by any means of any writing, painting, drawing, etching, scratching, or marking of an inscription, word, mark, figure, or design of any type. Permits localities to charge a property owner for the cost or expenses of removing defacement that occurs on a public or private building, wall, fence, or other structure located on an unoccupied property. Every charge that remains unpaid shall constitute a lien against such property, but no lien shall be chargeable to the owners of such property unless the locality shall have given a minimum of 15 days notice to the property owner prior to the removal of the defacement. This bill is identical to SB 1369.</p>		
<p>HB 2168 - Abbitt, Jr. (59) Stormwater offsets; authorizes permit-issuing authorities to allow permit holders to comply.</p>	<p>1/14/2009 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/4/2009 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (22-Y 0-N) 2/9/2009 House: Passed House (98-Y 0-N) 2/11/2009 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/16/2009 Senate: Reported from Agriculture, Conservation and Natural Resources with amendments (15-Y 0-N) 2/18/09 Senate: Passed Senate w/amendments (40-Y 0-N) 2/20/2009 House: Senate amendments agreed to by House (97-Y 0-N) 2/25/2009 House: Enrolled 2/25/2009 House: Signed by Speaker 2/26/2009 Senate: Signed by President</p>	<p>2/23/2009 2/9/2009</p>
<p>Monitor (093986400-H1) - Monitor substitute. Deletes the priority given to nonpoint nutrient offsets, retains a locality's ability to use off-site measures to address water quality control requirements, and provides a process whereby a locality's regional watershed plan may be implemented. Oppose Unless Amended (093962544)–</p>		

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[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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~~Oppose unless amended to allow localities to implement their regional watershed plans, to delete the priority given to nonpoint nutrient offsets, and to retain a locality's ability to use off-site measures to address water quantity control requirements.~~

Summary: Stormwater offsets. Authorizes permit issuing authorities to allow stormwater permit holders to comply with nonpoint nutrient runoff water quality criteria by acquiring nonpoint nutrient offsets that have been certified under the Chesapeake Bay Nutrient Exchange Program. The offsets have to be in the same tributary as the permitted activity and generated in the same or adjacent eight digit hydrologic unit code. The permit issuing authority may only allow the use of nonpoint nutrient offsets when the permit applicant demonstrates that (i) alternative site designs have been considered that may accommodate on-site best management practices (BMPs), (ii) on-site BMPs have been considered in alternative site designs, (iii) appropriate on-site BMPs will be implemented, and (iv) full compliance with postdevelopment nonpoint nutrient runoff compliance requirements cannot practicably be met on site. The bill also requires an offset broker to pay the permit issuing authority a fee equal to six percent of the amount paid by the permittee for the offsets.

HB 2169 - Abbitt, Jr. (59)
Towing and Recovery Operators, Board of; membership, powers & duties relating to suspension, etc.

1/14/2009 House: Referred to Committee on Transportation
2/5/2009 House: Reported from Transportation with substitute (9-Y 8-N)
2/10/2009 House: VOTE: --- PASSAGE (81-Y 18-N)
2/11/2009 Senate: Referred to Committee on Transportation
2/19/2009 Senate: Reported from Transportation with substitute (14-Y 1-N)
2/24/09 Senate: Passed Senate with substitute (33-Y 4-N)
2/26/2009 House: Senate substitute agreed to by House (82-Y 8-N)

[3/6/2009]
1/26/2009

[Monitor] ((HB2169ER)) ~~Oppose (093819536)~~

Summary: Board of Towing and Recovery Operators. Revises the composition of the Board and provides that the Superintendent of State Police (or his designee) will be chairman of the Board. The bill also requires the Board to make an annual report to the Governor, the General Assembly, the Superintendent of State Police, and postpones the date by which towing and recovery business must be licensed by the Board and by which tow truck drivers must have tow truck driver authorization documents issued by the Board from January 1, 2009, to July 1, 2009. Additionally, license fees charged by the Board are prohibited from being more than required to generate sufficient revenue to cover the Board's costs. Licensed operators whose businesses generate less than \$10,000 per year are not required to accept credit cards. Finally, the bill provides a mechanism for suspension, revocation, and refusal to renew license or tow truck driver authorization documents issued by the Board.

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2257 - Albo (42) Outpatient treatment; allows court to order mandatory treatment following involuntary admission.</p>	<p>1/14/2009 House: Referred to Committee on Health, Welfare and Institutions 2/5/2009 House: Reported from Health, Welfare and Institutions with substitute (21-Y 0-N) 2/10/2009 House: VOTE: PASSAGE (99-Y 0-N) 2/11/2009 Senate: Referred to Committee for Courts of Justice 2/23/09 Senate: Reported from Courts (15-Y 0-N) 2/25/2009 Senate: Passed Senate (40-Y 0-N) 3/4/2009 House: Enrolled 3/5/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>2/23/2009</p>
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Support (093281404-H1)
Summary: Outpatient treatment; voluntary admission. Provides that, in determining whether a person is capable of consenting to voluntary admission, the judge or special justice shall consider evidence regarding the person's past compliance or noncompliance with treatment.

<p>HB 2326 - Athey, Jr. (18) Zoning appeals, board of; changes standard by which variance can be granted.</p>	<p>1/14/2009 House: Referred to Committee on Counties, Cities and Towns 2/6/2009 House: Reported from Counties, Cities and Towns with substitute (19-Y 3-N) 2/10/2009 House: VOTE: --- PASSAGE #2 (93-Y 6-N) 2/11/2009 Senate: Referred to Committee on Local Government 2/17/2009 Senate: Reported from Local Government (15-Y 0-N) 2/23/2009 Senate: Passed Senate (40-Y 0-N) 2/28/2009 House: Enrolled 2/28/2009 House: Signed by Speaker 2/28/2009 Senate: Signed by President</p>	<p>2/23/2009 1/26/2009</p>
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Monitor (092089420-H1) ~~**Oppose**~~ (090840420)
Summary: Boards of zoning appeals; variances. Changes the standard by which a variance can be granted by eliminating the requirement for a showing of a hardship "approaching confiscation."

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 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2400 - Bell (58) Criminal sexual assault; establishment of a multidisciplinary response thereto.</p>	<p>1/14/2009 House: Referred to Committee for Courts of Justice 2/4/2009 House: Reported from Courts of Justice with substitute (20-Y 0-N) 2/10/2009 House: Passed House (99-Y 0-N) 2/11/2009 Senate: Referred to Committee for Courts of Justice 2/23/09 Senate: Reported from Courts (14-Y 0-N) 2/25/2009 Senate: Passed Senate (40-Y 0-N) 3/4/2009 House: Enrolled 3/5/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>2/23/2009</p>
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Support (090926432-H1) - Support with funding clarification.
Summary: Sexual assault response teams. Requires attorneys for the Commonwealth to establish sexual assault response teams. Each team would be responsible for discussion of establishment of policies and coordinating responses to sexual assault incidents and to establish guidelines for community response.

<p>HB 2422 - May (33) Voting equipment; locality that acquired DREs prior to 7-1-07 may temporarily conduct election..</p>	<p>1/14/2009 House: Referred to Committee on Privileges and Elections 2/6/2009 House: Reported from Privileges and Elections with amendments (22-Y 0-N) 2/10/2009 House: VOTE: PASSAGE (99-Y 0-N) 2/11/2009 Senate: Referred to Committee on Privileges and Elections 2/17/2009 Senate: Reported from Privileges and Elections (12-Y 0-N) 2/23/2009 Senate: Passed Senate (40-Y 0-N) 2/28/2009 House: Enrolled 2/28/2009 House: Signed by Speaker 2/28/2009 Senate: Signed by President</p>	<p>[3/6/2009] 2/9/2009</p>
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[Monitor] ((HB2422ER)) - Bill as introduced would have been helpful to the County. ~~**Support** (095593620) - See also SB 988.~~

Summary: Modifies the provision enacted in 2007 that prohibits the acquisition of direct recording electronic (DRE) machines by any locality on and after July 1, 2007. The modification will allow a locality that acquired DREs before July 1, 2007, to acquire DREs on a temporary basis to conduct a special election when its existing DRE inventory is insufficient because wholly or partly under lock and seal following an election. This bill is identical to SB 988.

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2476 - Hugo (40) HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.</p>	<p>1/14/2009 House: Referred to Committee on Transportation 1/27/2009 House: Reported from Transportation with substitute (22-Y 0-N) 2/2/2009 House: VOTE: --- PASSAGE (93-Y 5-N) 2/3/2009 Senate: Referred to Committee on Transportation 2/19/09 Senate: Reported from Transportation (15-Y 0-N) 2/26/2009 Senate: Passed Senate (36-Y 2-N)</p>	<p>1/26/2009</p>
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Support (093467548) - Board has historically supported. See also HB 1932 and HB 2299.
Summary: HOV lanes; clean special fuel vehicles. Extends until July 1, 2010, the "sunset" provision allowing vehicles bearing clean special fuel license plates to use HOV lanes regardless of the number of passengers. This bill incorporates HB 1932 and HB 2299.

<p>HB 2477 - Hugo (40) Popes Head Road; designating as State byway in Fairfax County.</p>	<p>1/14/09 House: Referred to Committee on Transportation 1/27/09 House: Reported from Transportation (22-Y 0-N) 2/2/2009 House: Passed House (98-Y 0-N) 2/3/2009 Senate: Referred to Committee on Transportation 2/12/09 Senate: Reported from Transportation (15-Y 0-N) 2/16/2009 Senate: Passed Senate (40-Y 0-N) 2/18/2009 House: Enrolled 2/18/2009 House: Signed by Speaker 2/18/2009 Senate: Signed by President 2/25/2009 Governor: Approved by Governor (effective 7/1/09)</p>	<p>1/26/2009</p>
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Support (093466548)
Summary: Designates the entire length of Popes Head Road in Fairfax County a Virginia byway.

<p>HB 2592 - Caputo (67) Electric vehicles; creates separate class of property tax for rate purposes.</p>	<p>1/22/2009 House: Referred to Committee on Finance 2/2/2009 House: Reported from Finance (22-Y 0-N) 2/5/2009 House: VOTE: PASSAGE (99-Y 0-N) 2/6/2009 Senate: Referred to Committee on Finance 2/11/2009 Senate: Reported from Finance (15-Y 0-N) 2/13/2009 Senate: Passed Senate (39-Y 0-N) 2/13/2009 Senate: Passed Senate (39-Y 0-N) 2/16/2009 House: Enrolled 2/17/2009 House: Signed by Speaker 2/17/2009 Senate: Signed by President 2/23/2009 Governor: Approved by Governor (effective 7/1/09)</p>	<p>2/9/2009</p>
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Support (098797456) - Optional. Loudoun County initiative.
Summary: Creates as a separate class of property for rate purposes, motor vehicles powered solely by electricity.

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2596 - Ebbin (49) Washington Metropolitan Area Transit Authority; amends Compact relating to Board membership, etc.</p>	<p>1/22/2009 House: Referred to Committee on Appropriations 2/2/2009 House: Reported from Appropriations with substitute (23-Y 0-N) 2/6/2009 House: VOTE: PASSAGE (98-Y 0-N) 2/9/2009 Senate: Referred to Committee on Privileges and Elections 2/17/2009 Senate: Reported from Privileges and Elections with substitute (12-Y 0-N) 2/23/09 Senate: Passed Senate with substitute (40-Y 0-N) 2/25/2009 House: Senate substitute agreed to by House (98-Y 0-N) 3/4/2009 House: Enrolled 3/5/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>2/9/2009</p>
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Support (098761492)
Summary: Amends the Washington Metropolitan Area Transit Authority Compact to comply with certain federal requirements; increases the number of directors on the WMATA Board by adding two federal appointees contingent upon certain federal grants; establishes an Office of the Inspector General and provides for the duties of such office; and requires that certain payments made to WMATA to match certain federal funds be made from a dedicated funding source.

<p>HB 2615 - Iaquinto (84) Public Procurement Act; increases amount for single or term contracts for professional services.</p>	<p>1/23/2009 House: Referred to Committee on General Laws 2/3/2009 House: Reported from General Laws (22-Y 0-N) 2/6/2009 House: Passed House BLOCK VOTE (98-Y 0-N) 2/9/2009 Senate: Referred to Committee on General Laws and Technology 2/11/2009 Senate: Reported from General Laws and Technology (15-Y 0-N) 2/16/2009 Senate: Passed Senate (40-Y 0-N) 2/18/2009 House: Enrolled 2/18/2009 House: Signed by Speaker 2/18/2009 Senate: Signed by President 2/25/2009 Governor: Approved by Governor (effective 7/1/09)</p>	<p>2/9/2009</p>
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Support (098745560)
Summary: Virginia Public Procurement Act; procurement of professional services. Increases the amount from \$30,000 to \$50,000 for single or term contracts for professional services not requiring competitive negotiation.

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Bills	General Assembly Actions	Date of BOS Position
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<p>HJ 688 - Cole (88) Constitutional amendment; real property tax relief for persons 65 years old, etc. (first reference).</p>	<p>1/13/2009 House: Referred to Committee on Privileges and Elections 2/6/2009 House: Reported from Privileges and Elections with amendment (22-Y 0-N) 2/10/2009 House: VOTE: --- ADOPTION (98-Y 1-N) 2/11/2009 Senate: Referred to Committee on Privileges and Elections 2/17/2009 Senate: Reported from Privileges and Elections (11-Y 4-N) 2/20/2009 Senate: Agreed to by Senate (38-Y 1-N)</p>	<p>[3/6/2009] 1/26/2009</p>
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[Monitor] (098099468-E) - Further review needed. Intent of the patron is to allow for a local "circuit breaker" program. County interpretation differs; bill viewed as providing flexibility for property tax relief decisions.
Support (098099468)
Summary: Amends the Constitution of Virginia to allow the General Assembly to authorize localities to either waive or establish their own income or financial worth limitations for purposes of granting real property tax relief for persons not less than 65 years of age or persons permanently and totally disabled.

<p>SB 39 - Deeds (25) Traffic accident reports; increases amount of damage threshold to be reported by law enforcement.</p>	<p>12/19/2007 Senate: Referred to Committee on Transportation 1/17/2008 Senate: Rereferred to Courts of Justice 1/21/2008 Senate: Reported from Courts of Justice with amendment (14-Y 0-N) 2/12/08 House: Referred to Committee on Transportation 2/19/2008 House: Referred from Transportation by voice vote 2/19/2008 House: Referred to Committee for Courts of Justice 2/29/2008 House: Continued to 2009 in Courts of Justice by voice vote 12/1/2008 House: Reported from Courts of Justice (11-Y 0-N) 1/15/2009 House: VOTE: --- PASSAGE (94-Y 2-N) 1/27/2009 Governor: Approved by Governor (effective 7/1/09)</p>	<p>1/26/2009</p>
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Support (088179220-E)
Summary: Increases from \$1,000 to \$1,500 the damage threshold at which traffic accidents become "reportable."

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Bills	General Assembly Actions	Date of BOS Position
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<p><u>SB 834</u> - Locke (2) Public Procurement Act; procurement of architectural & professional engineering service for project.</p>	<p>12/17/2008 Senate: Referred to Committee on General Laws and Technology 1/21/2009 Senate: Reported from General Laws and Technology (13-Y 0-N) 1/27/2009 Senate: Passed Senate (40-Y 0-N) 2/5/2009 House: Referred to Committee on General Laws 2/19/09 House: Reported from General Laws (21-Y 0-N) 2/24/2009 House: Passed House (99-Y 0-N) 2/28/2009 Senate: Enrolled 2/28/2009 Senate: Signed by President 2/28/2009 House: Signed by Speaker</p>	<p>1/26/2009</p>
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Support (098218256)
Summary: Virginia Public Procurement Act; procurement of architectural and professional engineering services for multiple construction projects. Provides that a contract for architectural or professional engineering services relating to construction projects negotiated by a local public body for multiple projects may be renewable for up to four additional one-year terms at the option of the public body. Under current law such contracts are renewable for up to two additional one-year terms.

<p><u>SB 845</u> - Puller (36) Livable home tax credit; increase limit on or after January 1, 2010.</p>	<p>12/23/2008 Senate: Referred to Committee on Finance 1/27/2009 Senate: Reported from Finance with substitute (16-Y 0-N) 1/30/2009 Senate: Passed Senate (39-Y 0-N) 2/11/2009 House: Referred to Committee on Finance 2/18/2009 House: Passed House (98-Y 0-N) 2/23/2009 Senate: Enrolled 2/24/2009 House: Signed by Speaker 2/25/2009 Senate: Signed by President</p>	<p>1/26/2009</p>
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Support (093201304) - Board has historically supported state tax credit; position in Human Services Issue Paper. See also HB 1938 and SB 1148.
Summary: Livable Home Tax Credit; increase limit. Increases the Livable Home Tax Credit limit from \$500 to \$2,000 for new residences, and from 25 percent to 50 percent of the amount spent retrofitting an existing residence, for taxable years beginning on or after January 1, 2010.

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Bills	General Assembly Actions	Date of BOS Position
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<p><u>SB 896</u> - McDougle (4) Duty to file lists of renters, etc.; provide name & address thereof to commissioner of revenue.</p>	<p>12/31/2008 Senate: Referred to Committee on Finance 1/21/2009 Senate: Reported from Finance (14-Y 0-N) 1/26/2009 Senate: Passed Senate (40-Y 0-N) 1/30/2009 House: Referred to Committee on Finance 2/16/2009 House: Reported from Finance with amendments (16-Y 3-N) 2/16/2009 House: Reported from Finance with amendments (16-Y 3-N) 2/18/2009 House: Passed House with amendments (79-Y 19-N) 2/18/2009 House: VOTE: --- PASSAGE (79-Y 19-N) 2/20/2009 Senate: House amendments agreed to by Senate (39-Y 0-N) 2/25/2009 Senate: Enrolled 2/25/2009 House: Signed by Speaker 2/27/2009 Senate: Signed by President</p>	<p>1/26/2009</p>
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Support (092842272)

Summary: Duty to file lists of property owners, renters, and lessees. Adds the owners and operators of self-service storage facilities to the list of entities that are required to provide the name and address of renters or lessees to the local commissioner of revenue upon his request. The bill also would require property owners' associations, condominium unit owners' associations, and proprietary lessees' associations to provide a list of owners of the properties administered by such associations, to the extent that such list is maintained, to the commissioner upon his request.

<p><u>SB 936</u> - Cuccinelli, II (37) Auditor of Public Accounts; duties, standard vendor accounting information to include certain info.</p>	<p>1/6/2009 Senate: Referred to Committee on General Laws and Technology 2/4/2009 Senate: Reported from General Laws and Technology with substitute (15-Y 0-N) 2/4/2009 Senate: Rereferred to Finance 2/5/2009 Senate: Reported from Finance (15-Y 0-N) 2/13/2009 House: Referred to Committee on Science and Technology 2/18/2009 House: Reported from Science and Technology with substitute (21-Y 0-N) 2/18/09 House: Referred to Committee on Appropriations 2/23/09 House: Reported from Appropriations (24-Y 0-N) 2/25/09 House: Passed House with substitute (100-Y 0-N) 2/26/2009 Senate: House substitute agreed to by Senate (38-Y 0-N)</p>	<p>2/23/2009</p>
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Support (092411332-S1)

Summary: Requires the Office of the Auditor of Public Accounts to include on its existing searchable database information regarding state audits or reports relating to public entities, capital outlay payments, and annual

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Bills	General Assembly Actions	Date of BOS Position
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bonded indebtedness. The bill also provides for the searchable database to include the following additional elements as they become available through improved enterprise or other systems (i) commodities, (ii) Virginia Performs data that directly relates to funding actions or expenditures, (iii) descriptive purposes for funding actions or expenditures, (iv) laws authorizing the issuance of bonds, and (v) copies of actual grants and contracts. In addition, the bill requires the Department of General Services, the Virginia Information Technology Agency, and the State Comptroller to develop and maintain standard accounting information for use by all agencies and institutions for payments and purchases.

<p>SB 988 - Colgan (29) Voting equipment; locality that acquired DREs prior to 7-1-07 may temporarily conduct election.</p>	<p>1/12/2009 Senate: Referred to Committee on Privileges and Elections 2/3/2009 Senate: Reported from Privileges and Elections with amendment (12-Y 3-N) 2/9/2009 Senate: Passed Senate (40-Y 0-N) 2/13/2009 House: Referred to Committee on Privileges and Elections 2/20/2009 House: Reported from Privileges and Elections (22-Y 0-N) 2/25/2009 House: Passed House (99-Y 0-N) 3/4/2009 Senate: Enrolled 3/5/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>[3/6/2009] 2/9/2009</p>
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[Monitor] ((SB988ER)) - Bill as introduced would have been helpful to the County. **Support** (095587212) — See also ~~HB 2422~~.
Summary: Modifies the provision enacted in 2007 that prohibits the acquisition of direct recording electronic (DRE) machines by any locality on and after July 1, 2007. The modification will allow a locality that acquired DREs before July 1, 2007, to acquire DREs on a temporary basis to conduct a special election when its existing DRE inventory is insufficient because the inventory is wholly or partly under lock and seal following an election. This bill is identical to HB 2422.

<p>SB 997 - Miller (1) Trespassing vehicle; local regulation of removal and immobilization thereof.</p>	<p>1/12/2009 Senate: Referred to Committee on Transportation 1/22/2009 Senate: Reported from Transportation (7-Y 4-N) 1/30/2009 Senate: Passed Senate (36-Y 3-N) 2/11/09 House: Referred to Committee on Transportation 2/17/2009 House: Reported from Transportation with amendment (21-Y 0-N) 2/24/09 House: Passed House with amendment (99-Y 0-N) 2/25/2009 Senate: House amendment agreed to by Senate (36-Y 2-N) 3/4/2009 Senate: Enrolled 3/5/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>2/23/2009 1/26/2009</p>
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Monitor (098399275-E) **Oppose** (098399275)
Summary: Provides that local ordinances may require towing and recovery operators to obtain at the time the

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Bills	General Assembly Actions	Date of BOS Position
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vehicle is towed, verbal approval of an agent designated in the ordinance. Further provides that local ordinances requiring "second signatures" before trespassing vehicles can be towed away only apply if the tow is performed during the normal business hours of the owner of the property from which the vehicle is towed. This bill is identical to HB 1724.

<p>SB 1028 - Hanger, Jr. (24) Adult neglect; religious treatment exemption.</p>	<p>1/13/2009 Senate: Referred to Committee on Rehabilitation and Social Services 1/30/2009 Senate: Reported from Rehabilitation and Social Services with amendment (12-Y 0-N) 2/4/2009 Senate: Passed Senate (40-Y 0-N) 2/11/2009 House: Referred to Committee on Health, Welfare and Institutions 2/19/2009 House: Reported from Health, Welfare and Institutions with amendment (21-Y 0-N) 2/24/2009 House: VOTE: --- PASSAGE (97-Y 0-N) 2/25/2009 Senate: House amendment agreed to by Senate (38-Y 0-N) 3/4/2009 Senate: Enrolled 3/5/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>2/23/2009 1/26/2009</p>
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Monitor (094313232-E) ~~**Amend** (094313232) – Amend to ensure language does not inadvertently confuse local Social Services role; currently County staff already act with respect toward seniors' religious convictions when investigating reports of adult abuse or neglect and, with amendments to clarify, the bill would have no impact on the agency's activities.~~

Summary: Amends the definition of adult neglect by providing that no adult shall be considered neglected solely on the basis that such adult is receiving religious nonmedical treatment or religious nonmedical nursing care in lieu of medical care, provided that such treatment or care is performed in good faith and in accordance with the religious practices of the adult and there is a written or oral expression of consent by that adult.

<p>SB 1052 - Whipple (31) Affordable housing assessments; determination of fair market value of affordable rental housing.</p>	<p>1/13/2009 Senate: Referred to Committee on Finance 1/28/2009 Senate: Reported from Finance (16-Y 0-N) 2/2/2009 Senate: Read third time and passed Senate (39-Y 0-N) 2/11/2009 House: Referred to Committee on Finance 2/13/2009 House: Subcommittee recommends reporting 2/18/2009 House: Passed House (98-Y 0-N) 2/23/2009 Senate: Enrolled 2/24/2009 House: Signed by Speaker 2/25/2009 Senate: Signed by President</p>	<p>1/26/2009</p>
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Support (097432352) - Support as introduced, as passed.

Summary: Affordable housing assessments. Provides for a determination of fair market value of affordable rental housing, allows for localities to determine the definition of affordable rental housing, and does not allow the determination to be made if pending building code violations exist. This bill is recommended by the Virginia Housing Commission.

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Bills	General Assembly Actions	Date of BOS Position
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<p>SB 1064 - Puller (36) Comprehensive plan; local planning commission to post plan being considered on their website.</p>	<p>1/13/2009 Senate: Referred to Committee on Local Government 1/27/2009 Senate: Reported from Local Government with substitute (15-Y 0-N) 2/2/2009 Senate: Passed Senate (39-Y 0-N) 2/13/2009 House: Referred to Committee on Counties, Cities and Towns 2/20/2009 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N) 2/24/2009 House: Passed House w/substitute (99-Y 0-N) 3/4/2009 Senate: Enrolled 3/5/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>[3/6/2009] 1/26/2009</p>
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[Monitor] (SB1064ER) Bill has been amended to provide that postings may be on the locality's website, to eliminate any certification requirements by the local planning district, and to provide that failure to post in accordance with the code sections shall not invalidate the actions taken. ~~Amend (093202304) Amend to provide that postings may be on the locality's website, to eliminate any certification requirements by the local planning district, and to provide that failure to post in accordance with the code sections shall not invalidate the actions taken.~~

Summary: Posting of comprehensive plans. Provides that a local planning commission shall post a comprehensive plan or part thereof that is being considered for recommendation or that is approved by the commission on a website maintained by the local planning commission or on any other website on which the commission generally posts information and available to the public. This bill further provides that a governing body shall post any comprehensive plan or part thereof that is certified to the governing body or approved by a governing body on a website maintained by the governing body on any other website on which the governing body generally posts information and available to the public.

<p>SB 1066 - Puller (36) Trains; fine for boarding or riding with fraudulent or counterfeit ticket, etc.</p>	<p>1/13/09 Senate: Referred to Committee on Transportation 1/22/2009 Senate: Rereferred to Courts of Justice 2/10/2009 Senate: Passed Senate (40-Y 0-N) 2/13/2009 House: Referred to Committee for Courts of Justice 2/23/2009 House: Reported from Courts of Justice with substitute (21-Y 1-N) 2/25/2009 House: VOTE: --- PASSAGE (100-Y 0-N) 2/26/2009 Senate: House substitute agreed to by Senate (37-Y 0-N)</p>	<p>1/26/2009</p>
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Support (091522304)
Summary: Provides that any person who boards or rides a train operated by or under contract with a transportation district created pursuant to Chapter 45 (Â§ 15.2-4500 et seq.) of Title 15.2 and willfully and with intent to defraud (i) fails to pay the posted fare published by the transportation district, (ii) fails to properly validate a ticket, (iii) uses a fraudulent or counterfeit ticket, or (iv) uses a validated ticket outside the designated zone of the paid ride, is guilty of a Class 2 misdemeanor.

Bold – Indicates BOS formal action
[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1096</u> - Herring (33) Design-Build Construction Management Review Board; authorized to make a one-time determination.</p>	<p>1/13/2009 Senate: Referred to Committee on General Laws and Technology 1/28/2009 Senate: Reported from General Laws and Technology (15-Y 0-N) 2/3/2009 Senate: Read third time and passed Senate (40-Y 0-N) 2/11/2009 House: Referred to Committee on General Laws 2/19/09 House: Reported from General Laws (21-Y 0-N) 2/24/2009 House: Passed House (99-Y 0-N) 2/28/2009 Senate: Enrolled 2/28/2009 House: Signed by Speaker 3/4/2009 Senate: Signed by President</p>	<p>1/26/2009</p>
<p>Support (094501808) Summary: Authorizes the Design-Build Construction Management Review Board to make a one-time determination that a locality with a population in excess of 100,000 has the personnel, procedures, and expertise necessary to enter into contracts for construction on a fixed price or not-to-exceed price design-build or construction management basis. Any localities receiving the determination shall still be required to comply with applicable provisions of the Virginia Public Procurement Act and all other applicable law governing design-build or construction management contracts for public bodies other than the Commonwealth. The bill also contains a technical amendment.</p>		
<p><u>SB 1105</u> - Northam (6) Indoor Clean Air Act; prohibits smoking in certain public buildings, restaurants, etc., exceptions.</p>	<p>1/13/2009 Senate: Referred to Committee on Local Government 1/27/2009 Senate: Rereferred to Education and Health 1/29/2009 Senate: Reported from Education and Health with substitute (11-Y 3-N) 2/4/2009 House: Referred to Committee on General Laws 2/6/2009 House: Reported from General Laws with substitute (12-Y 6-N) 2/9/2009 House: VOTE: --- PASSAGE (59-Y 39-N) 2/9/2009 House: Passed House with substitute with amendments (59-Y 39-N) 2/16/2009 Senate: House substitute agreed to by Senate (29-Y 9-N) 2/16/2009 Senate: House amendments rejected by Senate (11-Y 28-N) 2/17/2009 House: House insisted on amendments and requested conference committee 2/19/2009 Senate: Conference report agreed to by Senate (27-Y 13-N) 2/19/2009 House: Conference report agreed to by House (60-Y 39-N) 3/4/2009 Senate: Enrolled 3/4/2009 Senate: Signed by President</p>	<p>2/23/2009</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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	3/6/2009 House: Signed by Speaker 3/9/2009 Governor: Approved by Governor (effective 12/1/09)	
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Support (091847286-H1) - Support as progress toward a statewide ban.
Summary: Virginia Indoor Clean Air Act; penalty. Establishes a statewide ban on smoking in restaurants. The bill contains several exemptions from this prohibition where smoking may be permitted, including a restaurant that is constructed in such a manner that areas where smoking may be permitted are structurally separated from the portion of the restaurant in which smoking is prohibited and such areas are separately vented. The bill contains technical amendments.

<p>SB 1157 - Saslaw (35) Recordation and grantor taxes; penalty for misrepresentation.</p>	1/13/2009 Senate: Referred to Committee on Finance 2/4/2009 Senate: Reported from Finance with substitute (16-Y 0-N) 2/10/2009 Senate: Passed Senate (39-Y 1-N) 2/13/2009 House: Referred to Committee on Finance 2/16/2009 House: Reported from Finance with substitute (22-Y 0-N) 2/18/09 House: Passed House with substitute (95-Y 2-N) 2/18/2009 Senate: House substitute rejected by Senate (1-Y 39-N) 2/18/2009 House: House insisted on substitute and requested conference committee 2/27/2009 Senate: Conference report agreed to by Senate (39-Y 0-N) 2/27/2009 House: Conference report agreed to by House (95-Y 1-N)	<p>2/23/2009 1/26/2009</p>
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Support (096021324-S1) - Support Senate Finance version. ~~**Oppose** (092849324) - Likely loss of revenue to the County and the State; also increases chance for fraud. See also HB 1823 and HB 2135. Patron has agreed to amend.~~
Summary: Recordation and grantor taxes. Changes from a Class 2 to a Class 1 misdemeanor the criminal penalty for knowingly misrepresenting the consideration for the interest in property conveyed for purposes of recordation and grantor taxes. The bill also would provide a penalty equal to 100 percent of the tax due on the understatement of the consideration in cases in which the understatement is fraudulent with the intent to evade a tax.

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Bills	General Assembly Actions	Date of BOS Position
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<p><u>SB 1292</u> - Edwards (21) Setoff Debt Collection Act; allows local governments to collect past due local taxes..</p>	<p>1/14/2009 Senate: Referred to Committee on Finance 1/27/2009 Senate: Reported from Finance with substitute (16-Y 0-N) 2/11/2009 House: Referred to Committee on Finance 2/16/2009 House: Reported from Finance with amendment (22-Y 0-N) 2/19/09 House: Passed House with amendment (99-Y 0-N) 2/23/2009 Senate: House amendment agreed to by Senate (40-Y 0-N) 2/28/2009 Senate: Enrolled 2/28/2009 Senate: Signed by President 2/28/2009 House: Signed by Speaker</p>	<p>2/23/2009</p>
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Support (092898228-S1)
Summary: Setoff Debt Collection Act; setoff against federal tax refunds for local tax debt. Allows local governments, with the Department of Taxation's assistance, to collect past due local taxes from federal income tax returns. The provisions of the act will take effect on the effective date of federal legislation enacted by the United States Congress allowing such debt to be offset against federal income tax refunds. The bill also clarifies current policy for the priority of claims against income tax refunds.

<p><u>SB 1365</u> - Ticer (30) Elections; addresses of protected voters.</p>	<p>1/14/2009 Senate: Referred to Committee on Privileges and Elections 1/27/2009 Senate: Reported from Privileges and Elections (12-Y 2-N 1-A) 2/13/2009 House: Referred to Committee on Privileges and Elections 2/20/2009 House: Reported from Privileges and Elections with amendment (22-Y 0-N) 2/24/09 House: Passed House with amendment (99-Y 0-N) 2/25/2009 Senate: House amendment agreed to by Senate (37-Y 0-N)</p>	<p>2/23/2009</p>
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Support (090304808)
Summary: Revises statutory language regarding protected voters who are permitted to furnish a post office box in lieu of a residence street address to be included on lists of registered voters and lists of persons who voted. The bill also adds any party participating in the address confidentiality program pursuant to § 2.2-515.2 to those protected persons who may furnish a post office box in lieu of a residence street address. It also provides how a protected voter may change his post office box address.

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Bills	General Assembly Actions	Date of BOS Position
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<p><u>SB 1369</u> - Barker (39) Graffiti abatement; permits localities to charge property owner for cost thereof.</p>	<p>1/14/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Reported from Local Government with substitute (10-Y 5-N) 2/9/2009 Senate: Passed Senate (28-Y 12-N) 2/13/2009 House: Referred to Committee on Counties, Cities and Towns 2/20/2009 House: Reported from Counties, Cities and Towns with amendments (21-Y 1-N) 2/24/2009 House: VOTE: --- PASSAGE (90-Y 8-N) 2/25/2009 Senate: House amendments agreed to by Senate (31-Y 6-N)</p>	<p>1/26/2009</p>
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Support (092044201) - Regional position. See also HB 2138.
Summary: Graffiti abatement. Defines "defacement" to mean the unauthorized application by any means of any writing, painting, drawing, etching, scratching, or marking of an inscription, word, mark, figure, or design of any type. Permits localities to charge a property owner for the cost or expenses of removing defacement that occurs on a public or private building, wall, fence, or other structure located on an unoccupied property. Every charge that remains unpaid shall constitute a lien against such property, but no lien shall be chargeable to the owners of such property unless the locality shall have given a minimum of 15 days notice to the property owner prior to the removal of the defacement. This bill is identical to HB2138.

<p><u>SB 1398</u> - Norment, Jr. (3) Transportation corridors; Transportation Board to establish connection with Transportation Plan.</p>	<p>1/14/2009 Senate: Referred to Committee on Transportation 2/5/2009 Senate: Reported from Transportation with substitute (13-Y 2-N) 2/10/2009 Senate: Passed Senate (39-Y 1-N) 2/13/09 House: Referred to Committee on Transportation 2/19/2009 House: Reported from Transportation with substitute (22-Y 0-N) 2/24/09 House: Passed House with substitute (99-Y 0-N) 2/25/2009 Senate: House substitute agreed to by Senate (37-Y 0-N)</p>	<p>2/23/2009 1/26/2009</p>
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Monitor (093607284-S1) ~~**Oppose**~~ (096991284)
Summary: Statewide Transportation Plan. Provides that the Statewide Transportation Plan shall include corridors of statewide significance. This bill incorporates SB 1475. This bill is identical to HB 2019.

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 [] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
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<p><u>SB 1416</u> - Blevins (14) Preservation of historical sites and architectural areas; local governing bodies may include.</p>	<p>1/14/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Reported from Local Government with amendments (13-Y 1-N) 2/9/2009 Senate: Passed Senate (40-Y 0-N) 2/13/2009 House: Referred to Committee on Counties, Cities and Towns 2/20/2009 House: Reported from Counties, Cities and Towns (22-Y 0-N) 2/25/2009 House: VOTE: --- PASSAGE (94-Y 4-N)</p>	<p>2/23/2009 2/9/2009</p>
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Support (094175264-E2) ~~**Amend** (094175264)~~ — ~~Amend to allow the locality more time to identify historic resources that should be preserved on a given site.~~
Summary: Preservation of historical sites and architectural areas. Provides that local governing bodies may include in ordinances establishing areas of known historical or archaeological significance, that any applicant must submit documentation that any development in such will preserve or accommodate the historical or archaeological resources. This Act shall not affect any locality that has adopted an ordinance imposing archaeological requirements as of January 1, 2009.

<p><u>SB 1506</u> - Hanger, Jr. (24) Comprehensive Services Act Program; judicial assignment of services for children.</p>	<p>1/23/2009 Senate: Referred to Committee for Courts of Justice 1/28/2009 Senate: Rereferred to Rehabilitation and Social Services 2/6/2009 Senate: Reported from Rehabilitation and Social Services with substitute (13-Y 0-N) 2/13/2009 House: Referred to Committee for Courts of Justice 2/20/09 House: Reported from Courts (22-Y 0-N) 2/25/2009 House: Passed House (100-Y 0-N)</p>	<p>2/23/2009</p>
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Support w/ Amend. (095864232-S1) - Support and amend to ensure that inclusion of information about cost may be included within the second report, if appropriate.
Summary: Provides that in cases of judicial assignment of services for children under the Comprehensive Services Program where a party requests a level of service not identified or recommended in the report submitted to the court by the family assessment and planning team, the court shall request the community policy and management team to submit a second report characterizing comparable levels of service to the requested level of service.

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Bills	General Assembly Actions	Date of BOS Position
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<p><u>SB 1511</u> - Whipple (31) Washington Metropolitan Area Transit Authority; amends Compact relating to Board membership, etc.</p>	<p>1/23/2009 Senate: Referred to Committee on Privileges and Elections 1/27/2009 Senate: Reported from Privileges and Elections (15-Y 0-N) 2/2/2009 Senate: Passed Senate (39-Y 0-N) 2/13/09 House: Referred to Committee on Appropriations 2/18/09 House: Reported from Appropriations (22-Y 0-N) 2/24/2009 House: Passed House E (99-Y 0-N) 3/4/2009 Senate: Enrolled 3/4/2009 Senate: Signed by President 3/6/2009 House: Signed by Speaker</p>	<p>2/9/2009</p>
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Support (093840828)
Summary: Amends the Washington Metropolitan Area Transit Authority Compact to comply with certain federal requirements; increases the number of directors on the WMATA Board by adding two federal government appointees; establishes an Office of the Inspector General and provides for the duties of such office; and requires that certain payments made to WMATA to match certain federal funds be made from a dedicated funding source.

<p><u>SB 1532</u> - Saslaw (35) Motor fuels tax; changes percentage in Northern Virginia.</p>	<p>1/23/2009 Senate: Referred to Committee on Finance 2/4/2009 Senate: Reported from Finance with amendments (16-Y 0-N) 2/9/2009 Senate: Passed Senate (34-Y 6-N) 2/11/2009 House: Referred to Committee on Finance 2/16/2009 House: Reported from Finance (21-Y 0-N) 2/18/2009 House: Passed House (95-Y 0-N) 2/18/2009 House: VOTE: --- PASSAGE (95-Y 0-N) 2/23/2009 Senate: Enrolled 2/24/2009 House: Signed by Speaker 2/25/2009 Senate: Signed by President</p>	<p>2/9/2009</p>
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Monitor (092886324) - Further study necessary.
Summary: Tax on fuels sales in Northern Virginia. Changes the tax on fuels sales in Northern Virginia such that the tax would be collected by distributors at the time of making fuels sale to retail dealers located in Northern Virginia. The rate of the tax would also be changed from 2 percent to 2.1 percent.

Bold – Indicates BOS formal action
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Fairfax County Positions

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Legislation No Longer Under Consideration

*(Killed, Failed to Report, Incorporated into other Legislation,
Tabled, etc.)*

Bold – Indicates BOS formal action
[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1588 - Marshall (13) Autism spectrum disorder; mandated health insurance coverage therefor.</p>	<p>9/24/2008 House: Referred to Committee on Commerce and Labor 2/3/2009 House: Subcommittee made no recommendation 2/9/2009 House: Motion to discharge from Commerce and Labor rejected (32-Y 63-N 1-A) 2/10/2009 House: Left in Commerce and Labor</p>	<p>1/26/2009</p>
<p>Support (090002616) - See also SB 1260. Summary: Health insurance; mandated coverage for autism spectrum disorder. Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals under age 21. Coverage is subject to an annual maximum benefit of \$36,000.</p>		
<p>HB 1615 - Howell, Jr. (90) Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicles.</p>	<p>11/19/2008 House: Referred to Committee on Transportation 2/5/2009 House: Incorporated by Transportation (HB1876-Cosgrove) by voice vote</p>	<p>1/26/2009</p>
<p>Support (096168540) Summary: Text messaging while driving. Prohibits operation of a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth while using any wireless telecommunication device for the purpose of sending, receiving, or reading any text message. The prohibition, however, does not extend to entering names or numbers for making telephone calls and does not apply to the operator of emergency vehicles. Violations are punishable by fines of \$20 for first offenses and \$50 for subsequent offenses. This bill was incorporated into HB 1876.</p>		
<p>HB 1616 - Marshall (13) Conflict of Interests Act, State & Local Government; disclos. by certain members of advisory agency.</p>	<p>11/19/2008 House: Referred to Committee on General Laws 1/27/2009 House: Reported from General Laws with amendment (21-Y 0-N) 1/30/2009 House: Read third time and passed House BLOCK VOTE (97-Y 0-N) 2/2/2009 Senate: Referred to Committee on General Laws and Technology 2/18/2009 Senate: Passed by indefinitely in General Laws and Technology (12-Y 3-N)</p>	<p>[2/13/2009]</p>
<p>[Oppose] (092305616-E) - Will thwart public participation on advisory committees. Summary: State and Local Government Conflict of Interests Act; disclosure by certain members of advisory agencies. Requires nonsalaried citizen members of any board, commission, or council established by the governing body to advise on land use policies within the locality to file, as a condition of assuming office, a disclosure form of their personal interests. The bill also requires such members to make annual disclosures of all their interests in real estate located in the county, city, or town in which they are appointed and requires such individuals to disqualify themselves from participating in any transaction involving their real estate interests.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1675 - Orrock, Sr. (54) Pedestrians; grants counties same authority as cities & towns to prohibit loitering on bridges, etc.</p>	<p>12/23/2008 House: Referred to Committee on Transportation 1/20/2009 House: Incorporated by Transportation (HB1629-Cole) by voice vote</p>	<p>1/26/2009</p>
<p>Monitor (098132672) Summary: Loitering. Grants counties the same authority as cities and towns to prohibit loitering of pedestrians on bridges and highway rights-of-way. This bill was incorporated into HB 1629.</p>		
<p>HB 1710 - Oder (94) Contracts; certain indemnification provisions in construction contracts declared void.</p>	<p>1/5/2009 House: Referred to Committee on General Laws 1/27/2009 House: Subcommittee recommends referring to VA Housing Commission by voice vote 2/10/2009 House: Left in General Laws</p>	<p>1/26/2009</p>
<p>Oppose (096658668) Summary: Provides that any provision in a contract relating to the construction by which the contractor performing such work purports to indemnify or hold harmless another party to the contract against liability for damage arising out of bodily injury to persons or damage to property suffered in the course of performance of the contract, caused by or resulting in whole or in part from the negligence of such other party or his agents or employees, is against public policy. Currently, such damage or injury must result solely from the negligence of such other party for such provision to be against public policy.</p>		
<p>HB 1730 - Cole (88) Tax legislation; requires a sunset date of no more than four years on all.</p>	<p>1/6/2009 House: Referred to Committee on Finance 1/28/2009 01/28/09 House: Subcommittee recommends reporting (5-Y 2-N) 2/2/2009 House: Reported from Finance (15-Y 7-N) 2/5/2009 House: VOTE: --- PASSAGE (55-Y 43-N) 2/6/2009 Senate: Referred to Committee on Rules 2/23/2009 Senate: Left in Rules</p>	<p>1/26/2009</p>
<p>Oppose (098002468) - Diminishes local government taxing authority. See also SB 1272. Summary: Tax legislation; sunset date. Requires a sunset date of no more than four years on all bills that add or increase a state or local tax, prior to reporting of the bill by a committee of the General Assembly. However, after passage, such bills will not expire on the sunset date if at that time the tax is dedicated to pay outstanding bonds. Rather such bills will expire the date they are no longer dedicated to outstanding bonds.</p>		
<p>HB 1783 - Hull (38) Government, local; equalizes municipal and county taxing authority.</p>	<p>1/9/2009 House: Referred to Committee on Finance 2/10/2009 House: Left in Finance</p>	<p>1/26/2009</p>
<p>Support (092041552) - Board has historically supported. Summary: Local government taxing authority. Equalizes municipal and county taxing authority by granting a county the same authority available to a municipality through the uniform charter powers.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1823 - Albo (42) Recordation taxes; changes basis on which taxes are calculated on transfer of real estate.</p>	<p>1/12/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends incorporating into HB2135 by voice vote 2/2/2009 House: Incorporated by Finance (HB2135-Miller, J.H.) by voice vote</p>	<p>1/26/2009</p>
<p>Oppose (097764404) - Likely loss of revenue to the County and the State; also increases chance for fraud. See also HB 2135 and SB 1157. Summary: Recordation taxes; basis. Changes the basis on which recordation taxes are calculated on the transfer of real estate to (i) the stated consideration for the real estate, or (ii) when the consideration is nominal or when the sale is through foreclosure or other similar sale, the appraised value of the property. Under current law the basis is the consideration for the real estate or the value of the real estate, whichever is greater.</p>		
<p>HB 1839 - Albo (42) Commercial real estate tax; used for local projects and construct new roads.</p>	<p>1/12/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends laying on the table by voice vote 2/10/2009 House: Left in Finance</p>	<p>1/26/2009</p>
<p>Oppose (096628404) - Diminishes current County authority. Summary: Commercial real estate tax in Northern Virginia. Provides that half of the current special tax on commercial real property in Northern Virginia be used for local projects pursuant to existing law, and half be used to construct new roads or construct new transit, provided that the projects are approved by the most recent long-range plan of the Northern Virginia Transportation Authority. The bill accomplishes this by halving the rate of the special tax under current law (from \$0.25 to \$0.125) and providing for an additional tax for the new construction of roads and transit at the same rate</p>		
<p>HB 1870 - Janis (56) Motorcycles; prohibits two to be operated abreast in single lane, civil penalty.</p>	<p>1/12/2009 House: Referred to Committee on Transportation 1/29/2009 House: Reported from Transportation (11-Y 10-N) 2/5/2009 House: VOTE: --- PASSAGE (72-Y 25-N) 2/6/2009 Senate: Referred to Committee on Transportation 2/19/2009 Senate: Reported from Transportation with amendments (13-Y 2-N) 2/25/2009 Senate: Defeated by Senate (17-Y 22-N)</p>	<p>1/26/2009</p>
<p>Oppose (093497568) Summary: Motorcycle riding abreast. Provides that it shall be a traffic infraction punishable by a \$25 civil penalty for two motorcycles to travel abreast in a lane designated for one vehicle.</p>		
<p>HB 1932 - Plum (36) HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.</p>	<p>1/13/2009 House: Referred to Committee on Transportation 1/27/2009 House: Incorporated by Transportation (HB2476-Hugo) by voice vote</p>	<p>1/26/2009</p>
<p>Support (098189684) - Board has historically supported. See also HB 2299 and HB 2476.</p>		

Bills	General Assembly Actions	Date of BOS Position
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Summary: HOV lanes; clean special fuel vehicles. Extends until July 1, 2010, the "sunset" provision allowing vehicles bearing clean special fuel license plates to use HOV lanes regardless of the number of their passengers. This bill was incorporated into HB 2476.

HB 1992 - Bulova (37) Outdoor signs and advertising; all penalties & costs collected for violations of advertising.	1/13/2009 House: Referred to Committee on Transportation 1/27/2009 House: Referred to Committee on Appropriations 2/2/2009 House: Tabled in Appropriations by voice vote	1/26/2009
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Support (093834444)

Summary: Outdoor signs and advertising; Fairfax County. Provides that all penalties and costs collected for violations of advertising provisions when the locality has entered into an agreement with the Commonwealth Transportation Commissioner shall be paid to the affected locality. Excludes signs and advertising erected from Saturday through the following Monday from those agreements with the Commissioner.

HB 2011 - Ebbin (49) Pedestrians; prohibits crossing of railroad grade crossings if train is present or approaching.	1/13/2009 House: Referred to Committee on Transportation 2/2/2009 House: Subcommittee recommends striking from the docket by voice vote 2/5/2009 House: Reported from Transportation with substitute (13-Y 8-N) 2/9/2009 House: Engrossment refused by House (43-Y 55-N)	1/26/2009
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Support (093559492)

Summary: Pedestrians; railroad grade crossings. Prohibits crossing of railroad grade crossings by pedestrians using public highways if a train or locomotive is present or approaching.

HB 2017 - Rust (86) Transient occupancy tax; Fairfax County limitations.	1/13/2009 House: Referred to Committee on Finance 1/26/2009 House: Reported from Finance (15-Y 6-N) 1/29/2009 House: VOTE: --- DEFEATED (58-Y 39-N) (Requires two-thirds vote of members elected.) 1/29/2009 House: Reconsideration of passage agreed to by House 2/2/2009 House: VOTE: --- DEFEATED (62-Y 36-N) 2/2/2009 House: Requires a two-thirds affirmative vote of members elected	1/26/2009
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Oppose (091927708) - \$900,000 loss of revenue for local tourism, including Visit Fairfax.

Summary: Clarifies that the additional transient occupancy tax does not apply within the limits of any town located in Fairfax County.

Bills	General Assembly Actions	Date of BOS Position
HB 2117 - Nichols (51) HOT lanes; prohibits on any portion of I-95 between Potomac River and City of Fredericksburg.	1/13/2009 House: Referred to Committee on Transportation 1/29/2009 House: Tabled in Transportation (14-Y 8-N)	1/26/2009
<p>Oppose (097725654) Summary: HOT lanes. Prohibits the designation of HOT lanes on any portion of I-95 between the Potomac River and the City of Fredericksburg.</p>		
HB 2121 - Nichols (51) Public Procurement Act; verification of legal presence of contractors for employment.	1/13/2009 House: Referred to Committee on General Laws 1/29/2009 House: Referred to Committee for Courts of Justice 2/2/2009 House: Subcommittee recommends referring to Small Business Commission by voice vote 2/10/2009 House: Left in Courts of Justice	2/9/2009
<p>Oppose (090130654) - There are concerns about the accuracy of such a database. Summary: Public Procurement Act; verification of legal presence. Requires all public contractors and their subcontractors to register and participate in a federal Electronic Work Verification Program or similar electronic verification of work authorization program to determine that their employees and individual independent contractors are legally eligible for employment in the United States. Contractors and subcontractors are required to verify the employment status of their employees and independent contractors, and are prohibited from employing or contracting with an individual who is determined not to be legally eligible for employment in the United States as determined through the verification of the individual's status. Contractors who do not register and participate in the registration program are ineligible for prequalification. The measure becomes effective on July 1, 2010.</p>		
HB 2153 - Rust (86) BPOL tax; allows towns to levy on any person, firm, etc., in business of renting real property.	1/13/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends laying on the table by voice vote 2/10/2009 House: Left in Finance	2/9/2009 1/26/2009
<p>Support (091928708) Monitor (091928708) - See also SB 1074. Summary: Business, professional, occupational license tax; limitation of authority. Allows the Towns of Herndon and Leesburg to levy the BPOL tax on any person, firm, or corporation engaging in the business of renting real property.</p>		
HB 2205 - Frederick (52) BPOL taxes; repeals local business taxes.	1/14/2009 House: Referred to Committee on Finance 1/21/2009 House: Subcommittee recommends laying on the table by voice vote 2/10/2009 House: Left in Finance	1/26/2009
<p>Oppose (094509508) - Board has historically opposed; loss of \$150 million to the County. Summary: BPOL taxes; repeal. Repeals local business license (BPOL) taxes.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2217 - Jones (76) Board for Architects, Professional Engineers, etc.; required insurance for certain licensees.</p>	<p>1/14/2009 House: Referred to Committee on General Laws 2/3/2009 Subcommittee recommends no further action by voice vote 2/10/2009 House: Left in General Laws</p>	<p>1/26/2009</p>
<p>Amend (090696584) - Amend to include exemption for those licensed professionals whose sole employment is with the public sector. Summary: Board for Architects, Professional Engineers, Land Surveyors, Certified Interior Designers and Landscape Architects; required insurance for certain licensees. Provides that the Board shall, by regulation, require each architect or professional engineer to maintain an errors and omissions policy that is acceptable to the Board and to provide a certification or attestation that such policy is in effect as a prerequisite to license issuance or renewal.</p>		
<p>HB 2231 - Marsden (41) Parking; adds pickup and panel trucks to list of vehicles that Fairfax, etc. may prohibit therefrom.</p>	<p>1/14/2009 House: Referred to Committee on Transportation 2/3/2009 House: Tabled in Transportation (9-Y 6-N)</p>	<p>1/26/2009</p>
<p>Monitor (093480608) - Further review is needed. Summary: Parking. Adds pickup and panel trucks to the list of vehicles that Fairfax and Prince William Counties and Clifton, Herndon, and Vienna may prohibit from parking on streets in areas zoned for residential use. The bill also eliminates population bracket circumlocutions and names the specific localities to which those brackets were intended to apply.</p>		
<p>HB 2232 - Marsden (41) Crashes on HOT lanes under construction; if no apparent bodily injuries, drivers must move vehicles.</p>	<p>1/14/2009 House: Referred to Committee on Transportation 2/3/2009 House: Reported from Transportation with amendments (14-Y 2-N) 2/6/2009 House: VOTE: --- ENGROSSMENT refused (42-Y 52-N)</p>	<p>1/26/2009</p>
<p>Support (093495608) Summary: Crashes on HOT lanes under construction on the Capital Beltway. Requires that when there is a vehicle crash on HOT lanes under construction on the Capital Beltway and the vehicles involved in the crash can be moved and there are no apparent bodily injuries, the drivers must move their vehicles to the nearest designated pull-off area. Failure to do so is punishable by a civil penalty of \$100, to be paid into the Highway Maintenance and Operating Fund. VDOT is required to post the bill's requirements on signs along the Capital Beltway in Virginia where HOT lanes are under construction. The bill's provisions expire when HOT lane on the Capital Beltway in Virginia is completed and the Virginia Department of Transportation accepts the project.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2253 - Barlow (64) Safety belts; makes non-use of a primary offense.</p>	<p>1/14/2009 House: Referred to Committee on Militia, Police and Public Safety 1/29/2009 House: Subcommittee recommends laying on the table 2/10/2009 House: Left in Militia, Police and Public Safety</p>	<p>1/26/2009</p>
<p>Support (096618428) - See also HB 2339, SB 970, SB 1161. Summary: Safety belts. Makes non-use of motor vehicle safety belts a "primary offense."</p>		
<p>HB 2294 - Merricks (16) Alternative on-site sewage systems; no locality shall prohibit use thereof.</p>	<p>1/14/2009 House: Referred to Committee on Counties, Cities and Towns 2/6/2009 House: Incorporated by Counties, Cities and Towns (HB1788-Hull) by voice vote</p>	<p>1/26/2009</p>
<p>Oppose (091276420) Summary: Alternative on-site sewage systems. Limits a locality's ability to regulate septic systems by restricting localities from prohibiting the use of alternative on-site sewage systems that have been approved for use by the Virginia Department of Health and prohibiting the locality from requiring maintenance of such systems beyond the manufacturer's recommendations or regulation of the Department of Health.</p>		
<p>HB 2299 - Caputo (67) HOV lanes; extend sunset provision allowing those vehicles bearing clean special fuel license plate.</p>	<p>1/14/2009 House: Referred to Committee on Transportation 1/27/2009 House: Incorporated by Transportation (HB2476-Hugo) by voice vote</p>	<p>1/26/2009</p>
<p>Support (093805456) - Board has historically supported. See also HB 1932 and HB 2476. Summary: Extends until July 1, 2010, the "sunset" provision allowing vehicles bearing clean special fuel license plates to use HOV lanes regardless of the number of passengers.</p>		
<p>HB 2339 - Amundson (44) Safety belts; makes non-use of a primary offense.</p>	<p>1/14/2009 House: Referred to Committee on Militia, Police and Public Safety 1/29/2009 House: Subcommittee recommends laying on the table 2/10/2009 House: Left in Militia, Police and Public Safety</p>	<p>1/26/2009</p>
<p>Support (098037412) - See also HB 2253, SB 970, SB 1161. Summary: Safety belts. Makes non-use of motor vehicle safety belts a "primary offense."</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2354 - Landes (25) Suspension of mandates; requires Governor to temporarily suspend on locality facing fiscal stress.</p>	<p>1/14/2009 House: Referred to Committee on General Laws 2/5/2009 House: Reported from General Laws (22-Y 0-N) 2/5/2009 House: Referred to Committee on Appropriations 2/10/2009 House: Passed House (99-Y 0-N) 2/11/2009 Senate: Referred to Committee on General Laws and Technology 2/18/2009 Senate: Rereferred to Finance 2/19/2009 Senate: Failed to report (defeated) in Finance (2-Y 11-N)</p>	<p>2/9/2009</p>
<p>Monitor (091793592) Summary: Governor; suspension of mandates. Provides that, notwithstanding the Governor's authority to temporarily suspend state mandated, school divisions shall not be required to meet mandated staffing ratio requirements for the programs funded by the Lottery Proceeds Fund for the fiscal year ending June 30, 2010. The bill also provides that state funds for such programs must be used for the stated program purposes. In addition, for the fiscal year ending June 30, 2010, school divisions will not be required to provide matching funds for the programs funded through (i) the Lottery Proceeds Fund, (ii) the Virginia Public School Authority, or (iii) to purchase textbooks. The provisions of the bill will expire on July 1, 2010.</p>		
<p>HB 2380 - Scott (53) Wireless telecommunications devices; prohibits use of text messaging while driving certain vehicles.</p>	<p>1/14/2009 House: Referred to Committee on Transportation 2/5/2009 House: Incorporated by Transportation (HB1876-Cosgrove) by voice vote</p>	<p>1/26/2009</p>
<p>Support (095829720) Summary: Text messaging and emailing while driving. Prohibits operation of a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth while using any wireless telecommunications device for the purpose of composing or sending any text message or email. This bill provides exemptions for persons lawfully parked or stopped, the use of global positioning systems (GPS), and the use of a wireless telecommunications device to report an emergency. The provisions of this bill do not apply to operators of emergency vehicles. This bill was incorporated into HB 1876.</p>		
<p>HB 2385 - Ebbin (49) Discrimination; prohibited in public employment based on race, color, religion, etc.</p>	<p>1/14/2009 House: Referred to Committee on General Laws 2/4/2009 House: Subcommittee recommends laying on the table (4-Y 2-N) 2/10/2009 House: Left in General Laws</p>	<p>1/26/2009</p>
<p>Support (096630404) - Board has historically supported. Summary: Public employment; nondiscrimination. Prohibits discrimination in public employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Act of 1974, as amended. The bill defines "sexual orientation" as a person's actual or</p>		

Bills	General Assembly Actions	Date of BOS Position
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perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction towards persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments.

[HB 2386](#) - Ebbin (49)
Pedestrians and drivers;
responsibilities thereof at
marked & unmarked
crosswalks.

1/14/2009 House: Referred to Committee on
Transportation
1/27/2009 House: Reported from Transportation with
substitute (16-Y 6-N)
2/3/2009 House: Referred to Committee for Courts of
Justice
2/4/2009 House: Subcommittee recommends laying on the
table by voice vote
2/10/2009 House: Left in Courts of Justice

1/26/2009

Support (094304492) - Position in Legislative Program. See also HB 2520 and SB 1239.

Summary: Pedestrians and drivers; responsibilities. Sets out the responsibilities of pedestrians and drivers at marked and unmarked crosswalks. This bill incorporates HB 2520.

[HB 2387](#) - Ebbin (49)
Green Public Buildings
Act; certain new or
renovated buildings to be
built to certain standards.

1/14/2009 House: Referred to Committee on General Laws
2/5/2009 House: Reported from General Laws with
substitute (22-Y 0-N)
2/5/2009 House: Referred to Committee on Appropriations
2/10/2009 House: Left in Appropriations

2/9/2009

Support w/ Amend. (092363802) - Support with amendments to make legislation more flexible for local governments, including certification programs that may be developed in the future. See also SB 1252.

Summary: Green Public Buildings Act. Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to build to either the Green Globes Green Building Initiative green building rating standard or the United States Green Building Council Leadership in Energy and Environment Design green building rating standard (LEED). Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or the governing body of a locality or school board for local projects.

[HB 2416](#) - Bouchard (83)
Photo-monitoring
systems; removes
approval of VDOT of
proposed intersections for
system.

1/14/2009 House: Referred to Committee on
Transportation
1/29/2009 House: Tabled in Transportation (12-Y 10-N)

1/26/2009

Support (096580435)

Summary: Photo-monitoring systems. Removes the requirement that the list of proposed intersections for a traffic light signal violation monitoring system that a locality submits to the Virginia Department of Transportation be submitted for the Department's final approval.

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2470 - Hugo (40) Northern Virginia Transportation District Fund; dedication of state matching funds.</p>	<p>1/14/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends striking from the docket by voice vote 2/10/2009 House: Left in Finance</p>	<p>1/26/2009</p>
<p>Monitor (094310548) Summary: Northern Virginia Transportation District Fund; dedication of state matching funds to the Washington Metropolitan Area Transit Authority. Dedicates, through the year 2019, any additional funds that may be distributed to the Northern Virginia Transportation District Fund as a result of the 2009 Session of the General Assembly increasing the recordation tax revenue distributed to localities pursuant to Â§ 58.1-816, to the Washington Metropolitan Area Transit Authority (WMATA) to provide funds to the Authority as may be required under federal law for the payment of certain federal funds to WMATA and shall be used for capital improvements for WMATA's transit service (Metro). The bill expires June 30, 2010, if such federal law is not in effect on June 30, 2010.</p>		
<p>HB 2496 - Alexander (89) Early voting pilot projects; State Board of Elections to establish for general elections in 2010.</p>	<p>1/14/2009 House: Referred to Committee on Privileges and Elections 1/27/2009 House: Subcommittee recommends laying on the table 2/10/2009 House: Left in Privileges and Elections</p>	<p>[1/30/2009]</p>
<p>[Support] (095003408) - Staff would pursue participation in pilot project if grant funding were available. Summary: Elections; early voting pilot projects. Authorizes the State Board of Elections to establish early voting pilot projects for general elections in 2010 and 2011 in counties or cities choosing to participate. Provides that any registered voter may vote in person from 17 to three days before the election at specified times and at the sites provided in the locality. The provisions for absentee voting remain in effect except that the provisions for in-person absentee voting are superseded by the early voting process during the early voting period.</p>		
<p>HB 2520 - Shannon (35) Pedestrians and drivers; responsibilities thereof at marked and unmarked crosswalks.</p>	<p>1/16/2009 House: Referred to Committee on Transportation 1/27/2009 House: Incorporated by Transportation (HB2386-Ebbin) by voice vote</p>	<p>1/26/2009</p>
<p>Support (096711724) - Position in Legislative Program. See also HB 2386 and SB 1239. Summary: Pedestrians and drivers; responsibilities. Sets out the responsibilities of pedestrians and drivers at marked and unmarked crosswalks. This bill was incorporated into HB 2386.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2547 - Albo (42) Federal economic stimulus funds; available for State use exclusively for transportation & education.</p>	<p>1/22/2009 House: Referred to Committee on Appropriations 2/10/2009 House: Left in Appropriations</p>	<p>2/9/2009</p>
<p>Oppose (093580404) - Additional restrictions make it more difficult to spend the stimulus funds in the required time. Summary: Federal economic stimulus funds. Provides that any federal economic stimulus funds made available to Virginia be used exclusively for transportation and education infrastructure improvements. In awarding contracts, preference is to be given to Virginia businesses and Virginia subcontractors.</p>		
<p>HB 2590 - Ebbin (49) Financial accounting and reporting system; establish alternative system for postemployment benefits.</p>	<p>1/22/2009 House: Referred to Committee on General Laws 2/4/2009 House: Subcommittee recommends striking from the docket by voice vote 2/5/2009 House: Stricken from docket by General Laws by voice vote</p>	<p>2/9/2009</p>
<p>Monitor (092385492) Summary: Financial accounting and reporting systems. Establishes an alternative financial accounting and reporting system for postemployment benefits, other than pension benefits.</p>		
<p>HB 2601 - Massie III (72) Real estate tax; notice of change in assessment.</p>	<p>1/22/2009 House: Referred to Committee on Finance 2/10/2009 House: Left in Finance</p>	<p>2/9/2009</p>
<p>Oppose (099812804) - Board has historically opposed. See also SB 1514. Summary: Real property tax; notice of change in assessment. Requires that the notice of a new assessment (i) be sent to the taxpayer at least 30 days prior to the date of a hearing to protest the assessment, and (ii) contain specific information regarding the new tax levy and the prior year's tax levy.</p>		
<p>HB 2613 - Hall (69) Cash proffers; requires localities to phase out acceptance thereof.</p>	<p>1/23/2009 House: Referred to Committee on Counties, Cities and Towns 2/5/2009 House: Subcommittee recommends laying on the table by voice vote 2/6/2009 House: Tabled in Counties, Cities and Towns by voice vote</p>	<p>2/9/2009</p>
<p>Oppose (092066524) Summary: Cash proffers; phase out. Requires localities to phase out the acceptance of cash proffers by July 1, 2014.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2628 - Griffith (8) Public Procurement Act; cooperative procurement.</p>	<p>1/23/2009 House: Referred to Committee on General Laws 1/29/2009 House: Subcommittee recommends reporting with amendment(s) (5-Y 0-N) 2/3/2009 House: Reported from General Laws with amendment (22-Y 0-N) 2/6/2009 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N) 2/9/2009 Senate: Referred to Committee on General Laws and Technology 2/23/2009 Senate: Left in General Laws and Technology</p>	<p>2/23/2009 2/9/2009</p>
<p>Monitor (098718520-E) Oppose (098718520) — Would discourage local procurement between school divisions and governing bodies. Intent of bill could be accomplished through local policy rather than restrictive statute. Summary: Virginia Provides that no local public body shall purchase construction in excess of \$200,000 from another public body's contract that is more than 75 miles in distances from the local public body procuring the construction.</p>		
<p>HB 2631 - Caputo (67) Firearms show; Fairfax County may require criminal history record information from promoter thereof.</p>	<p>1/23/2009 House: Referred to Committee on Militia, Police and Public Safety 2/10/2009 House: Left in Militia, Police and Public Safety</p>	<p>2/9/2009</p>
<p>Support (092065456) Summary: Firearms show in Fairfax County; criminal history record information request. Provides that Fairfax County may by ordinance require the promoter of any show held in Fairfax County to make available to all vendors or exhibitors at a firearms show at least one location on the premises where the vendor or exhibitor shall conduct criminal history record information requests for the sale of firearms.</p>		
<p>HB 2635 - Cline (24) Warrants, local; authorizes local governments to publish information relating thereto.</p>	<p>1/23/2009 House: Referred to Committee on Finance 1/28/2009 House: Subcommittee recommends reporting (6-Y 1-N) 2/2/2009 House: Reported from Finance (21-Y 0-N) 2/5/2009 House: VOTE: PASSAGE (99-Y 0-N) 2/6/2009 Senate: Referred to Committee on Finance 2/10/2009 Senate: Failed to report (defeated) in Finance (1-Y 15-N)</p>	<p>2/9/2009</p>
<p>Oppose (098816464) - While Board favors transparency, issue needs further study due to privacy and cost concerns. See also SB 812, SB 1129. Summary: Publication of information contained in local warrants. Authorizes local governments to publish information relating to warrants paid by the locality. The warrant information that could be published would be the names of payees, amounts paid, the serial numbers of warrants, and dates of payments. Information on warrants relating to tax refunds could be published only if the information was aggregated or classified so as to prevent the identification of the payee of the tax refund.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2653 - Bulova (37) Zoning ordinance enforcement; not to be charged therewith unless locality provided written notice.</p>	<p>1/23/2009 House: Referred to Committee on Counties, Cities and Towns 2/6/2009 House: Reported from Counties, Cities and Towns with amendment (22-Y 0-N) 2/10/2009 House: VOTE: PASSAGE (99-Y 0-N) 2/11/2009 Senate: Referred to Committee on Local Government 2/17/2009 Senate: Reported from Local Government with amendments (12-Y 3-N) 2/24/2009 Senate: Defeated by Senate (16-Y 20-N)</p>	<p>2/23/2009 2/9/2009</p>
<p>Support (098828444-E) Oppose (098828444) Summary: Zoning ordinance enforcement; tenants of single-family dwellings. Provides that localities may enforce violations of the zoning ordinance by tenants of single-family residential dwellings; however, the owner of such dwelling shall not be charged with a zoning violation unless the locality has provided written notice of the tenant's conduct to the landlord.</p>		
<p>HJ 709 - Frederick (52) Constitutional amendment; assessments of real property and tax rates (first reference).</p>	<p>1/14/2009 House: Referred to Committee on Privileges and Elections 2/10/2009 House: Left in Privileges and Elections</p>	<p>1/26/2009</p>
<p>Oppose (098574508) - Board has historically opposed. For example, in FY 2007, loss would have been \$265 million in revenue. Summary: Constitutional amendment (first resolution); assessments of real property and tax rates. Provides that assessments of real property shall not increase annually by more than one percent plus the percentage increase, if any, in the rate of inflation. Increases in the rate of taxation on real property are limited to one percent per year.</p>		
<p>HJ 725 - Bell (58) Constitutional amendment; taking of private property for public uses (first reference).</p>	<p>1/14/2009 House: Referred to Committee on Privileges and Elections 2/2/2009 House: Subcommittee recommends reporting with amendment(s) (7-Y 1-N) 2/6/2009 House: Reported from Privileges and Elections with substitute (17-Y 4-N) 2/10/2009 House: VOTE: --- ADOPTION (68-Y 31-N) 2/11/2009 Senate: Referred to Committee on Privileges and Elections 2/17/2009 Senate: Passed by indefinitely in Privileges and Elections (10-Y 5-N)</p>	<p>1/26/2009</p>
<p>Oppose (090121432) - Board has historically opposed. Summary: Constitutional amendment (first resolution); taking of private property for public uses. Limits the exercise of eminent domain to the purpose of public use and specifies that, with the exception of takings for the provision of any utility or common carrier service, property can only be taken or damaged where the primary purpose is not private financial gain, private benefit, an increase in tax base or tax revenues, or an increase in</p>		

Bills	General Assembly Actions	Date of BOS Position
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employment. No more private property may be taken than that which is necessary to achieve the stated public use. Whenever an attempt is made to take or damage property for a stated public use, the owner shall have the right to a judicial determination that the use is truly public, without regard to any legislative assertion that the use is public. This resolution incorporates HJ 728.

<p>HJ 728 - Joannou (79) Constitutional amendment; defines term public uses & specifies which private property may be taken.</p>	<p>1/14/2009 House: Referred to Committee on Privileges and Elections 1/26/2009 House: Subcommittee recommends incorporating into HJ 725 by voice vote 2/6/2009 House: Incorporated by Privileges and Elections (HJ725-Bell) by voice vote</p>	<p>1/26/2009</p>
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Oppose (095504572) - Board has historically opposed.

Summary: Constitutional amendment (first resolution); due process of law; obligation of contracts; taking of private property; prohibited discrimination; jury trial in civil cases. Defines the term "public uses" and specifies permitted public uses for which private property may be taken. The definition is the same definition enacted in 2007 and set out in § 1-219.1 of the Code of Virginia. This resolution is incorporated into HJ 725.

<p>SB 810 - Howell (32) Absentee voting; qualified voters may vote absentee in person without providing an excuse, etc.</p>	<p>11/24/2008 Senate: Referred to Committee on Privileges and Elections 1/20/2009 Senate: Reported from Privileges and Elections (10-Y 4-N) 1/26/2009 Senate: Passed Senate (24-Y 16-N) 2/5/2009 House: Referred to Committee on Privileges and Elections 2/17/2009 House: Subcommittee recommends passing by indefinitely</p>	<p>1/26/2009</p>
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Support (097823248)

Summary: 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. This bill is identical to HB 1894.

<p>SB 812 - Cuccinelli, II (37) Warrants, local; authorizes local governments to publish information relating thereto.</p>	<p>11/24/2008 Senate: Referred to Committee on Finance 1/27/2009 Senate: Failed to report (defeated) in Finance (8-Y 8-N)</p>	<p>1/26/2009</p>
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Oppose (092817216) - While Board favors transparency, issue needs further study due to privacy and cost concerns. See also HB 2635 and SB 1129.

Summary: Authorizes local governments to publish information relating to warrants paid by the locality. The warrant information that could be published would be the names of payees, amounts paid, the serial numbers of warrants, and dates of payments. Information on warrants relating to tax refunds could be published only if the information was aggregated or classified so as to prevent the identification of the payee of the tax refund.

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 830</u> - Cuccinelli, II (37) Advertising; allows local governing bodies to remove certain.</p>	<p>12/16/2008 Senate: Referred to Committee on Transportation 1/29/2009 Senate: Reported from Transportation with substitute (14-Y 0-N) 2/4/2009 Senate: Passed Senate (40-Y 0-N) 2/11/2009 House: Referred to Committee on Transportation 2/16/2009 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/26/2009</p>
<p>Support (093816216) Summary: Local governing bodies as agents of the Commonwealth Transportation Commissioner; removal of certain advertising. Allows the governing body of any county, city, or town to authorize local law-enforcement agencies or other governmental agencies to act with the same authority granted to the Commissioner for the purpose of removing certain signs and advertising.</p>		
<p><u>SB 832</u> - Locke (2) Firearms; possessing or carrying dangerous weapon in public buildings during official meetings.</p>	<p>12/17/2008 Senate: Referred to Committee on Local Government 1/27/2009 Senate: Failed to report (defeated) in Local Government (5-Y 10-N)</p>	<p>1/26/2009</p>
<p>Support (094317256) - Board has historically supported. Summary: Control of firearms; possessing or carrying a dangerous weapon in public buildings during official meetings of the governing body. Provides that localities may adopt an ordinance that prohibits firearms, ammunition, or components or combinations thereof in community or recreation centers, administrative buildings, or public libraries owned or operated by the locality during an official meeting of the governing body.</p>		
<p><u>SB 838</u> - Ticer (30) Land preservation tax credit; conveyance for public parks or public recreational facilities.</p>	<p>12/22/2008 Senate: Referred to Committee on Finance 1/28/2009 Senate: Reported from Finance (8-Y 7-N) 2/2/2009 Senate: Passed Senate (21-Y 18-N) 2/11/2009 House: Referred to Committee on Finance 2/11/2009 House: Subcommittee recommends reporting with amendment(s) 2/16/2009 House: Tabled in Finance (11-Y 9-N)</p>	<p>1/26/2009</p>
<p>Support (096559336) - Position in Legislative Program to incentivize donations for parks. Summary: Provides that the land preservation tax credit would equal 60 percent of the fair market value of any land that is donated to a state or local governmental entity for the purpose of a public park or public recreational facility. The 60 percent tax credit would apply only if (i) the responsible authorities of a park authority or local park agency or the Department of Conservation and Recreation execute a written document stating its acceptance of the donation, and (ii) the conveyance is in accordance with the current comprehensive plans of the counties or cities in which the donated land is located. All other donations under the land preservation tax credit would not be affected by the bill and would be eligible for a 40 percent tax credit as provided under current law.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 872 - Ticer (30) TANF; eligibility for food stamps when convicted of drug-related felonies.</p>	<p>12/29/2008 Senate: Referred to Committee on Rehabilitation and Social Services 1/23/2009 Senate: Reported from Rehabilitation and Social Services (9-Y 6-N) 1/23/2009 Senate: Rereferred to Finance 2/11/2009 Senate: Left in Finance</p>	<p>1/26/2009</p>
<p>Support (094489336) - Board has historically supported. Summary: Eligibility for TANF; drug-related felonies. Requires persons otherwise eligible to receive Temporary Assistance for Needy Families (TANF) benefits to not be denied benefits solely due to a previous conviction of a felony drug offense pursuant to Â§ 18.2-250. The otherwise eligible person must comply with all obligations imposed by the criminal court and be actively engaged in or have completed a substance abuse treatment program. The bill mirrors the authorized federal exemption already granted for food stamp applicants.</p>		
<p>SB 914 - Stuart (28) Substance abuse screening & assessment for VIEW; person ineligible to receive TANF if using drugs.</p>	<p>1/5/2009 Senate: Referred to Committee on Rehabilitation and Social Services 2/10/2009 Senate: Left in Rehabilitation and Social Services</p>	<p>1/26/2009</p>
<p>Oppose (098050333) - Oppose due to cost concerns. Summary: 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. This bill provides that, where 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 and payments shall be made as protective or vendor payments to a third party payee for the benefit of the members of the participant's household. Persons deemed ineligible for TANF assistance due to failure or refusal to participate in a screening or assessment or for testing positive for the use of illegal drugs may reapply for TANF assistance once 12 months have elapsed from the date of initial ineligibility.</p>		
<p>SB 970 - Blevins (14) Safety belts; makes non-use of a primary offense.</p>	<p>1/12/2009 Senate: Referred to Committee on Transportation 1/22/2009 Failed to report (defeated) in Transportation (5-Y 6-N) 1/29/2009 Senate: Reconsidered by Transportation 1/29/2009 Senate: Incorporated by Transportation (SB1161-Saslaw) (14-Y 0-N)</p>	<p>1/26/2009</p>
<p>Support (097750204) - See also HB 2253, HB 2339, SB 1161. Summary: Safety belts. Makes non-use of safety belts a primary offense. This bill was incorporated into SB 1161.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 979 - Stuart (28) Fuel fee; allows authorities to pass an ordinance to impose a fee on motor vehicle violations.</p>	<p>1/12/09 Senate: Referred to Committee on Transportation 1/15/2009 Senate: Rereferred to Local Government 1/27/2009 Senate: Reported from Local Government (11-Y 3-N) 2/2/2009 Senate: Passed Senate (32-Y 7-N) 2/11/2009 House: Referred to Committee on Transportation 2/17/2009 House: Referred to Committee on Finance 2/18/2009 House: Referred to Committee for Courts of Justice 2/24/2009 House: Left in Courts of Justice</p>	<p>1/26/2009</p>
<p>Support (098260338) Summary: Allows authorities to pass an ordinance that would impose a fee, not to exceed \$10, on all motor vehicle violations. Such fee shall go to the locality for the purpose of purchasing fuel for local law-enforcement vehicles.</p>		
<p>SB 984 - Wagner (7) Chesapeake Bay Preservation Act; stormwater regulations.</p>	<p>1/12/2009 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/2/2009 Senate: Stricken at request of Patron in Agriculture, Conservation and Natural Resources (15-Y 0-N)</p>	<p>2/9/2009</p>
<p>Oppose (098367340) - Contrary to Chesapeake Bay regulations. Summary: Requires that the Chesapeake Bay Local Assistance Board adopt regulations that treat swimming pools and any other impoundments of surface waters, including fountains and retention ponds, as permeable surfaces for the purposes of stormwater management.</p>		
<p>SB 1065 - Puller (36) Wind energy drying devices; no community association shall prohibit an owner from installing, etc.</p>	<p>1/13/2009 Senate: Referred to Committee on General Laws and Technology 1/28/2009 Senate: Reported from General Laws and Technology with amendments (15-Y 0-N) 2/3/2009 Read third time and passed Senate (40-Y 0-N) 2/11/2009 House: Referred to Committee on Commerce and Labor 2/23/2009 House: Reported from Commerce and Labor (10-Y 7-N) 2/25/2009 House: VOTE: --- DEFEATED (40-Y 60-N)</p>	<p>1/26/2009</p>
<p>Support (092303304) Summary: Covenants regarding wind energy drying devices. Provides that effective July 1, 2009, no community association shall prohibit an owner from installing or using a wind energy drying device on that owner's property. The bill provides that a community association may establish reasonable restrictions concerning the size, place, time and manner of placement of such wind energy drying device.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1074</u> - Howell (32) BPOL tax; allows towns to levy on any person, firm, etc., in business of renting real property.</p>	<p>1/13/2009 Senate: Referred to Committee on Finance 1/27/2009 Senate: Reported from Finance (13-Y 0-N) 1/30/2009 Senate: Read third time and passed Senate (29-Y 9-N) 2/11/2009 House: Referred to Committee on Finance 2/11/2009 House: Subcommittee recommends laying on the table by voice vote</p>	<p>2/9/2009</p>
<p>Support (091916248) - See also HB 2153. Summary: Business, professional, occupational license tax; limitation of authority. Allows the Towns of Herndon and Leesburg to levy the BPOL tax on any person, firm, or corporation engaging in the business of renting real property.</p>		
<p><u>SB 1084</u> - Howell (32) Driver's license; requires minors to show completion of a 90-minute driver safety course.</p>	<p>1/13/2009 Senate: Referred to Committee on Transportation 2/5/2009 Senate: Stricken at request of Patron in Transportation (15-Y 0-N)</p>	<p>2/9/2009</p>
<p>Support (098687248) - See also HB 1782. Summary: Learner's permit fees; requirements for issuance of driver's licenses to minors. Requires that minor applicants for a driver's license show they have successfully completed, with a parent or guardian, an in-person 90-minute or longer driver safety course prescribed by DMV. The bill also increases the learner's permit issuance fee from \$3 to \$8; the additional \$5 is to be retained by DMV to cover its costs associated with this new requirement.</p>		
<p><u>SB 1099</u> - Herring (33) Incapacitated adults; financial exploitation thereof, penalty.</p>	<p>1/13/2009 Senate: Referred to Committee for Courts of Justice 2/11/2009 Senate: Left in Courts of Justice</p>	<p>1/26/2009</p>
<p>Support (098013240) Summary: Financial exploitation of incapacitated adults; penalty. Creates the crime of financial exploitation of an incapacitated adult when a person responsible for the adult (i) knowingly and willfully uses, obtains, takes, secretes, appropriates, or retains the adult's real or personal property or other thing of value with the intent to defraud or with the intent to temporarily or permanently deprive the incapacitated adult of the use, benefit, or possession of the subject property or (ii) assists another in doing so. The penalty is a Class 1 misdemeanor if the value is less than \$200 in a six-month period and a Class 6 felony if the value is \$200 or more in a six-month period.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 1129 - Petersen (34) Warrants, local; local governments to publish information relating thereto.</p>	<p>1/13/2009 Senate: Referred to Committee on Finance 1/27/2009 Senate: Failed to report (defeated) in Finance (8-Y 8-N)</p>	<p>1/26/2009</p>
<p>Oppose (097770293) - While Board favors transparency, issue needs further study due to privacy and cost concerns. See also HB 2635 and SB 812. Summary: Publication of information contained in local warrants. Authorizes local governments to publish information relating to warrants paid by the locality. The warrant information that could be published would be the names of payees, amounts paid, the serial numbers of warrants, and dates of payments. Information on warrants relating to tax refunds could be published only if the information was aggregated or classified so as to prevent the identification of the payee of the tax refund.</p>		
<p>SB 1131 - Petersen (34) Notice for setting local real property tax rate; public notice required for increasing rate.</p>	<p>1/13/2009 Senate: Referred to Committee on Finance 1/30/2009 Senate: Read third time and passed Senate (39-Y 0-N) 2/11/2009 House: Referred to Committee on Finance 2/11/2009 House: Subcommittee recommends laying on the table by voice vote</p>	<p>2/9/2009</p>
<p>Support (098233293) - A Fairfax City initiative. Summary: Notice for setting local real property tax rate. Reduces from 30 days to 10 days the public notice required by localities under certain circumstances for increasing the local real property tax rate above the rate that would generate 101 percent of the prior year's real property tax revenues.</p>		
<p>SB 1134 - Petersen (34) Electronic summons system; localities to assess an additional fee as part of costs.</p>	<p>1/13/2009 Senate: Referred to Committee for Courts of Justice 1/26/2009 Senate: Rereferred to Finance 2/4/2009 Senate: Reported from Finance with amendments (16-Y 0-N) 2/9/2009 Senate: Passed Senate (40-Y 0-N) 2/13/2009 House: Referred to Committee for Courts of Justice 2/18/2009 House: Subcommittee recommends reporting with amendment(s) 2/23/2009 House: Failed to report (defeated) in Courts of Justice (10-Y 12-N)</p>	<p>1/26/2009</p>
<p>Support (091301293) - Estimated \$600,000 revenue increase. Summary: Allows localities to assess an additional three dollar fee as part of the costs in each civil, criminal or traffic case to be used solely for an electronic summons system.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 1138 - Petersen (34) Parking on public highways; allows counties and towns, by ordinance, to regulate.</p>	<p>1/13/2009 Senate: Referred to Committee on Transportation 1/22/2009 Senate: Reported from Transportation (11-Y 4-N) 1/28/2009 Senate: Passed Senate (30-Y 9-N) 2/11/09 House: Referred to Committee on Transportation 2/18/2009 House: Subcommittee recommends reporting with amendment(s) 2/19/2009 House: Reported from Transportation with amendments (22-Y 0-N) 2/24/2009 House: Rereferred to Transportation 2/28/2009 House: Left in Transportation</p>	<p>1/26/2009</p>
<p>Monitor (098235293) - Further review is needed. Summary: Regulation of parking on public highways. Allows counties and towns that may by ordinance regulate the parking of (i) watercraft, (ii) boat trailers, (iii) motor homes, and (iv) camping trailers also to regulate or prohibit vehicles transporting commercial freight externally. The bill also replaces circumlocutions with the names of the localities to which those circumlocutions apply.</p>		
<p>SB 1148 - Whipple (31) Income tax, state; livable home tax credit.</p>	<p>1/13/2009 Senate: Referred to Committee on Finance 2/11/2009 Senate: Incorporated by Finance (SB845-Puller) (16-Y 0-N)</p>	<p>1/26/2009</p>
<p>Support (098622352) - Board has historically supported state tax credit; position in Human Services Issue Paper. See also HB 1938 and SB 845. Summary: Income tax; livable home tax credit. Increases the individual tax credit limit from \$500 to \$1,000 for taxable years beginning on or after January 1, 2010.</p>		
<p>SB 1161 - Saslaw (35) Safety belts; makes non-use of a primary offense.</p>	<p>1/13/2009 Senate: Referred to Committee on Transportation 1/29/2009 Senate: Reported from Transportation with substitute (8-Y 6-N) 2/4/2009 Senate: Passed Senate (25-Y 15-N) 2/11/2009 House: Referred to Committee on Militia, Police and Public Safety 2/19/2009 House: Subcommittee recommends laying on the table (4-Y 1-N) 2/28/2009 House: Left in Militia, Police and Public Safety</p>	<p>1/26/2009</p>
<p>Support (093482324) - See also HB 2253, HB 2339, SB 970. Summary: Safety belts. Makes non-use of motor vehicle safety belts a "primary offense." This bill incorporates SB 970.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 1175 - Watkins (10) Property owned by locality; Cumberland County may levy and collect service charge.</p>	<p>1/13/2009 Senate: Referred to Committee on Finance 1/27/2009 Senate: Reported from Finance with substitute (16-Y 0-N) 2/2/2009 Senate: Stricken from Senate calendar (39-Y 0-N)</p>	<p>2/9/2009 1/26/2009</p>
<p>Monitor (092889348-S1) - Bill has been amended not to apply to Fairfax County. Oppose (092028348) - See also SB 1373. Summary: Taxation of property owned by locality. Provides that a service charge may be levied upon a county, city or town owning real or personal property within the boundaries of another locality. The service charge shall be equal to the amount that would be assessed as taxes on real property as if such property were otherwise subject to tax valuation and assessment.</p>		
<p>SB 1191 - Puckett (38) Process and service fees; increases certain sheriffs' fees.</p>	<p>1/13/2009 Senate: Referred to Committee for Courts of Justice 1/28/2009 Senate: Rereferred to Finance 2/4/2009 Senate: Reported from Finance (16-Y 0-N) 2/9/2009 Senate: Read third time and passed Senate (39-Y 1-N) 2/13/2009 House: Referred to Committee for Courts of Justice 2/17/2009 House: Incorporated by Courts of Justice (SB998-Miller, J.C.) by voice vote</p>	<p>2/9/2009 1/26/2009</p>
<p>Amend (098183300) Amend to remove the cap of 1994 revenue level for localities and allow money to go to localities; now money goes to the state, as written. Support (098183300) - Board discussion at Lines of Business meeting with Sheriff. Estimated \$100,000 per year in revenue. Summary: Process and service fees. Increases from \$25 to \$35 certain sheriffs' fees for levying upon property or serving an ejectment and from \$25 to \$50 for serving a writ of possession.</p>		
<p>SB 1239 - Barker (39) Pedestrians and drivers; responsibilities thereof at marked and unmarked crosswalks.</p>	<p>1/13/2009 Senate: Referred to Committee on Transportation 1/22/2009 Senate: Reported from Transportation with amendments (11-Y 4-N) 1/28/2009 Senate: Passed Senate (24-Y 16-N) 2/11/2009 House: Referred to Committee for Courts of Justice 2/18/2009 House: Referred to Committee on Militia, Police and Public Safety 2/19/2009 House: Subcommittee recommends no further action 2/28/2009 House: Left in Militia, Police and Public Safety</p>	<p>1/26/2009</p>
<p>Support (093820201) - Position in Legislative Program. See also HB 2386 and HB 2520. Summary: Pedestrians and drivers; responsibilities. Sets out the responsibilities of pedestrians and drivers at marked and unmarked crosswalks.</p>		

Bills	General Assembly Actions	Date of BOS Position
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<p><u>SB 1247</u> - Northam (6) Human Rights Act; adds sexual orientation to definition of unlawful discriminatory practice.</p>	<p>1/14/2009 Senate: Referred to Committee on General Laws and Technology 1/28/2009 Senate: Stricken at request of Patron in General Laws and Technology (15-Y 0-N)</p>	<p>1/26/2009</p>
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Support (092354286) - Board has historically supported.

Summary: Virginia Human Rights Act; sexual orientation. Adds sexual orientation to the definition of unlawful discriminatory practice in the Virginia Human Rights Act. The bill also removes the provision limiting private causes of action to where the employers employed more than five but less than 15 persons.

<p><u>SB 1252</u> - Petersen (34) Green Public Buildings Act; certain new or renovated buildings to be built to certain standards.</p>	<p>1/14/2009 Senate: Referred to Committee on General Laws and Technology 2/4/2009 Senate: Reported from General Laws and Technology with substitute (15-Y 0-N) 2/9/2009 Senate: Passed Senate (40-Y 0-N) 2/11/2009 House: Referred to Committee on General Laws 2/17/09 House: Reported from General Laws (22-Y 0-N) 2/17/09 House: Referred to Committee on Appropriations 2/19/2009 House: Subcommittee recommends laying on the table 2/28/2009 House: Left in Appropriations</p>	<p>2/9/2009</p>
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Support w/ Amend. (092362802) - Support with amendments to make legislation more flexible for local governments, including certification programs that may be developed in the future. See also HB 2387.

Summary: Green Public Buildings Act. Requires public bodies entering the design phase for construction of a new building greater than 5,000 gross square feet in size, or renovating such a building where the cost of renovation exceeds 50 percent of the value of the building, to build to either the Green Globes Green Building Initiative green building rating standard or the United States Green Building Council Leadership in Energy and Environment Design green building rating standard (LEED). The bill also provides that such buildings shall be designed, constructed, verified, and operated to achieve energy savings that exceed the American Society of Heating, Refrigerating and Air-Conditioning Engineers (ASHRAE) Standard 90.1-2004 by at least 15 percent for new construction and 10 percent for major renovation and that the water systems designed for such buildings be required to provide water use savings of at least 25 percent over the baseline standard established in the federal Energy Policy Act of 1992. Exemptions from the requirement may be granted by the Director of the Department of General Services for state construction projects or the governing body of a locality or school board for local projects. The provisions of the bill do not apply to local public bodies and school boards until July 1, 2010.

Bills	General Assembly Actions	Date of BOS Position
<p>SB 1257 - Marsh III (16) Firearms; criminal records check performed at a gun show before vendor may transfer.</p>	<p>1/14/2009 Senate: Referred to Committee for Courts of Justice 1/26/2009 Senate: Reported from Courts of Justice with amendments (8-Y 7-N) 2/3/2009 Senate: Read third time and defeated by Senate (18-Y 22-N) 2/3/2009 Senate: Reconsideration of defeated action agreed to by Senate (40-Y 0-N) 2/4/2009 Senate: Read third time and defeated by Senate (19-Y 21-N)</p>	<p>2/9/2009</p>
<p>Support (091529264) Summary: Transfer of firearms; criminal records check; penalties. Adds a definition of "firearms show vendor" and requires that a criminal history record information check be performed on the prospective transferee before the vendor may transfer firearms at a gun show. Under current law, only licensed dealers must obtain such a check. The bill also adds a definition of "promoter" and requires that the promoter of a gun show provide vendors with access to licensed dealers who will conduct the criminal background check.</p>		
<p>SB 1260 - Vogel (27) Health insurance; mandated coverage for autism spectrum disorder.</p>	<p>1/14/2009 Senate: Referred to Committee on Commerce and Labor 2/9/2009 Senate: Reported from Commerce and Labor with substitute (15-Y 0-N) 2/9/2009 Senate: Rereferred to Finance 2/10/2009 Senate: Reported from Finance with amendment (11-Y 5-N) 2/10/2009 Senate: Recommitted to Finance 2/11/2009 Senate: Left in Finance</p>	<p>1/26/2009</p>
<p>Support (097809338) - See also HB 1588. Summary: Requires health insurers, health care subscription plans, and health maintenance organizations to provide coverage for the diagnosis and treatment of autism spectrum disorder in individuals under age 21. Coverage is subject to an annual maximum benefit of \$36,000.</p>		
<p>SB 1272 - Vogel (27) Tax and fee legislation; requires sunset dates on all and on those existing that are increased.</p>	<p>1/14/2009 Senate: Referred to Committee on Rules 2/6/2009 Senate: Passed by indefinitely in Rules (17-Y 0-N)</p>	<p>1/26/2009</p>
<p>Oppose (097816338) - Restricts local taxing authority. See also HB 1730. Summary: Tax and fee legislation; sunset dates. Requires a sunset date on all bills that add new taxes or fees or increase the rate of existing taxes or fees. The sunset dates would be required for both state and local tax or fee bills.</p>		

Bills	General Assembly Actions	Date of BOS Position
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<p>SB 1373 - Ruff (61) Property owned by locality; service charge levied when property in boundary of another locality.</p>	<p>1/14/2009 Senate: Referred to Committee on Finance 1/27/2009 Senate: Incorporated by Finance (SB1175-Watkins) (16-Y 0-N)</p>	<p>1/26/2009</p>
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Oppose (092049320) - See also SB 1175.

Summary: Taxation of property owned by locality. Provides that a service charge may be levied upon a county, city, or town owning real or personal property within the boundaries of another locality. The service charge shall be equal to the amount that would be assessed as taxes on real property if such property were otherwise subject to tax valuation and assessment.

<p>SB 1408 - Norment, Jr. (3) Safety belt enforcement; allows for when violations are observed by officers at checkpoints.</p>	<p>1/14/2009 Senate: Referred to Committee on Transportation 2/5/2009 Senate: Rereferred to Courts of Justice 2/9/2009 Senate: Reported from Courts of Justice (15-Y 0-N) 2/10/2009 Senate: Passed Senate (40-Y 0-N) 2/13/2009 House: Referred to Committee on Militia, Police and Public Safety 2/19/2009 House: Subcommittee recommends no further action 2/28/2009 House: Left in Militia, Police and Public Safety</p>	<p>1/26/2009</p>
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Support (098378284)

Summary: Safety belt enforcement. Allows for primary enforcement of safety belt requirements when violations are observed by law-enforcement officers at traffic safety checkpoints.

<p>SB 1423 - Martin (11) Subdivision ordinances; requirement that each locality provide a checklist to potential developers.</p>	<p>1/14/2009 Senate: Referred to Committee on Local Government 2/3/2009 Senate: Passed by indefinitely in Local Government (15-Y 0-N)</p>	<p>1/26/2009</p>
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Oppose (094413268)

Summary: Subdivision ordinances. Provides that such ordinances shall include a requirement that each locality provide a checklist to potential developers that specifies what shall be shown on the development plans along with the legal authority for such requirement.

Bills	General Assembly Actions	Date of BOS Position
<p>SB 1436 - Howell (32) Crime victims; no law-enforcement officer shall inquire into immigration status of victim of crime.</p>	<p>1/16/2009 Senate: Referred to Committee for Courts of Justice 1/28/2009 Senate: Reported from Courts of Justice (15-Y 0-N) 2/3/2009 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2009 House: Referred to Committee on Militia, Police and Public Safety 2/19/2009 House: Subcommittee recommends laying on the table 2/28/2009 House: Left in Militia, Police and Public Safety</p>	<p>2/9/2009</p>
<p>Support (098605248) - Board supported bill last year. Summary: Crime victims; immigration status. Provides that no law-enforcement officer or other agent of state or local government shall, when investigating a crime, inquire into the immigration status of any person who reports that he is the victim of the crime or is the parent or guardian of a minor victim, or is a cooperating witness in the criminal investigation or is the parent or guardian of a minor witness. The bill does not prohibit a law-enforcement officer from inquiring into the immigration status of a victim or witness who has been arrested or charged with a criminal violation, or when such inquiry is required by federal law or is essential to the investigation or prosecution of the crime to which the person is a witness or of which the person is a victim.</p>		
<p>SB 1481 - Ruff (61) Criminal cases; allows circuit court clerk to assess local fee of up to 10% of total fees charged.</p>	<p>1/21/2009 Senate: Referred to Committee for Courts of Justice 1/28/2009 Senate: Rereferred to Finance 2/4/2009 Senate: Reported from Finance (15-Y 1-N) 2/9/2009 Senate: Read third time and passed Senate (33-Y 6-N) 2/13/2009 House: Referred to Committee for Courts of Justice 2/18/2009 House: Subcommittee recommends passing by indefinitely by voice vote 2/24/2009 House: Left in Courts of Justice</p>	<p>1/26/2009</p>
<p>Support (098784320) - Estimated at \$100,000 at current collection level. Summary: Allows the circuit court clerk to assess a local fee of up to 10 percent of the total fees charged in criminal cases to be retained by the clerk for use in the operation of the clerk's office.</p>		
<p>SB 1482 - Hanger, Jr. (24) Transportation Capital Projects Bond Act of 2007; repeals Act.</p>	<p>1/21/2009 Senate: Referred to Committee on Transportation 1/29/2009 Senate: Rereferred to Finance 2/11/2009 Senate: Left in Finance</p>	<p>2/9/2009</p>
<p>Oppose (098830232) Summary: Commonwealth Transportation Capital Projects Bond Act of 2007. Repeals the Commonwealth Transportation Capital Projects Bond Act of 2007.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 1502 - Barker (39) Safety belt use; extends requirement for all occupants of a motor vehicle.</p>	<p>1/23/2009 Senate: Referred to Committee on Transportation 1/29/2009 Senate: Reported from Transportation with amendment (8-Y 4-N 2-A) 2/5/2009 Senate: Passed Senate (24-Y 15-N) 2/11/2009 House: Referred to Committee on Militia, Police and Public Safety 2/19/2009 House: Subcommittee recommends passing by indefinitely 2/28/2009 House: Left in Militia, Police and Public Safety</p>	<p>2/9/2009</p>
<p>Support (093849201) Summary: Extends requirement for safety belt use to all occupants of a motor vehicle, not just those in the front seat.</p>		
<p>SB 1514 - Smith (22) Real estate tax; notice of change in assessment.</p>	<p>1/23/2009 Senate: Referred to Committee on Finance 2/5/2009 Senate: Left in Finance (16-Y 0-N)</p>	<p>2/9/2009</p>
<p>Oppose (099813804) - Board has historically opposed. See also HB 2601. Summary: Real property tax; notice of change in assessment. Requires that the notice of a new assessment (i) be sent to the taxpayer at least 30 days prior to the date of a hearing to protest the assessment, and (ii) contain specific information regarding the new tax levy and the prior year's tax levy.</p>		
<p>SJ 290 - Obenshain (26) Constitutional amendment; establishes limitations on takings of private property.</p>	<p>12/23/2008 Senate: Referred to Committee on Privileges and Elections 2/3/2009 Senate: Passed by indefinitely in Privileges and Elections (8-Y 7-N)</p>	<p>1/26/2009</p>
<p>Oppose (098384288) - Board has historically opposed. Summary: Establishes limitations on takings of private property. Except for property taken for public service companies or railroads, property may not be taken if the primary purpose of the taking is private financial gain, private benefit, an increase in tax base or tax revenues, or an increase in employment. No more property shall be taken than is necessary to achieve the stated public use.</p>		
<p>SJ 349 - Newman (23) Constitutional amendment; localities to cap annual increase in assessed values of real estate.</p>	<p>1/14/2009 Senate: Referred to Committee on Privileges and Elections 1/27/2009 Senate: Passed by indefinitely in Privileges and Elections (10-Y 4-N)</p>	<p>1/26/2009</p>
<p>Oppose (091202280) Summary: Authorizes localities to cap the annual increase in assessed values of real estate at no more than 25 percent or a greater percentage set by the ordinance. The real estate will be reassessed at fair market value in the year in which it is sold, improved, or otherwise changes hands.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SJ 353 - McEachin (9) Local government; distribution of state and local taxes therefor.</p>	<p>1/14/2009 Senate: Referred to Committee on Rules 2/6/2009 Senate: Reported from Rules with substitute by voice vote 2/10/2009 Senate: Agreed to by Senate by voice vote 2/11/2009 House: Referred to Committee on Rules 2/17/2009 House: Tabled in Rules (11-Y 4-N)</p>	<p>1/26/2009</p>
<p>Support (092830273) Summary: Study; distribution of taxes to local governments; report. Establishes a joint subcommittee to study the processes and the accuracy of the distribution of local taxes and state taxes collected by state entities for local governments.</p>		
<p>SJ 356 - Smith (22) Teenage driving; joint subcommittee to study.</p>	<p>1/14/2009 Senate: Referred to Committee on Rules 2/6/2009 Senate: Reported from Rules by voice vote 2/10/2009 Senate: Agreed to by Senate by voice vote 2/11/2009 House: Referred to Committee on Rules 2/19/2009 House: Subcommittee recommends passing by indefinitely by voice vote 2/28/2009 House: Left in Rules</p>	<p>2/9/2009</p>
<p>Support (093845201) Summary: Study; teenage driving; report. Establishes a joint subcommittee to study teenage driving and ways to help teenagers become safer drivers.</p>		