



County of Fairfax, Virginia

MEMORANDUM

DATE: February 17, 2015

TO: Board of Supervisors

FROM: Edward L. Long, Jr., County Executive

SUBJECT: 2015 Legislative Report No. 2—Board Legislative Committee Meetings of January 30 and February 13, 2015

With less than two weeks remaining in the 2015 General Assembly session, negotiations on the state budget are now a top priority for both houses, although committees are still meeting on other legislation ahead of the February 23 deadline for committee action. The House Appropriations and Senate Finance committees reported their respective budgets on February 8. On February 12, the House passed its budget by a vote of 81-18, and the Senate budget passed unanimously. By February 18, the House and Senate must reject each other's budgets and appoint members of the conference committee. As the budget moves into the conference process, staff will work with the County's representatives on the conference committee on County priorities and will keep the Board informed as negotiations unfold.

The Legislative Committee met on January 30 and February 13 to consider several issues of importance to the County, and the Committee offers the following report and recommendations for action to the Board.

Legislative Committee Actions of January 30, 2015:

Members Present: Legislative Chairman McKay
Chairman Bulova
Supervisor Cook
Supervisor Foust
Supervisor Gross
Supervisor Smyth

Specific Issues

Member Budget Amendments: The Committee received a handout on member budget amendments (see handwritten pages 72-77).

Ethics Reform: The Committee received a handout on bills pertaining to ethics and conflicts of interest (see handwritten pages 78-80).

Priority Principles for Reviewing Legislation

- 1. Adequately fund K-12 education.**
- 2. The Commonwealth should continue and build upon the successful enactment of significant, new transportation revenues by the 2013 General Assembly.**
- 3. Restore the funding partnership between the state and localities with adequate state funding.**
- 4. Preserve local government authority, particularly in taxation and land use; allow greater flexibility in the administration of government.**

Specific Legislation

Fairfax County Legislative Summary: The Committee discussed the status of legislation in which the Committee had previously taken positions. The Committee's positions on these bills are noted in the attached tracking chart.

New Bills-2015 General Assembly

Education

HJ 633 (Landes) (HPE) Permits the General Assembly to grant to the Board of Education the power and duty to assume the operation or supervision of one or more schools within a school division on a temporary basis when necessary to ensure that an educational program of high quality is established and continually maintained, or establish, maintain, or operate one more elementary or secondary schools pursuant to Section 9 of Article VIII of the Constitution of Virginia. Oppose; consistent with Board's opposition to the Opportunity Educational Institution. Concern about potential diversion of local funding. (15100971D)

Elections

HB 1318 (Campbell) (HPE) requires that any voter submitting his application for an absentee ballot by mail or by electronic or telephonic transmission to a facsimile device shall submit with his application a copy of one of the forms of identification acceptable under current law. Currently, only a voter who completes his application for an absentee ballot in person is required to show a form of identification. Oppose. (15100844D)

Health and Human Services

HB 2258 (Head) (HHWI) eliminates a requirement that physicians serving as members of screening teams for community-based long-term care services as defined in the state plan for medical assistance be an employee of the Department of Health or the local department of social services; eliminates the requirement that the Department of Medical Assistance Services (the Department) contract with an acute care hospital for institutional screenings for long-term care services as defined in the state plan for medical assistance, so that the Department may but is not required to contract with acute care hospitals for such screenings; and allows the Department to contract with one or more vendors to receive, conduct, track, and monitor requests for all community-based and institutional long-term care screenings. The bill also requires the Board of Medical Assistance Services to promulgate regulations to implement the bill's provisions within 280 days and allows the Board to implement changes necessary to implement the bill's provisions upon its passage and prior to the promulgation of regulations. Oppose unless amended to remove mandate that a private provider assume the UAI activities currently performed successfully by County staff. (15103266D)

Land Use

HB 2327 (Leftwich) (HCCT) provides that localities shall not require a landowner to make offsite improvements or make dedications of land as a condition of use of an existing parcel when such use is a permitted use pursuant to the zoning ordinance and when existing public facilities are available to such parcel. Oppose. (15103114D)

HB 2351 (Leftwich) (HCCT) provides that no locality shall condition the approval of a subdivision plan, site plan, plat, or construction plan, or condition the issuance of any required occupancy permit for occupancy of such property or the structures thereon, upon the consent or permission of any person or entity holding an easement over, under, or through the property that is the subject of such plan or plat. Oppose. (15103860D)

Public Safety

HB 1773 (Berg) (HED) / **SB 1132** (Garrett) (S. Floor) provides an exception to the crime of possessing a firearm on school property if a person has a valid concealed handgun permit and possession of a concealed handgun occurs outside normal school hours. The bill also provides an exception if a person with a concealed handgun permit stores a concealed handgun in a motor vehicle in a parking lot, traffic circle or other means of vehicular ingress or egress to the school; current law allows possession while the person is in the motor vehicle in one of those areas. Oppose. (15101291D-E, 15101684D)

SB 1158 (Garrett) (HGL) authorizes the use of consumer fireworks in the Commonwealth. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill provides that the storage and transportation of consumer fireworks are to be

considered the same hazard class as 1.4G explosives under the Statewide Fire Prevention Code (SFPC) and Uniform Statewide Building Code. In addition, the bill excludes from the provisions of the SFPC the use of consumer fireworks on residential or agricultural property with the consent of the owner of such property or when the fireworks are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes the use of permissive fireworks on private property. The provisions of the bill have a delayed effective date of January 1, 2016. Oppose.(15103254D)

Procurement

SB 1378 (Barker) (SGL) provides that a public body may purchase from the contract of a council of governments comprised of public bodies. The bill also provides that a public body may participate in, sponsor, conduct, or administer a cooperative procurement agreement on behalf of or in conjunction with a council of governments comprised of public bodies. Support. (15103522D)

Transportation

HB 2294 (Joannou) (HTRAN) requires comprehensive agreements between the responsible public entity and a private entity to be approved by both houses of the General Assembly. Oppose. (15103693D)

HB 2296 (Joannou) (HTRAN) requires approval by the General Assembly before the imposition or collection of tolls or user fees on any interstate, primary, or secondary highway, on any project undertaken pursuant to the PPTA, or by the HRTAC, NVTA, or RMTA. Oppose. (15103519D)

Hampton Roads Transportation Accountability Commission (HRTAC)

HB 2297 (Joannou) (HTRAN) requires approval of the General Assembly prior to the imposition or collection of any tolls or user fees on a project undertaken pursuant to the Public-Private Transportation Act of 1995 or by the Hampton Roads Transportation Accountability Commission. Monitor. (15103764D)

Study

HJ 603 (Knight) (HRUL) establishes a joint subcommittee to study the prevention of sexual violence on college campuses in Virginia. In conducting its study, the joint subcommittee must (i) ascertain the breadth of the problem of sexual violence on public and private college campuses in the Commonwealth; (ii) review all relevant state and federal laws, regulations, and policies to identify appropriate ways in which sexual violence may be abated; (iii) assess the policies, process, and procedures for reporting crimes of sexual violence used by colleges and universities in the Commonwealth; (iv) determine whether any institutions of higher education in the Commonwealth have pending U.S. Department of Education Office for Civil Rights investigations for the manner in which allegations and reports of sexual violence have been

managed; (v) collaborate with other local, state, federal, college, and community advocates and police departments and entities to address the problem throughout the Commonwealth's higher education and criminal justice systems and among parents and students; (vi) make recommendations to ensure safe college and university campuses throughout the Commonwealth; and (vii) carry out any other duties the joint subcommittee deems proper to facilitate the study. The joint subcommittee must submit its report to the Governor and the 2016 Session of the General Assembly. Support. (15103081D)

Legislation Provided for Discussion

HB 2042 (Filler-Corn) (HTRAN) directs VDOT to amend its regulations to permit food truck vending on state highway rights-of-way. Support concept; amend to provide local authority to regulate consistent with the County's zoning ordinance. (15102195D; *proposed substitute was also discussed*)

HB 1662 (Rust) (H. Floor) / **SB 1025** (Watkins) (HTRAN) establishes a process for the licensing of transportation network companies (TNCs) by the Department of Motor Vehicles (DMV), provided that TNCs comply with the requirements for licensure. The bill requires TNCs to screen drivers (TNC partners), ensure that all drivers are at least 21 years old and properly licensed to drive, and conduct background checks on all drivers including criminal background, driving history, and status on the sex offender registry.

The bill also requires that TNC partner vehicles be titled and registered personal vehicles; be insured; have a maximum seating capacity of no more than seven persons, excluding the driver; be registered with DMV for TNC use; and display TNC and DMV identification markers. The bill further requires that TNC drivers be covered by a specific liability insurance policy. The bill also imposes several other operational requirements, including requirements that the TNC provide a credential to the driver and disclose information about the TNC partner and TNC policies to passengers, and specifies the nature and limits of the insurance coverage.

The bill authorizes DMV to conduct periodic reviews of the TNC to confirm compliance and authorizes fees to cover DMV's costs of administering the program, including an annual fee of \$50 per TNC partner vehicle, an initial TNC license fee of \$70,000, and an annual license renewal fee of \$3,000. The bill requires DMV to review the fee structure and report by December 1, 2016. (15104305D-H1/ 15104207D-S2)

Legislation Requiring Further Review

HB 1414 (Marshall, R.G.) (HGL) provides that a person shall not be required to perform, assist, consent to, or participate in any action or refrain from performing, assisting, consenting to, or participating in any action as a condition of obtaining or renewing a government-issued license, registration, or certificate where such condition would violate the religious or moral convictions of such person with respect to same-sex marriage or homosexual behavior. (15101161D)

HB 1488 (Pogge) (H. Floor) prohibits the owner of a fee interest in land that is subject to a conservation easement accepted on or after July 1, 2016, from receiving certain tax benefits or tax credits if the easement is co-held, contains a third-party right of enforcement, or omits notice of the holder's enforcement guidelines. The bill also requires the holder's enforcement guidelines, if the fee owner is to receive the tax benefits, to define "agriculture" to include small-scale family farming practices. The bill removes from the list of parties that have legal standing to bring an action affecting a conservation easement the Virginia Historic Landmarks Board, a person with a third-party right of enforcement, the local government, and any other agency or person with standing under other laws. The bill authorizes the Virginia Outdoors Foundation (VOF) to issue decisions on disputes over the interpretation of easement instruments where those disputes are not already in litigation. The bill requires the Foundation, in deciding such cases, to follow the Administrative Process Act, except that it is required to construe ambiguous easement terms in favor of the landowner and to construe "agriculture" to include small-scale family farming practices. The bill also requires the Department of Conservation and Recreation to report, without identifying them, individual easement donations and requires the Joint Legislative Audit and Review Commission to conduct an annual public hearing to assess whether private holders of conservation easements comply with best practices. (15104154D-H1)

HB 1467 (Marshall, R.G.) (HED) permits a school board or an administrator of a private school to designate one or more qualified person for every school who may carry a concealed handgun on school property. Such qualified persons include certain school division employees, certain school volunteers who carry valid concealed handgun permits, and certain retired law-enforcement officers. Any person designated to carry a concealed handgun must be certified and trained by the Virginia Center for School and Campus Safety or the National Rifle Association in the storage, use, and handling of a concealed handgun. The bill also outlines the training requirements for designated persons to be established by the Department of Criminal Justice Services. (15102750D)

HB 1793 (Stolle) (HGL) requires the Department of Housing and Community Development to amend administrative regulations by December 31, 2015, to require that where the total number of parking spaces provided exceeds 25, at least one-quarter of disabled parking spaces be designated as wheelchair access only. (15101660D)

HB 2204 (Jones) (HAPP) revises the Line of Duty Act (the Act) by codifying revisions to the Act in the appropriation act, transferring overall administration of the Act to the Virginia Retirement System, transferring administration of health insurance benefits under the Act to the Department of Human Resource Management, and providing for an administrative appeal process. The bill becomes effective July 1, 2016. (15103624D)

SB 1300 (Newman) (SRSS) provides that the Northern Virginia Training Center shall not be closed prior to December 31, 2016, and shall not be declared surplus on any land use plan developed by the Department of Behavioral Health and Developmental Services. The bill directs the Secretary of Health and Human Resources to identify by November 30, 2015, at least three training centers that shall not be subject to closure and requires such training centers

to remain open and to continue to accept new admissions of individuals with intellectual disability for whom treatment in a training center is appropriate. (15101457D)

Education

HB 1698 (Wilt) (HED) requires each school board, in any case in a questionnaire or survey requesting that students provide sexual information, mental health information, medical information, information on student health risk behaviors, other information on controlled substance use, or any other information that the school board deems to be sensitive in nature is to be administered, to give the parent 30 days' electronic and written notice of the nature and types of questions, the purposes and age-appropriateness of the questionnaire or survey, how such information will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results will be disclosed. The bill gives the parent the right to request that an advance copy of the questionnaire or survey be sent to him, to review the document in person at the school, and to exempt his child from participation. Under current law, (i) such written notice only applies to surveys or questionnaires on sexual information and information on student health risk behaviors, (ii) the detailed contents of the notice only apply to information on student health risk behaviors, and (iii) the parent has the right to review questionnaires and surveys but no right to request that a copy be sent to him. (15100565D)

SB 823 (Miller) (HED) requires at least 20 minutes of physical activity per day or an average of 100 minutes per week during the regular school year for students in grades kindergarten through five. This requirement becomes effective beginning with the 2017-2018 school year. (15101177D)

Elections

HB 1574 (Pogge) (HPE) requires that a person registering to vote provide proof of United States citizenship in a form specified by the State Board of Elections (15102008D)

HB 2158 (Sickles) (HPE) provides for a quarterly schedule for special elections. Every special election is required to be held on the first Tuesday following the first Monday in February, May, August, or November. The bill requires that (i) a vacancy occurring more than 55 days prior to the date of the next quarterly special election be filled at that next quarterly special election and (ii) a vacancy occurring within the 55 days prior to the date of the next quarterly special election be filled at the second quarterly special election following such vacancy. The bill also amends the deadlines for the quarterly special election dates that do not fall on the date of a May or November general election, by which independent candidates are required to file declarations of candidacy and petitions and political parties are required to nominate candidates. The bill exempts from the quarterly special election schedule and the deadlines for filing by candidates or for nominating candidates, those vacancies in the General Assembly that occur after the date of the November quarterly special election but before the second Wednesday in January and permits such vacancies to be filled at a special election held on any

date, provided the date is a Tuesday and the writ otherwise complies with current law. (15101785D)

HB 2056 (Sickles) (HPE) requires the Department of Elections to provide lists of registered voters at a reasonable cost to any person requesting such lists for political or governmental purposes. Current law permits the provision of such lists only to specific persons or entities. The bill requires persons receiving such lists to sign a statement, subject to felony penalties for making false statements, that the list is government property and is to be used only for political or governmental purposes, and repeals a redundant section related to such statement. The bill also requires the local electoral boards to provide to the Department of Elections within 14 days after the election the list of persons who voted, including those who voted provisionally and were determined to be entitled to vote. Current law requires the list be submitted within 60 days. The bill also contains technical amendments to reflect the administrative reorganization of the Department of Elections that took effect July 1, 2014. (15101760D)

SB 711 (Edwards) (SPE) requires general registrars to conduct and complete within 30 days of the receipt of precinct lists from the State Board a cross-check of precinct list voters with voter registration data supplied by other states in the interstate cross-check system developed under current law by the State Board. The bill requires the State Board to grant an extension of up to 30 days to complete the cross-check if so requested by a general registrar within 48 hours of initial receipt of the precinct list. The bill requires the general registrars to, at a minimum, compare the Virginia Voter Registration System registration history and Virginia voting history of precinct list voters with the out-of-state registration data provided in the interstate cross-check system and prohibits the cancellation of a voter's registration within 90 days prior to a primary or general election solely on the basis of the interstate cross-check. The provisions of the bill are contingent on funding in a general appropriation act passed in 2015 by the General Assembly that becomes law. (15100897D)

Procurement

HB 1835 (Gilbert) (HGL) clarifies that small purchase procedures include the procurement of construction and that any such procedures shall not waive compliance with the Uniform State Building Code. The bill also increases contract amounts for job order contracting and provides that (i) order splitting with the intent of keeping a job order under the maximum dollar amounts prescribed is prohibited, (ii) no public body shall issue or use a job order solely for the purpose of procuring professional architectural or engineering services, and (iii) job order contracting shall not be used for construction, maintenance, or asset management services for a highway, bridge, tunnel, or overpass. The bill clarifies the provisions of the VPPA related to cooperative procurement and requires that by October 1, 2017, the Department of Small Business and Supplier Diversity, public institutions of higher education having level 2 or 3 authority under the Restructured Higher Education Financial and Administrative Operations Act of 2005, any state agency utilizing job order contracting, and the Virginia Association of Counties, the Virginia Municipal League, and the Virginia Association of Governmental Purchasing on behalf of local public bodies working cooperatively report their respective experiences and findings relating to the appropriateness and effectiveness of job order contracting in general,

the job order project cost limitations as added by this bill, and the architectural and professional engineering term contract limits to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology. The bill further provides that its provisions shall not apply to any solicitation issued or contract awarded before July 1, 2015, except that the provisions of subsection B of § 2.2-4303.2, as added by this bill, shall apply to any renewal of a job order contract. The bill contains numerous technical amendments and is a recommendation of the General Laws Special Joint Subcommittee Studying the Virginia Public Procurement Act. (15101672D)

HB 1540 (Albo) (HGL) clarifies that small purchase procedures include the procurement of construction and that any such procedures shall not waive compliance with the Uniform State Building Code. The bill also increases contract amounts for job order contracting and provides that (i) order splitting with the intent of keeping a job order under the maximum dollar amounts prescribed is prohibited, (ii) no public body shall issue or use a job order solely for the purpose of providing professional architectural or engineering services that constitute the practice of architecture or the practice of engineering; however, professional architectural or engineering services may be included on a job order where such professional services are (a) incidental and directly related to the job and (b) no more than 25 percent of the construction cost, not to exceed \$60,000, and (iii) job order contracting shall not be used for construction, maintenance, or asset management services for a highway, bridge, tunnel, or overpass. The bill removes the provision that allows a public body to discuss nonbinding estimates of total project costs, life-cycle costing, and, where appropriate, nonbinding estimates of price for services. The bill provides that negotiations may be held on proposed terms and conditions set out in the Request for Proposal. The bill also clarifies the provisions of the VPPA related to cooperative procurement and requires that by October 1, 2017, the Department of Small Business and Supplier Diversity; public institutions of higher education having level 2 or 3 authority under the Restructured Higher Education Financial and Administrative Operations Act of 2005; any state agency utilizing job order contracting; and the Virginia Association of Counties, the Virginia Municipal League, and the Virginia Association of Governmental Purchasing, on behalf of local public bodies working cooperatively, report their respective experiences and findings relating to (1) the appropriateness and effectiveness of job order contracting in general, (2) the project cost limitations set forth in subsections B and D of § 2.2-4303.1 as added by this bill, and (3) the architectural and professional engineering term contract limits set forth in § 2.2-4303.1 to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology. The bill further provides that its provisions shall not apply to any solicitation issued or contract awarded before July 1, 2015, except that the provisions of subsection B of § 2.2-4303.2, as added by this bill, shall apply to any renewal of a job order contract. The bill contains numerous technical amendments. (15102721D)

HB 1703 (Morefield) (HGL)/ **SB 863** (Chafin) (SGL) clarifies that small purchase procedures for purchases not expected to exceed \$100,000 may be used to procure construction. Under the bill, where small purchase procedures are adopted for construction, the procedures may not waive compliance with the Uniform Statewide Building Code. (15102851D, 15102336D)

SB 885 (Petersen) (SGL) changes the definition of small business to require the business, together with affiliates, to have 250 or fewer employees and average annual gross receipts of \$10 million or less averaged over the previous three years. Currently, a small business is required to meet one or the other of these conditions. This bill is a recommendation of the General Laws Special Joint Subcommittee Studying the Virginia Public Procurement Act. (15100878D)

Transportation

HB 1746 (Ingram) (HTRAN) provides that wherever a bicycle path or trail designated by the Department of Conservation and Recreation, a bicycle lane, or a shared-use path is available to bicyclists as an alternative to a roadway available for motor vehicles, bicyclists are required use those paths, lanes, and trails and are prohibited from using roadways available for operation of motor vehicles. (15100041D)

HB 2390 (Futrell) (HGL) creates the Virginia Infrastructure Investment Authority to manage and administer the Virginia Infrastructure Investment Bank. The Bank would consist of private investment funds, and other public and private monies designated for the Bank, and would provide loans and other financing assistance to public and private infrastructure projects that create jobs and stimulate economic development. (15103199D)

Tolls

HB 2310 (James) (HTRAN) provides for increased access to DMV records and other enhanced means of collection of penalties for toll violations. (15103743D)

HB 2340 (Marshall, R.G.) (HCL) requires State Corporation Commission approval to impose tolls and user fees and for a responsible public entity to enter into comprehensive and interim agreements with private entities. (15103117D)

HB 2344 (Ramadan) (HCL) amends the powers and responsibilities of the State Corporation Commission (SCC) to regulate toll road operators under the Virginia Highway Corporation Act of 1988. The measure adds requirements that toll rates not materially discourage the public's use of the toll road, that the cost of operating the toll road be reasonably apportioned across all toll road users based on the relative distance each class of user travels on the toll road such that the toll rates are established in a reasonable and nondiscriminatory manner in relation to the benefit obtained, and that toll rates shall the operator with no more than a reasonable return. In addition, the measure (i) requires the SCC, by October 1, 2015, to initiate an investigation into the tolls charged by all operators subject to the Act and to issue a ruling by April 1, 2016, on its investigation as to whether the current tolls charged by the operator comply with such new requirements; (ii) prohibits the SCC from using the fact that any incremental return resulting from increased traffic related to a relative change in potential toll users that is greater than zero on a cumulative basis as the sole basis for finding that the operator's return exceeds a reasonable level as specified in such new requirements, during any future complaint proceeding; (iii) requires the SCC, in its initial investigation to develop a baseline from which

it can measure the relative change in potential toll users, and directs how the incremental return shall be computed; (iv) prohibits an operator from seeking a toll increase that attempts to raise its return above the reasonable level; (v) requires the full disclosure, in public financial reports to the SCC, of the details of any related party transactions; and (vi) establishes a presumption that any related party transactions shall be presumed to be imprudent and excluded from costs used for any purpose, including but not limited to costs of lobbyists, excessive compensation, and entertainment expenses, unless the operator provides information showing at least three separate competitive bids demonstrate that the operator could not have achieved better contract terms from a third party. (15103556D)

Utilities

HB 1475 (Ware) (Passed House) establishes a procedure under which a natural gas utility may seek State Corporation Commission (SCC) approval of a system expansion plan that includes, among other things, a schedule for recovery of eligible system expansion infrastructure costs through a system expansion rider and a methodology for deferral of unrecovered eligible system expansion costs. A system expansion plan and system expansion rider shall allocate and charge costs in accordance with cost causation principles in order to avoid any undue cross-subsidization between rate classes. The SCC is barred from examining other revenue requirement or ratemaking issues in its consideration of the natural gas utility's application. Costs recovered under this measure shall be in addition to all other costs that the natural gas utility is permitted to recover, shall not be considered an offset to other approved costs of service or revenue requirements, and shall not be included in any computation relative to a performance-based regulation plan revenue-sharing mechanism. The authorization and encouragement of the expansion of natural gas infrastructure and the promotion of the use of natural gas are declared to be in the public interest. Allowing Virginia's natural gas utilities to approach expansion of intrastate infrastructure into unserved and underserved areas on a more proactive basis by expanding, improving, and increasing the reliability of Virginia's energy infrastructure is also declared to be in the public interest. (15104079D-H1)

HB 1848 (Marshall, D.W.) (HCCT) provides that a locality that owns an interest in a cooperative utility shall have authority to sell that interest to another company that will own, manage, and control the provision of such utility to the residents within such locality. (15101290D)

HB 2333 (Marshall, R.G.) (HCL) establishes a pilot program for the placement of a new electrical line of 230 kilovolts or more to be placed underground. The bill establishes criteria for participation in the project. The costs of the project shall be recoverable through a rate adjustment clause and entirely assigned to the utility's Virginia jurisdictional customers. (15103769D)

SB 1458 (Stuart) (SLG) provides that local ordinances to adopt a cable franchise shall require that a cable operator make service available in areas where the average occupied residential household density is not less than 20 occupied residential dwelling units per mile as measured from the nearest dwelling with existing cable service. The current statute requires a standard of

not less than 30 occupied residential dwelling units per mile as measured from the nearest technically feasible point on the cable operator's active cable system. (15104198D)

SB 1169 (Hanger, Jr.) (SCL) conditions a natural gas utility's exercise of its authority to enter upon the property of a landowner without his permission upon the adoption by the local governing body of the city or county in which the property is located expressing support for the gas line or works. The governing body may only adopt such a resolution if it finds that locating the line or works within the locality is consistent with its comprehensive plan and that there exists a demonstrated public need for the line or works. (15102840D)

Workers' Compensation

HB 2264 (Lingamfelter) (HCL) removes from the definition of toxic substance, for purposes of the Virginia Workers' Compensation Act, the requirement that the substance cause, or be suspected to cause, leukemia or other specific types of cancer. There currently exists a presumption that when certain employees have contact with a known or suspected carcinogen that causes, or is suspected to cause, leukemia or other specific types of cancer and then develop such a malady, the malady is an occupational disease covered by the Act. The measure also substitutes colorectal cancer for rectal cancer on the list of the types of cancer for which this presumption may exist. (15103993D)

Legislation to be Monitored by Staff; State Revenue/Policy Implications

HB 1827 (Scott) (H. Floor) exempts routine highway maintenance projects of the Virginia Department of Transportation from the requirements of the Erosion and Sediment Control Act, including the reduction of flow runoff rates. This exemption is consistent with the exemption for similar routine highway maintenance projects under the Stormwater Management Program. (15101372D)

HB 1866 (Stolle) (HAPP) allows the Director of the Department of Conservation and Recreation to make loans from the Dam Safety, Flood Prevention, and Protection Assistance Fund of up to \$300,000 to be used to elevate or flood-proof primary and secondary single-family homes, owner-occupied rental housing of not more than four units, and businesses. To be eligible, homeowners' and business owners' structures must be subject to coastal flooding and located in either Zone VE or Coastal Zone AE, as defined by the Federal Emergency Management Agency and the National Flood Insurance Program. (15104362D-H1)

SB 693 (Martin) (S. Floor) permits a person or organization, such as an animal shelter or humane society, to trap and sterilize a feral cat before returning it to the site where it was trapped, or to a suitable alternative site. The bill excludes a participant in such an activity from the definition of "owner" regarding custody of the subject cat; under current law, abandonment of an animal by an owner is a misdemeanor. The bill also exempts a participant from liability to the owner of a feral cat for capturing, sterilizing, releasing, or providing medical care to the cat. (15100927D)

SB 755 (Saslaw) (HCCT) replaces a detailed metes and bounds description of the city boundary with references to the relevant legislative acts and a court order. (15103342D-S1)

SB 841 (Lucas) (SLG) removes the requirement that counties, except as otherwise required by law, publish notice of an intention to propose an ordinance for two weeks in a newspaper having a general circulation. The bill contains technical amendments. (15101932D)

SB 1047 (Hanger, Jr.) (SLG) clarifies the requirement that a local stormwater utility waive charges to property that is covered by a permit to discharge stormwater from a municipal separate storm sewer system (MS4) and owned by a government or public entity, regardless of whether the property is titled in the name of the permit holder. (15100925D)

SB 1256 (Smith) (SLG) allows localities required to advertise legal notices by publication in a newspaper of general circulation in the locality or posting on the locality's website to advertise such notices on radio or television in lieu of or in addition to such publication or posting. (15102370D)

Constitutional Amendments

HJ 577 (Bell, R.B.) (HPE) grants the Board of Education authority, subject to criteria and conditions prescribed by the General Assembly, to establish charter schools within the school divisions of the Commonwealth. (15101631D)

SJ 256 (Obenshain) (SPE) grants the Board of Education authority, subject to criteria and conditions prescribed by the General Assembly, to establish charter schools within the school divisions of the Commonwealth. (15100782D)

Energy/Environment

HB 1446 (Marshall, D.W.) (HCCT) expands the requirements of a local ordinance authorizing contracts to provide loans for clean energy improvements. The bill adds water efficiency improvements to the list of improvements for which loans may be offered; allows a locality to contract with a third party to administer the loan program; and requires a locality to identify any administrative fee it intends to impose on participants and sets parameters for the imposition of that fee. The bill also details the priority, enforceability, and other characteristics of the lien, now called a voluntary special assessment lien, that a locality is permitted to place against the property where the clean energy systems are installed. Finally, the bill directs the Department of Mines, Minerals and Energy (DMME) to develop underwriting guidelines for local loans made to finance clean energy improvements. The bill requires DMME to finalize the guidelines by December 1, 2015, incorporating input from certain groups representing real estate, energy efficiency, banking, and other interests or industries and evaluating certain specific criteria. This bill is a recommendation of the Virginia Housing Commission. (15101999D)

SB 1103 (McWaters) (S. Floor) allows any locality by ordinance to prohibit the distribution, sale, or offer of disposable plastic shopping bags to consumers. The bill exempts from any such prohibition reusable bags of a certain thickness; bags that are used to carry certain products, such as ice cream or newspapers; and garbage bags that are sold in multiples. (15101066D)

Health and Human Services

HB 1931 (Anderson) (HCT) establishes a national criminal history record check requirement for licensure as a child welfare agency, for approval as a family day home by a family day system, for approval as a foster or adoptive parent; for employment or to volunteer at a child welfare agency or family day home; and for all adults residing in a home in which a family day home is operated. This bill includes a delayed effective date. (15103485D)

SB 779 (McWaters) (HCT) increases from 96 to 120 hours the length of time a minor 14 years of age or older who objects to admission for inpatient treatment or who is incapable of making an informed decision may be admitted to a willing mental health facility. The bill also amends the criteria for admitting an objecting minor 14 years of age or older for psychiatric treatment to match the criteria for determining whether a nonobjecting minor or a minor younger than 14 years of age should be admitted. Finally, the bill provides that if a minor 14 years of age or older who did not initially object to treatment objects to further treatment, the mental health facility where the minor is being treated shall immediately notify the parent who consented to the minor's treatment and provide to such parent a summary of the procedures for requesting continued treatment of the minor. (15104086D-S1)

Land Use

SB 994 (Stuart) (SLG) requires that where a locality sets standards for the clustering of single-family dwellings and the preservation of open space, the standards may prohibit the division of a development's open space into discontinuous areas, require certain open space to be accessible to all dwellings in the development, and require certain open space to be usable by residents. The bill contains technical amendments. (15101256D)

Public Safety

HB 1553 (Marshall, D.W.) (H. Floor) provides that any locality may by ordinance establish a system to deliver emergency notifications to residents by email or text message. Such ordinance shall be adopted only after a public hearing and shall contain an opt-in provision. (15104135D-H1)

HB 2024 (BaCote) (HMPP) allows a locality to adopt an ordinance that prohibits firearms, ammunition, or components, or a combination thereof, in libraries owned or operated by the locality. (15103360D)

SB 721 (Marsden) (HCT) requires the agency seizing property to issue contemporaneously with the seizure, a receipt itemizing the property seized. (15103694D-S1)

SB 845 (Stanley, Jr.) (S. Floor) provides that no volunteer firefighter or volunteer emergency services personnel shall be liable for any injury to persons or property arising out of the operation of a motor vehicle when such volunteer is en route to render emergency care or assistance to any ill or injured person at the scene of an accident, fire, or life-threatening emergency, unless such injury results from gross negligence or willful or wanton misconduct. (15103727D-S1)

Studies

HJ 637 (Landes) (HRUL) directs the Joint Legislative Audit and Review Commission (JLARC) to study the Commonwealth's Medicaid program. In conducting its study, JLARC shall (i) analyze the impact of major cost drivers on the growth of Medicaid program expenditures; (ii) identify highest-cost Medicaid recipients and services and assess whether opportunities exist to improve the cost-effectiveness of health care delivery; (iii) examine the efficiency of the administration of the Commonwealth's Medicaid program, including financial processes and controls and the recovery of third-party payments, and review the implementation status of recommendations made in 2011 JLARC report on improper payments and other reports related to improving efficiency and cost-effectiveness; (iv) identify evidence-based practices and strategies that have been successfully adopted in other states and that could be used in the Commonwealth to provide cost-effective care, strengthen patient outcomes, and maximize the efficiency and integrity of internal processes; and (v) review other relevant issues and make recommendations as appropriate. JLARC shall complete its work by November 30, 2016. (5101724D)

SJ 268 (Hanger) (SPE) directs the Joint Legislative Audit and Review Commission to study pathways for determining eligibility for Medicaid-funded long-term care. In conducting its study, JLARC shall review (i) the Commonwealth's long-term care preadmission screening process, including the process by which individuals access such screenings, the timeliness of such screenings, support for individual choice upon meeting long-term care criteria, and assurance that the assessment teams are neutral and have no financial or legal ties to discharge locations and (ii) state and federal long-term care financial eligibility laws, including the use of annuities to protect assets, transfer of assets, lien and estate recovery, assessing a child as a family of one for eligibility purposes, and the effects of the new Modified Adjusted Gross Income eligibility standards and access to nursing home care services. The Joint Legislative Audit and Review Commission shall complete its meetings by November 30, 2016. (15102826D)

Taxation

HB 1556 (Farrell) (HAPP)/ **SB 1144** (Garrett) (SFIN) provides that the Virginia income tax net revenue and sales and use tax generated by certain corporations or limited liability companies within a qualified locality shall be transferred to the qualified locality under certain conditions. A qualified locality is one that (i) has made application to the Virginia Economic Development Partnership Authority for a Major Employment and Investment Project Site Planning Grant

pursuant to § 2.2-2240.2 and has been rejected for such grant and (ii) has expended local funds for the economic development purposes specified in § 2.2-2240.2. The total amount eligible to be returned to a qualified locality shall not exceed \$5 million for any single economic development project. (15102829D, 15102535D)

HB 1828 (Ware) (HACNR) makes several changes to the credit by (i) reducing the maximum amount of tax credits that may be issued in each calendar year from \$100 million to \$85 million beginning in 2015; (ii) reducing the maximum amount of the land preservation tax credit that may be claimed in any year from \$100,000 in taxable year 2014 to \$20,000 in taxable years 2015 and 2016 and \$50,000 for each taxable year thereafter; (iii) requiring that a complete application for tax credit with regard to a conveyance be filed with the Department of Taxation by December 31 of year following the calendar year of the conveyance; and (iv) prohibiting the Department of Taxation from issuing any tax credit for a donation from any allocation or pool of tax credits attributable to a calendar year prior to the year in which the complete tax credit application for the donation was filed. (15103287D)

Legislation Provided for Information

HB 1308 (Marshall, R.G.) (HCT) provides that any person who without lawful authority intercepts, monitors, examines, or otherwise accesses electronic transmissions of messages, data, signals, or other communications that are not intended for public disclosure from any person to another with whom such person is in a confidential relationship is guilty of a Class 1 misdemeanor. The bill defines a "confidential relationship" as a relationship between (i) a husband and wife; (ii) an attorney and client; (iii) a licensed practitioner of the healing arts and patient; (iv) a licensed professional counselor, licensed clinical social worker, licensed psychologist, or licensed marriage and family therapist and client; or (v) a clergy member and person seeking spiritual counsel or advice. The bill also creates a civil cause of action for the person whose electronic transmissions of messages, data, signals, or other communications have been intercepted, monitored, examined, or otherwise accessed against the person who without lawful authority intercepted, monitored, examined, or otherwise accessed such transmissions and any person who facilitated or allowed such interception, monitoring, examination, or access. (15104020D-H1)

HB 1422 (Head) (HCCT) allows any locality by ordinance to provide that the owner of any residence is liable for a civil penalty of \$100 for the use of the premises for the illegal consumption of alcohol, provided the owner knew or reasonably should have known that the premises was being used for this purpose. (15100414D)

HB 2081 (Peace) (H. Floor) prohibits an employer from requiring, requesting, or causing a current or prospective employee to disclose the username and password to a current or prospective employee's social media account. The measure also prohibits an employer from (i) requiring an employee to add an employee, a supervisor, or an administrator to the list or contacts associated with the employee's social media account or (ii) changing the privacy settings associated with the employee's social media account. (15100868D)

HB 2389 (O'Quinn) (HGL) includes political party committees in the types of organizations that are permitted to conduct charitable gaming. The bill requires the disclosure of certain information related to the charitable gaming activity of a political party committee on the required campaign finance report. (15102026D)

SB 1008 (Petersen) (S. Floor) provides that every unit owner under the Virginia Condominium Act and every lot owner under the Property Owners' Association Act, who is a member in good standing of the unit owners' association or property owners' association has the right (i) of access to all books and records kept by or on behalf of the association, (ii) to cast a vote on any matter requiring a vote by the association's membership in proportion to the unit or lot owner's ownership interest, (iii) to have notice of any meeting of the executive organ or board of directors and to participate in such meeting, (iv) to have notice of any proceeding conducted against the unit or lot owner to enforce any rule or regulation of the association and the opportunity to be heard and represented by counsel at such proceeding, and (v) to have all funds of the association managed in accordance with generally accepted fiduciary standards. (15104146D-S1)

Budget

SB 1051 (McDougle) (S. Floor) provides that the Commonwealth's biennial appropriations will start on July 1 of odd-numbered years beginning with the biennial appropriation act for the period July 1, 2017, through June 30, 2019. The bill requires that the fiscal year beginning July 1, 2016, would not be a part of any biennial appropriation act (i.e., it would be a single-year transitional budget). (15101588D)

Education

HB 1626 (Bell, R.B.) (H. Floor) permits each local school board to deem eligible for participation in interscholastic programs, notwithstanding any bylaw, rule, regulation, or policy of any organization that currently organizes and governs interscholastic programs among the public high schools, any student who (i) is receiving home instruction; (ii) has demonstrated evidence of progress for two consecutive academic years; (iii) is in compliance with immunization requirements; (iv) is entitled to free tuition in a public school; (v) has not reached the age of 19 by August 1 of the current academic year; (vi) is an amateur who receives no compensation but participates solely for the educational, physical, mental, and social benefits of the activity; (vii) complies with all disciplinary rules and is subject to all codes of conduct applicable to all public high school athletes; and (viii) complies with all other rules governing awards, all-star games, maximum consecutive semesters of high school enrollment, parental consents, physical examinations, and transfers applicable to all high school athletes. The bill allows such students to be charged reasonable fees for participation. (15104226D-H1)

HB 2339 (Surovell) (HED) prohibits school boards from making electronic textbooks available for use by students in their residence or residences unless the school board adopts a plan to ensure that by July 1, 2018, every student in the local school division will have access to (i) a

personal computing device capable of supporting such textbooks and (ii) adequate connectivity, which the bill defines as bandwidth of at least 1 megabit per second per student. The bill permits a local school board to establish a pilot program for the use of electronic textbooks at any secondary school in the local school division provided that (a) each student at the secondary school has access to a personal computing device capable of supporting such textbooks, (b) each student at the secondary school has access to adequate connectivity, and (c) the secondary school is receiving federal funds pursuant to Title I of the federal Elementary and Secondary Education Act of 1965 or no more than five percent of the students in the local school division or 300 children, whichever is greater, participate in the pilot program. (15100765D)

HB 2394 (Webert) (HED) Appeal of computation of the local composite index. (15104352D)

Elections

HB 1473 (Yost) (HPE) permits local electoral boards to appoint a general registrar who is a qualified voter of a county or city adjacent to the county or city for which he is appointed. Current law requires the general registrar to be a qualified voter of the county or city for which he is appointed. The bill leaves unchanged the provision allowing a city electoral board to appoint a qualified voter of the county in which the city is wholly contained to serve as the city general registrar. (15102233D)

Health and Human Services

SB 1114 (Barker) (SCT) provides that a court or magistrate may issue a temporary detention order for medical testing, observation, and treatment for a person who is also the subject of an emergency custody order for evaluation and treatment of mental illness. Upon completion of any required testing, observation, or treatment, the hospital emergency room or other appropriate facility in which the person is temporarily detained shall notify the community services board responsible for performing an evaluation to determine whether the person meets the criteria for temporary detention for treatment of mental illness, and a designee of the community services board shall complete the evaluation as soon as is practicable but prior to the expiration of the order for temporary detention for testing, observation, or treatment. (15101689D)

SB 1263 (Deeds) (SCT) provides that a magistrate may authorize alternative transportation for a person subject to an emergency custody order or temporary detention order when there exists a substantial likelihood that he will cause serious physical harm to himself or others. Current law prohibits the use of alternative transportation when there exists a substantial likelihood that he will cause serious physical harm to himself or others. The bill also provides liability protection for alternative transportation providers. (15102076D)

SB 1410 (Deeds) (SFIN) provides for the certification of crisis intervention specialists and crisis intervention specialist licensed clinical supervisors. The bill also requires community services boards and behavioral health authorities to employ or contract with certified crisis

intervention specialists for evaluations for emergency custody or temporary detention.
(15103819D)

Property Owners' Associations

HB 1285 (Scott) (Passed H. Floor) amends the definition of employee within the Virginia Workers' Compensation Act to exclude noncompensated employees, directors, and executive officers of any entity that constitutes a property owners' association under the provisions of the Property Owners' Association Act. (15100389D)

HB 1632 (Bulova) (Passed H. Floor) requires the Common Interest Community Board to develop and publish best practices for declarations and develop a model declaration consistent with the best practices and the requirements of the Property Owners' Association Act. (15102487D-E)

HB 2100 (Peace) (HGL) conforms the Condominium Act to the Property Owners' Association Act with regard to the prohibition on a unit owners' association from charging any fees not expressly authorized by law or in the declaration. The bill also (i) provides that an association may not limit or prohibit an owner from renting his unit or lot and may not charge fees for any rental or other processing fee in excess of \$50 as a condition of approval of the rental, (ii) sets new rules for providing association disclosure documents electronically, (iii) prohibits an association or its managing agent from putting a lien on a unit or lot where the association or its managing agent have failed to submit invoices for the payments of certain fees before settlement, and (iv) requires an association to maintain a website link for 12 months where the disclosure packet is delivered through the link. The bill contains technical amendments. (15101271D)

Public Safety/Criminal Justice

HB 1408 (Marshall, R.G.) (HCT) provides that if an investigative or law-enforcement officer would be required to obtain a search warrant in order to obtain the contents of electronic communications or real-time location data from a provider of electronic communication service or remote computing service, the officer shall not use any device to intercept such communications or collect such real-time location data without first obtaining a search warrant authorizing the use of the device. (15103758D-H1)

SB 710 (Edwards) (SFIN) creates new felonies for trafficking in persons for forced labor or sexual servitude and adds the new felonies as a predicate criminal act under the criminal gang statute, as racketeering crimes, adds their investigation to the functions of a multijurisdiction grand jury, and also allows seizure and forfeiture of property used in committing such felonies. The new felonies and the existing felony of receiving money for procuring a person are added to the rape shield statute. The bill allows a petition for a child in need of services to be substituted for a delinquency petition for certain minors arrested for prostitution, disallows the release of certain victim information, specifies law-enforcement protocol for victims who may not be legally present, requires persons convicted of the new felonies to pay restitution that

compensates for the victim's labor, and creates a civil action for trafficked persons. The Secretary of Public Safety and Homeland Security is required to convene an anti-trafficking committee and the Virginia Prevention of Human Trafficking Victim Fund is created, which will be administered by the Department of Criminal Justice Services. (15100898D)

SB 1316 (Stanley) (SFIN) makes various changes to the operations of circuit court clerks, including (i) allowing any agency or instrumentality of the Commonwealth to submit records in electronic form; (ii) providing that the state highway plat book kept in the clerk's office may be produced in paper, microfilm, or electronic form; (iii) providing that the clerk may set a convenience fee for electronic filing of civil or criminal proceedings that is lower than the convenience fee currently charged for payment by debit or credit card; (iv) providing that all unpaid fines and costs be docketed as a judgment against the defendant in favor of the Commonwealth; and (v) repealing a provision of the Code requiring the assessment of an extra \$2 fee in certain cases to be deposited into the Intensified Drug Enforcement Jurisdiction Fund. (15101340D)

Firearms

HB 2214 (Rush) (HMPP) provides a mechanism for reporting to the Department of State Police when a circuit court restores a felon's right to possess, transport, and carry a firearm. Prior to entry of a restoration order, the petitioner's fingerprints and petition are sent to the Central Criminal Records Exchange (CCRE) and the petitioner's criminal history is forwarded to the court and may be inspected by the attorney for the Commonwealth. If the order is granted, the Department of State Police shall enter the person's name and description in the CCRE so law-enforcement personnel accessing the computerized criminal history records will be aware of the order's existence. (15103084D)

HB 2232 (Surovell) (HMPP) provides that it is a Class 1 misdemeanor for a person who has been involuntarily admitted or ordered to outpatient treatment or who agreed to voluntary admission after being the subject of a temporary detention order to purchase, possess, or transport ammunition for a firearm. Current law only applies to the purchase, possession, or transportation of the firearm itself. (15101816D)

SB 1137 (Garrett) (S. Floor) provides that lawful concealed carry permit holders shall not be subject to the provisions of certain local ordinances that make it unlawful for any person to transport, possess, or carry a loaded shotgun or loaded rifle in any vehicle on any public street, road, or highway within such locality. (15102523D)

Taxation

HB 1966 (Rust) (H. Floor) allows counties and adjoining towns to enter into reciprocal agreements to collect each other's vehicle license fees and taxes. (15103270D-E)

Transportation

HB 1531 (Minchew) (HTRAN)/ **SB 803** (Favola) (STRAN) allows counties to increase or decrease the speed limits in school zones; current law allows cities and towns to do so. The bill also removes the authority for VDOT to change the speed limit in school zones. (15104021D-H1, 15104427D-S2)

HB 1999 (Torian) (HTRAN) creates the Prince William County Metrorail Improvement District to provide a means of financing an extension of commuter rail service from Fairfax County into Prince William County. (15101960D)

SB 2235 (Rust) (H. Floor) clarifies the circumstances under which law-enforcement vehicles may use HOT lanes without paying a toll. (15103111D)

HB 2266 (Hugo) (HTRAN) adds to the duties of the Joint Commission on Transportation Accountability (JCTA) (i) reviewing actions of the Commonwealth Transportation Board and (ii) making recommendations to the General Assembly on necessary transportation legislation. This bill is a recommendation of the JCTA. (15103620D)

HB 2285 (Torian) (HTRAN) prohibits VDOT from charging monthly fees in connection with E-Z Pass transponder users' online monthly account statements. (15103065D)

HB 2309 (Hugo) (HTRAN) increases the membership of the Board by six nonlegislative citizen members by adding three members to be appointed by the Speaker of the House of Delegates and three by the Senate Committee on Rules. The Board currently has 14 nonlegislative citizen members appointed by the Governor and four ex officio members. The bill also allows the gubernatorial appointees to the Board to be removed for malfeasance, misfeasance, incompetence, misconduct, neglect of duty, absenteeism, conflicts of interest, failure to carry out the policies of the Commonwealth, or refusal to carry out a lawful directive of the Governor. Vacancies are filled in the same manner of original appointment. (15103662D)

SB 882 (Petersen) (HTRAN) requires drivers and passengers to wait for a reasonable opportunity to open vehicle doors on the side adjacent to moving traffic. A violation constitutes a traffic infraction punishable by a fine of not more than \$100. (15100875D-E)

SB 1220 (Reeves) (STRAN) includes bicycles, electric personal assistive mobility devices, electric power-assisted bicycles, and mopeds among vehicles that the driver of a motor vehicle shall not follow more closely than is reasonable. (15101337D)

Utilities

HB 2274 (Kilgore) (HCL) permits investor-owned electric utilities to recover from certain customers, through a rate adjustment clause, the projected and actual costs of designing, implementing, and operating State Corporation Commission-approved programs that accelerate

the maintenance of distribution rights-of-way or otherwise enhance distribution reliability. The measure provides that these costs shall not be allocated to or recovered from certain classes of large customers. (15102980D)

HB 2344 (Ramadan) (HCL) amends the powers and responsibilities of the State Corporation Commission (SCC) to regulate toll road operators under the Virginia Highway Corporation Act of 1988. The measure adds requirements that toll rates not materially discourage the public's use of the toll road, that the cost of operating the toll road be reasonably apportioned across all toll road users based on the relative distance each class of user travels on the toll road such that the toll rates are established in a reasonable and nondiscriminatory manner in relation to the benefit obtained, and that toll rates shall the operator with no more than a reasonable return. In addition, the measure (i) requires the SCC, by October 1, 2015, to initiate an investigation into the tolls charged by all operators subject to the Act and to issue a ruling by April 1, 2016, on its investigation as to whether the current tolls charged by the operator comply with such new requirements; (ii) prohibits the SCC from using the fact that any incremental return resulting from increased traffic related to a relative change in potential toll users that is greater than zero on a cumulative basis as the sole basis for finding that the operator's return exceeds a reasonable level as specified in such new requirements, during any future complaint proceeding; (iii) requires the SCC, in its initial investigation to develop a baseline from which it can measure the relative change in potential toll users, and directs how the incremental return shall be computed; (iv) prohibits an operator from seeking a toll increase that attempts to raise its return above the reasonable level; (v) requires the full disclosure, in public financial reports to the SCC, of the details of any related party transactions; and (vi) establishes a presumption that any related party transactions shall be presumed to be imprudent and excluded from costs used for any purpose, including but not limited to costs of lobbyists, excessive compensation, and entertainment expenses, unless the operator provides information showing at least three separate competitive bids demonstrate that the operator could not have achieved better contract terms from a third party. (15103556D)

HB 2356 (Marshall, R.G.) establishes a pilot program for the placement of three or more new electrical lines of 230 kilovolts or more to be placed underground. The bill establishes criteria for participation in the project. The costs of the projects shall be recoverable through a rate adjustment clause and entirely assigned to the utility's Virginia jurisdictional customers. The measure has an emergency clause. (15104173D)

SB 1163 (Saslaw) (S. Floor) establishes a procedure under which a natural gas utility may seek State Corporation Commission (SCC) approval of a system expansion plan that includes, among other things, a schedule for recovery of eligible system expansion infrastructure costs through a system expansion rider and a methodology for deferral of unrecovered eligible system expansion costs. A system expansion plan and system expansion rider shall allocate and charge costs in accordance with cost causation principles in order to avoid any undue cross-subsidization between rate classes. The SCC is barred from examining other revenue requirement or ratemaking issues in its consideration of the natural gas utility's application. Costs recovered under this measure shall be in addition to all other costs that the natural gas utility is permitted to recover, shall not be considered an offset to other approved costs of

service or revenue requirements, and shall not be included in any computation relative to a performance-based regulation plan revenue-sharing mechanism. The authorization and encouragement of the expansion of natural gas infrastructure and the promotion of the use of natural gas are declared to be in the public interest. Allowing Virginia's natural gas utilities to approach expansion of intrastate infrastructure into unserved and underserved areas on a more proactive basis by expanding, improving, and increasing the reliability of Virginia's energy infrastructure is also declared to be in the public interest. (15104080D-S1)

Water

HB 1870 (Bulova) (HACNR) requires the developer of any subdivision in a ground water management area to obtain a withdrawal permit if the total volume projected to be withdrawn by all of the individual wells in the subdivision equals or exceeds 300,000 gallons per month. The bill requires a withdrawal permit for any subdivision that receives plat approval on or after January 1, 2016, and requires that the permit be amended for the construction of any additional well. The bill also specifies the procedure by which a developer may transfer the subdivision's withdrawal permit. (15101360D)

HB 1871 (Bulova) (HACNR) requires certified water well systems providers to register wells being constructed in ground water management areas with the State Water Control Board (SWCB) within 30 days of the completion of the well's construction. The bill requires the Department of Health (VDH) to provide the SWCB annually with a list of the wells that were permitted during the previous year and the SWCB to provide VDH annually with a list of the wells that were registered during the previous year. The bill also requires VDH to give the SWCB copies of all historical VDH records on permitted private well construction. (15101567D)

Legislative Committee Actions of February 13, 2015:

Members Present: Legislative Chairman McKay
 Chairman Bulova
 Supervisor Cook
 Supervisor Foust
 Supervisor Gross
 Supervisor Smyth

Specific Issues

Proposed Budgets: Staff briefed the Committee on key differences between Governor McAuliffe's budget and the House and Senate budgets. The Committee received a detailed handout on elements of the House and Senate budgets, as well as a draft letter stating the County's opposition to three amendments in the House-passed budget which will negatively impact transportation in Northern Virginia (see handwritten pages 90-103).

Ethics Reform: Staff briefed the Committee on two bills pertaining to ethics and conflicts of interest: HB 2070 (Gilbert) and SB 1424 (Norment). The Committee discussed the importance of consistent requirements for local government officials and employees and General Assembly members. The Committee also received a handout which highlights key elements of each bill (see handwritten pages 104-109).

Priority Principles for Reviewing Legislation

- 1. Adequately fund K-12 education.**
- 2. The Commonwealth should continue and build upon the successful enactment of significant, new transportation revenues by the 2013 General Assembly.**
- 3. Restore the funding partnership between the state and localities with adequate state funding.**
- 4. Preserve local government authority, particularly in taxation and land use; allow greater flexibility in the administration of government.**

Specific Legislation

Fairfax County Legislative Summary: The Committee discussed the status of legislation in which the Committee had previously taken positions. The Committee's positions on these bills are noted in the attached tracking chart.

New Bills-2015 General Assembly

HB 1917 (LeMunyon) (SGL) requires any governmental agency that intends to purchase services for an amount over \$25,000 from another governmental agency, which service is found on the commercial activities list, to post notice of such purchase and provide the opportunity for comment by or the submission of information from the private sector on each

such intended purchase. The bill specifies where the notice is to be posted and defines commercial activities list and governmental agency. Oppose. (15104248D-H1)

HB 1964 (Hugo) (SCT) creates new felonies for trafficking of persons for commercial sexual activity. The bill provides that any person who solicits, invites, recruits, encourages, or otherwise causes or attempts to cause a person to engage in prostitution with the intent to receive money or other valuable thing or to assist another in receiving money or other valuable thing from the earnings of the solicited person from an act of prostitution is guilty of a Class 5 felony. Felonies are increased if such behavior is done by an adult and the person solicited is a minor (Class 3 felony) and if force is used or threatened against the person solicited or the person's family or household member (Class 4 felony). The new crime was added to the definition of violent felony for the purposes of the sentencing guidelines, the Virginia Racketeer Influence and Corrupt Organization Act, multijurisdiction grand jury, and asset forfeiture and if a minor is solicited, the Sex Offender Registry. The bill also amends two existing Code sections on receiving money for procuring a person prostitution and receiving money from the earnings of a person engaged in prostitution to increase penalties if the receipt is from a minor. Support. (15104694D-H1)

HB 1570 (Orrock) (SRSS) Requires fingerprint-based national criminal history records checks for licensed child day centers and family day homes. The bill also requires family day homes providing care for five or more children, other than the children of the provider or children that reside in the home, for compensation to be licensed by the Department of Social Services. Currently, only family day homes providing care for six or more children, other than the children of the provider or children that reside in the home, are required to be licensed. The bill also requires local commissioners of the revenue or other local business license officials to report to the Department of Social Services on a quarterly basis the name, address, and contact information for any child day center or family day home to which a business license was issued; requires the Department of Social Services to promulgate regulations requiring licensed and registered child day centers and family day homes to notify the parent of every child enrolled in the child day center or family day home, in writing, of any emergency situation that occurs while the child is receiving care; and requires all unlicensed and unregistered family day homes, other than those in which all of the children receiving care are related by blood or marriage to the provider, to provide written notice to the parents of every child receiving care stating that the family day home is not regulated by the Department of Social Services and referring the parents to a website maintained by the Department for additional information regarding licensed, registered, and unlicensed, unregistered family day homes. The bill also requires all child day centers and family day homes that enter into a contract with the Department of Social Services or a local department of social services to provide child care services that are funded, in whole or in part, by the Child Care and Development Block Grant to comply with all requirements established by federal law and regulation. The bill also requires the Department of Social Services to develop recommendations related to appropriate criminal and civil penalties for individuals who operate or engage in the conduct of a child day center or family day home without first obtaining a license or after such license has been revoked or has expired and not been renewed, or who operate or engage in the conduct of a child day center or family day home serving more children than the maximum stipulated in the

license, and that the Department report on the requirements established in the Child Care and Development Block Grant to the Senate Committee on Education and Health and the House Committee on Health, Welfare and Institutions by December 1, 2015. This bill was selected by the House to be the vehicle for revisions to state policy on licensure of family day home child care services, and includes provisions from or addresses policies proposed in HB 1552 (Filler-Corn), HB 1931 (Anderson), HB 2046 (Filler-Corn), and HB 2069 (Keam). Support with amendment to grandfather locally permitted programs. (15104920D-H2)

SB 1168 (Hanger) (HAPP) provides that the children of a family day home provider and any children who reside in the family day home who are under the age of six and are present in the home while care is being provided shall be included in determining the number of children receiving care for the purpose of licensure. The bill amends the definition of "family day home" to include any home that voluntarily registers pursuant to § 63.2-1704 and to exclude any home where all of the children in care (i) are grandchildren of the provider and the provider does not receive funds from the federal Child Care and Development Block Grant or (ii) reside in the home. The bill requires commissioners of revenue or other local officials to report to the Department of Social Services semiannually the contact information of any child day center or family day home to which a business license was issued and requires every unlicensed and unregistered family day home to file, prior to providing care, a written declaration of intent to operate such family day home with the Commissioner of the Department of Social Services. The provisions of the bill related to the definition of "family day home" have a delayed effective date of July 1, 2016. The provisions of the bill are contingent on funding in a general appropriation act. The bill incorporates SB 780, SB 1029, SB 1069, and SB 1124. Support with amendment to grandfather locally permitted programs. (15104711D-S2)

SB 1459 (McWaters) (STRAN) requires the members of the Hampton Roads Transportation Accountability Commission to allow for five minutes of public comment before each vote. Monitor. (15104126D)

Legislation Provided for Discussion

HB 2223 (Morris) (SGL) provides that in addition to the civil enforcement provisions of FOIA, any officer, employee, or member of a public body who, without legal excuse or justification, deliberately, willfully, and knowingly violates certain FOIA provisions is guilty of a Class 1 misdemeanor. Oppose. (15104295D-H1)

SB 1410 (Deeds) (HHWI) Provides for the certification of crisis intervention specialists and crisis intervention specialist licensed clinical supervisors. The bill also requires community services boards and behavioral health authorities to employ or contract with certified crisis intervention specialists for evaluations for emergency custody or temporary detention. Support with amendment to allow locally administered training to be certified by the state as equivalent to the credentialing requirement. (15104439D-S1)

Ethics Reform

HB 2070 (Gilbert) (SRUL) removes the distinction between tangible and intangible gifts and prohibits any state or local officer or employee, member of the General Assembly, and certain candidates from soliciting, accepting, or receiving a single gift with a value exceeding \$100 from certain persons. The bill also prohibits the immediate family of such officers, employees, members, or candidates from soliciting, accepting, or receiving such gifts. The bill provides an exception for gifts received at widely attended events, which are those events in which there is a reasonable expectation that at least 25 persons will attend the event. The bill requires disclosure of any single gift or entertainment, or any combination of gifts or entertainment, with a value exceeding \$50. The bill also requires persons subject to the Conflict of Interest Acts to request a approval from the Virginia Conflict of Interest and Ethics Advisory Council and receive the approval of the Council prior to accepting or receiving any travel-related transportation, lodging, meal, hospitality, or other thing of value provided by certain third parties that has a value exceeding \$100. The bill requires electronic filing of disclosure forms with the Council and provides that local officers and employees will file disclosure forms locally instead of with the Council. The bills provides that the making of a knowing and intentional false statement on a disclosure form is punishable as a Class 5 felony. The bill also prohibits the Governor, his campaign committee, and any political action committee established on his behalf from knowingly soliciting or accepting a contribution, gift, or other item with a value greater than \$100 from persons and entities seeking loans or grants from the Governor's Development Opportunity Fund, restricts such gifts and contributions from persons and entities seeking loans or grants from the Fund, and provides that any violation shall result in a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater. This bill incorporates HB 1598, HB 1667, HB 1689, HB 1919, HB 1947, and HB 2060. Amend to ensure that local government officials and employees and General Assembly members are treated consistently with respect to ethics requirements. (15104752D-H1)

SB 1424 (Norment) (House Floor) authorizes the Virginia Conflict of Interest and Ethics Advisory Council to (i) prescribe, receive, and review all disclosure forms required by the State and Local Government Conflict of Interests Act, the General Assembly Conflicts of

Interests Act, and the lobbying laws; (ii) conduct annual inspections of those disclosure forms; (iii) issue advisory opinions; (iv) grant waivers for certain travel and gifts; and (v) refer certain violations to the appropriate authority for assessment of civil penalties. The bill modifies the current composition of the Council, reducing the number of members from 15 to 9 and requires there be bipartisan balance of the General Assembly members appointed to the Council. The bill prohibits any single gift or any combination of gifts in a calendar year with a value exceeding \$100 from any single source to those persons subject to the Conflicts of Interests Acts and members of their immediate family. Certain gifts are exempt from the \$100 limit on gifts, including gifts from business associates, relatives, gifts received in conjunction with a personal celebration or while in attendance at a widely attended event, or travel-related gifts for which the Council granted a waiver. Gifts for which the filer has reimbursed the giver for the full value of the gift are not required to be disclosed. The bill removes the required disclosure forms from the Code, outlines the required information to be reported on the disclosure forms, authorizes the Council to prescribe the forms, and requires all disclosure forms be filed electronically with the Council. The bill also prohibits the Governor, his campaign committee, and any political action committee established on his behalf from knowingly soliciting or accepting a contribution, gift, or other item with a value greater than \$50 from persons and entities seeking loans or grants from the Governor's Development Opportunity Fund, restricts such gifts and contributions from persons and entities seeking loans or grants from the Fund, and provides that any violation shall result in a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater. Amend to ensure that local government officers and employees and General Assembly members are treated consistently with respect to ethics requirements. (15104983D-ES2)

Legislation Requiring Further Review

HB 2204 (Jones) (SFIN) revises the Line of Duty Act (the Act) by codifying revisions to the Act in the appropriation act, transferring overall administration of the Act to the Virginia Retirement System, transferring administration of health insurance benefits under the Act to the Department of Human Resource Management, and providing for an administrative appeal process. The bill also directs the Virginia Retirement System ("VRS") and the Department of Human Resource Management ("DHRM"), with the input of all stakeholders, to develop proposals, on ways the Act can be improved and to ensure its long-term fiscal viability. Except for the proposals by VRS and DHRM, the bill becomes effective July 1, 2016, and only if reenacted by the 2016 Session of the General Assembly. (15104787D-H1)

Education

HB 1361 (Bell, R.B.) (SEH) establishes the Board of the Virginia Virtual School (the Board) as a policy agency in the executive branch of state government, under the authority of the Secretary of Education, for the purpose of governing the full-time virtual school programs offered to students enrolled in the Virginia Virtual School (the School). The bill gives the 13-member Board operational control of the School and assigns the Board's powers and duties. The bill requires the School to be open to any school-age person in the Commonwealth and

provide an educational program meeting the Standards of Quality for grades kindergarten through 12. The bill has a delayed effective date of July 1, 2016. (15104888D-H1)

HB 2238 (LaRock) (SEH) permits the parents of certain students with disabilities to apply to his resident school division for a Parental Choice Education Savings Account to consist of the student's Standards of Quality per pupil funds and to be used for certain expenses of the student, including (i) tuition, fees, or required textbooks at a private elementary or secondary school or preschool that is located in the Commonwealth and does not discriminate on the basis of race, color, or national origin; (ii) educational therapies or services for the student from a practitioner or provider, including paraprofessionals or educational aides; (iii) tutoring services; (iv) curriculum; (v) tuition or fees for a private online learning program; (vi) fees for a nationally standardized norm-referenced achievement test, an Advanced Placement examination, or any examination taken to gain admission to an institution of higher education; or (vii) tuition fees or required textbooks at a public two-year or four-year institution of higher education in the Commonwealth or at an accredited private institution of higher education in the Commonwealth. The bill also contains provisions for the audit and revocation of such accounts. (15104891D-H2)

SB 823 (Miller) (HED) requires at least 20 minutes of physical activity per day or an average of 100 minutes per week during the regular school year for students in grades kindergarten through five. This requirement becomes effective beginning with the 2017-2018 school year. (15101177D)

Procurement

HB 1835 (Gilbert) (SGL) clarifies that small purchase procedures include the procurement of construction and that any such procedures shall not waive compliance with the Uniform State Building Code. The bill also increases contract amounts for job order contracting and provides that (i) order splitting with the intent of keeping a job order under the maximum dollar amounts prescribed is prohibited, (ii) no public body shall issue or use a job order solely for the purpose of procuring professional architectural or engineering services, and (iii) job order contracting shall not be used for construction, maintenance, or asset management services for a highway, bridge, tunnel, or overpass. The bill clarifies the provisions of the VPPA related to cooperative procurement and requires that by October 1, 2017, the Department of Small Business and Supplier Diversity, public institutions of higher education having level 2 or 3 authority under the Restructured Higher Education Financial and Administrative Operations Act of 2005, any state agency utilizing job order contracting, and the Virginia Association of Counties, the Virginia Municipal League, and the Virginia Association of Governmental Purchasing on behalf of local public bodies working cooperatively report their respective experiences and findings relating to the appropriateness and effectiveness of job order contracting in general, the job order project cost limitations as added by this bill, and the architectural and professional engineering term contract limits to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology. The bill also requires for construction projects in excess of \$1 million, a public body, including public institutions of higher education, provide their justification for use of any procurement method,

other than competitive sealed bidding, to the Director of the Department of General Services. The bill authorized the Director of the Department of General Services to issue advisory opinions on whether a specific, pending construction contract entered into by any of the above named public bodies complies with procurement law. The bill further provides that its provisions shall not apply to any solicitation issued or contract awarded before July 1, 2015, except that the provisions of subsection B of § 2.2-4303.2, as added by this bill, shall apply to any renewal of a job order contract. The bill contains numerous technical amendments and is a recommendation of the General Laws Special Joint Subcommittee Studying the Virginia Public Procurement Act. (15103750D-EH1)

SB 1371 (Ruff) (HGL) clarifies that small purchase procedures include the procurement of non transportation -related construction and that any such procedures shall not waive compliance with the Uniform State Building Code. The bill increases contract amounts for job order contracting and provides that (i) order splitting with the intent of keeping a job order under the maximum dollar amounts prescribed is prohibited, (ii) no public body shall issue or use a job order solely for the purpose of procuring professional architectural or engineering services, however such services may be included on a job order if the services are incidental and directly related and subject to other limitations, and (iii) job order contracting shall not be used for construction, maintenance, or asset management services for a highway, bridge, tunnel, or overpass. The bill also clarifies the provisions of the VPPA related to cooperative procurement and includes independent agencies of the Commonwealth in the definition of public body. In addition, the bill requires that by October 1, 2017, the Department of Small Business and Supplier Diversity, public institutions of higher education having level 2 or 3 authority under the Restructured Higher Education Financial and Administrative Operations Act of 2005, any state agency utilizing job order contracting, and the Virginia Association of Counties, the Virginia Municipal League, and the Virginia Association of Governmental Purchasing on behalf of local public bodies working cooperatively report their respective experiences and findings relating to the appropriateness and effectiveness of job order contracting in general, the job order project cost limitations as added by this bill, and the architectural and professional engineering term contract limits to the Chairmen of the House Committee on General Laws and the Senate Committee on General Laws and Technology. The bill also requires for construction projects in excess of \$1 million, a public body, including public institutions of higher education, provide their justification for use of any procurement method, other than competitive sealed bidding, to the Director of the Department of General Services. The bill authorized the Director of the Department of General Services to issue advisory opinions on whether a specific, pending construction contract entered into by any of the above named public bodies complies with procurement law. The bill further provides that its provisions shall not apply to any solicitation issued or contract awarded before July 1, 2015, except that the provisions of subsection B of § 2.2-4303.2, as added by this bill, shall apply to any renewal of a job order contract. The bill contains numerous technical amendments and is a recommendation of the General Laws Special Joint Subcommittee Studying the Virginia Public Procurement Act. (15104925D-S1)

Utilities

HB 1475 (Ware) (SCL) establishes a procedure under which a natural gas utility may seek State Corporation Commission (SCC) approval of a system expansion plan that includes, among other things, a schedule for recovery of eligible system expansion infrastructure costs through a system expansion rider and a methodology for deferral of unrecovered eligible system expansion costs. A system expansion plan and system expansion rider shall allocate and charge costs in accordance with cost causation principles in order to avoid any undue cross-subsidization between rate classes. The SCC is barred from examining other revenue requirement or ratemaking issues in its consideration of the natural gas utility's application. Costs recovered under this measure shall be in addition to all other costs that the natural gas utility is permitted to recover, shall not be considered an offset to other approved costs of service or revenue requirements, and shall not be included in any computation relative to a performance-based regulation plan revenue-sharing mechanism. The measure does not apply to interstate pipeline companies regulated by the Federal Energy Regulatory Commission. Construction projects undertaken pursuant to this measure are required to be completed in accordance with standards filed with the Department of Environmental Quality. (15104079D-H1)

Legislation to be Monitored by Staff; State Revenue/Policy Implications

HB 1488 (Pogge) (SACNR) allows a landowner or other party to a conservation easement to request that the Virginia Land Conservation Foundation use the Administrative Dispute Resolution Act to resolve a dispute relating to the interpretation of the easement. (15104154D-H1)

HB 1827 (Scott) (SACNR) exempts routine highway maintenance projects of the Virginia Department of Transportation from the requirements of the Erosion and Sediment Control Act, including the reduction of flow runoff rates. This exemption is consistent with the exemption for similar routine highway maintenance projects under the Stormwater Management Program. (15101372D)

SB 693 (Martin) (HACNR) permits a person to trap and sterilize a feral cat before returning it to the site where it was trapped. The bill excludes a participant in such an activity from the definition of "owner" regarding custody of the subject cat; under current law, abandonment of an animal by an owner is a misdemeanor. (15104554D-S1)

SB 1047 (Hanger, Jr.) (HCCT) provides that where two adjoining localities each hold a permit to discharge stormwater from a municipal separate storm sewer system (MS4), a waiver of charges to a public entity for property that is covered by an MS4 permit shall also apply to covered property of a school board of one locality that is located in the other locality. (15104692D-S1)

Energy/Environment

HB 1446 (Marshall, D.W.) (SLG) expands the requirements of a local ordinance authorizing contracts to provide loans for clean energy improvements. The bill adds water efficiency improvements to the list of improvements for which loans may be offered; allows a locality to contract with a third party to administer the loan program; and requires a locality to identify any administrative fee it intends to impose on participants and sets parameters for the imposition of that fee. The bill also details the priority, enforceability, and other characteristics of the lien, now called a voluntary special assessment lien, that a locality is permitted to place against the property where the clean energy systems are installed. Finally, the bill directs the Department of Mines, Minerals and Energy (DMME) to develop underwriting guidelines for local loans made to finance clean energy improvements. The bill requires DMME to finalize the guidelines by December 1, 2015, incorporating input from certain groups representing real estate, energy efficiency, banking, and other interests or industries and evaluating certain specific criteria. This bill is a recommendation of the Virginia Housing Commission. (15104819D-H1)

SB 1103 (McWaters) (HCL) allows any locality by ordinance to prohibit the distribution, sale, or offer of disposable plastic shopping bags to consumers. The bill exempts from any such prohibition reusable bags of a certain thickness; bags that are used to carry certain products, such as ice cream or newspapers; and garbage bags that are sold in multiples. (15101066D)

Health and Human Services

SB 779 (McWaters) (HCT) increases from 96 to 120 hours the length of time a minor 14 years of age or older who objects to admission for inpatient treatment or who is incapable of making an informed decision may be admitted to a willing mental health facility. The bill also amends the criteria for admitting an objecting minor 14 years of age or older for psychiatric treatment to match the criteria for determining whether a nonobjecting minor or a minor younger than 14 years of age should be admitted. Finally, the bill provides that if a minor 14 years of age or older who did not initially object to treatment objects to further treatment, the mental health facility where the minor is being treated shall immediately notify the parent who consented to the minor's treatment and provide to such parent a summary of the procedures for requesting continued treatment of the minor. (15104086D-S1)

Public Safety

HB 1553 (Marshall, D.W.) (SLG) provides that any locality may by ordinance establish a system to deliver notifications to residents by email, phone, text message or other similar means of communication. Such ordinance shall be adopted only after a public hearing and shall contain an opt-in provision for non-emergency notifications. Existing notification systems shall be deemed to meet the requirements of the bill. (15104135D-H1)

SB 721 (Marsden) (HCT) requires the agency seizing property to issue contemporaneously with the seizure, a receipt itemizing the property seized. (15103694D-S1)

SB 845 (Stanley, Jr.) (HCT) provides that no volunteer firefighter or volunteer emergency services personnel shall be liable for any injury to persons or property arising out of the operation of an emergency vehicle when such volunteer is en route to render emergency care or assistance to any ill or injured person or to respond to a fire and displays warning lights and sounds a siren, unless such injury results from gross negligence or willful or wanton misconduct. (15103727D-S1)

Taxation

HB 1828 (Ware) (SFIN) makes several changes to the credit by (i) reducing the maximum amount of tax credits that may be issued in each calendar year from \$100 million to \$75 million beginning in 2015; (ii) with the exception of credits issued for fee simple interest donations, reducing the maximum amount of the land preservation tax credit that may be claimed in any year from \$100,000 in taxable year 2014 to \$20,000 in taxable years 2015 and 2016 and \$50,000 for each taxable year thereafter; (iii) requiring that a complete application for tax credit with regard to a conveyance be filed with the Department of Taxation by December 31 of year following the calendar year of the conveyance; and (iv) prohibiting the Department of Taxation from issuing any tax credit for a donation from any allocation or pool of tax credits attributable to a calendar year prior to the year in which the complete tax credit application for the donation was filed. (15103287D-E)

Legislation Provided for Information

HB 1698 (Wilt) (SEH) requires each school board, in any case in a questionnaire or survey requesting that students provide sexual information, mental health information, medical information, information on student health risk behaviors, other information on controlled substance use, or any other information that the school board deems to be sensitive in nature is to be administered, to give the parent 30 days' written notice of the nature and types of questions, the purposes and age-appropriateness of the questionnaire or survey, how such information will be used, who will have access to such information, the steps that will be taken to protect student privacy, and whether and how any findings or results will be disclosed. The bill gives the parent the right to request that an advance copy of the questionnaire or survey be sent to him, to review the document in person at the school, and to exempt his child from participation. Under current law, (i) such written notice only applies to surveys or questionnaires on sexual information and information on student health risk behaviors, (ii) the detailed contents of the notice only apply to information on student health risk behaviors, and (iii) the parent has the right to review questionnaires and surveys but no right to request that a copy be sent to him. (15104519D-EH1)

HB 1790 (Massie) (SFIN) prohibits a state agency or official from attempting, guaranteeing, or purporting to pay for a good or service or a debt unless the General Assembly has appropriated funds or funds are otherwise lawfully available, to pay the same. The prohibition on payment does not apply to payments required by federal law. The bill also prohibits a state agency or

official from furnishing an IOU in exchange for any good or service, as a means to pay for any good or service, or in lieu of a payment on a debt. (15102052D-E)

HB 2304 (Lingamfelter) (STRAN) allows localities to apply the \$200 penalty for speeding to an additional classification of highways. (15103565D-E)

Constitutional Amendments

HJ 490 (Bell, R.B.) (SPE) provides that any agreement or combination between any employer and any labor union or labor organization whereby persons not members of such union or organization are denied the right to work for the employer, or whereby such membership is made a condition of employment or continuation of employment by such employer, or whereby any such union or organization acquires an employment monopoly in any enterprise, is against public policy and constitutes an illegal combination or conspiracy and is void. (15100066D)

HJ 515 (Head) (SPE) provides that the General Assembly may suspend or nullify any or all portions of any administrative rule or regulation by joint resolution agreed to by a majority of the members elected to each house. When the General Assembly is not in a regular session, a standing committee of each house acting jointly or a joint legislative commission as designated by the General Assembly may suspend any or all portions of any administrative rule or regulation until the end of the next regular session. (15100541D)

HJ 577 (Bell, R.B.) (SPE) grants the Board of Education authority, subject to criteria and conditions prescribed by the General Assembly, to establish charter schools within the school divisions of the Commonwealth. (15101631D)

SJ 256 (Obenshain) (HPE) grants the Board of Education authority, subject to criteria and conditions prescribed by the General Assembly, to establish charter schools within the school divisions of the Commonwealth. (15100782D)

SJ 238 (Dance) (HPE) authorizes the General Assembly to provide by law for the restoration of civil rights to persons convicted of nonviolent felonies who have completed service of their sentences, including any period or condition of parole, probation, or suspension of sentence, subject to the conditions, requirements, and definitions set forth in that law. At present, the Constitution of Virginia authorizes the Governor to restore civil rights to persons convicted of a felony; that provision is retained. (15102377D)

SJ 263 (Garrett) (HPE) permits a Governor elected in 2017 and thereafter to succeed himself in office. The amendment allows two four-year terms (either in succession or not in succession) but prohibits election to a third term. Service for more than two years of a partial term counts as service for one term. This bill incorporates SJ 215. (15104048D-S1)

SJ 284 (Vogel) (HPE) establishes the Virginia Redistricting Commission that will conduct the decennial reapportionment of the election districts for the House of Representatives and the

General Assembly. The amendment also establishes the criteria and process to be used for each decennial reapportionment. The bill incorporates SJ 224. (15104051D-S1)

DNA Collection

HB 1928 (Bell, R.B.) (SCT) adds misdemeanor violations of § 16.1-253.2 (violation of a protective order), 18.2-60.3 (stalking), 18.2-60.4 (violation of a stalking protective order), 18.2-67.4:1 (infected sexual battery), 18.2-102 (unauthorized use of animal, aircraft, vehicle, or boat valued at less than \$200), 18.2-121 (entering property of another for purpose of damaging it), 18.2-387 (indecent exposure), 18.2-387.1 (obscene sexual display) and 18.2-479.1 (resisting arrest) to the list of offenses for which an adult convicted of such offense must have a sample of his blood, saliva, or tissue taken for DNA analysis. Under current law, a sample is taken for DNA analysis from adults convicted of only five misdemeanor sex offenses: (i) § 18.2-67.4 (sexual battery), (ii) § 18.2-67.4:2 (sexual abuse of a child 13 years of age or older but under 15), (iii) § 18.2-67.5 (attempted sexual battery), (iv) § 18.2-130 (peeping), or (v) § 18.2-370.6 (penetrating the mouth of a child under 13 with the tongue). The bill also increases the fee collected for the withdrawal of the DNA sample from \$25 to \$53. The provisions of the bill apply only to persons convicted on or after July 1, 2015. This bill incorporates HB 1617. (15104864D-H2)

SB 1187 (Obenshain) (HAPP) adds misdemeanor violations of § 16.1-253.2 (violation of a protective order), 18.2-60.3 (stalking), 18.2-60.4 (violation of a stalking protective order), 18.2-67.4:1 (infected sexual battery), 18.2-102 (unauthorized use of animal, aircraft, vehicle, or boat valued at less than \$200), 18.2-121 (entering property of another for purpose of damaging it), 18.2-387 (indecent exposure), 18.2-387.1 (obscene sexual display) and 18.2-479.1 (resisting arrest) to the list of offenses for which an adult convicted of such offense must have a sample of his blood, saliva, or tissue taken for DNA analysis. Under current law, a sample is taken for DNA analysis from adults convicted of only five misdemeanor sex offenses: (i) § 18.2-67.4 (sexual battery), (ii) § 18.2-67.4:2 (sexual abuse of a child 13 years of age or older but under 15), (iii) § 18.2-67.5 (attempted sexual battery), (iv) § 18.2-130 (peeping), or (v) § 18.2-370.6 (penetrating the mouth of a child under 13 with the tongue). The bill also increases the fee collected for the withdrawal of the DNA sample from \$25 to \$53. The provisions of the bill apply only to persons convicted on or after July 1, 2015. The provisions of the bill are contingent on funding in a general appropriation act. (15104763D-S1)

Substance Abuse

Naloxone

HB 1458 (O'Bannon) (Senate Floor) provides that a pharmacist may dispense naloxone or other opioid antagonist used for overdose reversal pursuant to an oral, written or standing order in accordance with protocols developed by the Board of Pharmacy in consultation with the Board of Medicine and the Department of Health, that a person may possess and administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opiate overdose, and that firefighters

and law enforcement officers who have completed a training program may possess and administer naloxone. The bill also provides that a person who in good faith prescribes, dispenses or administers naloxone or other opioid antagonist used for overdose reversal in an emergency to an individual who is believed to be experiencing or about to experience a life-threatening opioid overdose shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment if acting in accordance with the provisions of § 54.1-3408 or in his role as a member of an emergency medical services agency. (15105065D-S1)

SB 1186 (Obenshain) (HHWI) allows a practitioner to prescribe naloxone to a patient for administration to a person other than the patient when the patient believes the person is experiencing or is about to experience a life-threatening opiate overdose and allows a person to possess naloxone and administer naloxone to a person experiencing or about to experience a life-threatening opiate overdose. The bill provides that under such circumstances (i) a person who administers naloxone to another person shall not be liable for civil damages and (ii) a prescriber shall not be civilly or criminally liable for injuries resulting from the prescription of naloxone to a patient for administration to another person. The bill also allows emergency medical services personnel and other first responders to possess and administer naloxone pursuant to a written order or standing protocol, and the bill provides that first responders and emergency medical services personnel who administer naloxone pursuant to a written order or standing protocol shall not be civilly or criminally liable for injuries resulting from the administration of naloxone. (15103537D)

Good Samaritan Laws

HB 1500 (Carr) (SCT) establishes an affirmative defense to prosecution of an individual for (i) simple possession of a controlled substance, marijuana, or controlled paraphernalia; (ii) intoxication in public; or (iii) the unlawful purchase, possession, or consumption of alcohol if such individual sought or obtained emergency medical attention for himself or for another individual because of a drug- or alcohol-related overdose and if the evidence for the charge was obtained as a result of the individual seeking or obtaining emergency medical attention. The bill provides that the affirmative defense may only be invoked by an individual who (a) remains at the scene of the overdose or at any location to which he is transported for emergency medical attention until a law-enforcement officer responds to the report of an overdose, (b) identifies himself to the responding law-enforcement officer, and (c) cooperates, upon request, with any criminal investigation reasonably related to the drug or alcohol that resulted in the overdose. No individual may assert this affirmative defense if the emergency medical attention sought or obtained was during the execution of a search warrant or during the conduct of a lawful search or a lawful arrest. (15100050D-E)

SB 892 (Petersen) (House Floor) establishes an affirmative defense to prosecution of an individual for (i) simple possession of a controlled substance, marijuana, or controlled paraphernalia; (ii) intoxication in public; or (iii) the unlawful purchase, possession, or consumption of alcohol if such individual sought or obtained emergency medical attention for himself or for another individual because of a drug- or alcohol-related overdose and if the

evidence for the charge was obtained as a result of the individual seeking or obtaining emergency medical attention. The bill provides that the affirmative defense may only be invoked by an individual who (a) remains at the scene of the overdose or at any location to which he is transported for emergency medical attention until a law-enforcement officer responds to the report of an overdose, (b) identifies himself to the responding law-enforcement officer, and (c) if requested by a law enforcement officer, substantially cooperates in a criminal investigation related to the drug or alcohol that resulted in the overdose. This affirmative defense does not prohibit the use of such evidence in the prosecution of such individual for any other offense or the prosecution of other individuals for any offense. (15105004D-H1)

Attachments: Supplementary documents dated January 30 and February 13, 2015

cc: Susan Datta, Chief Financial Officer
Patricia Harrison, Deputy County Executive
David J. Molchany, Deputy County Executive
Dave Rohrer, Deputy County Executive
Robert A. Stalzer, Deputy County Executive
David P. Bobzien, County Attorney
Catherine A. Chianese, Assistant County Executive and Clerk to the Board
Richmond Team
Tom Biesiadny, Director, Department of Transportation
Gail Langham, Deputy County Attorney

SUPPLEMENTARY DOCUMENTS
GENERAL ASSEMBLY STATUS REPORT NO. 2
February 17, 2015

1.	Fairfax County Legislative Summary	1
2.	Member Budget Amendments	72
3.	Conflicts of Interests: Key Provisions of HB 1974 (McClellan)/ SB 1345 (McEachin); SB 1424 (Norment); and HB 2070 (Gilbert)	78
4.	HB 1662/SB 1025- Transportation Network Companies	82
5.	2015 Transportation Funding and Allocation Bills- January 30	84
6.	Budget Proposals for FY2015 and FY 2016	90
7.	Letter re: Transportation Funding Amendments in HB 1400	102
8.	Conflicts of Interests: Key Provisions of HB 2070 As Passed by the House and SB 1424 As Passed by the Senate	104
9.	SB 1410 (Deeds)- CSB Emergency Training	110
10.	Select Studies of Interest	112
11.	2015 Transportation Funding and Allocation Bills- February 13	116
12.	Alcalde & Fay: Highlights of the President's FY 2016 Budget	122



**FAIRFAX COUNTY
LEGISLATIVE SUMMARY**

2015 GENERAL ASSEMBLY

February 14, 2015

Fairfax County Legislative Summary 2015 General Assembly

Board of Supervisors Report Key

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

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

Committee/Floor
 Actions

HB 589 - Watts (39)
 Blue Star Memorial Highway; designating as portion of Old Keene Mill Road in Fairfax County.

1/10/2006 House: Referred to Committee on Transportation

12/5/2005

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, *Italics=Staff Recommended Position Changes* (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
<i>Fairfax County Positions (Oppose or Amend) :</i>	
<i>Pages 11-20</i>	
<u>HB 1318</u> Campbell, J	Absentee ballots; photo identification required for submission of application.
<u>HB 1721</u> Ramadan, D	Real property tax; exemption for surviving spouses of members of armed forces killed in action.
<u>HB 1849</u> Marshall, III, D	Zoning appeals, board of; applications for variances.
<u>HB 1915</u> LeMunyon, J	Northern Virginia Transportation Authority; regional plan.
<u>HB 1917</u> LeMunyon, J	Governmental agencies; certain contracts for procurement of goods or services prohibited.
<u>HB 1986</u> Byron, K	Workforce Development, Virginia Board of; changes to Board requirements.
<u>HB 2070</u> Gilbert, C	State and Local Government Conflict of Interests Act, General Assembly Conflicts of Interests Act.
<u>HB 2223</u> Morris, R	Virginia Freedom of Information Act; willful and knowing violations of certain provisions, penalty.
<u>HJ 597</u> Hugo, T	Constitutional amendment; real property tax exemption.
<u>SB 770</u> McEachin, A	Workers' compensation; exclusivity of remedy.
<u>SB 921</u> Wexton, J	Northern Virginia Transportation Authority; use of revenues by towns.
<u>SB 1061</u> Obenshain, M	Electronic pollbooks; photographs and identifying information for each voter.
<u>SB 1158</u> Garrett, T	Statewide Fire Prevention Code; authorizes use of consumer fireworks in Commonwealth.
<u>SB 1257</u> Smith, R	Cash proffer for residential construction; sunset date.
<u>SB 1272</u> Deeds, R	Alcoholic beverage control; limited distillers' licenses.
<u>SB 1424</u> Norment, Jr., T	Conflicts of Interests Act, State & Local Government, & General Assembly, etc.; ethics reforms.

Fairfax County Positions

(Support):

Pages 21-36

HB 1287 Cole, M	Forfeiture of property used in connection with commission of crimes; conviction required.
HB 1560 Rust, T	Electronic summons systems; fees assessed by towns.
HB 1570 Orrock, Sr., R	Unlicensed, unregistered family day homes; notice to Department of Social Services.
HB 1673 Anderson, R	Government Data Collection and Dissemination Practices Act; limitation on collection.
HB 1785 Massie, III, J	Campus police departments; sexual assault reporting.
HB 1886 Jones, S	Public-Private Transportation Act; establishes requirement for finding of public interest.
HB 1887 Jones, S	Transportation; funding, formula, updates annual reporting, and allocations.
HB 1964 Hugo, T	Commercial sex trafficking; penalties.
HB 2042 Filler-Corn, E	Food truck vending on state highway rights-of-way; VDOT to amend its regulations to permit.
HJ 603 Knight, B	Higher educational institutions; prevention of sexual violence on campus.
SB 719 McWaters, J	Elections; absentee voting by persons age 65 or older.
SB 731 Marsden, D	Juvenile law-enforcement records; restorative justice.
SB 736 Howell, J	Courthouse and courtroom security; increases assessment.
SB 785 McEachin, A	Public employment; prohibits discrimination based on basis of sexual orientation or gender identity.
SB 821 Miller, J	Opportunity Educational Institution; repeals Institution.
SB 888 Petersen, J	Electronic summons systems; fees assessed by towns.
SB 903 Puller, L	Problem-Solving Docket Act; established, report.
SB 935 Wexton, J	Herndon, Town of; amending charter, moves election date of mayor and council.
SB 965 Petersen, J	Government Data Collection and Dissemination Practices Act; use of personal information.
SB 1017 Dance, R	Employment applications; inquiries regarding criminal arrests, charges, or convictions.
SB 1054 Hanger, Jr., E	Comprehensive Services for At-Risk Youth and Families, State Executive Council for; regulations.

SB 1123 Barker, G	Child care subsidy; license required.
SB 1140 Garrett, T	Local fiscal impact bills; first day introduction.
SB 1148 Stuart, R	Restricted driver's license; activities related to seeking employment.
SB 1168 Hanger, Jr., E	Child welfare agencies, etc.; regulation.
SB 1201 Wagner, F	Stormwater; procedure for approval of dredging operations in the Chesapeake Bay Watershed.
SB 1329 Garrett, T	Higher educational institutions; memorandum of understanding and policies for sexual assaults.
SB 1378 Barker, G	Virginia Public Procurement Act; cooperative procurement, certain councils of governments.
SB 1410 Deeds, R	Crisis intervention specialists; community services boards and behavioral health authorities.
SJ 216 Ebbin, A	United States Constitution; Equal Rights Amendment.

Fairfax County Positions

(Monitor) :

Pages 37-44

HB 1276 Cox, M	Northern Virginia Veterans Care Center; funding of project.
HB 1424 Marshall, III, D	Virginia Water and Waste Authorities Act; delinquent payment.
HB 1470 LaRock, D	Northern Virginia Transportation Authority; use of revenues, effective date.
HB 1486 Habeeb, G	Workers' compensation; exclusivity of remedy.
HB 1510 Ward, J	Hampton Roads Transportation Accountability Commission; population estimates.
HJ 635 LaRock, D	Communications sales and use tax; Department of Taxation to study performance of tax.
SB 675 Puller, L	Northern Virginia Veterans Care Center; funding of project.
SB 742 Carrico, Sr., C	Elections; run-off elections.
SB 761 Edwards, J	Personal injury and wrongful death actions; disclosure of address of insured person.
SB 781 Alexander, K	Passing with a double yellow line; drivers allowed to pass a pedestrian, bicycle, skateboard, etc.
SB 868 Chafin, A	Water or sewer systems; delinquent payment of rates and charges.
SB 1154 Wexton, J	Discharge of deleterious substance into state waters; notice.
SB 1314 Marsden, D	Northern Virginia Transportation Authority; regional plan.

[SB 1459](#)
McWaters, J

Hampton Roads Transportation Accountability Commission; members to allow public comment before vote.

[SJ 288](#)
Vogel, J

Study; Department of Education; effect of local use value assessment of certain real estate.

Fairfax County Pages 45-71

Positions

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Legislation No Longer Under Consideration (Killed, Failed to Report, Tabled, Incorporated into Other Legislation, etc.):

[HB 1274](#)
Farrell, P

Electronic devices; search without a warrant prohibited.

[HB 1293](#)
Morris, R

Stormwater fees; exemptions for religious groups.

[HB 1294](#)
Morris, R

Churches and other religious bodies.

[HB 1310](#)
Krupicka, K

Taxes on electronic cigarettes and other vapor products.

[HB 1317](#)
Campbell, J

Speeding; reckless driving.

[HB 1343](#)
Filler-Corn, E

Campus police departments; sexual assault reporting.

[HB 1352](#)
Ramadan, D

BPOL tax; deduction for amounts paid under subcontracts.

[HB 1359](#)
Campbell, J

Concealed handgun permits; lifetime permits.

[HB 1388](#)
Albo, D

Courthouse and courtroom security; increase of certain fee.

[HB 1394](#)
Herring, C

Elections; absentee voting; no-excuse, in-person.

[HB 1410](#)
Marshall, R

Motor fuels; reduces tax rate on gasoline and gasohol.

[HB 1416](#)
Taylor, S

Real property tax assessment; appeal to circuit court.

[HB 1497](#)
Sullivan, Jr., R

Absentee voting; registered voter using absentee ballot.

HB 1508 Sullivan, Jr., R	Higher educational institutions; memorandum of understanding and policies.
HB 1514 Minchew, J	Composite index of local ability-to-pay; use value of real estate in certain localities.
HB 1525 Minchew, J	NVTA; Department of Taxation's costs in administering certain taxes.
HB 1528 Berg, M	Government Data Collection and Dissemination Practices Act; limitation on collection.
HB 1529 Berg, M	General appropriation act; expiration date of second enactment Chapter 2, 2014 Sp. I Acts.
HB 1552 Filler-Corn, E	Child welfare agencies; regulation, national criminal history record check requirement.
HB 1576 Pogge, B	Real property tax assessments; arbitration.
HB 1622 Sullivan, Jr., R	Electric utilities; net energy metering.
HB 1630 Lingamfelter, L	Problem-Solving Courts; established, report.
HB 1636 Minchew, J	Net energy metering; program for community subscriber organizations.
HB 1644 Villanueva, R	Commonwealth Transportation Board; membership chosen from congressional districts.
HB 1670 Berg, M	Sheriffs; always serving as chief law-enforcement officer of locality.
HB 1708 Marshall, R	Certain industrial uses; transmission lines.
HB 1744 Hugo, T	Local employee grievance procedure; final step in procedure adopted by local government.
HB 1760 James, M	Hampton Roads Transportation Accountability Commission; local representation.
HB 1762 Watts, V	Retail sales and transient occupancy taxes; room rentals, lodgings, etc.
HB 1773 Berg, M	Concealed handgun; possession on school property.
HB 1865 Kilgore, T	Local fiscal impact bills; first day introduction.
HB 1922 Murphy, K	Elections; absentee voting by persons age 65 or older.
HB 1929 Anderson, R	Family day homes; licensure.
HB 1973 Preston, J	Businesses, certain; local limitations on number.
HB 1992 Morrisey, J	Elections; absentee voting; no-excuse, in-person.
HB 2004 Torian, L	School nurses; divisionwide ratio students in average daily membership.

HB 2017 Surovell, S	Aircraft, certain; local regulation.
HB 2023 BaCote, M	Child care subsidy; license required.
HB 2033 Byron, K	Workforce development; coordination of statewide delivery of training programs & activities, report.
HB 2046 Filler-Corn, E	Licensure of family day homes.
HB 2066 Keam, M	Public libraries; policy of the Commonwealth concerning service to the communities.
HB 2095 Keam, M	Real property tax on commercial and industrial property.
HB 2097 Keam, M	Condemnation proceedings; mandatory dispute resolution orientation session.
HB 2163 Cline, B	Photo-monitoring systems; for traffic light enforcement.
HB 2170 Minchew, J	Northern Virginia Transportation Commission; transfer of powers and duties.
HB 2186 Kory, K	Public school buildings; minimum standards, recommendations for minimum usable school site size.
HB 2252 Preston, J	Elections; absentee voting by persons age 65 or older.
HB 2258 Head, C	Nursing facility services; preadmission screening.
HB 2262 Morris, R	Planning commissions, local; notice to applicants of preapproval requirements.
HB 2294 Joannou, J	Public-Private Transportation Act of 1995; comprehensive agreements.
HB 2296 Joannou, J	Tolling authority; approval by General Assembly before collecting or imposing tolls.
HB 2297 Joannou, J	Hampton Roads Transp. Accountability Commission and public-private partnerships; powers and duties.
HB 2327 Leftwich, J	Offsite improvements or land dedications; regulation of development by localities.
HB 2351 Leftwich, J	Land subdivision and development; approval not to be conditioned on consent of easement holder.
HJ 495 Surovell, S	United States Constitution; Equal Rights Amendment.
HJ 514 Webert, M	Composite Index of Local Ability to Pay; DOE to study effect of local use value assessment.
HJ 520 Hope, P	Constitutional amendment; property tax exemption for nonprofit medical clinics serving the indigent.
HJ 536 Lingamfelter, L	Constitutional amendment; Lottery Proceeds Fund.

<u>HJ 578</u>	Constitutional amendment; general warrants of search or seizure prohibited.
Anderson, R	
<u>HJ 590</u>	Tangible personal property tax relief; reimbursement payments to localities.
Ramadan, D	
<u>HJ 619</u>	Metrorail extension; DRPT to study.
Lingamfelter, L	
<u>HJ 633</u>	Constitutional amendment; Board of Education, powers and duties.
Landes, R	
<u>SB 684</u>	Forfeiture of property used in connection with the commission of crimes; conviction required.
Carrico, Sr., C	
<u>SB 689</u>	Concealed handgun permits; lifetime permits.
Black, R	
<u>SB 708</u>	Elections; absentee voting by persons age 65 or older.
Edwards, J	
<u>SB 726</u>	Cash proffer for residential construction; sunset date.
Cosgrove, J	
<u>SB 743</u>	Hampton Roads Transportation Accountability Commission; local representation.
Lucas, L	
<u>SB 758</u>	Elections; absentee voting by persons age 65 or older.
Barker, G	
<u>SB 764</u>	Electric utilities; net energy metering programs.
Edwards, J	
<u>SB 780</u>	Family day homes; licensure.
Favola, B	
<u>SB 796</u>	County food and beverage tax; referendum requirement.
Lucas, L	
<u>SB 818</u>	Family day homes; licensure by Department of Social Services.
Favola, B	
<u>SB 822</u>	Elections; absentee voting by persons age 65 or older.
Miller, J	
<u>SB 833</u>	Electric utilities; net energy metering.
Edwards, J	
<u>SB 890</u>	Zoning ordinance; vehicle title loan businesses and payday lenders.
Petersen, J	
<u>SB 910</u>	Elections; absentee voting by persons age 65 or older.
Wexton, J	
<u>SB 925</u>	School zone; speed limit photo-enforcement system.
Edwards, J	
<u>SB 981</u>	Higher educational institutions; memorandum of understanding and policies.
Favola, B	
<u>SB 1004</u>	Electronic cigarettes and other vapor products; state tax created, localities authorized to impose.
Ebbin, A	
<u>SB 1011</u>	Cash proffers; purchase of development rights by locality.
Stuart, R	
<u>SB 1023</u>	Mass transit; transit funding in statewide prioritization.
Stuart, R	

<u>SB 1026</u> Garrett, T	Lobbyist disclosure; reporting by certain political subdivisions.
<u>SB 1033</u> Wexton, J	Northern Virginia Transportation Authority; increases membership.
<u>SB 1065</u> Obenshain, M	Cash proffer for residential construction; sunset date.
<u>SB 1091</u> Vogel, J	Public schools; adjustment of calculation of local composite index for funding.
<u>SB 1124</u> Barker, G	Licensure of family day homes.
<u>SB 1132</u> Garrett, T	Concealed handgun; possession on school property prohibited.
<u>SB 1210</u> Ebbin, A	Retail sales and transient occupancy taxes on room rentals.
<u>SB 1274</u> Barker, G	State highways; allocation of funds.
<u>SB 1279</u> Wexton, J	Handheld personal communications devices; use while driving, penalty.
<u>SJ 302</u> Stuart, R	Constitutional amendment (first resolution); general warrants of search or seizure prohibited.

Fairfax County Positions
(Oppose or Amend)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1318 - Campbell (6) Absentee ballots; photo identification required for submission of application.</p>	<p>11/18/14 House: Referred to Committee on Privileges and Elections 1/30/15 House: Reported from Privileges and Elections (16-Y 6-N) 2/3/15 Floor substitutes printed 15104728D-H1 (Krupicka) and 15104722D-H2 (Krupicka) 2/3/15 House: Speaker ruled substitutes by Delegate Krupicka, 15104728D-H1 and 15104722D-H2, not germane 2/6/15 House: Amendment by Delegate Campbell agreed to 2/6/15 House: Printed as engrossed 15100844D-E 2/9/15 House: VOTE: PASSAGE (62-Y 34-N) 2/10/15 Senate: Referred to Committee on Privileges and Elections</p>	<p>[1/30/15]</p>
<p>[Oppose] (15100844D) Summary: Applications for absentee ballots; photo identification required. Requires that any voter submitting his application for an absentee ballot by mail or by electronic or telephonic transmission to a facsimile device shall submit with his application a copy of one of the forms of identification acceptable under current law. The bill exempts from this requirement military and overseas voters and persons with a disability. Currently, only a voter who completes his application for an absentee ballot in person is required to show a form of identification.</p>		
<p>HB 1721 - Ramadan (87) Real property tax; exemption for surviving spouses of members of armed forces killed in action.</p>	<p>1/12/15 House: Referred to Committee on Finance 1/28/15 Subcommittee recommends reporting (10-Y 0-N) 2/4/15 House: Reported from Finance (20-Y 0-N) 2/10/15 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/10/15 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N) 2/11/15 Senate: Referred to Committee on Finance</p>	<p>1/27/15</p>
<p>Amend (15101172D) - Amend to support as a state tax credit. Summary: Real property tax exemption; surviving spouses of members of armed forces killed in action. Exempts from taxation the principal residence of a surviving spouse of a member of the armed forces of the United States killed in action regardless of the value of the residence. Pursuant to subdivision (b) of Section 6-A of Article X of the Constitution of Virginia, which was adopted by the voters in 2014, the General Assembly enacted legislation exempting from taxation the principal residence of such surviving spouse, provided that the assessed value of the residence was not in excess of the averaged assessed value of dwellings in the county or city situated on property zoned as single family residential. The bill exempts the principal residence of any such surviving spouse regardless of assessed value. Subdivision (b) of Section 6-A of Article X provides that the exemption will cease if the surviving spouse remarries.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1849 - Marshall, III (14) Zoning appeals, board of; applications for variances.</p>	<p>1/13/15 House: Referred to Committee on Counties, Cities and Towns 2/4/15 House: Subcommittee recommends reporting with amendment(s) (11-Y 0-N) 2/6/15 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N) 2/10/15 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/10/15 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N) 2/11/15 Senate: Referred to Committee on Local Government</p>	<p>1/27/15</p>
<p>Oppose (15101133D) Summary: Variances. Changes the standard by which a board of zoning appeals shall grant an application for a variance by eliminating or altering several of the requirements.</p>		
<p>HB 1915 - LeMunyon (67) Northern Virginia Transportation Authority; regional plan.</p>	<p>1/13/15 House: Referred to Committee on Transportation 1/29/15 Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/3/15 House: Reported from Transportation with substitute (22-Y 0-N) 2/5/15 House: Committee substitute agreed to 15104457D-H1 2/6/15 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/6/15 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 2/9/15 Senate: Referred to Committee on Transportation</p>	<p>1/27/15 [1/30/15]</p>
<p>[Amend] (15104457D-H1) - Amend to moderate prioritization and reporting requirements. See also SB 1314 (Marsden). Oppose (15103478D) - See also SB 1314 (Marsden). Summary: Requires the Northern Virginia Transportation Authority to include in its regional transportation plan as its primary objective reducing congestion in Planning District 8 to the greatest extent possible and in the most rapid and cost-effective manner. The Authority shall document in quantitative terms the reduction in congestion and improvement in regional mobility in Planning District 8 expected by implementing the plan. Also, each locality embraced by the Authority shall annually report to the Authority any aspects of its comprehensive plan that are not consistent with the regional transportation plan.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1917 - LeMunyon (67) Governmental agencies; certain contracts for procurement of goods or services prohibited.</p>	<p>1/13/15 House: Referred to Committee on General Laws 2/5/15 House: Reported from General Laws with substitute (21-Y 0-N) 2/10/15 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/10/15 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N) 2/11/15 Senate: Referred to Committee on General Laws and Technology</p>	<p>[2/13/15]</p>
<p>[Oppose] (15104248D-H1) Summary: Certain contracts between governmental agencies prohibited. Requires any governmental agency that intends to purchase services for an amount over \$25,000 from another governmental agency, which service is found on the commercial activities list, to post notice of such purchase and provide the opportunity for comment by or the submission of information from the private sector on each such intended purchase. The bill specifies where the notice is to be posted and defines commercial activities list and governmental agency.</p>		
<p>HB 1986 - Byron (22) Workforce Development, Virginia Board of; changes to Board requirements.</p>	<p>1/13/15 House: Referred to Committee on Commerce and Labor 1/29/15 House: Reported from Commerce and Labor with substitute (20-Y 0-N) 1/29/15 House: Committee substitute printed 15104274D-H1 2/4/15 House: Floor substitute printed 15104786D-H2 (Byron) 2/5/15 House: Committee substitute rejected 15104274D-H1 2/5/15 House: Substitute by Delegate Byron agreed to 15104786D-H2 2/6/15 House: VOTE: PASSAGE (98-Y 0-N 1-A) 2/9/15 Senate: Referred to Committee on Commerce and Labor</p>	<p>[1/30/15]</p>
<p>[Oppose Unless Amended] (15104274D-H1) - Amend to provide for flexibility in requirement to spend 40 percent of state funds on training. Incorporates HB 2033 (Byron). Summary: Virginia Board of Workforce Development. Makes several changes to the Virginia Board of Workforce Development (Board), including (i) requiring quarterly meetings of the Board; (ii) establishing a full-time director position to be supervised by the Governor's Chief Workforce Development Advisor (Advisor) and dedicated to supporting the Board's operations; and (iii) adding, as an area of policy advice to the Governor, issues to create a business-driven system that increases the rates of attainment of workforce credentials and jobs. Beginning November 1, 2016, and annually thereafter, each agency administering any publicly funded career and technical education and workforce development program shall submit to the Governor and the Board a report detailing the program's performance against state-level metrics established by the Advisor. In addition, the Advisor, the Commissioner of the Virginia Employment Commission (VEC), and the Chancellor of the Virginia Community College System (VCCS) shall enter into a memorandum of understanding that sets forth (a) the roles and responsibilities of each of these publicly funded entities; (b) a funding mechanism that adequately supports operations under the federal provisions; and (c) a procedure for the resolution of any</p>		

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Bills	General Assembly Actions	Date of BOS Position
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disagreements that may arise. The Advisor, VEC, and VCCS shall collaborate to produce an annual executive summary. Each local workforce development board shall develop and execute a strategic plan designed to combine public and private resources to support sector strategies, career pathways, and career readiness skills development. This bill also sets the minimum level of fiscal support from WIOA Adult and Dislocated Worker funds, and provides incentives. The bill also makes several technical amendments required with the transition from the federal Workforce Investment Act of 1998 to the federal Workforce Innovation and Opportunity Act of 2014. On October 1, 2017, the Executive Director of the Board shall provide members of the Board with a detailed report evaluating local workforce develop boards' rate of the expenditures for incentives from July 1, 2015, to July 1, 2017.

<p>HB 2070 - Gilbert (15) State and Local Government Conflict of Interests Act, General Assembly Conflicts of Interests Act.</p>	<p>1/14/15 House: Referred to Committee for Courts of Justice 2/4/15 House: Reported from Courts of Justice with substitute (20-Y 0-N) 2/4/15 House: Referred to Committee on Appropriations 2/6/15 House: Reported from Appropriations (20-Y 0-N) 2/10/15 House: VOTE: PASSAGE (93-Y 6-N) 2/11/15 Senate: Referred to Committee on Rules</p>	<p>[2/13/15]</p>
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[Amend] (15104752D-H1) - Amend to ensure that local government officers and employees and General Assembly members are treated consistently with respect to ethics requirements.

Summary: State and Local Government Conflict of Interests Act, General Assembly Conflicts of Interests Act, and Virginia Conflict of Interest and Ethics Advisory Council; certain gifts prohibited; approvals required for certain travel. Removes the distinction between tangible and intangible gifts and prohibits any state or local officer or employee, member of the General Assembly, and certain candidates from soliciting, accepting, or receiving a single gift with a value exceeding \$100 from certain persons. The bill also prohibits the immediate family of such officers, employees, members, or candidates from soliciting, accepting, or receiving such gifts. The bill provides an exception for gifts received at widely attended events, which are those events in which there is a reasonable expectation that at least 25 persons will attend the event. The bill requires disclosure of any single gift or entertainment, or any combination of gifts or entertainment, with a value exceeding \$50. The bill also requires persons subject to the Conflict of Interest Acts to request a approval from the Virginia Conflict of Interest and Ethics Advisory Council and receive the approval of the Council prior to accepting or receiving any travel-related transportation, lodging, meal, hospitality, or other thing of value provided by certain third parties that has a value exceeding \$100. The bill requires electronic filing of disclosure forms with the Council and provides that local officers and employees will file disclosure forms locally instead of with the Council. The bills provides that the making of a knowing and intentional false statement on a disclosure form is punishable as a Class 5 felony. The bill also prohibits the Governor, his campaign committee, and any political action committee established on his behalf from knowingly soliciting or accepting a contribution, gift, or other item with a value greater than \$100 from persons and entities seeking loans or grants from the Governor's Development Opportunity Fund, restricts such gifts and contributions from persons and entities seeking loans or grants from the Fund, and provides that any violation shall result in a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater. This bill incorporates HB 1598, HB 1667, HB 1689, HB 1919, HB 1947, and HB 2060.

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Bills	General Assembly Actions	Date of BOS Position
HB 2223 - Morris (64) Virginia Freedom of Information Act; willful and knowing violations of certain provisions, penalty.	1/16/15 House: Referred to Committee for Courts of Justice 2/6/15 House: Reported from Courts of Justice with substitute (21-Y 0-N) 2/10/15 House: VOTE: PASSAGE (99-Y 1-N) 2/11/15 Senate: Referred to Committee on General Laws and Technology	[2/13/15]
[Oppose] (15104295D-H1) Summary: Virginia Freedom of Information Act; willful violations a misdemeanor; penalty. Provides that in addition to the civil enforcement provisions of FOIA, any officer, employee, or member of a public body who, without legal excuse or justification, deliberately, willfully, and knowingly violates certain FOIA provisions is guilty of a Class 1 misdemeanor.		
HJ 597 - Hugo (40) Constitutional amendment; real property tax exemption.	1/12/15 House: Referred to Committee on Privileges and Elections 2/2/15 House: Subcommittee recommends reporting (6-Y 1-N) 2/6/15 House: Reported from Privileges and Elections with amendment (21-Y 1-N) 2/9/15 House: VOTE: ADOPTION (93-Y 0-N) 2/10/15 Senate: Referred to Committee on Privileges and Elections	1/27/15
Amend (15101096D) - Amend to provide state funding for this initiative. Summary: Constitutional amendment (first resolution); real property tax exemption. Provides that the General Assembly may provide for a local option to exempt from taxation the primary residence of the surviving spouse of any law-enforcement officer, firefighter, search and rescue personnel, or emergency medical services personnel killed in the line of duty. Such tax exemption may not be claimed by a surviving spouse who has remarried.		
SB 770 - McEachin (9) Workers' compensation; exclusivity of remedy.	12/23/14 Senate: Referred to Committee on Commerce and Labor 1/19/15 Senate: Rereferred to Courts of Justice 2/2/15 Senate: Reported from Courts of Justice with substitute (8-Y 5-N) 2/4/15 Senate: Committee substitute agreed to 15104616D-S1 2/12/15 House: Referred to Committee on Commerce and Labor 2/13/15 House: Referred from Commerce and Labor by voice vote 2/13/15 House: Referred to Committee for Courts of Justice	[2/13/15] 1/27/15
[Amend] (15104616D-S1) Amend, to clarify that the court has determined the facts of the claim, not just allegations. See also HB 1486 (Habeeb) Oppose (15100341D) Summary: Provides that if a court or the Worker's Compensation Commission makes a finding in an unappealed order that an accident, disease, injury, disease or death is barred by the exclusivity provisions of the		

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Bills	General Assembly Actions	Date of BOS Position
<p>Workers' Compensation Act, then that finding shall be res judicata between the parties and estop them and certain others from arguing before the Commission or a court that the accident, injury, disease or death did not arise out of and in the course and scope of the employee's employment. The bill further sets out the notice provisions required in order for the court finding to be res judicata.</p>		
<p>SB 921 - Wexton (33) Northern Virginia Transportation Authority; use of revenues by towns.</p>	<p>1/8/15 Senate: Referred to Committee on Transportation 1/21/15 Senate: Reported from Transportation (14-Y 0-N) 1/27/15 Senate: Read third time and passed Senate (40-Y 0-N) 1/30/15 House: Referred to Committee on Transportation</p>	<p>1/27/15</p>
<p>Oppose (15102245D) Summary: Use of revenues by Northern Virginia Transportation Authority. Adds towns to the list of localities whose transportation projects can benefit from revenues from the Northern Virginia Transportation Authority. The bill also requires that such cities and towns receive funds for street maintenance to be eligible to receive revenues from NVTVA.</p>		
<p>SB 1061 - Obenshain (26) Electronic pollbooks; photographs and identifying information for each voter.</p>	<p>1/13/15 Senate: Referred to Committee on Privileges and Elections 1/27/15 Senate: Reported from Privileges and Elections with substitute (14-Y 1-N) 2/2/15 Senate: Substitute by Senator Obenshain agreed to 15104676D-S2 2/3/15 Senate: Passed Senate (38-Y 0-N) 2/3/15 Senate: Reconsideration of passage agreed to by Senate (38-Y 0-N) 2/3/15 Senate: Passed Senate (38-Y 0-N) 2/6/15 House: Referred to Committee on Privileges and Elections 2/12/15 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N) 2/12/15 House: Subcommittee recommends referring to Committee on Appropriations 2/13/15 House: Reported from Privileges and Elections with amendment (14-Y 6-N) 2/13/15 House: Referred to Committee on Appropriations</p>	<p>1/27/15</p>
<p>Oppose (15100744D) Summary: Elections; electronic pollbooks; photographs. Requires electronic pollbooks to contain a photograph and identifying information received by the State Board of Elections from the Department of Motor Vehicles for each registered voter for whom the Department of Motor Vehicles has such a photograph and identifying information. Lists of voters furnished pursuant to current law are prohibited from containing any voter's photograph or identifying physical information. The bill also provides that if the electronic pollbook contains the voter's photograph and identifying information, the officer of election is required to access that photograph and identifying information and the voter is not required to present one of the statutorily required forms of identification. Additionally, the bill requires the officer of election to challenge the voter's vote if the voter does</p>		

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Bills	General Assembly Actions	Date of BOS Position
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not appear to be the same person depicted in the photograph or in the pollbook. The bill has a delayed effective date of July 1, 2016.

<p>SB 1158 - Garrett (22) Statewide Fire Prevention Code; authorizes use of consumer fireworks in Commonwealth.</p>	<p>1/13/15 Senate: Referred to Committee on General Laws and Technology 2/2/15 Senate: Reported from General Laws and Technology with amendments (9-Y 5-N 1-A) 2/5/15 Senate: Committee amendments rejected 2/5/15 Senate: Substitute by Senator Garrett agreed to 15104757D-S1 2/6/15 Senate: Read third time and passed Senate (30-Y 8-N) 2/10/15 House: Referred to Committee on General Laws</p>	<p>[1/30/15]</p>
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[Oppose] (15103254D)

Summary: Statewide Fire Prevention Code; State Fire Marshal; consumer fireworks; penalties. Adds definitions for consumer fireworks and display fireworks and authorizes the use of consumer fireworks in the Commonwealth. The bill defines "consumer fireworks" as small fireworks devices (i) containing restricted amounts of pyrotechnic composition designed primarily to produce visible or audible effects by combustion and (ii) complying with certain federal regulations regarding composition and labeling. The bill also provides that the storage and transportation of consumer fireworks are to be considered the same hazard class as 1.4G explosives under the Statewide Fire Prevention Code (SFPC) and Uniform Statewide Building Code. The bill excludes from the provisions of the SFPC, unless prohibited by a local ordinance, (i) the sale of permissible or consumer fireworks, (ii) any person using, igniting or exploding permissible or consumer fireworks on residential or agricultural property with the consent of the owner of such property, or (iii) when such permissible or consumer fireworks are being transported from a locality where they were legally obtained to a locality where they are legally permitted. Current law only excludes sale of permissive fireworks or the use of such fireworks on private property. The provisions of the bill have a delayed effective date of January 1, 2016.

<p>SB 1257 - Smith (22) Cash proffer for residential construction; sunset date.</p>	<p>1/14/15 Senate: Referred to Committee on Local Government 1/27/15 Senate: Reported from Local Government with substitute (13-Y 0-N) 1/28/15 Incorporates SB 1065 and SB 726 1/30/15 Senate: Committee substitute agreed to 15104310D-S1 2/2/15 Senate: Passed Senate (38-Y 0-N) 2/6/15 House: Referred to Committee on Counties, Cities and Towns 2/13/15 House: Reported from Counties, Cities and Towns (21-Y 0-N)</p>	<p>1/27/15</p>
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Oppose (15102679D) - Board has historically opposed.

Summary: Cash proffers; acceptance by localities. Repeals the July 1, 2017, expiration of a 2010 Act of Assembly that delays collection or acceptance of a cash proffer by a locality until the completion of the final inspection of the subject property and prior to the time of the issuance of any certificate of occupancy.

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1272 - Deeds (25) Alcoholic beverage control; limited distillers' licenses.</p>	<p>1/14/15 Senate: Referred to Committee on Rehabilitation and Social Services 1/23/15 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 1-N) 1/27/15 Committee substitute agreed to 15104148D-S1 1/28/15 Senate: Read third time and passed Senate (37-Y 2-N) 1/30/15 House: Referred to Committee on General Laws</p>	<p>1/27/15</p>
<p>Oppose (15102005D) Summary: Alcoholic beverage control; limited distiller's license. Creates a limited distiller's license for distilleries that (i) manufacture no more than 36,000 gallons of spirits per calendar year, (ii) are located on a farm in the Commonwealth on land zoned agricultural and owned or leased by such distillery or its owner, and (iii) grow agricultural products on the farm that are used in the manufacture of its alcoholic beverages. The bill also establishes local and state taxes for limited distillers' licenses and prevents local regulation of certain activities by such licensees.</p>		
<p>SB 1424 - Norment, Jr. (3) Conflicts of Interests Act, State & Local Government, & General Assembly, etc.; ethics reforms.</p>	<p>1/23/15 Senate: Referred to Committee on Rules 2/6/15 Senate: Reported from Rules with substitute (15-Y 0-N) 2/12/15 House: Referred to Committee for Courts of Justice 2/13/15 House: Reported from Courts of Justice with substitute (21-Y 0-N)</p>	<p>[2/13/15]</p>
<p>[Amend] (15104983D-ES2) - Amend to ensure that local government officers and employees and General Assembly members are treated consistently with respect to ethics requirements. Summary: State and Local Government Conflict of Interests Act, General Assembly Conflicts of Interests Act, and the Virginia Conflict of Interest and Ethics Advisory Council; ethics reforms. Authorizes the Virginia Conflict of Interest and Ethics Advisory Council to (i) prescribe, receive, and review all disclosure forms required by the State and Local Government Conflict of Interests Act, the General Assembly Conflicts of Interests Act, and the lobbying laws; (ii) conduct annual inspections of those disclosure forms; (iii) issue advisory opinions; (iv) grant waivers for certain travel and gifts; and (v) refer certain violations to the appropriate authority for assessment of civil penalties. The bill modifies the current composition of the Council, reducing the number of members from 15 to 9 and requires there be bipartisan balance of the General Assembly members appointed to the Council. The bill prohibits any single gift or any combination of gifts in a calendar year with a value exceeding \$100 from any single source to those persons subject to the Conflicts of Interests Acts and members of their immediate family. Certain gifts are exempt from the \$100 limit on gifts, including gifts from business associates, relatives, gifts received in conjunction with a personal celebration or while in attendance at a widely attended event, or travel-related gifts for which the Council granted a waiver. Gifts for which the filer has reimbursed the giver for the full value of the gift are not required to be disclosed. The bill removes the required disclosure forms from the Code, outlines the required information to be reported on the disclosure forms, authorizes the Council to prescribe the forms, and requires all disclosure forms be filed electronically with the Council. The bill also prohibits the Governor, his campaign committee, and any political action committee established on his behalf from knowingly soliciting or accepting a contribution, gift, or other</p>		

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Bills	General Assembly Actions	Date of BOS Position
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item with a value greater than \$50 from persons and entities seeking loans or grants from the Governor's Development Opportunity Fund, restricts such gifts and contributions from persons and entities seeking loans or grants from the Fund, and provides that any violation shall result in a civil penalty of \$500 or up to two times the amount of the contribution or gift, whichever is greater.

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Fairfax County Positions
(Support)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1287 - Cole (88) Forfeiture of property used in connection with commission of crimes; conviction required.</p>	<p>9/23/14 House: Referred to Committee for Courts of Justice 1/21/15 Subcommittee recommends reporting with amendment(s) (10-Y 1-N) 1/28/15 House: Reported from Courts of Justice with substitute (20-Y 1-N) 2/3/15 House: VOTE: PASSAGE (92-Y 6-N) 2/4/15 Senate: Referred to Committee for Courts of Justice 2/11/15 Senate: Reported from Courts of Justice (11-Y 2-N) 2/11/15 Senate: Rereferred to Finance</p>	<p>1/27/15</p>
<p>Support Study (15100438D) - Support referring bill to Crime Commission for study, similar to SB 684. Summary: Forfeiture of property used in connection with the commission of crimes; conviction required. Requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the person whose property is the subject of the forfeiture action has been convicted of the crime authorizing the forfeiture and has exhausted all appeals. The bill provides that property may be forfeited even though no final conviction order is entered if (i) the forfeiture is ordered by the court pursuant to a plea agreement or (ii) the owner of the property has not submitted a written demand for the return of the property within one year from the date the property was seized. This bill incorporates HB 1468.</p>		
<p>HB 1560 - Rust (86) Electronic summons systems; fees assessed by towns.</p>	<p>1/7/15 House: Referred to Committee for Courts of Justice 1/14/15 Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 1/28/15 House: Reported from Courts of Justice with amendments (21-Y 0-N) 2/3/15 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/3/15 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N) 2/4/15 Senate: Referred to Committee for Courts of Justice 2/11/15 Senate: Reported from Courts of Justice with substitute (12-Y 1-N) 2/11/15 Senate: Rereferred to Finance</p>	<p>1/27/15</p>
<p>Support (15101955D) - See also SB 888 (Petersen). Summary: Electronic summons systems; fees; towns. Allows towns to assess a fee not to exceed \$5, as part of the costs in each criminal or traffic case in the district or circuit courts located where such cases are brought, to be used for the implementation and maintenance of an electronic summons system.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1570 - Orrock, Sr. (54) Unlicensed, unregistered family day homes; notice to Department of Social Services.</p>	<p>1/7/15 House: Referred to Committee on Health, Welfare and Institutions 2/5/15 House: Reported from Health, Welfare and Institutions with substitute (9-Y 5-N) 2/5/15 House: Referred to Committee on Appropriations 2/6/15 House: Reported from Appropriations with substitute (17-Y 3-N) 2/10/15 House: VOTE: PASSAGE (69-Y 30-N) 2/11/15 Senate: Referred to Committee on Rehabilitation and Social Services</p>	<p>[2/13/15]</p>

[Support w/ Amend.] (15104920D-H2) - Support with amendment to grandfather locally permitted programs. This bill was selected by the House to be the vehicle for revisions to state policy on licensure of family day home child care services, and includes provisions from or addresses policies proposed in HB 1552 (Filler-Corn), HB 1931 (Anderson), HB 2046 (Filler-Corn), and HB 2069 (Keam).

Summary: Unlicensed, unregistered family day homes; notice to Department of Social Services and notice to parents. Requires fingerprint-based national criminal history records checks for licensed child day centers and family day homes. The bill also requires family day homes providing care for five or more children, other than the children of the provider or children that reside in the home, for compensation to be licensed by the Department of Social Services. Currently, only family day homes providing care for six or more children, other than the children of the provider or children that reside in the home, are required to be licensed. The bill also requires local commissioners of the revenue or other local business license officials to report to the Department of Social Services on a quarterly basis the name, address, and contact information for any child day center or family day home to which a business license was issued; requires the Department of Social Services to promulgate regulations requiring licensed and registered child day centers and family day homes to notify the parent of every child enrolled in the child day center or family day home, in writing, of any emergency situation that occurs while the child is receiving care; and requires all unlicensed and unregistered family day homes, other than those in which all of the children receiving care are related by blood or marriage to the provider, to provide written notice to the parents of every child receiving care stating that the family day home is not regulated by the Department of Social Services and referring the parents to a website maintained by the Department for additional information regarding licensed, registered, and unlicensed, unregistered family day homes. The bill also requires all child day centers and family day homes that enter into a contract with the Department of Social Services or a local department of social services to provide child care services that are funded, in whole or in part, by the Child Care and Development Block Grant to comply with all requirements established by federal law and regulation. The bill also requires the Department of Social Services to develop recommendations related to appropriate criminal and civil penalties for individuals who operate or engage in the conduct of a child day center or family day home without first obtaining a license or after such license has been revoked or has expired and not been renewed, or who operate or engage in the conduct of a child day center or family day home serving more children than the maximum stipulated in the license, and that the Department report on the requirements established in the Child Care and Development Block Grant to the Senate Committee on Education and Health and the House Committee on Health, Welfare and Institutions by December 1, 2015.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1673 - Anderson (51) Government Data Collection and Dissemination Practices Act; limitation on collection.</p>	<p>1/9/15 House: Referred to Committee for Courts of Justice 1/21/15 House: Referred from Courts of Justice by voice vote 1/21/15 House: Referred to Committee on Militia, Police and Public Safety 2/6/15 House: Reported from Militia, Police and Public Safety with amendments (17-Y 4-N) 2/10/15 House: VOTE: PASSAGE (89-Y 11-N) 2/11/15 Senate: Referred to Committee on General Laws and Technology</p>	<p>[1/30/15] 1/27/15</p>
<p>[Support Study] (15102702D) - Support study prior to passing legislation to ensure privacy issues and law enforcement needs are appropriately balanced. Monitor Summary: Government Data Collection and Dissemination Practices Act; license plate readers; limitation on collection and use of personal information by law enforcement. Limits the ability of law-enforcement and regulatory agencies to use license plate readers to collect and maintain personal information on individuals and organizations where a warrant has not been issued and there is no reasonable suspicion of criminal activity by the individual or organization. Information collected by a license plate reader without a warrant shall only be retained for seven days and shall only be used for the investigation of a crime or a report of a missing person. The bill codifies an opinion of the Attorney General regarding the Government Data Collection and Dissemination Practices Act.</p>		
<p>HB 1785 - Massie, III (72) Campus police departments; sexual assault reporting.</p>	<p>1/13/15 House: Referred to Committee for Courts of Justice 1/29/15 House: Referred from Courts of Justice by voice vote 1/29/15 House: Referred to Committee on Education 2/3/15 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 2/3/15 House: Subcommittee recommends referring to Committee for Courts of Justice 2/4/15 House: Reported from Education with substitute (22-Y 0-N) 2/4/15 House: Referred to Committee for Courts of Justice 2/4/15 House: Reported from Courts of Justice with substitute (19-Y 0-N) 2/10/15 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/10/15 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N) 2/11/15 Senate: Referred to Committee for Courts of Justice</p>	<p>1/27/15</p>
<p>Support (15101919D) Summary: Requires that mutual aid agreements between a campus police force and a law-enforcement agency contain provisions requiring either the campus police force or the agency with which it has established a mutual aid agreement to notify the local attorney for the Commonwealth within 48 hours of any investigation involving felony criminal sexual assault occurring on campus property or other property related to the</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>institution of higher education that is victim-initiated or is required to be reported to the campus community. The bill also requires institutions of higher education that have security departments instead of campus police forces to enter into a memorandum of understanding with a law-enforcement agency and such memorandum of understanding shall contain similar provisions requiring reports to the local attorney for the Commonwealth.</p>		
<p>HB 1886 - Jones (76) Public-Private Transportation Act; establishes requirement for finding of public interest.</p>	<p>1/13/15 House: Referred to Committee on Transportation 1/29/15 House: Reported from Transportation with substitute (20-Y 0-N) 2/3/15 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 2/3/15 House: VOTE: BLOCK VOTE PASSAGE (98-Y 0-N) 2/4/15 Senate: Referred to Committee on Transportation</p>	<p>1/27/15</p>
<p>Support w/ Amend. (15103395D) - Amend to clarify high/medium/low risk levels. Summary: Public-Private Transportation Act; finding of public interest. Establishes the requirements for a finding of public interest, requires such a finding prior to an initiation of procurement, and establishes the Transportation Public-Private Partnership Advisory Committee to determine whether a proposal for the operation and development of a transportation facility serves a public purpose and report such determination to the General Assembly. The bill also requires certification of the finding prior to the execution of a comprehensive agreement and requires the public-private partnership guidelines to incorporate the finding. The bill also requires VDOT to establish (i) a process for identifying high-risk projects and (ii) procurement processes and guidelines for such projects to ensure that the public interest is protected.</p>		
<p>HB 1887 - Jones (76) Transportation; funding, formula, updates annual reporting, and allocations.</p>	<p>1/13/15 House: Referred to Committee on Transportation 1/29/15 House: Reported from Transportation with substitute (17-Y 3-N) 2/3/15 House: Engrossed by House - committee substitute with amendment HB1887EH1 2/4/15 House: VOTE: PASSAGE (93-Y 4-N) 2/4/15 House: VOTE: PASSAGE #2 (96-Y 2-N) 2/4/15 House: Reconsideration of passage agreed to by House 2/5/15 Senate: Referred to Committee on Transportation</p>	<p>1/27/15</p>
<p>Support w/ Amend. (15103429D) - Support with amendments to: provide/retain local governments' ability to determine where funds will be allocated within their respective jurisdictions; retain the ability of the Transportation Partnership Opportunity Fund to be used for public-private partnerships or tax districts; and clarify that there will not be a negative impact on the Virginia Railway Express. Summary: The bill establishes the high-priority projects program and the highway construction district grant program and replaces the \$500 million annual allocation made by the CTB and the 40-30-30 allocation formula to the primary, secondary, and urban highways with a new 40-30-30 allocation of funds to state of good repair purposes, high-priority projects, and highway construction district grants. The bill adds to transportation funding considerations the state of good repair purposes along with asset management practices and maintenance and requires the CTB to develop a priority ranking system for structurally deficient bridges and deteriorated pavements.</p>		

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The bill updates the annual report of the Commissioner of Highways made to the Governor and the General Assembly and adds that such report be submitted to the Joint Legislative Audit and Review Commission and the CTB.

The bill also reallocates the interest, dividends, and appreciation that currently accrue to the Transportation Trust Fund and Highway Maintenance and Operating Fund: two-thirds of such current accruals to the Virginia Transportation Infrastructure Bank (VTIB) and one-third of such accruals to the Transportation Partnership Opportunity Fund. The bill also removes the ability of a governmental entity to apply for a VTIB grant. The bill also allows the CTB to make transfers from the Toll Facilities Revolving Account to the VTIB. The bill provides an additional \$40 million annually for transit projects, beginning in FY 2017. Funding will be shifted from the Port and Aviation shares of the Transportation Trust Fund and several highway funding sources. These provisions will expire if the federal government enacts the Marketplace Fairness Act.

<p>HB 1964 - Hugo (40) Commercial sex trafficking; penalties.</p>	<p>1/13/15 House: Referred to Committee for Courts of Justice 2/4/15 House: Reported from Courts of Justice with substitute (20-Y 0-N) 2/4/15 House: Referred to Committee on Appropriations 2/6/15 House: Reported from Appropriations (20-Y 0-N) 2/10/15 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/10/15 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N) 2/11/15 Senate: Referred to Committee for Courts of Justice</p>	<p>[2/13/15]</p>
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[Support] (15104694D-H1)
Summary: Creates new felonies for trafficking of persons for commercial sexual activity. The bill provides that any person who solicits, invites, recruits, encourages, or otherwise causes or attempts to cause a person to engage in prostitution with the intent to receive money or other valuable thing or to assist another in receiving money or other valuable thing from the earnings of the solicited person from an act of prostitution is guilty of a Class 5 felony. Felonies are increased if such behavior is done by an adult and the person solicited is a minor (Class 3 felony) and if force is used or threatened against the person solicited or the person's family or household member (Class 4 felony). The new crime was added to the definition of violent felony for the purposes of the sentencing guidelines, the Virginia Racketeer Influence and Corrupt Organization Act, multijurisdiction grand jury, and asset forfeiture and if a minor is solicited, the Sex Offender Registry. The bill also amends two existing Code sections on receiving money for procuring a person prostitution and receiving money from the earnings of a person engaged in prostitution to increase penalties if the receipt is from a minor.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2042 - Filler-Corn (41) Food truck vending on state highway rights-of-way; VDOT to amend its regulations to permit.</p>	<p>1/14/15 House: Referred to Committee on Transportation 2/4/15 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/5/15 House: Reported from Transportation with substitute (21-Y 1-N) 2/10/15 House: VOTE: PASSAGE (100-Y 0-N) 2/11/15 Senate: Referred to Committee on Transportation</p>	<p>[2/13/15] [1/30/15]</p>
<p>[Support] (15104807D-H1) [Support w/ Amend.] (15104807D-H1) – Support concept; amend to provide local authority to regulate consistent with County zoning ordinance. Summary: Food truck vending on state highway rights-of-way. Directs the Commonwealth Transportation Board to amend its regulations regarding food truck vending on state highway rights-of-way.</p>		
<p>HJ 603 - Knight (81) Higher educational institutions; prevention of sexual violence on campus.</p>	<p>1/13/15 House: Referred to Committee on Rules 2/5/15 House: Subcommittee recommends reporting with amendment(s) (4-Y 0-N) 2/6/15 House: Reported from Rules with substitute (14-Y 0-N) 2/9/15 House: Agreed to by House BLOCK VOTE (92-Y 0-N) 2/9/15 House: VOTE: BLOCK VOTE ADOPTION (92-Y 0-N) 2/10/15 Senate: Referred to Committee on Rules</p>	<p>[1/30/15]</p>
<p>[Support] (15103081D) Summary: Study; prevention of sexual violence on the campuses of public and private institutions of higher education in the Commonwealth; report. Directs the Virginia State Crime Commission to study the prevention of sexual violence on college campuses in Virginia. In conducting its study, the Commission must (i) ascertain the breadth of the problem of sexual violence on public and private college campuses in the Commonwealth; (ii) review all relevant state and federal laws, regulations, and policies to identify appropriate ways in which sexual violence may be abated; (iii) assess the policies, process, and procedures for reporting crimes of sexual violence used by colleges and universities in the Commonwealth; (iv) determine whether any institutions of higher education in the Commonwealth have pending U.S. Department of Education Office for Civil Rights investigations for the manner in which allegations and reports of sexual violence have been managed; (v) collaborate with other local, state, federal, college, and community advocates and police departments and entities to address the problem throughout the Commonwealth's higher education and criminal justice systems and among parents and students; (vi) make recommendations to ensure safe college and university campuses throughout the Commonwealth; and (vii) carry out any other duties the joint subcommittee deems proper to facilitate the study. The Commission must submit its report to the Chairmen of the House Committees on Education and for Courts of Justice, the Chairmen of the Senate Committees on Education and Health and for Courts of Justice, the Governor, and the 2016 Session of the General Assembly.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 719 - McWaters (8) Elections; absentee voting by persons age 65 or older.</p>	<p>12/8/14 Senate: Referred to Committee on Privileges and Elections 1/27/15 Senate: Reported from Privileges and Elections with substitute (12-Y 3-N) 1/28/15 Incorporates SB 708, SB 758, SB 822, and SB 910 2/2/15 Senate: Read third time and passed Senate (33-Y 5-N) 2/6/15 House: Referred to Committee on Privileges and Elections 2/12/15 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/27/15</p>
<p>Support (15100753D) - Board has historically supported. See also SB 708 (Edwards), SB 758 (Barker), SB 822 (Miller), SB 910 (Wexton), HB 1922 (Murphy) and HB 2252 (Preston). Summary: Entitles persons age 65 or older on the day of an election for which an absentee ballot is requested to vote absentee. The bill incorporates SB 708, SB 758, SB 822, and SB 910.</p>		
<p>SB 731 - Marsden (37) Juvenile law-enforcement records; restorative justice.</p>	<p>12/12/14 Senate: Referred to Committee for Courts of Justice 1/21/15 Senate: Reported from Courts of Justice with substitute (12-Y 0-N 1-A) 1/27/15 Senate: Read third time and passed Senate (39-Y 0-N) 1/30/15 House: Referred to Committee for Courts of Justice</p>	<p>1/27/15</p>
<p>Support (15100292D) Summary: Allows law enforcement agencies to release information on juvenile arrests for the purpose of referring a juvenile to a restorative justice program that has a contract with a local governing body or a court services unit. Restorative justice programs are prohibited from further and unrelated disclosure of the information.</p>		
<p>SB 736 - Howell (32) Courthouse and courtroom security; increases assessment.</p>	<p>12/16/14 Senate: Referred to Committee for Courts of Justice 1/14/15 Senate: Rereferred to Finance 2/5/15 Senate: Reported from Finance (12-Y 2-N) 2/12/15 House: Referred to Committee on Militia, Police and Public Safety 2/13/15 House: Referred from Militia, Police and Public Safety by voice vote 2/13/15 House: Referred to Committee on Appropriations</p>	<p>1/27/15</p>
<p>Support (15102438D) - See also HB 1388 (Albo). Summary: Courthouse security; assessment. Increases from \$10 to \$20 the maximum amount a local governing body may assess against a convicted defendant as part of the costs in a criminal or traffic case in district or circuit court to fund courthouse security.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 785 - McEachin (9) Public employment; prohibits discrimination based on basis of sexual orientation or gender identity.</p>	<p>12/31/14 Senate: Referred to Committee on General Laws and Technology 1/26/15 Senate: Reported from General Laws and Technology with substitute (8-Y 7-N) 1/27/15 Incorporates SB1181 1/29/15 Committee substitute agreed to 15104375D-S1 2/3/15 Senate: Chair votes yes 2/3/15 Senate: Read third time and passed Senate (19-Y 19-N) 2/6/15 House: Referred to Committee on General Laws 2/12/15 House: Subcommittee recommends passing by indefinitely by voice vote</p>	<p>1/27/15</p>
<p>Support (15103001D) - Board has historically supported. Summary: Nondiscrimination in public employment. Prohibits discrimination in public employment based on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a special disabled veteran or other veteran. The bill incorporates SB 1181.</p>		
<p>SB 821 - Miller (1) Opportunity Educational Institution; repeals Institution.</p>	<p>1/5/15 Senate: Referred to Committee on Education and Health 1/22/15 Senate: Reported from Education and Health (15-Y 0-N) 1/27/15 Senate: Read third time and passed Senate (40-Y 0-N) 1/30/15 House: Referred to Committee on Education</p>	<p>1/27/15</p>
<p>Support (15101219D) - Board has historically supported. Summary: Opportunity Educational Institution repealed. Repeals the Opportunity Educational Institution.</p>		
<p>SB 888 - Petersen (34) Electronic summons systems; fees assessed by towns.</p>	<p>1/7/15 Senate: Referred to Committee for Courts of Justice 1/19/15 Senate: Reported from Courts of Justice (12-Y 1-N) 1/19/15 Senate: Rereferred to Finance 2/3/15 Senate: Reported from Finance (11-Y 3-N) 2/6/15 Senate: Read third time and passed Senate (30-Y 7-N) 2/10/15 House: Referred to Committee for Courts of Justice 2/11/15 House: Reported from Courts of Justice with amendments (20-Y 0-N) 2/13/15 House: Rereferred to Courts of Justice</p>	<p>1/27/15</p>
<p>Support (15102002D) - See also HB 1560 (Rust). Summary: Electronic summons systems; fees; towns. Allows towns to assess a fee not to exceed \$5, as part of the costs in each criminal or traffic case in district or circuit court, to be used for the implementation and maintenance of an electronic summons system.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 903</u> - Puller (36) Problem-Solving Docket Act; established, report.</p>	<p>1/7/15 Senate: Referred to Committee for Courts of Justice 1/19/15 Senate: Reported from Courts of Justice with substitute (14-Y 0-N) 1/19/15 Senate: Rereferred to Finance 1/27/15 Senate: Reported from Finance (15-Y 0-N) 1/29/15 Committee substitute agreed to 15103948D-S1 1/30/15 Senate: Read third time and passed Senate (38-Y 0-N) 2/6/15 House: Referred to Committee for Courts of Justice</p>	<p>1/27/15</p>
<p>Support (15103948D-S1) - See also HB 1630 (Lingamfelter). Summary: Problem-Solving Dockets; established. Establishes the Problem-Solving Docket Act (the Act). The bill allows the establishment of problem-solving courts as specialized court dockets within the existing structure of Virginia's court system, offering judicial monitoring of intensive treatment and supervision of offenders who have special conditions and needs based on military service, mental illness, or societal re-entry. The bill establishes a state problem-solving docket advisory committee and requires localities intending to establish such dockets to establish local advisory committees. The Supreme Court of Virginia is given administrative oversight for the implementation of the Act. The Act is modeled on the Drug Treatment Court Act (§ 18.2-254.1).</p>		
<p><u>SB 935</u> - Wexton (33) Herndon, Town of; amending charter, moves election date of mayor and council.</p>	<p>1/8/15 Senate: Referred to Committee on Local Government 1/20/15 Senate: Reported from Local Government (15-Y 0-N) 1/26/15 Read third time and passed Senate (39-Y 0-N) 1/30/15 House: Referred to Committee on Counties, Cities and Towns 2/13/15 House: Reported from Counties, Cities and Towns (14-Y 6-N)</p>	<p>1/27/15</p>
<p>Support (15102253D) Summary: Charter; Town of Herndon; elections. Moves the date of election of the mayor and members of the Herndon town council from May to November beginning with the election of November 2016 and extends the terms of those in office as of July 2016 until December 31, 2016. The bill also provides for the election of a vice mayor at the first regular town council meeting in January following a municipal election.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 965</u> - Petersen (34) Government Data Collection and Dissemination Practices Act; use of personal information.</p>	<p>1/9/15 Senate: Referred to Committee on General Laws and Technology 2/2/15 Senate: Reported from General Laws and Technology with amendments (12-Y 3-N) 2/5/15 Senate: Committee amendments agreed to 2/6/15 Senate: Read third time and passed Senate (38-Y 0-N) 2/10/15 House: Referred to Committee for Courts of Justice 2/11/15 House: Referred from Courts of Justice by voice vote 2/11/15 House: Referred to Committee on Militia, Police and Public Safety 2/13/15 House: Reported from Militia, Police and Public Safety with substitute (17-Y 4-N)</p>	<p>[1/30/15] 1/27/15</p>
<p>[Support Study] (15103452D) - Support study prior to passing legislation to ensure privacy issues and law enforcement needs are appropriately balanced. Monitor Summary: Government Data Collection and Dissemination Practices Act; passive collection and use of personal information by law-enforcement agencies. Limits the ability of law-enforcement and regulatory agencies to use technology to collect and maintain personal information on individuals and organizations where a warrant has not been issued and there is no reasonable suspicion of criminal activity by the individual or organization. The bill authorizes law-enforcement agencies to collect information from license plate readers, provided such information (i) is held for no more than seven days and (ii) is not subject to any outside inquiries or internal usage, except in the investigation of a crime or missing persons report. After seven days such collected information must be purged from the system unless it is being utilized in an ongoing investigation.</p>		
<p><u>SB 1017</u> - Dance (16) Employment applications; inquiries regarding criminal arrests, charges, or convictions.</p>	<p>1/12/15 Senate: Referred to Committee on General Laws and Technology 1/26/15 Senate: Reported from General Laws and Technology (8-Y 7-N) 2/3/15 Senate: Chair votes yes 2/3/15 Senate: Read third time and passed Senate (19-Y 19-N) 2/3/15 Senate: Reconsideration of passage agreed to by Senate (36-Y 1-N) 2/5/15 Senate: Read third time and passed Senate (21-Y 17-N) 2/5/15 Senate: Reconsideration of passage agreed to by Senate (38-Y 0-N) 2/5/15 Senate: Read third time and passed Senate (21-Y 17-N) 2/9/15 House: Referred to Committee for Courts of Justice 2/11/15 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/27/15</p>
<p>Support (15100207D) Summary: Prohibits state agencies from including on any employment application a question inquiring whether the prospective employee has ever been arrested or charged with, or convicted of, any crime, subject to certain exceptions. A prospective employee may not be asked if he has ever been convicted of any crime</p>		

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Bills	General Assembly Actions	Date of BOS Position
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unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if the prospective employee has a conviction record that bears a rational relationship to the duties and responsibilities of the position. A prospective employee may not be asked if he has ever been arrested or charged with a crime unless the inquiry takes place after the prospective employee has received a conditional offer of employment, which offer may be withdrawn if (i) the prospective employee's criminal arrest or charge resulted in the prospective employee's conviction of a crime and (ii) the crime of which he was convicted bears a rational relationship to the duties and responsibilities of the position. The prohibition does not apply to applications for employment with law-enforcement agencies, fire departments, and emergency medical services agencies. The bill also authorizes localities to prohibit such inquiries.

<p><u>SB 1054</u> - Hanger, Jr. (24) Comprehensive Services for At-Risk Youth and Families, State Executive Council for; regulations.</p>	<p>1/12/15 Senate: Referred to Committee on Rehabilitation and Social Services 1/30/15 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N) 1/30/15 Senate: Rereferred to Finance 2/3/15 Senate: Reported from Finance with amendment (14-Y 0-N) 2/5/15 Senate: Committee amendment agreed to 2/5/15 Senate: Passed Senate (37-Y 0-N) 2/9/15 House: Referred to Committee on Appropriations</p>	<p>1/27/15</p>
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Support (15100962D) - Board has historically supported.
Summary: State Executive Council for Comprehensive Services for At-Risk Youth and Families; regulations. Provides that the State Executive Council for Comprehensive Services for At-Risk Youth and Families shall promulgate regulations necessary to carry out its powers and duties. The bill contains technical amendments. The provisions of the bill are contingent on funding in a general appropriation act passed in 2015 that becomes law. Places the CSA under the Administrative Process Act.

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1123 - Barker (39) Child care subsidy; license required.</p>	<p>1/13/15 Senate: Referred to Committee on Rehabilitation and Social Services 1/30/15 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N) 2/2/15 Senate: Rereferred to Finance 2/3/15 Senate: Reported from Finance with amendment (13-Y 1-N) 2/5/15 Senate: Committee amendment rejected 2/5/15 Senate: Amendment by Senator Barker agreed to 2/6/15 Senate: Read third time and passed Senate (32-Y 6-N) 2/10/15 House: Referred to Committee on Health, Welfare and Institutions 2/11/15 House: Referred from Health, Welfare and Institutions by voice vote 2/11/15 House: Referred to Committee on Appropriations</p>	<p>1/27/15</p>
<p>Support w/ Amend. (15102477D) - Amend to grandfather locally permitted programs. Summary: Requires licensure for any child day center or family day home, other than those located on federal property and operated or certified by the U.S. Department of Defense, that contracts with the State Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Block Grant. The bill has a delayed effective date of July 1, 2016.</p>		
<p>SB 1140 - Garrett (22) Local fiscal impact bills; first day introduction.</p>	<p>1/13/15 Senate: Referred to Committee on Rules 2/6/15 Senate: Reported from Rules with substitute (15-Y 0-N) 2/11/15 House: Referred to Committee on Rules</p>	<p>1/27/15</p>
<p>Support (15102531D) - Board has historically supported. See also HB 1865 (Kilgore). Summary: Requires bills that require a net reduction of revenues by local governments to be introduced no later than the first day of the regular session of the General Assembly.</p>		
<p>SB 1148 - Stuart (28) Restricted driver's license; activities related to seeking employment.</p>	<p>1/13/15 Senate: Referred to Committee for Courts of Justice 1/28/15 Senate: Reported from Courts of Justice (13-Y 0-N) 2/3/15 Senate: Read third time and passed Senate (38-Y 0-N) 2/6/15 House: Referred to Committee for Courts of Justice 2/11/15 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/27/15</p>
<p>Support w/ Amend. (15102004D) - Amend to include travel to and from training for employment. Summary: Adds travel to and from a scheduled job interview or the office of the Virginia Employment Commission for the purpose of seeking employment to the list of purposes for which a court may issue a restricted driver's license.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1168 - Hanger, Jr. (24) Child welfare agencies, etc.; regulation.</p>	<p>1/13/15 Senate: Referred to Committee on Rehabilitation and Social Services 1/30/15 Senate: Reported from Rehabilitation and Social Services with substitute (13-Y 1-N) 1/30/15 Senate: Rereferred to Finance 2/3/15 Senate: Reported from Finance with substitute (10-Y 4-N)</p>	<p>[2/13/15]</p>
<p>[Support w/ Amend.] (15104711D-S2) - Support with amendment to grandfather locally permitted programs. Summary: Family day homes and child day centers; licensure and notice requirements. Provides that the children of a family day home provider and any children who reside in the family day home who are under the age of six and are present in the home while care is being provided shall be included in determining the number of children receiving care for the purpose of licensure. The bill amends the definition of "family day home" to include any home that voluntarily registers pursuant to Â§ 63.2-1704 and to exclude any home where all of the children in care (i) are grandchildren of the provider and the provider does not receive funds from the federal Child Care and Development Block Grant or (ii) reside in the home. The bill requires commissioners of revenue or other local officials to report to the Department of Social Services semiannually the contact information of any child day center or family day home to which a business license was issued and requires every unlicensed and unregistered family day home to file, prior to providing care, a written declaration of intent to operate such family day home with the Commissioner of the Department of Social Services. The provisions of the bill related to the definition of "family day home" have a delayed effective date of July 1, 2016. The provisions of the bill are contingent on funding in a general appropriation act. The bill incorporates SB 780, SB 1029, SB 1069, and SB 1124.</p>		
<p>SB 1201 - Wagner (7) Stormwater; procedure for approval of dredging operations in the Chesapeake Bay Watershed.</p>	<p>1/13/15 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/29/15 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N) 2/3/15 Senate: Committee substitute agreed to 15104465D-S1 2/4/15 Senate: Read third time and passed Senate (36-Y 1-N) 2/4/15 Senate: Reconsideration of passage agreed to by Senate (38-Y 0-N) 2/4/15 Senate: Passed Senate (38-Y 0-N) 2/9/15 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/12/15 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N)</p>	<p>[2/13/15] 2/6/15 [1/30/15] 1/27/15</p>
<p>[Support w. Amend] (House ACNR subcommittee version) Support with amendment to remove requirement to dredge at point of outfall. Support w/ Amend. (15104465D-S1) Support with amendment to clarify which fund must be used to obtain the credit. [Monitor] (15104465D-S1) – Support w/ Amend. (15100954D) Summary: Stormwater; municipal separate storm sewer system permittees; dredging. Directs the State Water Control Board (the Board) to establish a procedure for the approval of dredging operations in the Chesapeake Bay Watershed as a method by which to meet pollutant reduction and loading requirements. The bill provides</p>		

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Bills	General Assembly Actions	Date of BOS Position
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that before the Board is required to establish the procedure, the Chesapeake Bay Program shall first approve the procedure as a creditable practice for pollutant removal under the Chesapeake Bay Watershed Model. The bill requires that any dredging comply with all applicable laws. The bill also requires that any locality imposing certain stormwater fees shall make funds available for stormwater maintenance dredging where stormwater has contributed to the deposition of sediment in state waters.

<p>SB 1329 - Garrett (22) Higher educational institutions; memorandum of understanding and policies for sexual assaults.</p>	<p>1/15/15 Senate: Referred to Committee on Education and Health 1/26/15 Senate: Reported from Education and Health with substitute (12-Y 1-N 1-A) 1/26/15 Senate: Rereferred to Courts of Justice 1/27/15 Incorporates SB 1192 and SB 1379 2/9/15 Senate: Reported from Courts of Justice with substitute (13-Y 0-N) 2/12/15 House: Referred to Committee on Education</p>	<p>1/27/15</p>
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Support (15103641D)
Summary: Institutions of higher education; sexual assault; memorandum of understanding and policies. Requires the governing board of each public or private institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt policies that require the institution to offer to refer the sexual assault victim to the sexual assault crisis center, encourage victims to take steps to preserve physical evidence, provide clear guidance on linking victims to other community resources, provide options for victims who do not want to make an official report to make an anonymous report, and provide for nonretaliation by the institution against victims who fear their conduct may also be questioned or who are concerned that an official report might jeopardize their academic status. The bill also requires the governing board of each public institution of higher education to certify to the State Council of Higher Education for Virginia that it has reviewed its sexual misconduct policy and updated it as appropriate. The bill requires the State Council and the Department of Criminal Justice Services to establish criteria for the certification process and to report to the Secretary of Education and the Secretary of Public Safety and Homeland Security on the certification status of institutions

<p>SB 1378 - Barker (39) Virginia Public Procurement Act; cooperative procurement, certain councils of governments.</p>	<p>1/20/15 Senate: Referred to Committee on General Laws and Technology 2/9/15 Senate: Reported from General Laws and Technology with amendments (15-Y 0-N) 2/12/15 House: Referred to Committee on General Laws 2/12/15 House: Subcommittee recommends reporting (6-Y 0-N)</p>	<p>[1/30/15]</p>
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[Support] (15103522D)
Summary: Virginia Public Procurement Act; cooperative procurement; Metropolitan Washington Council of Governments . Provides that a public body may purchase from the contract of the Metropolitan Washington Council of Governments. The bill also provides that a public body may participate in, sponsor, conduct, or administer a cooperative procurement agreement on behalf of or in conjunction with the Metropolitan Washington Council of Governments .

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1410</u> - Deeds (25) Crisis intervention specialists; community services boards and behavioral health authorities.</p>	<p>1/23/15 Senate: Referred to Committee on Education and Health 1/29/15 Senate: Reported from Education and Health with substitute (10-Y 5-N) 1/29/15 Senate: Rereferred to Finance 2/3/15 Senate: Reported from Finance (13-Y 1-N)</p>	<p>[2/13/15]</p>
<p>[Support w/ Amend.] (15104439D-S1) - Support with amendment to allow locally administered training to be certified by the state as equivalent to the credentialing requirement. Summary: Crisis intervention specialists; community services boards; behavioral health authorities; emergency custody or temporary detention. Provides for the certification of crisis intervention specialists and crisis intervention specialist licensed clinical supervisors. The bill also requires community services boards and behavioral health authorities to employ or contract with certified crisis intervention specialists for evaluations for emergency custody or temporary detention.</p>		
<p><u>SJ 216</u> - Ebbin (30) United States Constitution; Equal Rights Amendment.</p>	<p>11/7/14 Senate: Referred to Committee on Privileges and Elections 1/27/15 Senate: Reported from Privileges and Elections (8-Y 7-N) 2/3/15 Senate: Reconsideration of passage agreed to by Senate (37-Y 0-N) 2/5/15 Senate: Read third time and agreed to by Senate (20-Y 18-N) 2/9/15 House: Referred to Committee on Privileges and Elections</p>	<p>1/27/15</p>
<p>Support (15100396D) - Board has historically supported. See also HJ 495 (Surovell). Summary: Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		

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Fairfax County Positions
(Monitor)

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1276</u> - Cox (66) Northern Virginia Veterans Care Center; funding of project.</p>	<p>7/21/14 House: Referred to Committee on Appropriations 1/21/15 House: Reported from Appropriations with amendments (22-Y 0-N) 1/27/15 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/27/15 House: VOTE: BLOCK VOTE PASSAGE (99-Y 0-N) 1/28/15 Senate: Referred to Committee on Finance 2/11/15 Senate: Reported from Finance with substitute (13-Y 0-N) 2/13/15 Senate: Passed Senate (36-Y 0-N)</p>	<p>1/27/15</p>
<p>Monitor (15100105D) Summary: Northern Virginia Veterans Care Center project. Provides for funding of the Northern Virginia Veterans Care Center project through an allocation of the proceeds of \$300 million of Virginia Public Building Authority bonds, which were authorized pursuant to Chapter 1 of the Acts of Assembly of 2014, Special Session I. The bill provides that none of the proceeds of the \$300 million of authorized bonds may be used for any purpose until the state share of the funding requirements of the Northern Virginia Veterans Care Center project and the Hampton Roads Veterans Care Center project have been met in full through an allocation of the proceeds of such bonds. The bill also appropriates \$60 million in federal funds to the project. The Care Center is authorized up to a 230 bed facility.</p>		
<p><u>HB 1424</u> - Marshall, III (14) Virginia Water and Waste Authorities Act; delinquent payment.</p>	<p>12/23/14 House: Referred to Committee on Counties, Cities and Towns 2/4/15 House: Subcommittee recommends reporting (10-Y 0-N) 2/6/15 House: Reported from Counties, Cities and Towns (22-Y 0-N) 2/10/15 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/10/15 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N) 2/11/15 Senate: Referred to Committee on Local Government</p>	<p>[1/30/15] 1/27/15</p>
<p>[Monitor] (15101131D) - See also SB 868 (Chafin) Oppose Summary: Repeals the provisions of the Act that make the non-occupant owner of a property liable for up to 90 days of delinquent payments under certain circumstances.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1470 - LaRock (33) Northern Virginia Transportation Authority; use of revenues, effective date.</p>	<p>12/31/14 House: Referred to Committee on Transportation 1/22/15 Subcommittee recommends reporting (5-Y 2-N) 1/29/15 House: Reported from Transportation with amendment (18-Y 2-N) 2/2/15 House: Committee amendment agreed to 2/3/15 House: Read third time and passed House (97-Y 0-N) 2/3/15 House: VOTE: PASSAGE (97-Y 0-N) 2/4/15 Senate: Referred to Committee on Transportation 2/11/15 Senate: Reported from Transportation (15-Y 0-N)</p>	<p>1/27/15 [1/30/15]</p>
<p>[Monitor] (15100978D-E) Oppose (15100978D) Summary: Use of revenues by the Northern Virginia Transportation Authority. Requires that 70 percent of the revenues received by the Authority under §33.2-2510 be used by the Authority solely to fund transportation projects selected by the Authority that are contained in the regional transportation plan in accordance with § 33.2-2500 and that have been rated in accordance with § 33.2-257. The bill has a delayed effective date of July 1, 2016.</p>		
<p>HB 1486 - Habeeb (8) Workers' compensation; exclusivity of remedy.</p>	<p>1/5/15 House: Referred to Committee on Commerce and Labor 1/15/15 House: Referred from Commerce and Labor by voice vote 1/15/15 House: Referred to Committee for Courts of Justice 2/4/15 House: Subcommittee recommends reporting with amendment(s) (10-Y 0-N) 2/6/15 House: Reported from Courts of Justice with substitute (22-Y 0-N) 2/10/15 House: Read third time and passed House BLOCK VOTE (100-Y 0-N) 2/10/15 House: VOTE: BLOCK VOTE PASSAGE (100-Y 0-N) 2/11/15 Senate: Referred to Committee on Commerce and Labor</p>	<p>[2/13/15] 2/6/15 1/27/15</p>
<p>[Monitor] (15104730D-H1) - See also SB 770 (McEachin) <i>Amend</i> (15104730D-H1) <i>Amend, to clarify that the court has determined the facts of the claim, not just allegations.</i> Oppose (15101541D) Summary: Provides that if a court or the Worker's Compensation Commission makes a finding in an unappealed order that an accident, disease, injury, disease or death is barred by the exclusivity provisions of the Workers' Compensation Act, then that finding shall be res judicata between the parties and estop them and certain others from arguing before the Commission or a court that the accident, injury, disease or death did not arise out of and in the course and scope of the employee's employment. The bill further sets out the notice provisions required in order for the court finding to be res judicata.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1510</u> - Ward (92) Hampton Roads Transportation Accountability Commission; population estimates.</p>	<p>1/5/15 House: Referred to Committee on Transportation 1/21/15 Subcommittee recommends reporting with amendment(s) (5-Y 1-N) 1/27/15 House: Reported from Transportation with amendment (17-Y 4-N) 2/2/15 House: VOTE: PASSAGE (86-Y 12-N) 2/3/15 Senate: Referred to Committee on Transportation 2/11/15 Senate: Reported from Transportation (14-Y 1-N)</p>	<p>1/27/15</p>
<p>Monitor (15101718D) Summary: Hampton Roads Transportation Accountability Commission. Provides that population estimates used by the Hampton Roads Transportation Accountability Commission in making its decisions shall be those estimates made by the Weldon Cooper Center for Public Service of the University of Virginia.</p>		
<p><u>HJ 635</u> - LaRock (33) Communications sales and use tax; Department of Taxation to study performance of tax.</p>	<p>1/14/15 House: Referred to Committee on Rules 1/29/15 Subcommittee recommends reporting (3-Y 1-N) 2/6/15 House: Reported from Rules (14-Y 0-N) 2/9/15 House: VOTE: ADOPTION (85-Y 4-N 3-A) 2/10/15 Senate: Referred to Committee on Rules</p>	<p>1/27/15</p>
<p>Monitor (15102420D) Summary: Study; performance of the communications sales and use tax; report. Requests the Department of Taxation to conduct a study of the performance of the communications sales and use tax.</p>		
<p><u>SB 675</u> - Puller (36) Northern Virginia Veterans Care Center; funding of project.</p>	<p>8/4/14 Senate: Referred to Committee on Finance 1/27/15 Senate: Reported from Finance with substitute (15-Y 0-N) 1/30/15 Senate: Read third time and passed Senate (38-Y 0-N) 2/6/15 House: Referred to Committee on Appropriations 2/11/15 House: Reported from Appropriations with substitute (22-Y 0-N) 2/13/15 House: Passed House with substitute BLOCK VOTE (97-Y 0-N) 2/13/15 House: VOTE: BLOCK VOTE PASSAGE (97-Y 0-N)</p>	<p>1/27/15</p>
<p>Monitor (15100218D) Summary: Northern Virginia Veterans Care Center project. Provides for funding of the Northern Virginia Veterans Care Center project through an allocation of the proceeds of bonds to be identified and authorized by a separate act of the 2015 General Assembly. The bill also appropriates \$63 million in federal funds to the project.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 742 - Carrico, Sr. (40) Elections; run-off elections.</p>	<p>12/16/14 Senate: Referred to Committee on Privileges and Elections 1/27/15 Senate: Reported from Privileges and Elections with substitute (8-Y 7-N) 1/27/15 Senate: Rereferred to Finance 1/28/15 Incorporates SB1397 2/4/15 Senate: Reported from Finance with amendment (14-Y 0-N) 2/6/15 Senate: Engrossed by Senate - committee substitute with amendment SB742ES1 2/11/15 House: Referred to Committee on Appropriations</p>	<p>1/27/15</p>
<p>Monitor (15101178D) Summary: Provides that no candidate shall be deemed to have been elected at a general election to any statewide office or to the United States Senate unless such candidate receives more than 50 percent of the total votes cast for that office. The bill requires that when no candidate for an office receives more than 50 percent of the total votes cast at the general election for that office, a run-off election between the candidates receiving the highest and next-highest number of votes for that office shall be held. However, no run-off election shall be held if the total number of write-in votes cast for an office and the total number of votes cast for the candidate receiving the highest number of votes for an office together equal more than 50 percent of the total votes cast for that office. The bill requires run-off elections to be held on the fourth Tuesday following the date of the certification of the results of the general election or, if a recount is conducted after the general election, on the fourth Tuesday following the date of the certification of the results of the recount, unless the fourth Tuesday falls on a legal holiday, in which the case the run-off election will be held on the sixth Tuesday. The bill provides that all other elections, including a general election of electors for the President and Vice-President of the United States, the person having the highest number of votes for an office shall be deemed to have been elected to such office and shall receive the certificate of election. Under current law, except in the case of a recount, the person having the most votes cast at any election shall be deemed to have been elected to that office. The bill incorporates SB 1397. The provisions of the bill are contingent on funding in a 2015 general appropriation act.</p>		
<p>SB 761 - Edwards (21) Personal injury and wrongful death actions; disclosure of address of insured person.</p>	<p>12/23/14 Senate: Referred to Committee for Courts of Justice 1/21/15 Senate: Reported from Courts of Justice (14-Y 0-N) 1/27/15 Senate: Read third time and passed (40-Y 0-N) 1/30/15 House: Referred to Committee for Courts of Justice 2/11/15 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N)</p>	<p>[2/13/15] 1/27/15</p>
<p>[Monitor] (House Courts subcommittee version) Amend (15100871D) Summary: Requires an insurance company to disclose the address of an alleged tortfeasor upon request of an injured person, personal representative, or attorney in a cause of action for personal injury or wrongful death due to a motor vehicle accident, if such address has not previously been disclosed. The bill also changes the requirement that an insurance company disclose the limits of liability at the time of the accident for any</p>		

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Bills	General Assembly Actions	Date of BOS Position
insurance policy that may be applicable to the claim such that the total of "available" rather than "all" medical bills and wage losses equals or exceeds \$12,500.		
<p>SB 781 - Alexander (5) Passing with a double yellow line; drivers allowed to pass a pedestrian, bicycle, skateboard, etc.</p>	<p>12/30/14 Senate: Referred to Committee on Transportation 1/21/15 Senate: Reported from Transportation with substitute (13-Y 2-N) 1/22/15 Senate: Incorporates SB 1027 and SB 1228 1/27/15 Senate: Read third time and passed Senate (37-Y 1-N) 1/30/15 House: Referred to Committee on Transportation</p>	<p>1/27/15</p>
<p>Monitor (15104053D-S1) Summary: Passing with a double yellow line. Allows drivers to pass a pedestrian, a device moved by human power, a stopped vehicle, or a vehicle traveling less than 25 miles per hour by crossing a double yellow line. The bill also relocates a definition from the end of the section to the beginning for clarity.</p>		
<p>SB 868 - Chafin (38) Water or sewer systems; delinquent payment of rates and charges.</p>	<p>1/7/15 Senate: Referred to Committee on Local Government 1/27/15 Senate: Reported from Local Government (15-Y 0-N) 2/2/15 Senate: Passed Senate (38-Y 0-N) 2/6/15 House: Referred to Committee on Counties, Cities and Towns 2/13/15 House: Reported from Counties, Cities and Towns (21-Y 0-N)</p>	<p>[1/30/15] 1/27/15</p>
<p>[Monitor] (15102480D) - See also HB 1424 (Marshall, D.W.). Oppose Summary: Repeals a provision of the Virginia Water and Waste Authorities Act that limits a landlord's liability for a tenant's separately metered sewer or water charges to three delinquent billing periods of no more than 90 days in total. The provision being repealed also prohibits a water or sewer authority from refusing service to the affected premises, or other premises of the landlord, on account of the delinquency as long as the landlord has paid the charges for which he is liable.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1154</u> - Wexton (33) Discharge of deleterious substance into state waters; notice.</p>	<p>1/13/15 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/29/15 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N) 2/3/15 Senate: Committee substitute agreed to 15104459D-S1 2/4/15 Senate: Read third time and passed Senate (36-Y 1-N) 2/4/15 Senate: Reconsideration of passage agreed to by Senate (38-Y 0-N) 2/4/15 Senate: Passed Senate (38-Y 0-N) 2/9/15 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/12/15 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/27/15 [1/30/15]</p>
<p>[Monitor] (15104459D-S1) Oppose (15102514D) Summary: Requires any person who unlawfully discharges any deleterious substance into state waters to notify the Department of Environmental Quality (the Department) or the coordinator of emergency services of the affected locality within 12 hours. Current law allows such a person 24 hours to give notice. The bill also requires the Board or the Department to provide each report of a discharge to local newspapers, television stations, and radio stations as soon as practicable after receiving it.</p>		
<p><u>SB 1314</u> - Marsden (37) Northern Virginia Transportation Authority; regional plan.</p>	<p>1/14/15 Senate: Referred to Committee on Transportation 2/4/15 Senate: Reported from Transportation with substitute (13-Y 0-N) 2/6/15 Senate: Passed Senate (37-Y 1-N) 2/10/15 House: Referred to Committee on Transportation</p>	<p>[2/13/15] [1/30/15] 1/27/15</p>
<p>[Monitor] (15104690D-S1) [Amend] (15104690D-S1) — Amend to moderate prioritization and reporting requirements. Oppose (15103670D) — See also HB 1915 (LeMunyon) Summary: Northern Virginia Transportation Authority; regional transportation plan. Requires NVTVA's regional transportation plan to make reducing congestion its primary objective in Planning District 8 to the greatest extent practicable.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>SB 1459 - McWaters (8) Hampton Roads Transportation Accountability Commission; members to allow public comment before vote.</p>	<p>1/27/15 Senate: Referred to Committee on Transportation</p>	<p>[2/13/15]</p>
<p>[Monitor] (15104126D) Summary: Hampton Roads Transportation Accountability Commission. Requires the members of the Hampton Roads Transportation Accountability Commission to allow for five minutes of public comment before each vote.</p>		
<p>SJ 288 - Vogel (27) Study; Department of Education; effect of local use value assessment of certain real estate.</p>	<p>1/14/15 Senate: Referred to Committee on Rules 1/27/15 Senate: Reported from Rules by voice vote 2/2/15 Senate: Read third time and agreed to by Senate by voice vote 2/6/15 House: Referred to Committee on Rules 2/13/15 House: Tabled in Rules by voice vote</p>	<p>1/27/15</p>
<p>Monitor (15103715D) - Broader study of LCI is needed, to include factors such as cost of living, rather than individual components. See also HJ 514 (Webert). Summary: Study; Department of Education; effect of local use value assessment of certain real estate on the Composite Index of Local Ability to Pay; report. Requests the Department of Education to (i) determine, for each of the 95 localities that have adopted ordinances to provide for the use value assessment and taxation of certain real estate, the use value of all applicable (a) real estate devoted to agricultural use, (b) real estate devoted to horticultural use, (c) real estate devoted to forest use, and (d) real estate devoted to open-space use, as those terms are defined in the Code of Virginia, and (ii) recalculate the Composite Index of Local Ability to Pay for each locality after taking into consideration such use values.</p>		

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Fairfax County Positions

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Legislation No Longer Under Consideration

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

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1274 - Farrell (56) Electronic devices; search without a warrant prohibited.</p>	<p>7/21/14 House: Referred to Committee for Courts of Justice 1/26/15 House: Subcommittee recommends laying on the table by voice vote 2/4/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Courts of Justice</p>	<p>1/27/15</p>
<p>Monitor (15100087D) - Board has historically advocated amending bill to apply only to personally-owned devices. Summary: Search of electronic device without warrant prohibited. Provides that no officer of the law or any other person shall search any cellular telephone, tablet computer, portable computer, desktop computer, or other electronic device containing or designed to contain electronic data or digital information except by virtue of and under a warrant issued by a proper officer.</p>		
<p>HB 1293 - Morris (64) Stormwater fees; exemptions for religious groups.</p>	<p>10/30/14 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/29/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>1/27/15</p>
<p>Oppose (15100024D) - Board has historically opposed. Summary: Requires the State Water Control Board, in establishing a statewide fee schedule for stormwater management programs, to waive permit fees for land-disturbing activities undertaken on property owned by certain churches, religious associations, or denominations. The bill also requires localities to waive stormwater management program service charges for properties owned by such organizations.</p>		
<p>HB 1294 - Morris (64) Churches and other religious bodies.</p>	<p>10/31/14 House: Referred to Committee on Finance 1/30/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Finance</p>	<p>1/27/15</p>
<p>Oppose (15100044D) Summary: Exempts churches, religious associations, and religious denominations from all state and local taxes, fees, and other charges.</p>		
<p>HB 1310 - Krupicka (45) Taxes on electronic cigarettes and other vapor products.</p>	<p>11/11/14 House: Referred to Committee on Finance 1/28/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Finance</p>	<p>1/27/15</p>
<p>Support (15100391D) Summary: Creates a state tax on electronic cigarettes, electronic cigars, electronic cigarillos, and similar products and devices (vapor products) and authorizes cities and towns and certain counties to impose a tax on vapor products. The state tax would be imposed at a rate \$0.40 per milliliter of nicotine liquid solution or other material containing nicotine that is depleted as the vapor product is used. All revenues from the state tax on</p>		

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Bills	General Assembly Actions	Date of BOS Position
vapor products would be deposited into the Virginia Health Care Fund, into which all revenues from the state tax on cigarettes are currently deposited.		
HB 1317 - Campbell (6) Speeding; reckless driving.	11/18/14 House: Referred to Committee on Transportation 1/20/15 House: Reported from Transportation (15-Y 7-N) 1/20/15 House: Referred to Committee for Courts of Justice 1/26/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Courts of Justice	1/27/15
Oppose (15100416D) Summary: Raises the threshold for per se reckless driving for speeding from driving in excess of 80 miles per hour to driving in excess of 85 miles per hour. The threshold for per se reckless driving for speeding for driving at or more than 20 miles per hour in excess of the speed limit remains unchanged.		
HB 1343 - Filler-Corn (41) Campus police departments; sexual assault reporting.	12/1/14 House: Referred to Committee for Courts of Justice 1/29/15 House: Referred from Courts of Justice by voice vote 1/29/15 House: Referred to Committee on Education 2/3/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Education	1/27/15
Support (15101213D) Summary: Requires that mutual aid agreements between campus police force and law-enforcement agencies contain provisions requiring either the campus police force or an agency with which it has established a mutual aid agreement to notify the local attorney for the Commonwealth of any investigation involving felony criminal sexual assault occurring on property owned or controlled by the institution of higher education within 48 hours of beginning such investigation.		
HB 1352 - Ramadan (87) BPOL tax; deduction for amounts paid under subcontracts.	12/2/14 House: Referred to Committee on Finance 2/4/15 House: Tabled in Finance by voice vote	1/27/15
Oppose (15100249D) Summary: Allows a deduction from gross receipts for amounts paid by the licensee to persons who are not employees pursuant to a subcontract between the licensee and such other persons. The deduction would become effective beginning with the 2016 license year.		
HB 1359 - Campbell (6) Concealed handgun permits; lifetime permits.	12/2/14 House: Referred to Committee on Militia, Police and Public Safety 2/5/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Militia, Police and Public Safety	1/27/15
Oppose (15101524D) - Board has historically opposed. See also SB 689 (Black).		

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Bills	General Assembly Actions	Date of BOS Position
<p>Summary: Provides for the issuance of concealed handgun permits for Virginia residents that do not expire. Currently, such permits must be renewed every five years.</p>		
<p><u>HB 1388</u> - Albo (42) Courthouse and courtroom security; increase of certain fee.</p>	<p>12/15/14 House: Referred to Committee for Courts of Justice 1/28/15 Subcommittee recommends referring to Committee on Appropriations 2/4/15 House: Reported from Courts of Justice (14-Y 6-N) 2/4/15 House: Referred to Committee on Appropriations 2/6/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Appropriations</p>	<p>1/27/15</p>
<p>Support (15100425D) - See also SB 736 (Howell). Summary: Courthouse and courtroom security fee. Increases the maximum local fee on criminal and traffic cases from \$10 to \$20.</p>		
<p><u>HB 1394</u> - Herring (46) Elections; absentee voting; no-excuse, in-person.</p>	<p>12/16/14 House: Referred to Committee on Privileges and Elections 1/27/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Privileges and Elections</p>	<p>1/27/15</p>
<p>Support (15102576D) - Board has historically supported. See also HB 1992 (Morrissey). Summary: Allows qualified voters to vote absentee in person without providing an excuse for not being able to vote in person on election day. The bill retains the statutory list of specific reasons allowing a voter to cast an absentee ballot by mail.</p>		
<p><u>HB 1410</u> - Marshall (13) Motor fuels; reduces tax rate on gasoline and gasohol.</p>	<p>12/18/14 House: Referred to Committee on Appropriations 2/10/15 House: Left in Appropriations</p>	<p>1/27/15</p>
<p>Oppose (15102019D) Summary: Motor fuels tax rate. Reduces the motor fuels tax on gasoline and gasohol from 5.1% to 3.5% of the statewide average wholesale price of a gallon of unleaded regular gasoline. The rate increased from 3.5% to 5.1% on January 1, 2015, as required by Chapter 766 of the Acts of Assembly of 2013, because Congress did not pass a law permitting the Commonwealth to require out-of-state sellers to collect and remit sales and use tax.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1416</u> - Taylor (85) Real property tax assessment; appeal to circuit court.</p>	<p>12/22/14 House: Referred to Committee for Courts of Justice 1/19/15 House: Subcommittee recommends laying on the table by voice vote 1/28/15 Subcommittee failed to recommend reporting (3-Y 5-N) 2/10/15 House: Left in Courts of Justice</p>	<p>1/27/15</p>
<p>Oppose (15101546D) - Board has historically opposed. Summary: Provides that neither the taxpayer nor the locality shall have the burden of proof in an appeal of a real property assessment to the circuit court.</p>		
<p><u>HB 1497</u> - Sullivan, Jr. (48) Absentee voting; registered voter using absentee ballot.</p>	<p>1/5/15 House: Referred to Committee on Privileges and Elections 1/27/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Privileges and Elections</p>	<p>1/27/15</p>
<p>Support (15101185D) Summary: Absentee voting; no-excuse. Allows for any registered voter to vote by absentee ballot in any election in which he is qualified to vote. This bill removes the current list of statutory reasons a person may be entitled to vote by absentee ballot and consolidates multiple sections relating to absentee voting by uniformed and overseas voters into one section and multiple sections related to absentee voting by persons with a disability into one section. It repeals several sections, including one section made obsolete by the expansion of federal write-in absentee ballots to all elections.</p>		
<p><u>HB 1508</u> - Sullivan, Jr. (48) Higher educational institutions; memorandum of understanding and policies.</p>	<p>1/5/15 House: Referred to Committee for Courts of Justice 1/29/15 House: Referred from Courts of Justice by voice vote 1/29/15 House: Referred to Committee on Education 2/3/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Education</p>	<p>1/27/15</p>
<p>Support (15102669D) Summary: Institutions of higher education; sexual assault; memorandum of understanding and policies. Requires the governing board of each public or private institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt policies that mandate the referral of a sexual assault victim to the sexual assault crisis center, provide clear guidance on linking victims to other community resources, provide options for victims who do not want to make an official report to make an anonymous report, and provide amnesty for victims who are concerned that an official report might jeopardize their academic status.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1514 - Minchew (10) Composite index of local ability-to-pay; use value of real estate in certain localities.</p>	<p>1/5/15 House: Referred to Committee on Education 1/21/15 Subcommittee recommends reporting (4-Y 3-N) 1/26/15 House: Failed to report (defeated) in Education (10-Y 12-N)</p>	<p>1/27/15</p>
<p>Oppose (15102516D) Summary: Requires, for the purpose of determining the state and local shares of basic aid funding, that the composite index of local ability-to-pay or "local composite index" (LCI) utilize the use value of all applicable real estate (i) devoted to agricultural use, horticultural use, forest use, and open-space use in each locality that has adopted an ordinance by which it provides for the use valuation and taxation of such real estate and (ii) used in agricultural and forestal production within an agricultural district, forestal district, agricultural and forestal district, or agricultural and forestal district of local significance in each locality that provides for the use valuation and taxation of such real estate, regardless of whether it has adopted a local land-use plan or local ordinance for such valuation and taxation.</p>		
<p>HB 1525 - Minchew (10) NVTAs; Department of Taxation's costs in administering certain taxes.</p>	<p>1/6/15 House: Referred to Committee on Finance 1/28/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Finance</p>	<p>1/27/15</p>
<p>Support (15102761D) Summary: Department of Taxation's costs in administering certain taxes; Northern Virginia Transportation Authority. Requires the Department of Taxation to provide to the Northern Virginia Transportation Authority (NVTAs) the methodology it uses in calculating, and an itemized accounting of, the amount of revenue it retains in costs incurred for administering the collection of sales tax revenue otherwise due to the NVTAs.</p>		
<p>HB 1528 - Berg (29) Government Data Collection and Dissemination Practices Act; limitation on collection.</p>	<p>1/6/15 House: Referred to Committee for Courts of Justice 2/10/15 House: Left in Courts of Justice</p>	<p>[1/30/15] 1/27/15</p>
<p>[Support Study] (15101692D) - Support study prior to passing legislation to ensure privacy issues and law enforcement needs are appropriately balanced. Monitor Summary: Government Data Collection and Dissemination Practices Act; limitation on collection and use of personal information by law enforcement; penalty. Limits the ability of law-enforcement and regulatory agencies to use technology to collect and maintain personal information on individuals and organizations where a warrant has not been issued and there is no reasonable suspicion of criminal activity by the individual or organization. The bill codifies an opinion of the Attorney General regarding the Government Data Collection and Dissemination Practices Act. The bill also allows a law-enforcement agency to collect information from a license plate reader provided that any information collected shall only be retained for 24 hours and shall only be used for the investigation of a crime or a report of a missing person. The bill provides that any person who sells or uses information collected from a license plate reader by a law-enforcement agency in any unauthorized manner is guilty of a Class 6 felony.</p>		

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<p>HB 1529 - Berg (29) General appropriation act; expiration date of second enactment Chapter 2, 2014 Sp. I Acts.</p>	<p>1/6/15 House: Referred to Committee on Appropriations 2/10/15 House: Left in Appropriations</p>	<p>1/27/15</p>
<p>Monitor (15102351D) Summary: General appropriation act. Provides that the enactment of the current general appropriation act that states that "no provision of this act shall result in the expiration of any provision of: (i) Chapter 896 of the Acts of Assembly of 2007 pursuant to the 22nd enactment of that chapter or (ii) Chapter 766 of the Acts of Assembly of 2013 pursuant to the 14th enactment of that chapter" shall expire on June 30, 2015.</p>		
<p>HB 1552 - Filler-Corn (41) Child welfare agencies; regulation, national criminal history record check requirement.</p>	<p>1/7/15 House: Referred to Committee on Health, Welfare and Institutions 2/11/15 House: Left in Health, Welfare and Institutions</p>	<p>1/27/15</p>
<p>Support w/ Amend. (15101077D) - Amend to grandfather locally permitted programs. Summary: Regulation of child welfare agencies; national criminal history record checks. Establishes a national criminal history record check requirement for licensure as a child welfare agency, for approval as a family day home by a family day system, for approval as a foster or adoptive parent; for employment or to volunteer at a child welfare agency or family day home; and for all adults residing in a home in which a family day home is operated. The bill requires all family day homes that provide care for one or more children for compensation to be licensed by the Department of Social Services. Currently, only family day homes providing care for six or more children must be licensed. The bill also provides that, for the purposes of determining the number of children receiving care, the provider's own children and any children residing in the home shall be counted.</p>		
<p>HB 1576 - Pogue (96) Real property tax assessments; arbitration.</p>	<p>1/7/15 House: Referred to Committee on Finance 2/2/15 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/27/15</p>
<p>Oppose (15101153D) Summary: Permits the taxpayer to submit the valuation of an owner-occupied dwelling to binding arbitration in lieu of an appeal to court.</p>		
<p>HB 1622 - Sullivan, Jr. (48) Electric utilities; net energy metering.</p>	<p>1/8/15 House: Referred to Committee on Commerce and Labor 2/3/15 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/27/15</p>
<p>Support (15102542D) - Board has historically supported. Summary: Increases the maximum generating capacity of an electrical generating facility owned or operated by an electric utility's residential customer that may be eligible for participation in the utility's net energy metering program from 20 kilowatts to 40 kilowatts. The measure also increases the maximum generating capacity of such a facility owned or operated by a nonresidential customer that may be eligible for participation</p>		

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<p>in such a program from 500 kilowatts to one megawatt. This change to the definition of an "eligible customer-generator" also affects the definition of a "qualified energy project" as used in the Virginia Small Business Financing Act.</p>		
<p>HB 1630 - Lingamfelter (31) Problem-Solving Courts; established, report.</p>	<p>1/8/15 House: Referred to Committee for Courts of Justice 1/26/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Courts of Justice</p>	<p>1/27/15</p>
<p>Support (15102024D) - See also SB 903 (Puller). Summary: Problem-Solving Courts; established. Establishes the Problem-Solving Court Act(the Act). The bill allows the establishment of problem-solving courts as specialized court dockets within the existing structure of Virginia's court system, offering judicial monitoring of intensive treatment and supervision of offenders who have special conditions and needs based on military service, mental illness, or societal re-entry. The bill establishes a state problem-solving court docket advisory committee and requires localities intending to establish such courts to establish local advisory committees. The Supreme Court of Virginia is given administrative oversight for the implementation of the Act. The Act is modeled on the Drug Treatment Court Act (§18.2-254.1).</p>		
<p>HB 1636 - Minchew (10) Net energy metering; program for community subscriber organizations.</p>	<p>1/8/15 House: Referred to Committee on Commerce and Labor 2/5/15 House: Tabled in Commerce and Labor by voice vote</p>	<p>1/27/15</p>
<p>Support (15102497D) - Board has historically supported. Summary: Electric utilities; net energy metering; community subscriber organizations. Directs the State Corporation Commission to establish by regulation a program that affords community subscribers and community subscriber organizations the opportunity to participate in net energy metering. A community subscriber is a retail customer of an electric utility who owns a subscription in a community generation facility and receives on-bill credits for each kilowatt hour of energy produced by their portion of the community generation facility. The subscriber's premises is required to be located in the service territory of the utility in which the community generation facility is located and in the county in which the community generation facility is located or a neighboring county. A community generation facility is an electrical generating facility that uses as its total source of fuel renewable energy and has a capacity of not more than two megawatts. The measure also increases the maximum generating capacity of an electrical generating facility owned or operated by an electric utility's nonresidential customer, or a customer that operates a generation facility as part of an agricultural operation, that may be eligible for participation in the utility's net energy metering program from 500 kilowatts to two megawatts.</p>		
<p>HB 1644 - Villanueva (21) Commonwealth Transportation Board; membership chosen from congressional districts.</p>	<p>1/9/15 House: Referred to Committee on Transportation 1/29/15 Subcommittee recommends laying on the table (6-Y 0-N) 2/11/15 House: Left in Transportation</p>	<p>1/27/15</p>
<p>Support (15102665D) - Board has historically supported.</p>		

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<p>Summary: Commonwealth Transportation Board membership; align with congressional districts. Provides that the nonlegislative citizen members of the Commonwealth Transportation Board shall be chosen from Virginia's congressional districts instead of from the highway construction districts and retains the five at-large members. As a result, the overall membership of the Board would increase by two.</p>		
<p>HB 1670 - Berg (29) Sheriffs; always serving as chief law-enforcement officer of locality.</p>	<p>1/9/15 House: Referred to Committee on Appropriations 1/28/15 Subcommittee recommends striking from docket (7-Y 0-N) 2/10/15 House: Left in Appropriations</p>	<p>1/27/15</p>
<p>Oppose (15102780D) Summary: Sheriffs; chief law-enforcement officer of locality. Provides that sheriffs shall always serve as the chief law-enforcement officer of a locality and receive funding in an amount as provided in the general appropriation act to perform in that capacity. The bill also provides that a locality may still establish a police department.</p>		
<p>HB 1708 - Marshall (13) Certain industrial uses; transmission lines.</p>	<p>1/12/15 House: Referred to Committee on Commerce and Labor 2/10/15 House: Left in Commerce and Labor</p>	<p>1/27/15</p>
<p>Oppose (15103531D) Summary: Requires that a zoning ordinance shall provide that any proposed data center that will require utilization of a 230 kilovolt electrical transmission line shall be located only in an area zoned for industrial use. However, if a zoning ordinance authorizes a data center, or similar land use, that will require utilization of a 230 kilovolt or greater electrical transmission line outside of an area zoned for industrial use, any electrical transmission lines that support such a land use and that are located at a distance greater than 300 feet from an existing electrical transmission line shall be placed underground at the expense of the owner of the data center.</p>		
<p>HB 1744 - Hugo (40) Local employee grievance procedure; final step in procedure adopted by local government.</p>	<p>1/12/15 House: Referred to Committee on Education 1/29/15 Subcommittee recommends reporting (7-Y 2-N) 1/29/15 Subcommittee recommends referring to Committee on Counties, Cities and Towns 2/2/15 House: Reported from Education (15-Y 7-N) 2/2/15 House: Referred to Committee on Counties, Cities and Towns 2/6/15 House: Referred from Counties, Cities and Towns by voice vote 2/6/15 House: Referred to Committee on Education 2/10/15 House: Left in Education</p>	<p>[2/13/15] 1/27/15</p>
<p>[Monitor] (House CCT version) Oppose (15103369D) – Board has historically opposed. Summary: Local employee grievance procedure. Requires that the final step in an employee grievance procedure adopted by a local governing body, providing for a hearing before an administrative hearing officer or an impartial panel hearing, be selected by the aggrieved employee. Currently, the selection of this final step requires the agreement of both parties. The bill also permits a school board to conduct a teacher grievance hearing before a three-member fact-finding panel. Under current law, the school board has the option of</p>		

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Bills	General Assembly Actions	Date of BOS Position
appointing a hearing officer or conducting such hearing itself. The bill contains technical amendments.		
HB 1760 - James (80) Hampton Roads Transportation Accountability Commission; local representation.	1/12/15 House: Referred to Committee on Transportation 1/29/15 Subcommittee recommends reporting with amendment(s) (7-Y 0-N) 2/5/15 House: Subcommittee recommends laying on the table (4-Y 0-N) 2/11/15 House: Left in Transportation	1/27/15
Monitor (15102902D) - See also SB 743 (Lucas). Summary: Allows the chief elected officer of each locality within Planning District 23 to have a representative from the same governing body serve on the Hampton Roads Transportation Accountability Commission.		
HB 1762 - Watts (39) Retail sales and transient occupancy taxes; room rentals, lodgings, etc.	1/12/15 House: Referred to Committee on Finance 1/21/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Finance	1/27/15
Support (15102146D) - Board has historically supported. See also SB 1210 (Ebbin). Summary: Retail sales and transient occupancy taxes on room rentals. Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room an such facilitation efforts, the bill would require the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.		
HB 1773 - Berg (29) Concealed handgun; possession on school property.	1/12/15 House: Referred to Committee on Education 2/10/15 House: Left in Education	[1/30/15]
[Oppose] (15101684D) - See also SB 1132 (Garrett) Summary: Possession of concealed handgun on school property. Provides an exception to the crime of possessing a firearm on school property if a person has a valid concealed handgun permit and possession of a concealed handgun occurs outside normal school hours. The bill also provides an exception if a person with a concealed handgun permit stores a concealed handgun in a motor vehicle in a parking lot, traffic circle, or other means of vehicular ingress or egress to the school; current law allows possession while the person is in the motor vehicle in one of those areas.		
HB 1865 - Kilgore (1) Local fiscal impact bills; first day introduction.	1/13/15 House: Referred to Committee on Rules 2/10/15 House: Left in Rules	1/27/15
Support (15102723D) - Board has historically supported. See also SB 1140 (Garrett). Summary: Requires local fiscal impact bills to be introduced no later than the first day of the session.		

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Italics- Indicates Staff Recommended Position Change

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1922 - Murphy (34) Elections; absentee voting by persons age 65 or older.</p>	<p>1/13/15 House: Referred to Committee on Privileges and Elections 1/27/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Privileges and Elections</p>	<p>1/27/15</p>
<p>Support (15101429D) - Board has historically supported. See also SB 708 (Edwards), SB 719 (McWaters), SB 758 (Barker), SB 822 (Miller), SB 910 (Wexton), and HB 2252 (Preston). Summary: Entitles persons age 65 or older on the day of an election for which an absentee ballot is requested to vote absentee.</p>		
<p>HB 1929 - Anderson (51) Family day homes; licensure.</p>	<p>1/13/15 House: Referred to Committee on Health, Welfare and Institutions 2/11/15 House: Left in Health, Welfare and Institutions</p>	<p>1/27/15</p>
<p>Monitor (15102492D) Summary: Licensure of family day homes. Provides that the children of a family day home provider and any children who reside in the family day home where care is provided shall be included in determining the number of children receiving care for the purpose of licensure.</p>		
<p>HB 1973 - Preston (63) Businesses, certain; local limitations on number.</p>	<p>1/13/15 House: Referred to Committee on Commerce and Labor 1/27/15 House: Tabled in Commerce and Labor by voice vote</p>	<p>1/27/15</p>
<p>Support (15102274D) - Board has historically supported. Summary: Local limitations on number of certain businesses. Provides that a locality may by ordinance reasonably limit the number of motor vehicle title loan businesses, payday lenders, check cashers, and precious metals dealers that may be operated at any one time within its territorial limits. The ordinance may limit the number of such establishments based on a specific number of businesses per magisterial or election district or by limiting the number of such businesses within an established radius.</p>		
<p>HB 1992 - Morrissey (74) Elections; absentee voting; no-excuse, in-person.</p>	<p>1/14/15 House: Referred to Committee on Privileges and Elections 1/27/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Privileges and Elections</p>	<p>1/27/15</p>
<p>Support (15102436D) - Board has historically supported. Summary: Allows qualified voters to vote absentee in person without providing an excuse for not being able to vote in person on election day. The bill retains the statutory list of specific reasons allowing a voter to cast an absentee ballot by mail.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 2004 - Torian (52) School nurses; divisionwide ratio students in average daily membership.	1/14/15 House: Referred to Committee on Education 1/28/15 House: Subcommittee recommends striking from docket by voice vote 2/10/15 House: Left in Education	1/27/15
<p>Oppose (15102507D) - Potential fiscal impact is \$17 million to Fairfax County. Summary: Divisionwide ratio of school nurses to students in average daily membership. Requires local school boards to employ at least one school nurse per 750 students in average daily membership in grades kindergarten through 12.</p>		
HB 2017 - Surovell (44) Aircraft, certain; local regulation.	1/14/15 House: Referred to Committee for Courts of Justice 1/28/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Courts of Justice	1/27/15
<p>Monitor (15100618D) - Substitute being drafted. Summary: Local regulation of certain aircraft. Provides that a locality may by ordinance regulate the use of privately owned, unmanned, autonomous aircraft within its boundaries. Such ordinance may place reasonable restrictions on the time, place, and manner of use of such aircraft.</p>		
HB 2023 - BaCote (95) Child care subsidy; license required.	1/14/15 House: Referred to Committee on Health, Welfare and Institutions 2/11/15 House: Left in Health, Welfare and Institutions	1/27/15
<p>Support w/ Amend. (15102479D) - Amend to grandfather locally permitted programs. Summary: Requires licensure for any child day center or family day home, other than those located on federal property and operated or certified by the U.S. Department of Defense, that contracts with the State Department of Social Services or a local department of social services to provide child care services funded by the Child Care and Development Fund.</p>		
HB 2033 - Byron (22) Workforce development; coordination of statewide delivery of training programs & activities, report.	1/14/15 House: Referred to Committee on Commerce and Labor 1/27/15 House: Subcommittee recommends striking from docket by voice vote 1/29/15 House: Stricken from docket by Commerce and Labor by voice vote	1/27/15
<p>Oppose Unless Amended (15103265D) - Amend to provide for flexibility in requirement to spend 40 percent of state funds on training. Summary: Workforce development; coordination of statewide delivery of workforce development and training programs and activities. Makes several changes to coordinate the delivery of workforce development and training programs and activities at the state, regional, and local levels. Changes include (i) creating the Workforce Development Consortium to administer the coordinated implementation of programs and activities under the federal Workforce Innovation and Opportunity Act (WIOA) of 2014, (ii) requiring a regional convener of workforce development partners, (iii) establishing minimum levels of fiscal support for workforce credential attainment, and (iv) utilizing WIOA reserve funds for incentive programs to increase workforce</p>		

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Bills	General Assembly Actions	Date of BOS Position
credential attainment.		
HB 2046 - Filler-Corn (41) Licensure of family day homes.	1/14/15 House: Referred to Committee on Health, Welfare and Institutions 2/11/15 House: Left in Health, Welfare and Institutions	1/27/15
Support w/ Amend. (15101349D) - Amend to grandfather locally permitted programs. Summary: Requires all family day homes that provide care for one or more children for compensation to be licensed by the Department of Social Services. Currently, only family day homes providing care for six or more children must be licensed. The bill also provides that, for the purposes of determining the number of children receiving care, the provider's own children and any children residing in the home shall be counted.		
HB 2066 - Keam (35) Public libraries; policy of the Commonwealth concerning service to the communities.	1/14/15 House: Referred to Committee on General Laws 1/29/15 Subcommittee recommends reporting with amendment(s) (5-Y 2-N) 2/3/15 House: Reported from General Laws with amendments (13-Y 6-N) 2/3/15 House: Referred to Committee on Appropriations 2/10/15 House: Left in Appropriations	1/27/15
Monitor (15101262D) Summary: Public libraries. Provides that it is the policy of the Commonwealth that public libraries are deemed to provide an essential service to the communities of the Commonwealth.		
HB 2095 - Keam (35) Real property tax on commercial and industrial property.	1/14/15 House: Referred to Committee on Finance 1/28/15 Subcommittee failed to recommend reporting (2-Y 6-N) 2/10/15 House: Left in Finance	1/27/15
Oppose (15101728D) Summary: Requires counties to appropriate 30 percent of the revenue from the special tax on commercial and industrial property attributable to property located within any town that constructs and maintains its streets to such town, unless the county and town agree otherwise.		
HB 2097 - Keam (35) Condemnation proceedings; mandatory dispute resolution orientation session.	1/14/15 House: Referred to Committee for Courts of Justice 1/28/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Courts of Justice	1/27/15
Oppose (15101473D) Summary: Condemnation proceedings; dispute resolution session. Provides that when the court refers the parties in a condemnation proceeding to a dispute resolution orientation session, the court shall also provide the name of a single independent appraiser to determine the fair market value of the property in question.		
HB 2163 - Cline (24) Photo-monitoring systems; for traffic light enforcement.	1/14/15 House: Referred to Committee on Militia, Police and Public Safety 1/22/15 House: Subcommittee recommends laying on the	1/27/15

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Bills	General Assembly Actions	Date of BOS Position
	table by voice vote 2/10/15 House: Left in Militia, Police and Public Safety	
<p>Oppose (15102674D) - Board has historically opposed. Summary: Use of photo-monitoring systems for traffic lights; repeal. Repeals the authority for localities to operate a photo-monitoring system for traffic light enforcement, colloquially known as a "photo red" program.</p>		
<p>HB 2170 - Minchew (10) Northern Virginia Transportation Commission; transfer of powers and duties.</p>	<p>1/14/15 House: Referred to Committee on Transportation 2/5/15 House: Subcommittee recommends laying on the table (6-Y 0-N) 2/11/15 House: Left in Transportation</p>	<p>1/27/15</p>
<p>Oppose (15102863D) Summary: Northern Virginia Transportation Commission; Northern Virginia Transportation Authority. Transfers the powers and duties of the Northern Virginia Transportation Commission to the Northern Virginia Transportation Authority.</p>		
<p>HB 2186 - Kory (38) Public school buildings; minimum standards, recommendations for minimum usable school site size.</p>	<p>1/14/15 House: Referred to Committee on Education 2/10/15 House: Left in Education</p>	<p>1/27/15</p>
<p>Oppose (15102521D) Summary: Minimum standards for public school buildings; recommendations for minimum usable school site size. Requires the Board of Education's minimum standards for the erection of or addition to public school buildings to include the following recommendations for minimum usable site sizes: (i) one acre per 100 students in enrollment and (ii) an additional four acres for elementary schools, 10 acres for middle schools, and 10 acres for high schools. Such standards shall require local school boards to provide the Board with justifications for deviations from such recommendations.</p>		
<p>HB 2252 - Preston (63) Elections; absentee voting by persons age 65 or older.</p>	<p>1/19/15 House: Referred to Committee on Privileges and Elections 1/27/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Privileges and Elections</p>	<p>1/27/15</p>
<p>Support (15102278D) - Board has historically supported. Summary: Entitles persons age 65 or older on the day of an election for which an absentee ballot is requested to vote absentee.</p>		
<p>HB 2258 - Head (17) Nursing facility services; preadmission screening.</p>	<p>1/19/15 House: Referred to Committee on Health, Welfare and Institutions 2/3/15 House: Subcommittee recommends reporting with amendment(s) (11-Y 0-N) 2/3/15 House: Subcommittee recommends referring to</p>	<p>[1/30/15]</p>

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Bills	General Assembly Actions	Date of BOS Position
	Committee on Appropriations 2/5/15 House: Reported from Health, Welfare and Institutions with substitute (22-Y 0-N) 2/5/15 House: Referred to Committee on Appropriations 2/5/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Appropriations	
<p>[Oppose Unless Amended] (15103266D) - Oppose unless amended to remove mandate that a private provider assume the UAI activities currently performed successfully by County staff.</p> <p>Summary: Preadmission screening for nursing facility services. Eliminates a requirement that physicians serving as members of screening teams for community-based long-term care services as defined in the state plan for medical assistance be an employee of the Department of Health or the local department of social services; eliminates the requirement that the Department of Medical Assistance Services (the Department) contract with an acute care hospital for institutional screenings for long-term care services as defined in the state plan for medical assistance, so that the Department may but is not required to contract with acute care hospitals for such screenings; and allows the Department to contract with one or more vendors to receive, conduct, track, and monitor requests for all community-based and institutional long-term care screenings. The bill also requires the Board of Medical Assistance Services to promulgate regulations to implement the bill's provisions within 280 days and allows the Board to implement changes necessary to implement the bill's provisions upon its passage and prior to the promulgation of regulations.</p>		
<p>HB 2262 - Morris (64) Planning commissions, local; notice to applicants of preapproval requirements.</p>	1/19/15 House: Referred to Committee on Counties, Cities and Towns 1/28/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Counties, Cities and Towns	1/27/15
<p>Oppose (15103259D)</p> <p>Summary: Planning commissions; notice to applicants of preapproval requirements. Provides that upon request of the applicant, the local planning commission shall designate an officer or employee who shall (i) advise the applicant of the feasibility of the applicant's rezoning request and (ii) provide a list of all required or anticipated materials, assessments, surveys, or reports that will be required of the applicant before consideration of the rezoning request. The bill provides that such information, while not constituting early approval of the applicant's rezoning plan, shall be deemed a preliminary approval of the plan pending fulfillment of any preapproval requirements.</p>		
<p>HB 2294 - Joannou (79) Public-Private Transportation Act of 1995; comprehensive agreements.</p>	1/21/15 House: Referred to Committee on Transportation 2/5/15 House: Subcommittee recommends laying on the table (6-Y 1-N) 2/11/15 House: Left in Transportation	[1/30/15]
<p>[Oppose] (15103693D)</p> <p>Summary: Requires comprehensive agreements between the responsible public entity and a private entity to be approved by both houses of the General Assembly.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 2296 - Joannou (79) Tolling authority; approval by General Assembly before collecting or imposing tolls.	1/21/15 House: Referred to Committee on Transportation 2/5/15 House: Subcommittee recommends laying on the table (6-Y 1-N) 2/11/15 House: Left in Transportation	[1/30/15]
<p>[Oppose] (15103519D) Summary: Tolling authority. Requires approval by the General Assembly before the imposition or collection of tolls or user fees on any interstate, primary, or secondary highway, on any project undertaken pursuant to the PPTA, or by the HRTAC, NVTA, or RMTA.</p>		
HB 2297 - Joannou (79) Hampton Roads Transp. Accountability Commission and public-private partnerships; powers and duties.	1/21/15 House: Referred to Committee on Transportation 2/5/15 House: Subcommittee recommends laying on the table (6-Y 1-N) 2/11/15 House: Left in Transportation	[1/30/15]
<p>[Monitor] (15103764D) Summary: Powers and duties of public-private partnerships and the Hampton Roads Transportation Accountability Commission. Requires approval of the General Assembly prior to the imposition or collection of any tolls or user fees on a project undertaken pursuant to the Public-Private Transportation Act of 1995 or by the Hampton Roads Transportation Accountability Commission.</p>		
HB 2327 - Leftwich (78) Offsite improvements or land dedications; regulation of development by localities.	1/23/15 House: Referred to Committee on Counties, Cities and Towns 2/4/15 House: Subcommittee recommends striking from docket by voice vote 2/6/15 House: Stricken from docket by Counties, Cities and Towns by voice vote	[1/30/15]
<p>[Oppose] (15103114D) Summary: Offsite improvements or land dedications. Provides that localities shall not require a landowner to make offsite improvements or make dedications of land as a condition of use of an existing parcel when such use is a permitted use pursuant to the zoning ordinance and when existing public facilities are available to such parcel.</p>		
HB 2351 - Leftwich (78) Land subdivision and development; approval not to be conditioned on consent of easement holder.	1/23/15 House: Referred to Committee on Counties, Cities and Towns 2/4/15 House: Subcommittee recommends striking from docket by voice vote 2/6/15 House: Stricken from docket by Counties, Cities and Towns by voice vote	[1/30/15]
<p>[Oppose] (15103860D) Summary: Provides that no locality shall condition the approval of a subdivision plan, site plan, plat, or construction plan, or condition the issuance of any required occupancy permit for occupancy of such property or</p>		

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Bills	General Assembly Actions	Date of BOS Position
the structures thereon, upon the consent or permission of any person or entity holding an easement over, under, or through the property that is the subject of such plan or plat.		
HJ 495 - Surovell (44) United States Constitution; Equal Rights Amendment.	8/16/14 House: Referred to Committee on Privileges and Elections 2/10/15 House: Left in Privileges and Elections	1/27/15
<p>Support (15100137D) - Board has historically supported. See also SJ 216 (Ebbin). Summary: Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress.</p>		
HJ 514 - Webert (18) Composite Index of Local Ability to Pay; DOE to study effect of local use value assessment.	12/8/14 House: Referred to Committee on Rules 1/29/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Rules	1/27/15
<p>Monitor (15100853D) - Broader study of LCI is needed, to include factors such as cost of living, rather than individual components. See also SJ 288 (Vogel). Summary: Study; Department of Education; effect of local use value assessment of certain real estate on the Composite Index of Local Ability to Pay; report. Requests the Department of Education to (i) determine, for each of the 95 localities that have adopted ordinances to provide for the use value assessment and taxation of certain real estate, the use value of all applicable (a) real estate devoted to agricultural use, (b) real estate devoted to horticultural use, (c) real estate devoted to forest use, and (d) real estate devoted to open-space use, as those terms are defined in the Code of Virginia, and (ii) recalculate the Composite Index of Local Ability to Pay for each locality after taking into consideration such use values.</p>		
HJ 520 - Hope (47) Constitutional amendment; property tax exemption for nonprofit medical clinics serving the indigent.	12/12/14 House: Referred to Committee on Privileges and Elections 2/10/15 House: Left in Privileges and Elections	1/27/15
<p>Amend (15100093D) - Amend to provide state funding for this initiative; historical position of the Board. Summary: Constitutional amendment (first resolution); property tax exemption for nonprofit medical clinics serving the indigent. Exempts from taxation property owned by nonprofit medical clinics organized to provide health care services without charge to the indigent.</p>		
HJ 536 - Lingamfelter (31) Constitutional amendment; Lottery Proceeds Fund.	12/29/14 House: Referred to Committee on Privileges and Elections 2/10/15 House: Left in Privileges and Elections	1/27/15
<p>Oppose (15100006D) - Concern about diversion of funding from K-12. Summary: Constitutional amendment (first resolution); Lottery Proceeds Fund. Allows lottery proceeds to be appropriated from the Lottery Proceeds Fund to public institutions of higher education for purposes of</p>		

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<p>providing education and employment training for veterans who have been honorably discharged from an active or reserve component of the United States armed forces or the Virginia National Guard and who are domiciled in the Commonwealth.</p>		
<p><u>HJ 578</u> - Anderson (51) Constitutional amendment; general warrants of search or seizure prohibited.</p>	<p>1/9/15 House: Referred to Committee on Privileges and Elections 2/10/15 House: Left in Privileges and Elections</p>	<p>1/27/15 [1/30/15]</p>
<p>[Support Study] (House P&E subcommittee version) - Support study prior to proceeding with Constitutional amendment to ensure that current case law and interpretation of the Fourth Amendment of the U.S. Constitution are preserved. See also SJ 302 (Stuart). Amend (15102466D) — Amend to remove immunity clause to preserve existing legislative and judicial authority. Summary: Constitutional amendment (first resolution); general warrants of search or seizure prohibited. Clarifies that the right of the people to be secure against unreasonable searches and seizures of their persons, houses, businesses, lands, papers, and effects applies also to communications and stored personal information and data. Furthermore, the requirement that a warrant particularly describe the place to be searched or the persons or things to be seized is extended to communications, personal information, and data to be accessed. The amendment provides that a person's disclosure to another person of his papers, effects, or electronic communications, personal information, or data is not alone a waiver of this right. The amendment also provides that the people shall have remedies of exclusion and actions for damages and other remedies and that defendants shall not enjoy greater immunity than other citizens of the Commonwealth.</p>		
<p><u>HJ 590</u> - Ramadan (87) Tangible personal property tax relief; reimbursement payments to localities.</p>	<p>1/12/15 House: Referred to Committee on Rules 1/29/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Rules</p>	<p>1/27/15</p>
<p>Oppose (15101763D) Summary: Study; reimbursement payments to localities providing tangible personal property tax relief; report. Requests the Department of Taxation to conduct a study of reimbursement payments to localities providing tangible personal property tax relief.</p>		
<p><u>HJ 619</u> - Lingamfelter (31) Metrorail extension; DRPT to study.</p>	<p>1/13/15 House: Referred to Committee on Rules 1/29/15 House: Subcommittee recommends laying on the table by voice vote 2/10/15 House: Left in Rules</p>	<p>1/27/15</p>
<p>Monitor (15103536D) Summary: Study; Department of Rail and Public Transportation to study Metrorail extension; report. Requests the Department of Rail and Public Transportation to study the efficacy and desirability of extending the Metrorail in Virginia and to report on its findings no later than the first day of the 2016 Regular Session of the General Assembly.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HJ 633 - Landes (25) Constitutional amendment; Board of Education, powers and duties.	1/14/15 House: Referred to Committee on Privileges and Elections 2/10/15 House: Left in Privileges and Elections	[1/30/15]
<p>[Oppose] (15100971D) - Consistent with Board's opposition to the Opportunity Educational Institution. Concern about potential diversion of local funding.</p> <p>Summary: Constitutional amendment (first resolution); Board of Education; power to establish, operate, maintain, or supervise schools. Permits the General Assembly to grant to the Board of Education the power and duty to assume the operation or supervision of one or more schools within a school division on a temporary basis when necessary to ensure that an educational program of high quality is established and continually maintained, or establish, maintain, or operate one more elementary or secondary schools pursuant to Section 9 of Article VIII of the Constitution of Virginia.</p>		
SB 684 - Carrico, Sr. (40) Forfeiture of property used in connection with the commission of crimes; conviction required.	10/21/14 Senate: Referred to Committee for Courts of Justice 1/21/15 Senate: Passed by indefinitely in Courts of Justice with letter (12-Y 0-N)	1/27/15
<p>Support Study (15100578D) - Support referring bill to Crime Commission for study.</p> <p>Summary: Requires that any action for the forfeiture of property used in connection with the commission of a crime be stayed until the person whose property is the subject of the forfeiture action has been convicted of the crime and has exhausted all appeals.</p>		
SB 689 - Black (13) Concealed handgun permits; lifetime permits.	11/21/14 Senate: Referred to Committee for Courts of Justice 1/26/15 Senate: Reported from Courts of Justice with substitute (10-Y 4-N) 1/26/15 Senate: Rereferred to Finance 2/11/15 Senate: Left in Finance	1/27/15
<p>Oppose (15100379D) - Board has historically opposed. See also HB 1359 (Campbell).</p> <p>Summary: Provides for the issuance of concealed handgun permits for Virginia residents that do not expire. Currently, such permits must be renewed every five years.</p>		
SB 708 - Edwards (21) Elections; absentee voting by persons age 65 or older.	12/2/14 Senate: Referred to Committee on Privileges and Elections 1/27/15 Incorporated by Privileges and Elections (SB719- McWaters) (15-Y 0-N)	1/27/15
<p>Support (15100901D) - Board has historically supported. See also SB 719 (McWaters), SB 758 (Barker), SB 822 (Miller), SB 910 (Wexton), HB 1922 (Murphy), and HB 2252 (Preston).</p> <p>Summary: Entitles persons age 65 or older on the day of an election for which an absentee ballot is requested to vote absentee. This bill was incorporated into SB 719.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 726 - Cosgrove (14) Cash proffer for residential construction; sunset date.	12/11/14 Senate: Referred to Committee on Local Government 1/27/15 Incorporated by Local Government (SB1257-Smith) (12-Y 0-N)	1/27/15
<p>Oppose (15100983D) - Board has historically opposed. Summary: Removes the July 1, 2017, expiration of a Code section that delays the payment of certain per-dwelling-unit cash proffers until after the final inspection of the subject property and prior to the issuance of any certificate of occupancy. The removal of the sunset date also extends existing provisions barring the assertion of a cause of action to enforce a right to delayed payment of cash proffers and allowing a court to award fees and costs to a party that prevails in a legal challenge to a conflicting ordinance.</p>		
SB 743 - Lucas (18) Hampton Roads Transportation Accountability Commission; local representation.	12/17/14 Senate: Referred to Committee on Rules 2/11/15 Senate: Left in Rules	1/27/15
<p>Monitor (15101573D) - See also HB 1760 (James). Summary: Allows the chief elected officer of each locality within Planning District 23 to have a representative from the same governing body serve on the Hampton Roads Transportation Accountability Commission.</p>		
SB 758 - Barker (39) Elections; absentee voting by persons age 65 or older.	12/22/14 Senate: Referred to Committee on Privileges and Elections 1/27/15 Incorporated by Privileges and Elections (SB719-McWaters) (15-Y 0-N)	1/27/15
<p>Support (15101639D) - Board has historically supported. See also SB 708 (Edwards), SB 719 (McWaters), SB 822 (Miller), SB 910 (Wexton), HB 1922 (Murphy), and HB 2252 (Preston). Summary: Entitles persons age 65 or older on the day of an election for which an absentee ballot is requested to vote absentee. This bill was incorporated into SB 719.</p>		
SB 764 - Edwards (21) Electric utilities; net energy metering programs.	12/23/14 Senate: Referred to Committee on Commerce and Labor 2/2/15 Senate: Incorporated by Commerce and Labor (SB1395-Dance) (15-Y 0-N)	1/27/15
<p>Support (15101229D) - Board has historically supported. Summary: Electric utilities; net energy metering. Increases, from 500 kilowatts to two megawatts, the maximum generating capacity of an electrical generating facility owned or operated by an electric utility's nonresidential customer that may be eligible for participation in the utility's net energy metering program. This change to the definition of an "eligible customer-generator" also affects the definition of a "qualified energy project" as used in the Virginia Small Business Financing Act.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 780 - Favola (31) Family day homes; licensure.	12/30/14 Senate: Referred to Committee on Rehabilitation and Social Services 1/30/15 Senate: Incorporated by Rehabilitation and Social Services (SB1168-Hanger) (14-Y 0-N)	1/27/15
<p>Monitor (15100664D) Summary: Licensure of family day homes. Provides that the children of a family day home provider and any children who reside in the family day home where care is provided shall be included in determining the number of children receiving care for the purpose of licensure. This bill was incorporated into SB 1168.</p>		
SB 796 - Lucas (18) County food and beverage tax; referendum requirement.	1/1/15 Senate: Referred to Committee on Local Government 1/27/15 Senate: Reported from Local Government (9-Y 3-N 3-A) 1/30/15 Senate: Stricken from Senate calendar (37-Y 0-N)	1/27/15
<p>Support (15101941D) - Consistent with County principles for revenue diversification. Summary: Removes the requirement that a county food and beverage tax be approved by a referendum before the county may pass an ordinance.</p>		
SB 818 - Favola (31) Family day homes; licensure by Department of Social Services.	1/2/15 Senate: Referred to Committee on Rehabilitation and Social Services 1/30/15 Senate: Stricken at request of Patron in Rehabilitation and Social Services (14-Y 0-N)	1/27/15
<p>Support w/ Amend. (15100846D) - Amend to grandfather locally permitted programs. Summary: Licensure of family day homes. Requires all family day homes that provide care for one or more children for compensation to be licensed by the Department of Social Services. Currently, only family day homes providing care for six or more children must be licensed. The bill also provides that, for the purposes of determining the number of children receiving care, the provider's own children and any children residing in the home shall be counted.</p>		
SB 822 - Miller (1) Elections; absentee voting by persons age 65 or older.	1/5/15 Senate: Referred to Committee on Privileges and Elections 1/27/15 Incorporated by Privileges and Elections (SB719-McWaters) (15-Y 0-N)	1/27/15
<p>Support (15101175D) - Board has historically supported. See also SB 708 (Edwards), SB 719 (McWaters), SB 758 (Barker), SB 910 (Wexton), HB 1922 (Murphy), and HB 2252 (Preston). Summary: Entitles persons age 65 or older on the day of an election for which an absentee ballot is requested to vote absentee. This bill was incorporated into SB 719.</p>		
SB 833 - Edwards (21) Electric utilities; net energy metering.	1/5/15 Senate: Referred to Committee on Commerce and Labor 1/26/15 Stricken at request of patron. (15-Y 0-N)	1/27/15
<p>Support (15103022D) - Board has historically supported. Summary: Increases, from 500 kilowatts to two megawatts, the maximum generating capacity of an electrical</p>		

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<p>generating facility owned or operated by an electric utility's nonresidential customer that may be eligible for participation in the utility's net energy metering program. This change to the definition of an "eligible customer-generator" also affects the definition of a "qualified energy project" as used in the Virginia Small Business Financing Act.</p>		
<p>SB 890 - Petersen (34) Zoning ordinance; vehicle title loan businesses and payday lenders.</p>	<p>1/7/15 Senate: Referred to Committee on Local Government 1/27/15 Failed to report (defeated) in Local Government (7-Y 8-N)</p>	<p>1/27/15</p>
<p>Support (15102009D) - Board has historically supported. Summary: Zoning; vehicle title loan businesses and payday lenders. Allows a local zoning ordinance to include reasonable limits on the number of motor vehicle title loan businesses and payday lenders that may be operated at any one time within a zoning district.</p>		
<p>SB 910 - Wexton (33) Elections; absentee voting by persons age 65 or older.</p>	<p>1/8/15 Senate: Referred to Committee on Privileges and Elections 1/27/15 Incorporated by Privileges and Elections (SB719-McWaters) (15-Y 0-N)</p>	<p>1/27/15</p>
<p>Support (15100480D) - Board has historically supported. See also SB 708 (Edwards), SB 719 (McWaters), SB 758 (Barker), SB 822 (Miller), HB 1922 (Murphy), and HB 2252 (Preston). Summary: Entitles persons age 65 or older on the day of an election for which an absentee ballot is requested to vote absentee. This bill was incorporated into SB 719.</p>		
<p>SB 925 - Edwards (21) School zone; speed limit photo-enforcement system.</p>	<p>1/8/15 Senate: Referred to Committee on Local Government 2/3/15 Senate: Stricken at request of Patron in Local Government (13-Y 0-N)</p>	<p>1/27/15</p>
<p>Support w/ Amend. (15102657D) - Amend to remove strict liability civil penalty. Summary: School zone speed limit photo-enforcement system. Allows a locality having its own school district or school system to provide by ordinance for the establishment of a school zone speed limit photo-enforcement system imposing monetary liability on the operator of a motor vehicle for failure to comply with the speed limit in a school zone or school crossing in such locality. Proof of a violation of this section shall be evidenced by information obtained from a school zone speed limit photo-enforcement system. In the prosecution for a violation of any local ordinance adopted as provided in this section, prima facie evidence that the vehicle described in the summons issued pursuant to this section was operated in violation of such ordinance, together with proof that the defendant was at the time of such violation the owner, lessee, or renter of the vehicle, shall constitute in evidence a rebuttable presumption that such owner, lessee, or renter of the vehicle was the person who committed the violation. Imposition of a penalty pursuant to this section shall not be deemed a conviction as an operator and shall not be made part of the operating record of the person upon whom such liability is imposed, nor shall it be used for insurance purposes in the provision of motor vehicle insurance coverage. No monetary penalty imposed under this section shall exceed \$50, nor shall it include court costs.</p>		

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<p><u>SB 981</u> - Favola (31) Higher educational institutions; memorandum of understanding and policies.</p>	<p>1/11/15 Senate: Referred to Committee on Education and Health 1/26/15 Incorporated by Education and Health (SB712-Black) (14-Y 0-N)</p>	<p>1/27/15</p>
<p>Support (15101757D) Summary: Institutions of higher education; sexual assault; memorandum of understanding and policies. Requires the governing board of each public or private institution of higher education to (i) establish a written memorandum of understanding with a local sexual assault crisis center or other victim support service and (ii) adopt policies that require the institution to offer to refer the sexual assault victim to the sexual assault crisis center, encourage victims to take steps to preserve physical evidence, provide clear guidance on linking victims to other community resources, provide options for victims who do not want to make an official report to make an anonymous report, and provide amnesty for victims who fear their conduct may also be questioned or who are concerned that an official report might jeopardize their academic status.</p>		
<p><u>SB 1004</u> - Ebbin (30) Electronic cigarettes and other vapor products; state tax created, localities authorized to impose.</p>	<p>1/12/15 Senate: Referred to Committee on Finance 1/21/15 Senate: Passed by indefinitely in Finance (15-Y 0-N)</p>	<p>1/27/15</p>
<p>Support (15102363D) Summary: Taxes on electronic cigarettes and other vapor products. Creates a state tax on electronic cigarettes, electronic cigars, electronic cigarillos, and similar products and devices (vapor products) and authorizes cities and towns and certain counties to impose a tax on vapor products. The state tax would be imposed at a rate \$0.18 per milliliter of nicotine liquid solution or other material containing nicotine that is depleted as the vapor product is used. All revenues from the state tax on vapor products would be deposited into the Virginia Health Care Fund, into which all revenues from the state tax on cigarettes are currently deposited.</p>		
<p><u>SB 1011</u> - Stuart (28) Cash proffers; purchase of development rights by locality.</p>	<p>1/12/15 Senate: Referred to Committee on Local Government 2/3/15 Senate: Passed by indefinitely in Local Government (13-Y 0-N)</p>	<p>1/27/15</p>
<p>Support (15101258D) Summary: Allows a locality to use a cash payment voluntarily proffered by a landowner to purchase development rights within the locality in accordance with the comprehensive plan and local ordinances allowing for the transfer of development rights. The bill provides that the locality seeking to purchase such rights must first notify the proffering landowner and conduct a public hearing. Following the hearing, the locality is required to find that the purchase is in accordance with the local ordinance allowing the transfer of development rights, the rights to be purchased are within the areas identified in the comprehensive plan for land conservation, and the purchase is in the public interest. The bill contains technical amendments.</p>		

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SB 1023 - Stuart (28) Mass transit; transit funding in statewide prioritization.	1/12/15 Senate: Referred to Committee on Transportation 1/28/15 Stricken at request of Patron in Transportation (15-Y 0-N)	1/27/15
<p>Oppose (15103232D) Summary: Transit funding in statewide prioritization; review of project prioritization. Includes moneys from the Commonwealth Mass Transit Fund and highway aid to mass transit in the list of funds subject to the statewide prioritization process. The bill also requires the Joint Commission on Transportation Accountability to review the prioritization of projects by the Commonwealth Transportation Board and to make necessary recommendations regarding the process to the General Assembly.</p>		
SB 1026 - Garrett (22) Lobbyist disclosure; reporting by certain political subdivisions.	1/12/15 Senate: Referred to Committee on Rules 2/11/15 Senate: Left in Rules	1/27/15
<p>Oppose (15102649D) Summary: Requires political subdivisions composed of, or managed or controlled by, one or more counties, cities, towns, or other local or regional political subdivisions to file a separate registration statement on behalf of their officers and employees who will be engaged in lobbying. The bill also prohibits such political subdivisions from using public funds to support lobbying efforts and requires funds used for lobbying to be segregated from public funds and held in a separate bank account.</p>		
SB 1033 - Wexton (33) Northern Virginia Transportation Authority; increases membership.	1/12/15 Senate: Referred to Committee on Rules 1/27/15 Senate: Reported from Rules with substitute (16-Y 0-N) 1/27/15 Senate: Rereferred to Finance 2/4/15 Senate: Passed by indefinitely in Finance with letter (14-Y 0-N)	1/27/15
<p>Oppose (15102244D) Summary: Northern Virginia Transportation Authority; membership composition. Increases the membership of the NVTa by one nonlegislative member to represent towns that receive funds for urban highway systems.</p>		
SB 1065 - Obenshain (26) Cash proffer for residential construction; sunset date.	1/13/15 Senate: Referred to Committee on Local Government 1/27/15 Incorporated by Local Government (SB1257-Smith) (12-Y 0-N)	1/27/15
<p>Oppose (15101705D) - Board has historically opposed. Summary: Removes the July 1, 2017, expiration of a current law that delays the payment of certain per-dwelling-unit cash proffers until after the final inspection of the subject property and prior to the issuance of any certificate of occupancy. The removal of the sunset date also extends existing provisions protecting a right to delayed payment of cash proffers and allowing a court to award fees and costs to a party that prevails in a legal challenge to a conflicting ordinance. In addition, the bill repeals the July 1, 2017, expiration of a 2009 act of assembly that lowered the cap on the administrative costs a locality could charge a developer for the dedication</p>		

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of a public right-of-way from 25 percent to 10 percent of the estimated construction cost.		
SB 1091 - Vogel (27) Public schools; adjustment of calculation of local composite index for funding.	1/13/15 Senate: Referred to Committee on Education and Health 1/29/15 Senate: Passed by indefinitely in Education and Health (15-Y 0-N)	1/27/15
Oppose (15102756D) Summary: Adjustment of the calculation of the local composite index for public school funding. Directs the Department of Education to adjust its funding calculations for the local ability to pay by using the use-value assessment of real property, instead of the true value, in localities that have adopted use-value taxation.		
SB 1124 - Barker (39) Licensure of family day homes.	1/13/15 Senate: Referred to Committee on Rehabilitation and Social Services 1/30/15 Senate: Incorporated by Rehabilitation and Social Services (SB1168-Hanger) (14-Y 0-N)	1/27/15
Monitor (15102490D) Summary: Provides that the children of a family day home provider and any children who reside in the family day home where care is provided shall be included in determining the number of children receiving care for the purpose of licensure. This bill was incorporated into SB 1168.		
SB 1132 - Garrett (22) Concealed handgun; possession on school property prohibited.	1/13/15 Senate: Referred to Committee for Courts of Justice 1/26/15 Senate: Reported from Courts of Justice with amendments (8-Y 5-N) 2/2/15 Senate: Read third time and defeated by Senate (18-Y 20-N) 2/2/15 Senate: Reconsideration of defeated action agreed to by Senate (38-Y 0-N) 2/2/15 Senate: Read third time and defeated by Senate (18-Y 20-N)	[1/30/15]
[Oppose] (15101291D) - See also HB 1773 (Berg) Summary: Possession of concealed handgun on school property. Provides an exception to the crime of possessing a firearm on school property if a person has a valid concealed handgun permit and possession of a concealed handgun occurs outside normal school hours. The bill also provides an exception if a person with a concealed handgun permit stores a concealed handgun in a motor vehicle in a parking lot, traffic circle or other means of vehicular ingress or egress to the school; current law allows possession while the person is in the motor vehicle in one of those areas.		
SB 1210 - Ebbin (30) Retail sales and transient occupancy taxes on room rentals.	1/13/15 Senate: Referred to Committee on Finance 2/3/15 Senate: Reported from Finance (9-Y 5-N) 2/5/15 Senate: Defeated by Senate (14-Y 24-N)	1/27/15
Support (15103399D) - Board has historically supported. See also HB 1762 (Watts). Summary: Provides that retail sales and hotel taxes on transient room rentals are computed based upon the total		

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<p>charges or the total price paid for the use or possession of the room. For those cases in which a hotel or similar establishment contracts with an intermediary to facilitate the sale of the room and the intermediary charges the customer for the room and such facilitation efforts, the bill would require the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room.</p>		
<p>SB 1274 - Barker (39) State highways; allocation of funds.</p>	<p>1/14/15 Senate: Referred to Committee on Transportation 1/28/15 Senate: Passed by indefinitely in Transportation with letter (15-Y 0-N)</p>	<p>1/27/15</p>
<p>Monitor (15102817D) Summary: Allocation of funds for state highways. Allocates 10 percent of state revenues allocated to state secondary highways for use in reconstructing deteriorated state secondary highway pavements. The bill reduces from 25 to 20 percent the share of such revenues currently allocated to bridge reconstruction and rehabilitation and reduces from 15 to 10 percent the share of such revenues currently allocated to projects undertaken pursuant to the Public-Private Transportation Act of 1995.</p>		
<p>SB 1279 - Wexton (33) Handheld personal communications devices; use while driving, penalty.</p>	<p>1/14/15 Senate: Referred to Committee on Transportation 1/28/15 Senate: Passed by indefinitely in Transportation (8-Y 7-N)</p>	<p>1/27/15</p>
<p>Support (15102249D) - Board has historically supported. Summary: Use of handheld personal communications devices while driving; penalty. Provides that, subject to certain exceptions, using a handheld personal communications device while operating a moving vehicle, unless such device is used in voice-operated or hands-free mode, is a traffic infraction punishable by a fine of \$125 for a first offense and \$250 for a second or subsequent offense. If a person is using such a device at the same time he (i) violates any traffic offense punishable as a misdemeanor or a felony or (ii) causes an accident as the proximate result of his use of the device, he is guilty of reckless driving, a Class 1 misdemeanor. Currently, only texting while driving is a traffic infraction, subject to the same \$125 and \$250 fines. The bill also eliminates the additional mandatory minimum fine imposed upon a person convicted of reckless driving who was texting while driving at the time of the offense.</p>		
<p>SJ 302 - Stuart (28) Constitutional amendment (first resolution); general warrants of search or seizure prohibited.</p>	<p>1/21/15 Senate: Referred to Committee on Privileges and Elections 1/27/15 Senate: Rereferred to Courts of Justice 2/11/15 Senate: Left in Courts of Justice</p>	<p>1/27/15 [1/30/15]</p>
<p>[Support Study] (House P&E subcommittee version) - Support study prior to proceeding with Constitutional amendment to ensure that current case law and interpretation of Fourth Amendment to the U.S. Constitution are preserved. See also HJ 578 (Anderson). Amend (15103613D) - Amend to remove immunity clause to preserve existing legislative and judicial authority. See also HJ 578 (Anderson). Summary: Clarifies that the right of the people to be secure against unreasonable searches and seizures of their persons, houses, businesses, lands, papers, and effects applies also to communications and stored personal information and data. Furthermore, the requirement that a warrant particularly describe the place to be searched</p>		

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or the persons or things to be seized is extended to communications, personal information, and data to be accessed. The amendment provides that a person's disclosure to another person of his papers, effects, or electronic communications, personal information, or data is not alone a waiver of this right. The amendment also provides that the people shall have remedies of exclusion and actions for damages and other remedies and that defendants shall not enjoy greater immunity than other citizens of the Commonwealth.

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Key House and Senate Member Budget Amendments for Fairfax County 2015 General Assembly

Support

Jail Per Diems

House: Item 67 #1h (Preston)

Provides funding in FY 2016 based on the current projected expenditures to local and regional jails for jail per diems. The introduced budget provided \$11.4 million in funding in FY 2015 but no additional funding for FY 2016.

Cost of Competing Adjustment for Support Positions

House: Item 136 #7h (Albo) (All County House delegation members are co-patrons)/#20h (Ramadan)

Provides \$36.8 million the second year to fund the Cost of Competing Adjustment (COCA) rate for the SOQ Basic Aid support positions at 24.61 percent in FY 2016 for school divisions in Planning District 8 (City of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park and the Counties of Arlington, Fairfax, Loudoun, Prince William). The COCA rate for the SOQ Basic Aid support positions for the counties of Clarke, Culpeper, Fauquier, Frederick, Spotsylvania, Stafford, and Warren and the Cities of Fredericksburg and Winchester will be funded at 6.15 percent in FY 2016. (This amendment provides full restoration of funding for COCA for support positions.)

Senate: Item 136 #3s (Black)/#4s (Colgan)/#5s (Howell)

Provides funding to restore the 24.61 percent Cost of Competing Adjustment (COCA) for support positions for school divisions in Planning District 8, and one-quarter of that rate for the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, Culpeper and the cities of Fredericksburg and Winchester.

House: Item 136 #10h (Greason)

Provides \$33.3 million the second year to fund the Cost of Competing Adjustment (COCA) rate for the SOQ Basic Aid support positions at 24.61 percent in FY 2016 for school divisions in Planning District 8.

House: Item 136 #12h (Albo)

Provides \$3.5 million the second year to fund the Cost of Competing Adjustment (COCA) rate for the SOQ Basic Aid support positions at 2.461 percent in FY 2016 for school divisions in Planning District 8. The COCA rate for the SOQ Basic Aid support positions for the counties of Clarke, Culpeper, Fauquier, Frederick, Spotsylvania, Stafford, and Warren and the cities of Fredericksburg and Winchester will be funded at 0.62 percent in FY 2016. (Provides a small restoration to ensure COCA is included in future budgets.)

House: Item 136 #13h (Albo)

Reinstates COCA for support positions for the next biennial budget (fiscal year 2016-2018). (Seeks to ensure some COCA funding is restored in 2016-2018 biennium budget.)

Community Services Board Priorities

House: Item 308 #3h (Yost)

Senate: Item 308 #5s (Hanger)

Provides \$2.4 million from the general fund the second year for five regional projects to assess, identify and implement programming to prevent and reduce risk factors that lead to youth violence, alcohol/drug abuse, mental health problems and other risky behaviors.

House: Item 308 #11h (Hodges)

Senate: Item 308 #3s (Hanger)

Provides \$4.0 million the second year from the general fund to expand existing peer support programs for individuals recovering from substance use disorders, including those co-occurring with mental illness.

House: Item 308 #14h (Yost)

Senate: Item 308 #12 s (Howell)

Provides \$7.1 million from the general fund in FY 2016 to support 500 rental subsidies. The subsidies will be administered by community services boards or private entities to provide stable, supportive housing for persons with serious mental illness, along with outreach and in-home clinical services and support staff to help maintaining community-based living and to avoid costly hospitalizations, incarceration, and homelessness.

Part C/Early Intervention

House: Item 308 #7h (Ingram)

Senate: Item 308 #9s (Howell)

Increases funding by \$2.0 million from the general fund each year for Part C Early Intervention Services for infants and toddlers with disabilities ages birth to age three.

House: Item 308 #8h (Ingram)

Adds \$2.2 million from the general fund the second year, to provide increased rates for Part C Early Intervention Services case management from \$132 per month per child to \$175.40 for infants and toddlers with disabilities who are Medicaid-eligible.

Community Action Agencies

House: Item 341 #4h (Kilgore)/#5h (BaCote)

Senate: Item 341 #2s (Edwards)/#3s (Lucas)/#4s (Carrico)

Provides \$2.0 million from nongeneral funds in additional support for Community Action Agencies to expand services for child care, community and economic development, education, employment, training, health and nutrition counseling, housing and transportation. The additional funding comes from the Temporary Assistance for Needy Families block grant.

Domestic Violence and Sexual Assault

House: Item 389 #1h (Peace)

Senate: Item 389 #1s (Vogel)

Provides an additional \$3.1 million the second year from the general fund to increase support for sexual assault crisis centers that provides services to victims of sexual violence.

Senate: Item 338 #1s (Favola)

Provides \$150,000 the second year for a pilot project to increase the availability of counseling for children who have witnessed domestic violence.

Housing

House: Item 3-5.20 #3h (Villanueva)

Increases the cap associated with the Livable Homes Tax Credit from \$1.0 million to \$1.5 million each year beginning in tax year 2015.

HB 599

House: Item 391 #1h (Preston)/#2h (Carr)

Senate: Item 391 #1s (Locke)

Adjusts House Bill 599 funding in the second year to reflect estimated anticipated 3.1 percent change in total general fund revenue collections from the first year to the second year.

Route 1 Transit Study

House: Item 439 #3h (Surovell)

Directs that \$4.0 million in transit funding in the second year be used to continue to advise the Route 1 transit study for the Counties of Fairfax and Prince William and the City of Alexandria.

Virginia Railway Express

Senate: Item 439 #3s (Colgan)

Dedicates \$2.0 million NGF in each year from mass transit program funding to advance the core capacity projects of the Virginia Railway Express.

Judgeships

House: Item 468 #2h (Sickles)/#3h (Surovell)

Authorizes the filling of two vacant judgeships on the 19th judicial circuit and two vacant judgeships on the 19th general district court.

Senate: Item 39 #4s (Howell)

Expresses the intent of the General Assembly that, out of the \$5,324,041 from the general fund the second year (which was transferred in the budget as introduced from Central Appropriations to the circuit courts for filling vacant judgeships), three vacancies from the 19th Judicial Circuit (Fairfax County) shall be filled as of July 1, 2015.

Senate: Item 40 #2s (Howell)

Expresses the intent of the General Assembly that, out of the \$2,197,565 from the general fund the second year (which is transferred in the budget as introduced from Central Appropriations to the general district courts for filling vacant judgeships), two vacancies from the 19th Judicial District (Fairfax County) shall be filled as of July 1, 2015.

Aid to Localities

House: Item 471.30 #1h (James)

Senate: Item 471.30 #1s (Alexander)/#2s (Lucas)/#3s (Stanley)/#4s (Colgan)

Eliminates the Aid to Local Government Reversion Clearing Account.

Stormwater

House: Item C-43 #2h (Lopez)

Provides approximately \$51 million in additional bond authority for the Stormwater Local Assistance Fund.

Senate: Item C-43 #1s (Hanger)

Provides \$40 million in bond proceeds in FY 2016 for the Stormwater Local Assistance Fund.

Oppose

Washington Metropolitan Area Transit Authority (WMATA)

House: Item 439 #1h (LeMunyon)

Stipulates that FY 2016 funding shall not be provided to WMATA if the annual external financial audit of WMATA does not result in a "clean audit" (unqualified opinion) until the Director of the Department of Rail and Public Transportation (DRPT) certifies that any material deficiencies in financial controls identified in the audit have been remedied.

House: Item 439 #2h (Peace)

Limits the distribution of state funds to WMATA if the WMATA Board of Directors has not addressed all the recommendations cited in the U.S. Federal Transit Administration's report "Full Scope of Systems Review of the Washington Metropolitan Transit Authority," dated June 10, 2014. The determination of compliance will be made by the Director of DRPT, in consultation with the appropriate compliance officer of the Federal Transit Administration and the Chairs of the House Appropriations and Senate Finance Committees.

Northern Virginia Transportation Commission (NVTC)

House: Item 439 #6h (LeMunyon)

Ties growth in NVTC administrative and personnel costs to growth in local contributions from its member jurisdictions.

Garage Counters at Vienna and West Falls Church Metrorail Stations

House: Item 439 #7h (LeMunyon)

Directs the use of up to \$7 million in NVTC funding provided by the state for the installation of garage counters at the Vienna and West Falls Church Orange line Metro rail stations.

Monitor

Northern Virginia Training Center

Senate: Item 307 #5s (Newman)

Delays the closure of the Northern Virginia Training Center until July 1, 2016, and directs that the Secretary of Health and Human Resources submit a report by November 1, 2015, to the General Assembly on the costs of continuing to operate three training centers on a smaller scale.

Local Fines and Fees

Senate: Item 3-6.05 #4s (Watkins)

Adjusts the formula by which local collections of fines and fees based on local ordinances may not exceed a certain threshold of the total collections of fines and fees. This amendment sets the threshold at \$60 per capita in collections, and requires that for any locality where the local collections exceed 50 percent of the total collections, the excess local collections above \$60 per capita be transferred to the state Literary Fund.

Secondary Road Maintenance

Senate: Item 445 #1s (Watkins)

Requires the Department of Transportation to annually publish the actual amount of secondary road maintenance funding provided in each jurisdiction of the Commonwealth compared to the amount that would be provided if the allocation were based on the number of registered vehicles.

Conflict of Interests: Key Provisions of HB 1947(McClellan)/SB 1345 (McEachin); SB 1424 (Norment); and HB 2070 (Gilbert)

State and Local COIA	HB 1947(McClellan)/SB 1345 (McEachin)	SB 1424 (Norment) <small>*Asterisked provisions of SB 1424 are identical (or virtually identical) to HB 1947(McClellan)/SB 1345 (McEachin)</small>	HB 2070 (Gilbert)
<p>§ 2.2-3103 § 2.2-3103.1</p>	<p>Eliminates the provisions added in 2014 that required special treatment of gifts from lobbyists/their principals and current or potential contractors and that distinguished between tangible and intangible gifts.</p> <p>Prohibits persons required to file the long form and members of their immediate families from soliciting or accepting gifts (either a single gift or a combination of gifts) with a value greater than \$100 from <i>any person</i> other than a relative or personal friend. Exception for invitations to “widely attended events” and meals provided there.</p> <p>Prohibits persons required to file the long form from soliciting or accepting “travel-related things of value” with a value greater than \$100 from “<i>a third party</i>” unless the Commission grants a waiver. Waivers are not required for acceptance of “travel paid for or provided by the government of the United States, any of its territories, or another state in the United States or the political subdivision of such other state.” (§ 2.2-2541 (A).)</p>	<p>*Eliminates the provisions added in 2014 that required special treatment of gifts from lobbyists/their principals and current or potential contractors and that distinguished between tangible and intangible gifts.</p> <p>Prohibits persons required to file the long form from accepting gifts (either single or a combination of gifts) with a value greater than \$100 from <i>any person</i>. Exceptions for gifts from relatives and gifts received while in attendance at a personal celebration. Exception for gifts received while attending “widely attended events.” [The definition of “widely attended event” is significantly different from the definition in other bills.]</p> <p>Allows persons required to file the long form <i>and their spouses and dependent children</i> to accept gifts worth more than \$100 from a personal friend if the Commission grants a waiver. Allows persons required to file the long form to accept travel-related things of value provided by a third party and that are directly related to official duties if the Commission grants a waiver. *Waivers are not required for acceptance of “travel paid for or provided by the government of the United States, any of its territories, or another state in the United States or the political subdivision of such other state.” (§ 30-356.2(A).)</p>	<p>Eliminates the distinction between tangible and intangible gifts, but retains concept of special treatment of gifts given by lobbyists/their principals and current or prospective contractors.</p> <p>Prohibits officers/employees from soliciting or accepting any single gift with a value greater than \$100 from <i>lobbyists/their principals and current or prospective contractors</i>. Exception for gifts received while attending “widely attended events.” Exception for travel-related gifts if the Council grants a waiver.</p> <p>Prohibits officers/employees from soliciting or accepting any gift of travel with a value exceeding \$100 from <i>a third party</i> unless the Council grants a waiver. “Third party” does not include a relative, a personal friend, or “the Commonwealth or one of its political subdivisions; the government of the United States or any of its territories; or another state in the United States or a political subdivision of such other state.” (§ 30-356.1)</p>
<p>§ 2.2-3117</p>	<p>Eliminates disclosure form from the statute and directs Commission to prepare forms that include prescribed information.</p>	<p>Eliminates disclosure form from the statute and directs Commission to prepare forms that request prescribed information.</p>	<p>Retains disclosure form in the statute.</p>

67

	<p>Required disclosures include, <u>but are not limited to</u>:</p> <ul style="list-style-type: none"> • Salaries, wages, and other remuneration that filers and members of their immediate families receive from paid employment. (Current law requires identification of an employer who pays salary or wages in excess of \$5,000 annually.) • Debts of filers and members of their immediate families. (Current law requires disclosure of debts of more than \$5,000 to any one creditor and excludes certain recorded liens and debts owed to governments.) • Information about payments or reimbursements a filer received for attending or participating in meetings, conferences, or events in his/her official capacity. • Gifts received by a filer or a member of his/her immediate family that are valued at more than \$25 (vs. \$50/\$100 in current law). • Information about "travel not paid for by a governmental entity of the United States or another state of the United States." <p>Knowingly making a material misstatement on the form is a Class 5 felony.</p>	<p>Required disclosures include, <u>but are not limited to</u>:</p> <ul style="list-style-type: none"> • *Salaries, wages, and other remuneration that filers and members of their immediate families receive from paid employment. (Current law requires identification of an employer who pays salary or wages in excess of \$5,000 annually.) • *Debts of filers and members of their immediate families. (Current law requires disclosure of debts of more than \$5,000 to any one creditor and excludes certain recorded liens and debts owed to governments.) • *Information about payments or reimbursements a filer received for attending or participating in meetings, conferences, or events in his/her official capacity. • *Gifts received by a filer or a member of his/her immediate family that are valued at more than \$25 (vs. \$50/\$100 in current law). • Information about "travel not paid for by a governmental entity of the United States or another state of the United States." <p>*Knowingly making a material misstatement on the form is a Class 5 felony.</p>	<p>No change to \$50 reporting threshold for single gifts, decreases reporting threshold for combination of gifts from \$100 to \$50.</p> <p>[No other changes to disclosure requirements.]</p>
§ 2.2-3101	<p>Expands definition of "immediate family" to encompass "any other person" residing in the officer's/employee's household who is a "dependent." Current definition encompasses "any child" residing in the official's household who is a dependent. Adds definition of "dependent."</p> <p>Amends definition of "gift" to exclude unsolicited, personally inscribed awards; provides factors to be considered in determining if a gift giver is a personal friend.</p>	<p>[No change to definition of "immediate family" of state and local officers/employees.]</p> <p>Amends definition of "gift" to exclude food or beverages consumed while attending an event at which the filer is performing duties related to the filer's public service; unsolicited, personally inscribed awards; and gifts received from relatives at personal celebrations. Deletes exclusion for gifts from "personal friends."</p>	<p>No changes to definitions.</p>

	Amends definition of "personal interest in a transaction" to include interests held by a child, grandchild, parent, or siblings.		
§ 2.2-3124	Imposes \$250 civil penalty for failure to file (no such penalty in current law).	*Adds a \$250 civil penalty for failure to file (no such penalty in current law).	No penalty added.

Council/ Commission	HB 1947(McClellan)/SB 1345 (McEachin)	SB 1424 (Norment)	HB 2070 (Gilbert)
§ 2.2-2537 Through § 2.2-2546 § 30-355 Through § 30-358	Establishes a 7-member Independent Ethics Review Commission in the executive branch. One member must be a retired local government official. VML/VACO to submit names for consideration. Abolishes the Conflict of Interest and Ethics Advisory Council established in the 2014 law and the Senate and House Ethics Advisory Panels, both of which reside in the legislative branch.	Maintains the Conflict of Interest and Ethics Advisory Council, but reduces its membership from 15 to 10 members. Deletes provision requiring appointments from a list of names submitted by VML/VACO.	No changes to composition of Conflict of Interest and Ethics Advisory Council.
§ 2.2-2541 § 30-355 § 30-356.1	Authorizes the Commission to prescribe disclosure forms, maintain a searchable database of all filed disclosure forms online; issue advisory opinions; offer training; conduct audits; conduct investigations; hold hearings on alleged violations and refer knowing violations to the Attorney General (state filers) or the Commonwealth's Attorney (local filers). Authorizes the Commission grant waivers to allow persons subject to the Conflict of Interests Acts to accept noncommercial loans of more than \$5,000, or "to accept any transportation, lodging, meal, hospitality, or other travel-related thing of value" that exceeds the monetary thresholds imposed in the law.	Authorizes the Commission to prescribe disclosure forms, maintain a searchable database of all filed disclosure forms online; issue advisory opinions; offer training; and conduct audits. Authorizes the Council to grant waivers to allow persons required to file "to accept any transportation, lodging, meal, hospitality, or other travel-related thing of value" that exceeds the monetary thresholds imposed in the law, and to accept gifts provided by a personal friend that exceed the monetary thresholds (including such gifts given to the filer's spouse and dependent children).	Authorizes the Commission to prescribe disclosure forms, maintain a searchable database of all filed disclosure forms online; issue advisory opinions; and offer training [no change to current law]. Authorizes the Council to grant waivers allowing persons required to file to accept transportation, lodging, meals, hospitality, or other travel-related thing of value provided by a third party that has a value exceeding \$100.

08

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HB 1662/SB 1025 - Transportation Network Companies

HB 1662 (Rust)/SB 1025 (Watkins) establishes a process for the licensing of transportation network companies (TNCs) by the Department of Motor Vehicles (DMV), provided that TNCs comply with the requirements for licensure. Items in the legislation include:

Administration of Provisions and Associated Fees

- The bill authorizes DMV to conduct periodic reviews of the TNC to confirm compliance and authorizes fees to cover DMV's costs of administering the program, including an initial TNC license fee of \$100,000, and an annual license renewal fee of \$60,000.

Vehicle Identification

- For each TNC partner vehicle it authorizes, a transportation network company must issue trade dress to the TNC partner associated with that vehicle. The trade dress (logo or emblem) must be sufficient to identify the transportation network company or digital platform with which the vehicle is affiliated and must be displayed in a manner that complies with Virginia law. The trade dress must be readily identifiable during daylight hours from a distance of 50 feet while the vehicle is not in motion and must be reflective, illuminated, or otherwise patently visible in darkness.
- The TNC will submit to DMV proof that the TNC has established the trade dress by filing an illustration or photograph of the trade dress.
- A TNC partner must keep the trade dress visible at all times while the vehicle is being operated as a TNC partner vehicle.
- No person can operate a vehicle bearing trade dress issued under this subsection without the authorization of the transportation network company issuing the trade dress.

Background Checks

- The TNC must screen drivers.
- The TNC must confirm the individual is at least 21 years old and possesses a valid driver's license.
- The TNC must conduct a background check before an individual is authorized as a driver, and at least once every two years thereafter. The background check must include a Multi-State/Multi-Jurisdiction Criminal Records Database Search or a search of a similar nationwide database with validation (primary source search) and (ii) a search of the U.S. Department of Justice's National Sex Offender Public Website. The person conducting the background check must be accredited by the National Association of Professional Background Screeners or a comparable entity approved by the Department.
- A driver's license record check must be done initially and every year thereafter.
- A National criminal history and sex offender check must occur initially and every 2 years thereafter.
- Various barrier offenses include lifetime, 7-year, and 3-year bans.

Wheelchair-accessible services

- The transportation network company must provide passengers an opportunity to indicate whether they require a wheelchair-accessible vehicle. If a transportation network company cannot arrange wheelchair-accessible service in a TNC partner vehicle in any instance, it must direct the passenger to an alternate provider of wheelchair-accessible service, if available. A transportation network company cannot impose additional charges for providing services to persons with disabilities because of those disabilities.
- TNC partners must comply with all applicable laws relating to accommodation of service animals.
- The bill requires that DMV periodically consult with local government officials to determine whether transportation network companies have had an effect on the availability of wheelchair-accessible transportation services. If evidence suggests an effect, the Department must work

collaboratively with appropriate stakeholders to develop recommendations to be submitted to the Chairmen of the House and Senate Committees on Transportation.

Insurance

Until January 1, 2016:

- From the moment the TNC partner accepts a prearranged ride request on the digital platform (iphone, blackberry, etc.) until the TNC Partner completes the transaction on the digital platform, or until the prearranged ride is complete, whichever is later:
 - \$1 million in primary liability coverage is required
 - \$1 million in Uninsured Motorist/Underinsured Motorist coverage is required
- From the moment a TNC partner logs on to a TNC's digital platform until the TNC partner accepts a request to transport a passenger and (ii) from the moment the TNC partner completes the transaction on the digital platform or the prearranged ride is complete, whichever is later, until the TNC partner either accepts another prearranged ride request on the digital platform or logs off the digital platform:
 - TNC insurance must provide motor vehicle liability coverage. Such coverage must be secondary and must provide liability coverage of at least \$125,000 per person, and \$250,000 per incident, for death and bodily injury, and at least \$50,000 for property damage.
- When not on the digital platform, the driver's personal insurance (if any) applies

After January 1, 2016

- From the moment the TNC partner accepts a prearranged ride request on the digital platform until the TNC Partner completes the transaction on the digital platform or until the prearranged ride is complete, whichever is later:
 - \$1 million in primary liability coverage is required
 - \$1 million in Uninsured Motorist/Underinsured Motorist coverage is required
- All other times while logged on to TNC platform:
 - Primary liability coverage of at least \$50,000 per person/\$100,000 per incident for death and bodily injury, and at least \$25,000 per incident for property damage is required.
- When not on the platform, the driver's personal insurance (if any) applies.

TNCs have discretion to determine how insurance will be provided.

Recordkeeping and Reporting

- TNCs must maintain records for 3 years.
- DMV is authorized to conduct periodic reviews, but no more than on an annual basis, of TNCs.
- A transportation network company must maintain certain records and make them available, in an acceptable format, on request to the Commissioner, a law-enforcement officer, an official of the Washington Metropolitan Area Transit Commission, or an airport owner and operator to investigate and resolve a complaint or respond to an incident.

Review of Program

- Beginning July 1, 2016, DMV will review: enforcement activity undertaken regarding provisions of this act; insurance policies available to TNC partners that may require changes to the act; and the fees set forth in the act to determine if they adequately cover the costs of administering the program. The department will report the results of its review to the House and Senate Transportation Committees by December 1, 2016.

Local Regulation of Taxicabs

- SB 1025 does not impact any local regulation of taxicabs.

2015 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
Transportation Funding Bills					
House					
HB 1279	Garrett, T.	Motor vehicle sales and use tax; expands certain exemption	H Finance	Sub #2 Recommends Reporting 10-0	Expands the exemption from payment of the motor vehicle sales and use tax for gifts of vehicles to certain family members to include gifts to a parent.
HB 1340	Scott, T.	Tangible personal property tax relief; autocycles.	H Floor	House Passage 97-1	Adds autocycles to those motor vehicles that qualify for tangible personal property tax relief. Beginning in 2016, certain localities would be required to apply tangible personal property tax relief to autocycles used for nonbusiness purposes.
HB 1410	Marshall, R.	Motor fuels; reduces tax rate on gasoline and gasohol.	H Appropriations	Referred to Committee	Reduces the motor fuels tax on gasoline and gasohol from 5.1% to 3.5% of the statewide average wholesale price of a gallon of unleaded regular gasoline. The rate increased from 3.5% to 5.1% on January 1, 2015, as required by Chapter 766 of the Acts of Assembly of 2013, because Congress did not pass the Marketplace Fairness Act.
HB 1529	Berg, M.	General appropriation act; expiration date of second enactment Chapter 2, 2014 Sp. I Act.	H Appropriations	Referred to Committee	Provides that the enactment of the current general appropriation act that states that "no provision of this act shall result in the expiration of any provision of: (i) Chapter 896 of the Acts of Assembly of 2007 (HB 3202) pursuant to the 22nd enactment of that chapter or (ii) Chapter 766 of the Acts of Assembly of 2013 (HB 2313) pursuant to the 14th enactment of that chapter" shall expire on June 30, 2015.
Senate					
SB 716	Lucan, L	Virginia Casino Gaming Commission; regulation of casino gaming, penalties.	General Laws and Technology	Assigned to Committee	Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming; specifies licensing requirements for casino gaming; and imposes penalties for violations of casino gaming law. Under the bill, casino gambling shall be limited to localities in which at least 40 percent of the land area is exempt from local real property taxation pursuant to federal law or subdivisions (a) (1) through (a) 5 and (a) 7 of Section 6 of Article X of the Constitution of Virginia. Proceeds of the gross receipts tax and admission tax imposed on casino gaming operators to be paid as follows: (i) 10 percent to the locality in which the casino gaming operation is located and (ii) 90 percent into the Toll Mitigation Fund, to be used to mitigate the tolls for specified projects in Hampton Roads.
SB 754	Carrico, C	Vehicle registration; increases fees, allocates funds for Department of State Police.	S Finance	Referred from S Transportation	Raises the vehicle registration fee an additional \$1.25 per year on each July 1 from 2015 through 2024 and allocates the funds to the Department of State Police.
SB 791	Carrico, C	Motor vehicle safety inspection; increases charge.	S Finance	Rereferred to S Finance	Increases the price of a vehicle safety inspection by \$1 for each category of vehicle and allocates \$0.50 of the additional \$1 to the Department of State Police toward the Department's costs in administering the motor vehicle safety inspection program; the remaining \$0.50 is retained by the inspection station.
SB 949	Stuart, R.	Hybrid vehicle registration; tax credit for certain vehicle owners.	S Finance	Referred to Committee	Creates a \$64 tax credit for the 2015 tax year for hybrid vehicle owners who paid the \$64 annual license tax between July 1, 2013, and July 1, 2014. The bill has a July 1, 2018, expiration date.
SB 1219	Reeves, B	Tangible personal property tax relief; autocycles.	S Floor	S Finance Reported 15-0	Adds autocycles to those motor vehicles that qualify for tangible personal property tax relief. Beginning in 2016, certain localities would be required to apply tangible personal property tax relief to autocycles used for nonbusiness purposes.
Transportation Allocation Formula Bills					
House					
HB 1402	Loupassi, G.	Highway maintenance; payments to certain cities and towns.	H Floor	H Transportation Reported 17-4	Provides that cities and towns that receive highway maintenance payments from the Commonwealth based on moving-lane-miles of highway will not have such payments reduced if moving-lane-miles of highway are converted to two-way bicycle travel lanes.

2015 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
HB 1887	Jones, C	Transportation; funding, formula, update annual reporting, and allocations.	H Transportation	Reported from Committee 17-3	The bill establishes the high-priority projects program and the highway construction district grant program and replaces the \$500 million annual allocation made by the CTB and the 40-30-30 allocation formula to the primary, secondary, and urban highways with a new 40-30-30 allocation of funds to state of good repair purposes, high-priority projects, and highway construction district grants. The bill adds to transportation funding considerations the state of good repair purposes along with asset management practices and maintenance and requires the CTB to develop a priority ranking system for structurally deficient bridges and deteriorated pavements. The bill updates the annual report of the Commissioner of Highways made to the Governor and the General Assembly and adds that such report be submitted to the Joint Legislative Audit and Review Commission and the CTB. The bill also reallocates the interest, dividends, and appreciation that currently accrue to the Transportation Trust Fund and Highway Maintenance and Operating Fund: two-thirds of such current accruals to the Virginia Transportation Infrastructure Bank (VTIB) and one-third of such accruals to the Transportation Partnership Opportunity Fund. The bill also removes the ability of a governmental entity to apply for a VTIB grant. The bill also allows the CTB to make transfers from the Toll Facilities Revolving Account to the VTIB. The bill provides an additional \$40 million annually for transit projects, beginning in FY 2017. Funding will be shifted from the Port and Aviation shares of the Transportation Trust Fund and several highway funding sources. These provisions will expire if the federal government enacts the Marketplace Fairness Act.
Senate					
SB 1070	Lewis, L	Virginia Commercial Space Flight Authority; dedicated revenues.	S Floor	Reported from S Finance 15-0	Extends through fiscal year 2016 the dedication of certain income tax revenues to the Authority. Current law dedicates the income tax revenues attributable to the sale of commercial human spaceflights or commercial spaceflight training, or incidental to the sale of commercial human spaceflights, to the Authority through fiscal year 2015.
Transportation Trust Fund Bills					
House					
HJ 502	Fowler, H.	Constitutional amendment; Transportation Funds.	H Privileges and Elections, Constitutional Amendments Sub	Assigned to Sub	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund (TTF), Highway Maintenance and Operating Fund (HMOF), Priority Transportation Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2016, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds. The General Assembly by general law, other than a general appropriation law, may alter 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 two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within three years. No moneys designated for deposit into funds other than Transportation Funds shall be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes.
HJ 576	LeMunyon, J.	Constitutional amendment; Transportation Funds.	H Privileges and Elections, Constitutional Amendments Sub	Assigned to Sub	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, TTF, HMOF, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2016, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The amendment specifies that the General Assembly shall not borrow from the Funds for any other purpose.

2015 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
Senate					
<i>NVTA Allocation Bills</i>					
House					
HB 1470	LaRock, D	Northern Virginia Transportation Authority; use of revenues.	H Floor	Reported from H Transportation 18-2	Requires that the 70% of the regional revenues allocated by NVTA be used by NVTA solely to fund transportation projects that are contained in the regional transportation plan and that have evaluated by VDOT in accordance with HB 599 (2012). Delays enactment of this requirement until July 1, 2016.
HB 1915	LeMunyon, J	Northern Virginia Transportation Authority; regional plan.	H Transportation, Sub #4	Sub Recommends Reporting with Amendments 6-0	Requires NVTA to include in its regional transportation plan as its primary objective reducing congestion in Planning District 8 to the greatest extent possible. Also, each locality embraced by the Authority shall annually report to the Authority any aspects of its comprehensive plan that are not consistent with the regional transportation plan.
HB 2296	Joannou, J	Tolling authority; approval by General Assembly before collecting or imposing tolls.	H Transportation	Referred to Committee	Requires approval by the General Assembly before the imposition or collection of tolls or user fees on any interstate, primary, or secondary highway, on any project undertaken pursuant to the PPTA, or by the HRTAC, NVTA, or RMTA.
Senate					
SB 921	Wexton, J.	Northern Virginia Transportation Authority; use of revenues by towns.	H Transportation	Passed Senate 40-0	Adds towns to the list of localities whose transportation projects can benefit from revenues from the NVTA. The bill also requires that such cities and towns receive funds for street maintenance to be eligible to receive revenues from NVTA.
SB 1314	Marsden, D.	Northern Virginia Transportation Authority; regional plan.	S Transportation	Referred to Committee	Requires NVTA to include in its regional transportation plan as its primary objective reducing congestion in Planning District 8 to the greatest extent possible and in the most rapid and cost-effective manner. The Authority shall document in quantitative terms the reduction in congestion and improvement in regional mobility in Planning District 8 expected by implementing the plan. Also, each locality embraced by the Authority shall annually report to the Authority any aspects of its comprehensive plan that are not consistent with the regional transportation plan.
<i>Other Bills</i>					
House					
HB 1886	Jones, S.	Public-Private Transportation Act; establishes requirement for finding of public interest.	H Floor	Reported from Transportation 20-0	For Public-Private Transportation Act projects, establishes the requirements for a finding of public interest, requires such a finding prior to an initiation of procurement, and establishes the Transportation Public-Private Partnership Steering Committee to determine whether a proposal for the operation and development of a transportation facility serves a public purpose. The bill also requires certification of the finding prior to the execution of a comprehensive agreement and requires the public-private partnership guidelines to incorporate the finding. The bill also requires VDOT to establish (i) a process for identifying high-risk projects and (ii) procurement processes and guidelines for such projects to ensure that the public interest is protected.
Legislation No Longer Under Consideration					
<i>Transportation Funding Bills</i>					
House					
HB 1579	Cole, M.	Vehicle registrations; expiration and renewal on or after July 1, 2015.	H Transportation	Tabled by Voice Vote	Provides that vehicle registrations issued on and after July 1, 2015, will be permanent, unless vehicle ownership or the address where the vehicle is principally garaged changes.

2015 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
HB 2095	Keam, M.	Real property tax on commercial and industrial property.	H Finance	Sub #1 Failed to Recommend Reporting 2-6	Requires counties to appropriate 30 percent of the revenue from the special tax on commercial and industrial property(C& I) attributable to property located within any town that constructs and maintains its streets to such town, unless the county and town agree otherwise.
HJ 581	Surovell, S.	Highways; JLARC to study alternative taxes and fees for funding in the Commonwealth.	H Rules	Studies Sub Recommends Laying on Table by Voice Vote	Directs JLARC to study the adequacy of taxes and fees currently dedicated to highway funding and the feasibility of alternative revenue sources, including but not limited to road usage charges based on vehicle miles traveled, other flat fees, increased use of tolls, and charges on motor vehicle parts and fluids that must be replaced as vehicle miles traveled increase, such as tires and motor oil.
Senate					
SB 887	Petersen, J.	Real property; tax on commercial and industrial property in certain localities.	S Finance	S Finance Passed by indefinitely 15-0	Requires counties to appropriate 30 percent of the revenue from the special tax on commercial and industrial property attributable to property located within any town that constructs and maintains its streets to such town, unless the county and town agree otherwise.
Transportation Allocation Formula Bills					
House					
HB 1407	Lingamfelter, L.	State secondary highways; allocation of 10 per cent of funds.	H Transportation, Sub \$4	Sub #4 Recommends Laying on the Table 6-0	Allocates 10 percent of state revenues allocated to state secondary highways for use in reconstructing deteriorated state secondary highway pavements. The bill reduces from 25 to 20 percent the share of such revenues currently allocated to advancing high priority projects statewide and reduces from 15 to 10 percent the share of such revenues currently allocated to projects undertaken pursuant to the Public-Private Transportation Act of 1995.
HB 1501	Carr, B	Highway maintenance; bases payments to cities and towns on lane-miles of highways.	H Transportation, Sub \$4	Sub #4 Recommends Laying on the Table 6-0	Bases highway maintenance payments to cities and towns on lane-miles of highways. Under current law, such payments are based on moving-lane-miles available to peak-hour traffic.
HB 1502	Carr, B	Highway maintenance; payments to certain cities.	H Transportation, Sub \$4	Sub #4 Recommends Laying on the Table 7-0	Provides for highway maintenance payments to cities for paved trails that accommodate all modes of nonmotorized transportation, at a rate of 50 percent of the per-miles rate established for highway maintenance payments for collector roads and local streets.
HJ 599	Watts, V.	Study; JLARC; highway construction allocations; report.	H Rules, Studies Sub	Studies Sub Recommends Laying on Table by Voice Vote	Directs the Joint Legislative Audit and Review Commission to study the reasonableness, appropriateness, and equity of highway construction allocations in the Commonwealth.
HJ 601	Villanueva, R.	Study; JLARC; equity of funding for transportation programs; report.	H Rules, Studies Sub	Studies Sub Recommends Laying on Table by Voice Vote	Directs the Joint Legislative Audit and Review Commission to study the adequacy and equity of funding for transportation programs in the Commonwealth.
Senate					
SB 952	Dance, R.	Highway maintenance payments to cities and towns.	S Transportation	S Transportation Passed by Indefinitely 15-0	Bases highway maintenance payments to cities and towns on lane-miles of highways. Under current law, such payments are based on moving-lane-miles available to peak-hour traffic.
SB 953	Dance, R.	Highway maintenance payments to certain cities.	S Transportation	S Transportation Passed by Indefinitely 15-0	Provides for highway maintenance payments to cities for paved trails that accommodate all modes of nonmotorized transportation, at a rate of 50 percent of the per-miles rate established for highway maintenance payments for collector roads and local streets.
SB 1023	Stuart, R.	Mass transit; transit funding in statewide prioritization.	S Transportation	Stricken at request of Patron 15-0	Includes moneys from the Commonwealth Mass Transit Fund and highway aid to mass transit in the list of funds subject to the statewide prioritization process (HB 2). The bill also requires the Joint Commission on Transportation Accountability to review the prioritization of projects by the CTB and to make necessary recommendations regarding the process to the General Assembly.

2015 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
SB 1159	Edwards, J.	Highway projects; Commonwealth Transportation Board to develop a life-cycle cost analysis.	S Transportation	S Transportation Passed by Indefinitely 15-0	Requires the Commonwealth Transportation Board to develop a life-cycle cost analysis for all primary highway projects approved by the Board for which the total cost of initial construction exceeds \$500,000. The bill requires the analysis to include the total initial cost of the project and projected future maintenance costs and requires the Board to make project decisions accordingly.
SB 1274	Barker, G.	State highways; allocation of funds.	S Transportation	S Transportation Passed by Indefinitely 15-0	Allocates 10 percent of state revenues allocated to state secondary highways for use in reconstructing deteriorated state secondary highway pavements. The bill reduces from 25 to 20 percent the share of such revenues currently allocated to bridge reconstruction and rehabilitation and reduces from 15 to 10 percent the share of such revenues currently allocated to projects undertaken pursuant to the Public-Private Transportation Act of 1995.
Transportation Trust Fund Bills					
House					
Senate					
SJ 217	Black, R.	Constitutional amendment; Transportation Funds.	S Floor	Rejected by Senate 17-22	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, TTF, HMOF, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2016, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The amendment specifies that the General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house and that the loan must be repaid with reasonable interest within four years.
SJ 219	Cosgrove, J.	Constitutional amendment; Transportation Funds.	S Privileges and Elections	Incorporated into SJ217	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, TTF, HMOF, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2016, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The amendment specifies that the General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house and that the loan must be repaid with reasonable interest within four years.
SJ 255	Obenshain, M.	Constitutional amendment (first resolution); Transportation Funds.	S Privileges and Elections	Incorporated into SJ217	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, TTF, HMOF, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2016, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The amendment specifies that the General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house and that the loan must be repaid with reasonable interest within four years.
NVTA Allocation Bills					
House					
HB 1525	Minchew, J.	NVTA; Department of Taxation's costs in administering certain taxes.	H Finance, Sub #1	Sub Recommends Laying on the Table by Voice Vote	Requires the Department of Taxation to provide to NVTA the methodology it uses in calculating, and an itemized accounting of, the amount of revenue it retains in costs incurred for administering the collection of sales tax revenue otherwise due to the NVTA.
HB 2099	Keam, M.	Use of certain revenues by the Northern Virginia Transportation Authority.	H Transportation, Sub #4	Sub Recommends Laying on the Table 6-0	Allows new sidewalk projects to be funded by NVTA.
Senate					
SB 932	Petersen, J.	Northern Virginia Transportation Authority; use of certain revenues for new sidewalk projects.	S Transportation	S Transportation Failed to Report 7-8	Allows new sidewalk projects to be funded by NVTA.

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**BUDGET PROPOSALS FOR FY 2015 and FY 2016 DURING THE 2015 GENERAL ASSEMBLY SESSION
as of February 13, 2015**

Estimated Impact to Fairfax County - Increase Over Prior Fiscal Year

Direct County Impact	Governor		House		Senate	
	FY 2015	FY 2016	FY 2015	FY 2016	FY 2015	FY 2016
Decrease Funding to Local Health Departments	\$0	(\$0.6)	\$0	\$0.0	\$0	\$0.0
Allow Localities to Increase Restaurant Fees	\$0	\$0.6	\$0	\$0.0	\$0	\$0.0
Decrease in Aid to Localities	(\$2.3)	(\$2.3)	(\$2.3)	(\$2.3)	(\$2.3)	\$0.0
Increased Salary Reimbursement - Entry Level Sheriffs	\$0	\$0.1	\$0	\$0.1	\$0	\$0.1
Increased Salary Reimbursement - Constitutional Officers	\$0	\$0.0	\$0	\$0.3	\$0	\$0.5
Partial Reimbursement for Voting Machines over 3 years	\$0	\$0.7	\$0	\$0	\$0	\$0
TOTAL DIRECT COUNTY IMPACT	(\$2.3)	(\$1.5)	(\$2.3)	(\$1.9)	(\$2.3)	\$0.6
TOTAL OVER THE BIENNIUM	(\$3.8)		(\$4.2)		(\$1.7)	

Impact to the Fairfax County Public School's (FCPS) Proposed Budget

Governor McAuliffe's Budget: The lower VRS contribution rate (from 14.5% to 14.15%) would generate expenditure savings of \$4.8 million for FCPS. This has not been reflected in the Superintendent's Proposed Budget.

House: Includes \$4.9 million for the state's share of a 1.5% salary increase for teachers and support staff in FY 2016. The lower VRS contribution rate (from 14.5% to 14.07%) would generate net savings of \$5.9 million for FCPS. These adjustments totaling \$10.8 million have not been reflected in the Superintendent's Proposed Budget.

Senate: Includes \$4.5 million for the state's share of a 1.5% salary increase for teachers and support staff in FY 2016. The lower VRS contribution rate (from 14.5% to 14.07%) would generate net savings of \$5.9 million for FCPS. These adjustments totaling \$10.4 million have not been reflected in the Superintendent's Proposed Budget.

**BUDGET PROPOSALS FOR FY 2015 - FY 2016 DURING THE 2015 GENERAL ASSEMBLY SESSION
as of February 13, 2015**

Budget Bill Item #	Issue	Fairfax County Impact
	Revenue	
	<u>Local Health Departments/Restaurant Inspection Fees</u>	
290; 471.10	<p>Governor McAuliffe's Budget: Increases maximum Restaurant Inspection fee from \$40 to \$285. Separate language reduces GF support for local health departments.</p> <p>House and Senate: Eliminates the increase in the Restaurant Inspection Fee and does not reduce support for local health departments.</p>	<p>Reduces GF support for Fairfax County's Health Department by \$673,000. It appears the increased restaurant fee may be designed to allow the County to replace the reduced state funding by increasing restaurant fees.</p> <p>No impact. Ensures no loss in revenue.</p>
	Central Appropriations	
	<u>Aid to Localities</u>	
471.30	<p>Governor McAuliffe's Budget: Maintains the \$30 million reduction in aid to localities in FY 2015 and slightly lowers it to \$29.8 million in FY 2016.</p> <p>House: No change</p> <p>Senate: Eliminates the \$30 million reduction in aid to localities in FY 2016.</p>	<p>Fairfax County's share of the reduction is about \$2.3 million in each year.</p> <p>Reduces Fairfax County revenue \$2.3 million each year.</p> <p>County revenue would still be reduced \$2.3 million in FY 2015, but eliminates the reduction in FY 2016.</p>
	Compensation Board	
	<u>State-Supported Employee Compensation</u>	
	<u>Sheriffs</u>	
66	<p>Governor McAuliffe's Budget: Provides \$1.6 million to increase the starting salaries for Grade 7 and 8 Sheriff's Deputies in FY 2016. The starting salary for a Grade 7 Deputy will rise from \$29,081 to \$31,009 and the starting salary for Grade 8 will increase from \$31,788 to \$32,009. Included language that mandated that future salary increases be funded by localities to keep up with inflation.</p> <p>House and Senate: Maintains the Governor's proposal for increasing entry level Sheriff's salaries. Eliminated language requiring localities to fund future salary increases based on inflation.</p>	<p>Results in additional salary reimbursement of approximately \$0.1 million for Fairfax County in FY 2016.</p> <p>Additional salary reimbursement of approximately \$0.1 million for Fairfax County in 2016.</p>
	<u>All Constitutional Officers</u>	
	<p>Governor McAuliffe's Budget: No salary increase for constitutional officers</p> <p>House: Provides a 2% salary increase for all constitutional officers and employees effective August 1, 2015 contingent upon final FY 2015 revenue.</p> <p>Senate: Provides a 3% salary increase for all constitutional officers and employees effective September 1, 2015 contingent upon final FY 2015 revenue.</p>	<p>No impact.</p> <p>Results in additional salary reimbursement of approximately \$330,000 million for Fairfax County in FY 2016.</p> <p>Results in additional salary reimbursement of approximately \$460,000 for Fairfax County in FY 2016.</p>
67	<u>Inmate Per Diem Funding</u>	
	<p>Governor McAuliffe's Budget: Includes \$11.3 million in FY 2015 to address the increased cost of housing inmates.</p> <p>House and Senate: Includes an additional \$2.5 million in FY 2015 to bring the state per diem level to \$13.8 million based on latest projected statewide need from the Inmate Population Forecasting Committee.</p>	<p>Funding to localities will be based on actual inmate population.</p> <p>Ensures sufficient funding to reimburse localities in FY 2015.</p>

**BUDGET PROPOSALS FOR FY 2015 - FY 2016 DURING THE 2015 GENERAL ASSEMBLY SESSION
as of February 13, 2015**

Budget Bill Item #	Issue	Fairfax County Impact
	Public Safety	
391	<p><u>State Aid to Localities with Police Departments (HB 599)</u></p> <p>Governor McAuliffe's Budget: Maintains the HB 599 law enforcement program at the adopted level.</p> <p>House and Senate: No Change</p>	<p>Holds funding at the FY 2014 level. No increase in FY 2015 or FY 2016 despite the statutory policy of growing payments at the rate of GF revenue growth.</p>
	Other Items of Interest	
83	<p><u>Voting Machines</u></p> <p>Governor McAuliffe's Budget: Includes \$28 million in bond proceeds to replace voting machines statewide. For 401 precincts out of 2,567 that have already purchased machines, the Governor included \$1.6 million for the first of a proposed 3-year reimbursement.</p> <p>House and Senate: Eliminates the plan to reimburse localities for replacing voting machines.</p>	<p>The County purchased voting machines in spring 2014 and could expect to receive at partial reimbursement for those costs over the next 3 years. Based on statewide funding, an estimated \$0.7 million could be possible in FY 2016.</p> <p>No reimbursement for County voting machines.</p>
101 N	<p><u>World Police and Fire Games</u></p> <p>Governor McAuliffe's Budget: Maintains \$1.0 million in FY 2016 to support the 2015 World Police and Fire Games.</p> <p>House and Senate: No Change</p>	<p>Requires a memorandum of understanding with the Commonwealth regarding the use of these funds.</p>

**BUDGET PROPOSALS FOR FY 2015 - FY 2016 DURING THE 2015 GENERAL ASSEMBLY SESSION
as of February 13, 2015**

Budget Bill Item #	Human Services	Fairfax County Impact
	<u>Housing</u>	
103	Governor McAuliffe's Budget: Provides \$1 million GF in FY 2016 for rapid re-housing efforts.	TBD
103 #1h	House: Reduces appropriation by \$500,000; directs that funding be used to reduce homelessness among veterans.	
103 #1s	Senate: Reduces appropriation by \$500,000.	
	<u>Virginia Preschool Initiative</u>	
136	Governor McAuliffe's Budget: Allows unused slots to be transferred to school divisions that have used 100 percent of their slots and have a waiting list.	As the County often does not use its full allocation of VPI slots due to budgetary constraints, this provision may allow those slots to be redirected to other jurisdictions – it will be important to better understand how this provision will be implemented, in the event the County seeks to utilize more of its designated slots in the future.
136 #2h	House: Provides that eligibility must be consistent with eligibility for free lunch (130% of Federal Poverty Level).	Currently, the County uses 250% of the Federal Poverty Level as part of program eligibility determination. Approximately 38% of children currently being served in the County would be ineligible under the House proposal.
136 #5s	Senate: Requires the Department of Education to offer any unobligated balances for one-time grants, with priority to proposals to expand the use of partnerships with either non-profit or for-profit providers. Removes provisions proposed in the introduced budget authorizing unused slots to be transferred.	
	<u>Medicaid Expansion</u>	
301	Governor McAuliffe's Budget: Directs DMAS to implement coverage for newly eligible individuals under the Affordable Care Act by January 1, 2015, or as soon as feasible thereafter.	Support for the expansion of Medicaid as envisioned by the Affordable Care Act is included in the County's Legislative Program.
301 #11h	House: Eliminates Medicaid expansion proposal.	
301 #11s	Senate: Eliminates Medicaid expansion proposal.	
	<u>Medicaid Waivers</u>	
301	Governor McAuliffe's Budget: Directs DMAS to seek federal approval to amend the Day Support waiver to add 200 slots, effective January 1, 2016. At that time, the Day Support waiver will be renamed the Building Independence waiver, and will be available to individuals with intellectual and developmental disabilities. DMAS is directed to provide a report detailing the changes and estimated costs of the new waiver to the Governor and the money committee chairs 30 days prior to seeking federal approval for amendments to the Day Support waiver.	TBD; any consolidation must include funding that allows an appropriate level of services to continue for individuals who are presently receiving those services in the community. Additionally, utilization of a new waiver model must ensure that the management structure and reimbursement rates account for service model and regional cost differences unique to the Northern Virginia area.

**BUDGET PROPOSALS FOR FY 2015 - FY 2016 DURING THE 2015 GENERAL ASSEMBLY SESSION
as of February 13, 2015**

Budget Bill Item #	Human Services	Fairfax County Impact
301 #3h, 307 #1h, 307 #2h	House: Eliminates \$1.2 million GF and \$1.2 million NGF for new waiver slots associated with the proposed redesign of the Day Support Waiver. Eliminates language authorizing the submission of amendments to the waiver to the federal Centers for Medicare and Medicaid (CMS). Requires DBHDS, in consultation with DMAS, to provide a detailed report on its plans to redesign the Medicaid comprehensive Intellectual and Developmental Disability waivers prior to submission of a request to CMS to amend the waivers. Requires stakeholders from the brain injury community to be involved in ID/DD waiver redesign process.	TBD.
307 #4s	Senate: Requires stakeholders from the brain injury community to be involved in ID/DD waiver redesign process.	
308	Governor McAuliffe's Budget: Provides \$675,000 for rental subsidies for up to 250 people who will transition to the Building Independence waiver.	See note above.
307 #3h	House: Eliminates funding for proposed rental subsidies. Senate: No change to introduced budget.	
	Governor McAuliffe's Budget: Provides \$453,888 GF and \$453,888 NGF to create a new and consolidated system for managing the Intellectual Disability (ID) and Developmental Disability (DD) waivers, to include wait list and waiver enrollment management, among other services. House: No change.	See note above.
307 #1s	Senate: Requires the Department of Behavioral Health and Developmental Services to post on the agency's web page a report on the budget, costs and numbers of recipients regarding Medicaid intellectual disability and developmental disability services for each fiscal year.	
	Early Intervention/Part C	
308	Governor McAuliffe's Budget: Level-funds the program at approximately \$13.2 million/year.	
308 #2h	House: Adds \$1 million in FY 2016.	Additional funding for the program is a County human services priority.
308 #5s	Senate: Adds approximately \$602,000 in FY 2016.	See note above.
	Behavioral Health	
305	Governor McAuliffe's Budget: Directs the DBHDS Commissioner to establish licensing fees for adult behavioral health and developmental services licensed by the department, including day support and residential treatment. The Commissioner shall charge a \$750 fee per service for the initial application and a license renewal fee of \$500 per service. (Funds received are to be paid into the General Fund.)	TBD
305 #1h	House: Eliminate proposed fees.	
305 #1s	Senate: Eliminates proposed fees.	
C-19.10	Governor McAuliffe's Budget: Allows \$4.7 million in remaining bond proceeds authorized by the 2009 General Assembly to be used to subsidize costs associated with the construction, rehabilitation, and/or acquisition of single-family or multi-family rental housing that is dedicated to individuals with an intellectual or developmental disability. House: No change. Senate: No change.	TBD

**BUDGET PROPOSALS FOR FY 2015 - FY 2016 DURING THE 2015 GENERAL ASSEMBLY SESSION
as of February 13, 2015**

Budget Bill Item #	Human Services	Fairfax County Impact
318	<p>Northern Virginia Training Center (NVTC) Governor McAuliffe's Budget: Provides \$1.3 million in FY 2016 to keep the facility operational for an additional six months.</p> <p>House: No change.</p>	As of November 5, 2014, 73 individuals from Fairfax County reside in training centers, primarily at NVTC.
307 #3s	<p>Senate: Directs the Special Joint Subcommittee to Consult on the Plan to Close State Training Centers, created to monitor the closure of the state training centers, to continue those efforts and to evaluate any options deemed necessary to ensure that the appropriate supports and safeguards are in place for individuals that transition from training centers into the community.</p>	Positive.
	<p>Governor McAuliffe's Budget: Increases funding for quality service reviews required by the settlement agreement with the U.S. Department of Justice (\$91,000 GF and \$273,000 NGF in FY 2016). House: No change. Senate: No change.</p>	TBD
	<p>Governor McAuliffe's Budget: Provides \$31,450 GF in FY 2015 and \$125,801 GF in FY 2016 to address the needs of individuals not covered by Medicaid who are currently residing in state-operated training centers and to assist them in transitioning to the community. House: No change. Senate: No change.</p>	TBD
308 #1h	<p>Mental Health Governor McAuliffe's Budget: Provides \$950,000 in additional GF support for Local Inpatient Purchase of Services (LIPOS) in FY 2016 and \$1.2 million GF to contract for additional inpatient psychiatric beds for children and adolescents in FY 2016. House: Adds \$2,500,000 GF the second year to expand child psychiatry and children's crisis response services.</p>	TBD
308 #4s	<p>Senate: Provides \$1.0 million to increase support for child psychiatry and children's crisis response services.</p>	
	<p>Governor McAuliffe's Budget: Provides \$3.1 million GF in FY 205 and \$1.5 million GF in FY 2016 for the costs of hospital and physician services for persons subject to an involuntary mental commitment. House: No change. Senate: No change.</p>	TBD
334	<p>Foster Care/Adoption Assistance Governor McAuliffe's Budget: Provides additional funding in FY 2016 (\$5.7 GF and \$1.7 NGF) to implement federal legislation that would extend foster care and adoption payments to age 21.</p>	Likely positive; extending adoption payments until age 21 is included in the County's Human Services Issues Paper.
334 #1h, 339 #1h, 279 #1h	<p>House: Eliminates this initiative; reallocates funding to Comprehensive Services Act program, which was reduced in the introduced budget as part of this proposal. Senate: No change to introduced budget.</p>	

**BUDGET PROPOSALS FOR FY 2015 - FY 2016 DURING THE 2015 GENERAL ASSEMBLY SESSION
as of February 13, 2015**

Budget Bill Item #	Human Services	Fairfax County Impact
336	<p><u>Local Eligibility Workers</u> Governor McAuliffe's Budget: Provides \$2.1 million GF and \$3.9 million NGF in FY 2015, and \$1.9 million GF and \$3.6 million NGF in FY 2016 to increase support for local eligibility staff by three percent (the equivalent of 93 local eligibility workers). House: Removes funding for FY 2015; retains funding for FY 2016. Senate: Removes funding in the first year; moves a portion of the first year savings amount to the second year for the one-time costs of new staff</p>	Likely positive.
336 #1h 336 #1s		
341	<p><u>Northern Virginia Family Services</u> Governor McAuliffe's Budget: Removes \$200,000 appropriation for NVFS in FY 2015 and FY 2016. Funding was to be provided for supportive services to address the basic needs of families in crisis. House: No change to Governor's proposal. Senate: Restores appropriation to NVFS in both years.</p>	TBD
341 #2s		
342	<p><u>Child Care</u> Governor McAuliffe's Budget: Provides \$2.6 million in FY 2016 to fund 28 additional staff positions to address increased workload; funding is provided to accompany proposed legislation that will require licensure of all child care providers receiving subsidies.</p>	Monitor proposed new requirements for licensure of child care providers.
335 #1h	<p>House: Reduces \$2.7 million GF and increases \$17.2 million from federal Child Care and Development Block Grant funds the second year and adds 79 positions to fund the fiscal impact of HB 1570, a comprehensive revision to Virginia's child day care regulatory program</p>	
342 #1s	<p>Senate: Supplants \$2.7 million GF in the second year with a corresponding increase in NGF for 28 licensing positions added in the introduced budget to handle the increase in licensing resulting from the requirement in SB 1123 that requires every family day home provider caring for a child, receiving a child care subsidy payment, to be licensed. The source of the NGF is federal funding through the Child Care and Development Block Grant, which has significant balances available for child care related activities.</p>	

**BUDGET PROPOSALS FOR FY 2015 - FY 2016 DURING THE 2015 GENERAL ASSEMBLY SESSION
as of February 13, 2015**

Public Education	Fairfax County Impact
<p>Direct Aid to Public Education</p> <p>Governor McAuliffe's Budget: Provides no salary increases for teachers or support staff in FY 2016. No policy reductions to public education.</p> <p>House: Includes \$55 million to provide the state's share of a 1.5 percent pay increase for teachers and support staff in FY 2016.</p> <p>Senate: Includes \$50.4 million to provide the state's share of a 1.5 percent pay increase for teachers and support staff in FY 2016.</p>	<p>This results in an additional \$4.9 million to FCPS.</p> <p>This results in an additional \$4.5 million to FCPS.</p>
<p>Virginia Retirement System (VRS) Contributions</p> <p>Governor McAuliffe's Budget: Deposits \$150 million directly into the VRS Teacher Retirement Fund. Lowers FY 2016 VRS employer contribution rate from the current 14.5% to 14.15%.</p> <p>House: Increases the deposit into the VRS Teacher Retirement Fund to \$190.0 million. This will lower the FY 2016 VRS employer contribution rate from the current 14.5% to 14.07%.</p> <p>Senate: Increases the deposit into the VRS Teacher Retirement Fund from \$150 million to \$187.2 million. This proposal is contingent upon meeting revenue forecast. This will lower the FY 2016 VRS employer contribution rate from the current 14.5% to 14.07%.</p>	<p>The lower VRS contribution rate would generate expenditure savings of \$4.8 million for FCPS.</p> <p>The lower VRS contribution rate would generate net savings of \$5.9 million for FCPS.</p> <p>The lower VRS contribution rate would generate net savings of \$5.9 million for FCPS.</p>
<p>School Construction</p> <p>Governor McAuliffe's Budget: Proposes to use the Literary Fund for school construction (\$75 million in FY 2016, with \$50 million reserved for loans and \$25 million for interest rate subsidies).</p> <p>House:</p> <p>Senate:</p>	<p>Likely minimal; historically the County has not used either of these financing options, as interest rates on Literary Fund loans are based on a wealth factor, so the County is typically able to obtain more favorable lending terms directly.</p>
<p>Elimination of Cost-of-Competing (COCA)</p> <p>Governor McAuliffe's Budget: Maintains the elimination of the cost-of-competing funding for support positions in Northern Virginia.</p> <p>House: No change.</p> <p>Senate: No change.</p>	<p>No additional loss, A loss of \$3.4 million in FY 2016 to FCPS from what would have been received if the partial restoration of cost-of-competing included in the FY 2014 budget had not been eliminated for FY 2015 and FY 2016 (reduction already reflected in the Superintendent's Proposed Budget). Full restoration of COCA would result in approximately \$12 million per year to FCPS.</p>

**BUDGET PROPOSALS FOR FY 2015 - FY 2016 DURING THE 2015 GENERAL ASSEMBLY SESSION
as of February 13, 2015**

<p>Elimination of Non-personal Inflation Factor Governor McAuliffe's Budget: Maintains the elimination of the non-personal inflation factor.</p> <p>House: No change.</p> <p>Senate: No change.</p>	<p>This results in a \$4.0 million loss in FY 2016 to FCPS from what would have been received if the non-personal inflation factor was not eliminated (already reflected in the Superintendent's Proposed Budget).</p>
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<p><u>Impact to the Fairfax County Public School's (FCPS) Proposed Budget</u></p> <p>Governor McAuliffe's Budget: The lower VRS contribution rate (from 14.5% to 14.15%) would generate expenditure savings of \$4.8 million for FCPS. This has not been reflected in the Superintendent's Proposed Budget.</p> <p>House: Includes \$4.9 million for the state's share of a 1.5% salary increase for teachers and support staff in FY 2016. The lower VRS contribution rate (from 14.5% to 14.07%) would generate net savings of \$5.9 million for FCPS. These adjustments totaling \$10.8 million have not been reflected in the Superintendent's Proposed Budget.</p> <p>Senate: Includes \$4.5 million for the state's share of a 1.5% salary increase for teachers and support staff in FY 2016. The lower VRS contribution rate (from 14.5% to 14.07%) would generate net savings of \$5.9 million for FCPS. These adjustments totaling \$10.4 million have not been reflected in the Superintendent's Proposed Budget.</p>
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**BUDGET PROPOSALS FOR FY 2015 - FY 2016 DURING THE 2015 GENERAL ASSEMBLY SESSION
as of February 13, 2015**

Budget Item #	Transportation	Fairfax County Impact
	<u>HB 2313 Regional Implementation</u>	
1	<p>Governor's Budget: retains language directing the Joint Commission on Transportation Accountability (JCTA) to regularly review, and provide oversight of the usage of funding generated pursuant to the provisions of House Bill 2313 (2013). To this end the Secretary of Transportation, NVTA and the Hampton Roads Transportation Accountability Commission must each prepare a report on the uses of their respective funds by November 15 each year to be presented to the JCTA.</p> <p>House: No Change Senate: No Change</p>	<p>Based on how "oversight" is interpreted, there are concerns regarding the authority this may provide JCTA to direct how the region can allocate the regional funds. NVTA did submit its FY 2014 report prior to the November 15 deadline.</p>
272	<p>Governor's Budget: retains language authorizing the Department of Taxation to request and receive a treasury loan to fund the necessary start-up costs associated with the regional taxes imposed by HB 2313. The treasury loan will be repaid by the tax revenues. Additionally, the Department is authorized to retain sufficient revenues to recover its costs incurred administering these taxes.</p> <p>House: No Change Senate: No Change</p>	<p>Funds retained by Taxation could be used, instead, on regional projects. As Fairfax County is expected to benefit from approximately half of the Northern Virginia regional funds, approximately half of the NVTA funds retained by Taxation could be allocated to projects within the County. As such, Taxation should ensure that their expenses are reasonable. Through December 2014, \$919,000 has been retained by Taxation over a period of 18 months.</p>
447	<p>Governor's Budget: includes the regional funds provided for in HB 2313, including \$596.4 million for distribution of Northern Virginia Transportation Authority Fund Revenues over the biennium, which is \$13.3 million less than projected in the last budget.</p> <p>House: No Change Senate: No Change</p>	<p>Over the biennium, Fairfax County should receive approximately \$89 million to allocate on local projects approved by the Board of Supervisors, minus the respective shares provided to Vienna and Herndon (30% funding returned to localities). NVTA will allocate approximately \$417 million, of which approximately \$208 million should benefit the County (70% funding retained by NVTA). Lower budget projects are due to economic fluctuations. Fairfax County's share of the \$13.3 million reduction is approximately \$6.7 million.</p>
427	<p><u>HB 2 Implementation</u></p> <p>Governor's Budget: notes that the HB 2 (2014) Prioritization Process will not apply to the federal Surface Transportation Program funds required to be allocated for public transportation purposes</p> <p>House: No Change Senate: No Change</p>	<p>This corresponds to the current policy for other transit funds, which are allocated through their own process developed through SB 1140 (2013). These are state controlled federal surface transportation funds. HB 2 already exempts CMAQ and RSTP funds from the prioritization process.</p>

**BUDGET PROPOSALS FOR FY 2015 - FY 2016 DURING THE 2015 GENERAL ASSEMBLY SESSION
as of Februyar 13, 2015**

Budget Item #	Transportation	Fairfax County Impact
	<u>Local Project Funding</u>	
427	<p>Governor's Budget: retains language directing the Secretary of Transportation to report to the General Assembly by December 1, 2014, on methods to provide assistance for local transportation projects. The recommendations must consider geographic equity, as well as the needs of local governments, transit agencies, and metropolitan planning organizations.</p> <p>House: No Change</p> <p>Senate: No Change</p>	Due to revenue projections, the secondary formula is not expected to receive new funds until after 2020. This report has not yet been released.
	<u>Mass Transit Funding</u>	
439	<p>Governor's Budget: increases funding for Financial Assistance for Public Transportation for FY 2016 biennium by \$25 million. Estimated funding levels for Operating Assistance and Capital Assistance have no changed.</p> <p>House: No Change</p> <p>Senate: No Change</p>	Fairfax County will receive approximately the same amount of funds received in years past, for funds allocated through the old formula. Any new funds, allocated through the formula created by SB 1140 (2013), will be based on performance metrics and the proposed capital programs for the County and its transit systems. As a result, it is unclear what portion of the \$25 million will be ultimately allocated to Fairfax County.
	<u>WMATA Funding</u>	
439	<p>Governor's Budget: No Language</p> <p>House: stipulates that fiscal year 2016 funding shall not be provided to WMATA if the annual external financial audit of WMATA results in other than an unqualified opinion until the Director, DRPT determines that any material deficiencies in financial controls identified in the audit have been addressed.</p> <p>Senate: No Language</p>	The amount of state assistance for WMATA operations for the County in FY 2016 is approximately \$59 million. If the funding were eliminated, the County would have to significantly increase our local funding to WMATA and/or service would have to be substantially reduced.
439	<p>House: Limits the distribution of state funds to WMATA if they have not addressed the requirements of the USDOT review of its operations.</p> <p>Senate: No Language</p>	The amount of state assistance for WMATA operations for the County in FY 2016 is approximately \$59 million. If the funding were eliminated, the County would have to significantly increase our local funding to WMATA and/or service would have to be substantially reduced.
	<u>NVTC Administrative Expenses</u>	
439	<p>Governor's Budget: No Language</p> <p>House: Ties growth in NVTC administrative and personnel costs to growth in local contributions from the member jurisdictions which comprise the Northern Virginia Transportation Commission.</p> <p>Senate: No Language</p>	This could hamper NVTC's activities and could also prevent NVTC from taking on any new and worthwhile initiatives that would cost additional funds.

**BUDGET PROPOSALS FOR FY 2015 - FY 2016 DURING THE 2015 GENERAL ASSEMBLY SESSION
as of February 13, 2015**

Budget Item #	Transportation	Fairfax County Impact
	<p><u>Rail Enhancement Fund</u> Governor's Budget: No Language House: Directs DRPT to undertake a comprehensive review of the Rail Enhancement Fund and its usage. Established in 2005, after 10 years there is a need to review how effective the guidelines governing its use have been and whether any modifications are required to reflect changes in revenue streams and transportation needs in the intervening years. Senate: No Language</p>	<p>No Impact at this time. However, a review may result in changes to the program, which may impact rail projects in the future, possibly including VRE projects.</p>
439	<p><u>I-95 Transit/Transportation Demand Management (TDM)</u> Governor's Budget: retains language directing the allocation of funding from the Mass Transit Fund to implement transit and transportation demand management improvements identified in the I-95 corridor, including direct transit capital and operating costs and TDM activities. House: No Change Senate: No Change</p>	<p>Fairfax County may be able to receive funds for transit and TDM service associated with this project and has applied for \$479,000 in funding for FY 2015.</p>
442	<p><u>Air Quality Monitoring - 95 HOT Lane NB Terminus</u> Governor's Budget: retains language dedicating \$243,160 NGF from VDOT's environmental monitoring program funding for air quality monitoring, to be conducted by the Department of Environmental Quality, at the I-395 express lanes terminus. House: No Change Senate: No Change</p>	<p>There is no fiscal impact to the County. These funds may be associated with the air quality monitoring requested by the Overlook neighborhood in Fairfax County.</p>
444	<p><u>Highway Maintenance and Construction</u> Governor's Budget: reduces overall funding for Highway System Acquisition and Construction by \$83.7 million for the biennium. Within that account, dedicated and statewide construction increases by \$401.2 million; while interstate construction decreases by \$264.9 million, primary construction decreases by \$193.2 million, secondary construction decreases by \$14.8 million, and urban construction decreases by \$11.9 million. House: No Change Senate: No Change</p>	<p>Many of these funds are expected to be subject to the new HB 2 prioritization process, so the impact to Fairfax County is currently unclear.</p>
445	<p>Governor's Budget: increases funding for Highway System Maintenance and Operations by \$66.8 million for the biennium; with \$145.3 million less for Interstates, \$84.4 million less for primaries, and \$43.7 million less for Transportation Operations Services, with a \$356.7 million increase for secondaries. <i>Item 3-1.01: Transfers \$31 million from the General Fund to the HMOF. Previous budget transferred \$30 million from the HMOF to the General Fund.</i> House: No Change Senate: No Change</p>	<p>Using historical estimates, an estimated additional \$10 million may be available for maintenance within Northern Virginia. <i>Does not make any changes over the biennium. Returns funds temporarily transferred in previous year.</i></p>
445	<p><u>Secondary Roads</u> Governor's Budget: No Language House: Directs VDOT to report to the House and Senate Transportation Committees and the money committees regarding the level and distribution of funding for secondary road construction and maintenance activities. Senate: Requires VDOT to annually publish the actual amount of secondary road maintenance funding provided in each jurisdiction of the Commonwealth compared to the amount that would be provided if the allocation were based on the number of registered vehicles.</p>	<p>Would not directly impact the County currently, but may provide information that may impact funds in the future. Would provide additional information on how much secondary maintenance is occurring in the County and other counties.</p>

Dear [conferees]:

We are writing to you to discuss three amendments to the biennial budget included in the House-passed budget bill (HB 1400) that are detrimental to transportation in Northern Virginia. Two of these potentially affect a significant amount of state funding (approximately \$108 million in FY 2016) for WMATA bus and rail operations; the third puts limits on expenditures by the Northern Virginia Transportation Commission. We ask that you oppose the amendments as written. Our reasons for opposition to the amendments are stated below.

The WMATA Amendments

1. *Item 439 #1h* states that state funding to support Metro operations cannot be provided to Metro until Metro receives an “unqualified audit,” or can demonstrate to the satisfaction of the House Appropriations and Senate Finance Committee chairs and the Director of the Department of Rail and Public Transportation that it has addressed any negative audit findings.

As elected officials whose localities fund large portions of Metro operations, and whose residents depend heavily on Metro bus and rail, we are concerned about any problems that a Metro audit may uncover. However, denying Metro state operating funds is not the way to address such problems. Instead, we should be insisting that Metro staff develop an action plan to correct any shortcomings and provide regular updates on how this plan is being implemented. It would certainly be reasonable for the General Assembly to ask for such updates.

2. *Item 439 #2h* states that State funding to support Metro operations cannot be provided until Metro supplies the House Appropriations and Senate Finance Committee chairs and the Director of the Department of Rail and Public Transportation with evidence that it has addressed all the recommendations from the Federal Transit Administration (FTA) report on Metro federal grant administration (“Full Scope of Systems Review of the Washington Metropolitan Area Transit Authority”).

As Jim Dyke, a Metro Board member until early this month, told the House Appropriations Transportation Subcommittee, Metro (with the concurrence of FTA) has already committed to a 65-item Corrective Action Plan. It has submitted documentation and completed work to address 62 of those items, and with FTA support, is addressing the remaining three. Again, denying Metro state operating funds is not the way to address such issues.

Potential effects of the two WMATA Amendments

These amendments have the potential to restrict approximately \$108 million in state funding to Northern Virginia. The approximate amount of state assistance that flows through each of the WMATA localities is: \$17.5 million for the City of Alexandria; \$29.6 million for Arlington County; \$1 million for the City of Fairfax; \$59 million for Fairfax County; and \$1.2 million for the City of Falls Church. If this state funding is eliminated, WMATA localities would have to significantly increase local funding to WMATA, or substantially reduce Metrorail and Metrobus

service. Current local budget pressures make it unlikely that local governments could provide this amount of additional funding for WMATA at this time, and sizable service reductions would be detrimental to residents and businesses who depend on Metro service every day. The result of such actions would be many riders choosing to abandon Metro for their personal cars, further increasing traffic on already congested roadways.

Northern Virginia Transportation Commission

3. *Item 439 #3h* would limit the growth in administrative and personnel costs for the Northern Virginia Transportation Commission to the same rate of growth in direct local contributions.

Such an amendment could not only hamper the Commission's activities, but would also prevent the Commission from taking on any new and worthwhile initiatives that would cost additional funds. We believe that NVTC's administrative budget should be acted on by its voting membership, which includes state and local elected officials, as well as Administration appointees.

Our Request

For all of the reasons outlined above, we ask that the conferees on the budget not include these three amendments in their conference report. As noted above, we would support requirements for WMATA to keep the General Assembly apprised of any activities it undertakes to address any audit findings or the FTA report. We look forward to working with you on these critical issues as you address the 2014-2016 biennium budget amendments.

Sincerely,

William D. Euille, Mayor, City of Alexandria
Mary Hughes Hynes, Chair, Arlington County Board
R. Scott Silverthorne, Mayor, City of Fairfax
Sharon Bulova, Chairman, Fairfax County Board of Supervisors
David Tarter, Mayor, City of Falls Church

cc: Northern Virginia General Assembly Delegation

Conflict of Interests: Key Provisions of HB 2070 As Passed by the House and SB 1424 As Passed by the Senate

State/ Local COIA	HB 2070 As Passed by the House	SB 1424 As Passed by the Senate
<p>§ 2.2-3101</p>	<p>Amends definition of “gift”:</p> <ul style="list-style-type: none"> • Would exclude “unsolicited awards of appreciation or recognition in the form of a plaque, trophy, wall memento, or similar item that is given in recognition of public, civic, charitable, or professional service.” • Gifts from “personal friends” continue to be excluded; however, it expands the categories of persons who do not constitute “personal friends.” Those categories continue to include registered lobbyists; lobbyists’ principals; a person, organization, or business that is a party to or is seeking to become a party to a contract with the local agency, and the bill adds to those categories of persons who do not constitute “personal friends” the following: A person, organization, or business “who is seeking to enter a business relationship with the local agency.”* <p>*Note: The bill does not propose to insert the same language into the General Assembly COIA definition of “gift.” Moreover, the bill would delete from the General Assembly COIA the provision added in 2014 that says that a person, organization, or business that is a party to or is seeking to become a party to a contract with the Commonwealth is not a personal friend. Currently, the definition of “gift” in the General Assembly COIA is essentially identical to the definition in the State and Local COIA.</p> <p>Amends definition of “immediate family”:</p> <ul style="list-style-type: none"> • Currently, the definition encompasses a spouse and “any child” who resides in the officer’s/employee’s home and is a dependent. The bill would amend the definition to encompass a spouse and “any other person” who resides in the officer’s/employee’s home and is a dependent. 	<p>Amends definition of “gift”:</p> <ul style="list-style-type: none"> •Would exclude “unsolicited, <i>personally inscribed</i> awards of appreciation or recognition in the form of a plaque, trophy, wall memento, or similar item that is given in recognition of public, civic, charitable, or professional service.” •No change to exclusion for gifts from relatives and personal friends; retains the provision added in 2014 that “personal friend” does not include any person that the filer knows or has reason to know is (a) a registered lobbyist; (b) a lobbyist’s principal; or (c) a person, organization, or business who is a party to or is seeking to become a party to a contract with the local agency of which he is an officer or an employee. •Would exclude food or beverages consumed while attending an event at which the filer is performing official duties related to the filer’s public service. •Would add an exclusion for inheritances. •Would amend existing exclusion for gifts related to the filer’s, or a family member’s, private profession to apply to gifts “given by a business associate or otherwise related to...”

State/ Local COIA	HB 2070 As Passed by the House	SB 1424 As Passed by the Senate
§ 2.2-3103		Prohibits any officer or employee of a local governmental or advisory agency [not just persons who file] from soliciting or receiving any travel-related gift with a value greater than \$100 from a third party absent a waiver from the Council. ["Third party" is not defined.]
§ 2.2-3103.1 § 2.2-3103.2	<p>Eliminates the distinction created in 2014 between tangible and intangible gifts.</p> <p>Prohibits persons required to file the long form and members of their immediate families from soliciting or accepting any single gift with a value greater than \$100 from a person whom the filer/family member knows or has reason to know is (i) a registered lobbyist; (ii) a lobbyist's principal or (iii) a person, organization, or business who is or is seeking to become a party to a contract with or who is seeking to enter a business relationship with the local agency.</p> <p>Exceptions allow such persons to accept or receive:</p> <ul style="list-style-type: none"> •Gifts of food and beverages with a value greater than \$100 while attending "widely attended events," but such gifts must be reported. •There's no violation of the prohibition if the gift is not used and either the gift or its equivalent in money is returned to the donor or delivered to a charitable organization and is not claimed as a charitable contribution for federal income tax purposes within a reasonable period of time. 	<p>Eliminates the distinction created in 2014 between tangible and intangible gifts.</p> <p>Eliminates the prohibition added in 2014 specific to gifts from lobbyists/their principals and current or potential contractors, and replaces it with a broader prohibition: Prohibits persons required to file the long form from soliciting or accepting gifts (either single or a combination of gifts) with a value greater than \$100 from <i>any person</i>. Gifts with a value of less than \$20 are not subject to aggregation for purposes of this prohibition.</p> <p>Exceptions allow such persons to accept or receive:</p> <ul style="list-style-type: none"> •Gifts with a value greater than \$100 while attending "widely attended events," but it appears such gifts must be reported. •Gifts from business associates, relatives, or in conjunction with a personal celebration; such gifts are not subject to the prohibition and need not be reported. •Payment or reimbursement of registration or attendance fees, food, and beverages for any event at which the filer is a featured speaker, presenter or lecturer. Such gifts are not subject to the prohibition but it appears they must be reported. •Gifts from a foreign dignitary valued at more than \$100 if they are accepted "on behalf of the Commonwealth and archived in accordance with guidelines established by the Library of Virginia." Such gifts must be disclosed as having been accepted "on behalf of the Commonwealth" but the value need not be disclosed.

State/ Local COIA	HB 2070 As Passed by the House	SB 1424 As Passed by the Senate
	Such persons may accept or receive gifts of travel, including travel-related transportation, lodging, hospitality, food or beverages, or other thing of value, with a value in excess of \$100 that is paid for or provided by a person within one of the 3 categories above <u>if</u> the officer/employee has received the approval of the Council. Such gifts must be reported.	Allows persons required to file the long form to accept two categories of gifts worth more than \$100 if the Council grants a waiver: (1) Gifts from a personal friend; (2) Travel-related things of value provided by a third party that are directly related to the filer's official duties. Waivers are not required for acceptance of "travel paid for or provided by the government of the United States, any of its territories, or another state in the United States or the political subdivision of such other state."
§ 2.2-3115	Reverses 2014 amendment that required (a) local government officers and employees; and (b) nonsalaried citizen members of local boards, commissions and councils designated by the Board, to file electronically with the Council, and restores previous requirement to file with the clerk to the board. [Note: This is inconsistent with § 2.2-3117, which says that the forms must be filed electronically with the Council.]	Continues change made in 2014 that requires: (a) local government officers and employees; and (b) nonsalaried citizen members of local boards, commissions and councils designated by the Board, to file electronically with the Council.
100 § 2.2-3117 ("The long form," used by Board members, County employees, and certain BAC members.)	<p>Provides that all completed forms shall be filed electronically with the Council. [This is inconsistent with § 2.2-3115.] The bill delays the effective date of that requirement until July 1, 2016.</p> <p>Retains disclosure form in statute; form shall be "substantially similar" to what is in the statute.</p> <p>Lowers reporting threshold for payments for talks, meetings, and publications to \$100 (vs. \$200 in current law).</p> <p>No change to \$50 reporting threshold for single gifts, lowers reporting threshold for combination of gifts from \$100 to \$50.</p> <p>[No other changes to disclosure requirements.]</p>	<p>Provides that all completed forms shall be filed electronically with the Council, but delays the effective date of that requirement until July 1, 2016.</p> <p>Eliminates disclosure form from the statute and directs Council to prepare forms that request prescribed information, "but in no case shall the forms require less information than that which is required to be reported by" the Acts.</p> <p>Required disclosures include, <u>but are not limited to</u>:</p> <ul style="list-style-type: none"> •Salaries, wages, and other remuneration that filers and members of their immediate families receive from paid employment. Information required to be reported includes the name and address of the employer, what is the position and who holds it, and the salary or other remuneration. (Current law requires a filer to list any employer who pays the filer or a member of the filer's immediate family salary or wages in excess of \$5,000 annually.) •Information about real estate in which the filer or a member of the filer's immediate family holds an interest. Information required to be reported includes whether or not it is the principal residence of any such person, the county or city where it is located, the type of real estate and the name in which it is owned or recorded. (Current law requires a filer

State/ Local COIA	HB 2070 As Passed by the House	SB 1424 As Passed by the Senate
	<p>Knowingly and intentionally making a false statement of a material fact on the form is a Class 5 felony.</p>	<p>to list real estate <i>other than</i> the filer's principal residence in which the filer or a member of the filer's immediate family has an interest valued at more than \$5,000.)</p> <ul style="list-style-type: none"> •Information about payments or reimbursements a filer received for attending or participating in meetings, conferences, or events in his/her official capacity. Information required to be reported includes who paid for the event, the date and location of the event, the purpose of the event, the type of payment received, and the approximate value of the payment received. (Current law requires a filer to list each source from which s/he received anything of value exceeding \$200 for the filer's presentation of a single talk or participation in one meeting where the event was designed to educate the filer on issues relevant to his/her duties or enhance his/her knowledge and skills relative to his/her duties. Payments/reimbursements from an advisory or governmental agency only need to be disclosed if they are for meetings or travel outside the Commonwealth.) •Gifts or entertainment events valued at more than \$50 received by a filer or a member of his/her immediate family. (Current law requirement is that filers disclose gifts valued at more than \$50 or a combination of gifts with a value greater than \$100.) •Information about travel. Information required to be reported includes the date and destination of the trip, the purpose, "an itemized accounting of all expenses related to the trip," and whether a waiver was received for the travel. (Current law does not require separate reporting of travel; it is reported along with attendance and participation in meetings, conferences, and events.) <p>Knowingly making a material misstatement on the form is a Class 6 felony.</p>
<p>§ 2.2-3118 ("The short form," used by certain citizen BAC members.)</p>	<p>Retains disclosure form in statute; form shall be "substantially similar" to what is in the statute.</p>	<p>Eliminates disclosure form from the statute and directs Council to prepare forms that request prescribed information. Authorizes the Council to specify which parts of the form are not applicable to "officers and employees of local governmental and local advisory agencies."</p>
<p>§ 2.2-3124</p>	<p>No penalty added.</p>	<p>Adds a \$250 civil penalty for failure to file the long form if filing is required (no such penalty in current law).</p>

COIEA Council	HB 2070 As Passed by the House	SB 1424 As Passed by the Senate
<p>§ 30-355 Through § 30-356.2</p>	<p>No changes to size or appointment authority for members of the Conflict of Interest and Ethics Advisory Council, but adds provisions relating to partisan balance for certain appointments. Retains provision requiring appointments from a list of names submitted by VACO and VML.</p> <p>Requires the Council to maintain an online, searchable electronic database of all properly filed disclosure forms beginning July 1, 2015. [This is inconsistent with delayed effective date of electronic filing requirement.]</p> <p>Adds section authorizing the Council to receive and review requests for approval to accept travel-related things of value from a registered lobbyist, a lobbyist's principal, or a person, organization, or business who is or is seeking to become a party to a contract with or who is seeking to enter a business relationship with the local agency.</p> <ul style="list-style-type: none"> •Approval is not required for travel disclosed pursuant to the Campaign Finance Disclosure Act (§ 24.2-945 et seq.). •Approval is not required for travel related to an official meeting of the Commonwealth, its political subdivisions, or any board, commission, authority, or other entity to which such person has been appointed or elected by virtue of his office or employment, but such travel must be disclosed. 	<p>Retains the Conflict of Interest and Ethics Advisory Council, but reduces its membership from 15 to 9 members. Retains provision requiring appointments from a list of names submitted by VACO and VML, but such appointees shall be appointed by the Governor rather than the Senate Committee on Rules (VACO) and the Speaker of the House (VML).</p> <p>Requires the Council to maintain an online, searchable electronic database of all properly filed disclosure forms beginning July 1, 2016. Requires the Council to redact from any document or form that is made available to the public any residential address, personal phone number, or signature.</p> <p>Authorizes the Council to grant waivers to allow persons who are required to file the long form to accept:</p> <ul style="list-style-type: none"> •Any gift of travel, including transportation, lodging, meal, hospitality, or other travel-related thing of value provided by a third party that has a value exceeding \$100. "A waiver shall not be required for acceptance of travel paid for or provided by the government of the United States, any of its territories, or another state in the United States or the political subdivision of such other state." •Gifts from a personal friend with a value greater than \$100. [§ 30-356.2 indicates that a waiver is also required for gifts that a "personal friend" provides to the filer's spouse or dependent children, although such gifts do not appear to be prohibited or made subject to the waiver requirement in § 2.2-3103.1.] [This provision is inconsistent with the definition of "gift," which excludes gifts from personal friends altogether.]

108

SB 1410 (Deeds) – CSB Emergency Training

Overview of SB 1410

SB 1410 provides for the certification of crisis intervention specialists and crisis intervention specialist licensed clinical supervisors by:

- Requiring Community Services Boards (CSBs) and behavioral health authorities to employ or contract with certified crisis intervention specialists for evaluations for emergency custody or temporary detention (these provisions have a delayed effective date of July 1, 2020).
- The certification process would include:
 - licensure issued by relevant health regulatory boards, some also with proof of relevant specialty;
 - at least 3 years of specific work experience;
 - successful completion of a training program to be established by the Department of Behavioral Health and Developmental Services (DBHDS); and,
 - successful completion of a written exam approved by DBHDS.
- Requiring DBHDS to develop an implementation plan and timetable by January 1, 2016, for the implementation of the provisions of this bill.

Concerns with SB 1410

- Recruiting licensed clinicians to provide Behavioral Health Outpatient treatment for adults with a Serious Mental Illness (SMI) is challenging for the Fairfax-Falls Church CSB, and recruiting challenges are even greater when trying to fill Emergency Services positions.
- The CSB struggles to compete with private sector organizations vying for the same qualified candidates in a marketplace with 5% or less unemployment – Emergency Services currently has a 26% vacancy rate.
- Individuals interested in doing such work for this target population who are willing to work nights, overnights, weekends and holidays are especially difficult to recruit.
- As a result, all emergency clinicians and clinical supervisors are either licensed or license-eligible, but requiring a license, plus three years of experience with SMI (when numerous existing staff are license-eligible but not licensed) will likely exacerbate hiring challenges.
- The Virginia Association of Community Service Boards estimates a \$13 million statewide impact to local governments.
- The bill could have a significant impact on the CSB workforce – CSBs will have to attract and hire a workforce that meets additional certification mandates, replacing many existing employees who have years of knowledge but would not fall under the new certification standards.

Fiscal Impact of SB 1410 to Fairfax-Falls Church CSB

\$ 991,476	Fill vacancies (to include 2.0 FTE retirements)
\$1,013,760	Replace license-eligible prescreening clinicians with licensed clinicians
\$ 271,616	Replace license-eligible clinical supervisors with licensed clinicians
\$ 193,946	Supervision
<u>\$2,470,798</u>	

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Select Studies of Interest
February 13, 2015

HJ 506 (Ware) (SRUL) requests the Virginia Institute of Marine Science and the Department of Mines, Minerals, and Energy's Division of Geology and Mineral Resources' Virginia geological survey, in consultation with the United States Geological Survey's Toxic Hydrology Regional Contamination Investigation Program, to study the short- and long-term effects of the storage and land application of industrial wastes and sewage sludge on public health, residential wells, and surface and ground water.

HJ 557 (O'Bannon) (SRUL)/**SJ 243** (Dance) (HRUL) directs the Joint Legislative Audit and Review Commission to review the Department of Veterans Services, including, among other things, the review of programs administered by the Department's agencies and other issues related to the provision of services to veterans. The Commission must report to the Governor and 2017 Session of the General Assembly.

HJ 558 (Orrock) (SRUL) requests the Virginia Department of Education and the State Council of Higher Education for Virginia to examine shortages of qualified teachers generally and in certain teaching endorsement areas and to recommend strategies for addressing the shortages. The Department and the Council must report their findings and recommendations no later than the first day of the 2016 Regular Session of the General Assembly.

HJ 586 (Yost) (SRUL) requests that the Department of Behavioral Health and Developmental Services (i) identify one or more appropriate mental health screening tools, (ii) identify one or more school divisions in which the parents of each student shall be notified of the availability of such mental health screening tools and may give permission for their child to participate in a mental health screening, (iii) analyze the (a) number and type of mental illness diagnoses, (b) additional in-school services provided to diagnosed students as a result of such screenings, and (c) most appropriate grade level for the administration of such screenings, and (iv) report its findings to the Governor and General Assembly by November 30, 2016.

HJ 587 (DeSteph) (SRUL) requests the Department of Environmental Quality to conduct a two-year study of the application of the post development stormwater management technical criteria, as established in the Virginia Stormwater Management Regulations, in areas with a seasonal high groundwater table.

HJ 598 (Loupassi) (SRUL) creates a joint subcommittee to study the use of driver's license suspension as a collection method for unpaid court fines and costs and make recommendations for improvements to the current law.

HJ 603 (Knight) (SRUL) directs the Virginia State Crime Commission to study the prevention of sexual violence on college campuses in Virginia. In conducting its study, the Commission must (i) ascertain the breadth of the problem of sexual violence on public and private college campuses in the Commonwealth; (ii) review all relevant state and federal laws, regulations, and policies to identify appropriate ways in which sexual violence may be abated; (iii) assess the policies, process, and procedures for reporting crimes of sexual violence used by colleges and

universities in the Commonwealth; (iv) determine whether any institutions of higher education in the Commonwealth have pending U.S. Department of Education Office for Civil Rights investigations for the manner in which allegations and reports of sexual violence have been managed; (v) collaborate with other local, state, federal, college, and community advocates and police departments and entities to address the problem throughout the Commonwealth's higher education and criminal justice systems and among parents and students; (vi) make recommendations to ensure safe college and university campuses throughout the Commonwealth; and (vii) carry out any other duties the joint subcommittee deems proper to facilitate the study. The Commission must submit its report to the Chairmen of the House Committees on Education and for Courts of Justice, the Chairmen of the Senate Committees on Education and Health and for Courts of Justice, the Governor, and the 2016 Session of the General Assembly.

HJ 623 (Hodges) (SRUL)/**SJ 272** (Norment) (HRUL) directs the Joint Legislative Audit and Review Commission to study Virginia's water resource planning and management, particularly with regard to groundwater. This study is a recommendation of the Joint Subcommittee to Formulate Recommendations to Address Recurrent Flooding.

HJ 635 (LaRock) (SRUL) requests the Department of Taxation to conduct a study of the performance of the communications sales and use tax.

HJ 637 (Landes) (SRUL) directs the Joint Legislative Audit and Review Commission (JLARC) to study the Commonwealth's Medicaid program. In conducting its study, JLARC shall (i) analyze the impact of major cost drivers on the growth of Medicaid program expenditures; (ii) identify highest-cost Medicaid recipients and services and assess whether opportunities exist to improve the cost-effectiveness of health care delivery; (iii) examine the efficiency of the administration of the Commonwealth's Medicaid program, including financial processes and controls and the recovery of third-party payments, and review the implementation status of recommendations made in 2011 JLARC report on improper payments and other reports related to improving efficiency and cost-effectiveness; (iv) identify evidence-based practices and strategies that have been successfully adopted in other states and that could be used in the Commonwealth to provide cost-effective care, strengthen patient outcomes, and maximize the efficiency and integrity of internal processes; and (v) review other relevant issues and make recommendations as appropriate. JLARC shall complete its work by November 30, 2016. (15101724D-E)

SB 1213 (Ebbin) (HAPP) creates an advisory council in the executive branch of government for the purpose of studying human trafficking in the Commonwealth, providing recommendations for the prevention of human trafficking and for services to victims of human trafficking and to develop effective strategies to combat human trafficking. The commission will expire in three years.

SJ 218 (Howell) (HAPP) requests the Department of Education to study the feasibility of implementing a program in the Commonwealth to track teacher turnover by developing exit questionnaires and other means. The provisions of the resolution are contingent on funding in a 2015 general appropriation act.

SJ 235 (Watkins) (HRUL) directs the Virginia Housing Commission to study methods to evaluate and determine a dedicated revenue source for the Virginia Housing Trust Fund.

SJ 236 (Favola) (HRUL) requests the Department for Aging and Rehabilitative Services to study the auxiliary grant program. In conducting its study, the Department is directed to (i) evaluate current funding for the auxiliary grant program and recommend strategies to increase funding, (ii) examine the extent of goods and services currently covered and paid for by the auxiliary grant program and recommend strategies to expand allowable costs, and (iii) evaluate the extent of allowable family and third-party contributions for services provided to auxiliary grant recipients that are not considered for purposes of eligibility or calculating the amount of an auxiliary grant and recommend strategies to expand the list of such allowable contributions.

SJ 237 (Favola) (HRUL) requests the Department of Housing and Community Development (DHCD) to study the Virginia Homeless Solutions Program \$500 asset cap for individuals transitioning from shelters to permanent housing who require rapid re-housing financial assistance. DHCD is requested to (i) identify and examine alternatives to the \$500 asset cap, including a higher asset cap or a cap that ranges based on the size and needs of the particular family; (ii) research and compare asset caps used in other states; and (iii) make recommendations regarding an asset cap that would better serve families transitioning from shelters to permanent housing and reduce the number of individuals that return to homelessness in the Commonwealth.

SJ 242 (Ruff) (HRUL) requests the Virginia Economic Development Partnership Authority and the Department of Housing and Community Development to jointly study the feasibility of incorporating programs to support existing high-growth companies into the state's current economic development programs and activities. Existing high-growth companies are privately held enterprises with high potential for growth that (i) employ fewer than 100 employees, (ii) generate annual revenues of \$50 million or less, and (iii) have moved beyond the startup phase of business development to become established businesses within the local and regional community. This bill is a recommendation of the Small Business Commission.

SJ 268 (Hanger) (HRUL) directs the Joint Legislative Audit and Review Commission to study pathways for determining eligibility for Medicaid-funded long-term care. In conducting its study, JLARC shall review (i) the Commonwealth's long-term care preadmission screening process, including the process by which individuals access such screenings, the timeliness of such screenings, support for individual choice upon meeting long-term care criteria, and assurance that the assessment teams are neutral and have no financial or legal ties to discharge locations and (ii) state and federal long-term care financial eligibility laws, including the use of annuities to protect assets, transfer of assets, lien and estate recovery, assessing a child as a family of one for eligibility purposes, and the effects of the new Modified Adjusted Gross Income eligibility standards and access to nursing home care services. The Joint Legislative Audit and Review Commission shall complete its meetings by November 30, 2016.

SJ 271 (Norment) (HRUL) requests the Secretary of Natural Resources, the Secretary of Health and Human Resources, and the Secretary of Agriculture and Forestry to convene a joint task

force to review and evaluate existing scientific literature on the impact of biosolids and industrial residuals on human health and the environment.

SJ 274 (Wagner) (HRUL) directs JLARC to update its 2006 study of the impact of regulations on Virginia's manufacturing sector.

SJ 280 (Deeds) (HRUL) directs the Joint Legislative Audit and Review Commission to study consolidation of all state law-enforcement agencies in the executive branch under the Department of State Police.

SJ 281 (Edwards) (HAPP) establishes a joint subcommittee to study the unique and specific challenges facing urban school divisions. The provisions of the resolution are contingent on funding in a 2015 general appropriation act.

SJ 285 (Dance) (HAPP) establishes an 11-member joint subcommittee to study the feasibility of expanding family and medical leave in the state to complement existing federal requirements. The provisions of the resolution are contingent on funding in a 2015 general appropriation act.

SJ 288 (Vogel) (HRUL) requests the Department of Education to (i) determine, for each of the 95 localities that have adopted ordinances to provide for the use value assessment and taxation of certain real estate, the use value of all applicable (a) real estate devoted to agricultural use, (b) real estate devoted to horticultural use, (c) real estate devoted to forest use, and (d) real estate devoted to open-space use, as those terms are defined in the Code of Virginia, and (ii) recalculate the Composite Index of Local Ability to Pay for each locality after taking into consideration such use values.

SJ 299 (McEachin) (HRUL) directs the Virginia Housing Commission to study opportunities for and barriers to safe and affordable housing for people reentering society from Virginia's jails and prisons and to provide a report of its activities and findings.

2015 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
Transportation Funding Bills					
House					
HB 1279	Garrett, T.	Motor vehicle sales and use tax; expands certain exemption	S Finance	Passed House 100-0	Expands the exemption from payment of the motor vehicle sales and use tax for gifts of vehicles to certain family members to include gifts to a parent.
HB 1340	Scott, T.	Tangible personal property tax relief; autocycles.	S Floor	H Finance Reported 12-0	Adds autocycles to those motor vehicles that qualify for tangible personal property tax relief. Beginning in 2016, certain localities would be required to apply tangible personal property tax relief to autocycles used for nonbusiness purposes.
Senate					
SB 754	Carrico, C	Vehicle registration; increases fees, allocates funds for Department of State Police.	H Transportation	Passed Senate 31-5	Raises the vehicle registration fee an additional \$1.25 per year on each July 1 from 2015 through 2024 and allocates the funds to the Department of State Police.
SB 1219	Reeves, B	Tangible personal property tax relief; autocycles.	H Floor	H Finance Reported 21-0	Adds autocycles to those motor vehicles that qualify for tangible personal property tax relief. Beginning in 2016, certain localities would be required to apply tangible personal property tax relief to autocycles used for nonbusiness purposes.
Transportation Allocation Formula Bills					
House					
HB 1402	Loupassi, G.	Highway maintenance; payments to certain cities and towns.	S Transportation	Passed House 84-12	Provides that cities and towns that receive highway maintenance payments from the Commonwealth based on moving-lane-miles of highway will not have such payments reduced if moving-lane-miles of highway are converted to two-way bicycle travel lanes.
HB 1887	Jones, C	Transportation; funding, formula, update annual reporting, and allocations.	S Transportation, Funding Sub	Passed House 96-2	The bill establishes the high-priority projects program and the highway construction district grant program and replaces the \$500 million annual allocation made by the CTB and the 40-30-30 allocation formula to the primary, secondary, and urban highways with a new 40-30-30 allocation of funds to state of good repair purposes, high-priority projects, and highway construction district grants. The bill adds to transportation funding considerations the state of good repair purposes along with asset management practices and maintenance and requires the CTB to develop a priority ranking system for structurally deficient bridges and deteriorated pavements. The bill updates the annual report of the Commissioner of Highways made to the Governor and the General Assembly and adds that such report be submitted to the Joint Legislative Audit and Review Commission and the CTB. The bill also reallocates the interest, dividends, and appreciation that currently accrue to the Transportation Trust Fund and Highway Maintenance and Operating Fund: two-thirds of such current accruals to the Virginia Transportation Infrastructure Bank (VTIB) and one-third of such accruals to the Transportation Partnership Opportunity Fund. The bill also removes the ability of a governmental entity to apply for a VTIB grant. The bill also allows the CTB to make transfers from the Toll Facilities Revolving Account to the VTIB. The bill provides an additional \$40 million annually for transit projects, beginning in FY 2017. Funding will be shifted from the Port and Aviation shares of the Transportation Trust Fund and several highway funding sources. These provisions will expire if the federal government enacts the Marketplace Fairness Act.
Senate					
SB 1070	Lewis, L	Virginia Commercial Space Flight Authority; dedicated revenues.	H Finance	H Finance Sub 2 Recommends Reporting 9-0	Extends through fiscal year 2016 the dedication of certain income tax revenues to the Authority. Current law dedicates the income tax revenues attributable to the sale of commercial human spaceflights or commercial spaceflight training, or incidental to the sale of commercial human spaceflights, to the Authority through fiscal year 2015.

2015 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
Transportation Trust Fund Bills					
House					
Senate					
NVTA Allocation Bills					
House					
HB 1470	LaRock, D	Northern Virginia Transportation Authority; use of revenues.	S Transportation	S Transportation Reported 15-0	Requires that the 70% of the regional revenues allocated by NVTA be used by NVTA solely to fund transportation projects that are contained in the regional transportation plan and that have evaluated by VDOT in accordance with HB 599 (2012). Delays enactment of this requirement until July 1, 2016.
HB 1915	LeMunyon, J	Northern Virginia Transportation Authority; regional plan.	S Transportation	Passed 99-0	Requires NVTA to include in its regional transportation plan as its primary objective reducing congestion in Planning District 8 to the greatest extent possible. Also, each locality embraced by the Authority shall annually report to the Authority any aspects of its comprehensive plan that are not consistent with the regional transportation plan.
Senate					
SB 921	Wexton, J.	Northern Virginia Transportation Authority; use of revenues by towns.	H Transportation, Sub 4	Passed Senate 40-0	Adds towns to the list of localities whose transportation projects can benefit from revenues from the NVTA. The bill also requires that such cities and towns receive funds for street maintenance to be eligible to receive revenues from NVTA.
SB 1314	Marsden, D.	Northern Virginia Transportation Authority; regional plan.	H Transportation, Sub 4	Passed Senate 37-1	Requires NVTA's regional transportation plan to make reducing congestion its primary objective in Planning District 8 to the greatest extent practicable.
Other Bills					
House					
HB 1886	Jones, S.	Public-Private Transportation Act; establishes requirement for finding of public interest.	S Transportation	Passed House 98-0	For Public-Private Transportation Act projects, establishes the requirements for a finding of public interest, requires such a finding prior to an initiation of procurement, and establishes the Transportation Public-Private Partnership Steering Committee to determine whether a proposal for the operation and development of a transportation facility serves a public purpose. The bill also requires certification of the finding prior to the execution of a comprehensive agreement and requires the public-private partnership guidelines to incorporate the finding. The bill also requires VDOT to establish (i) a process for identifying high-risk projects and (ii) procurement processes and guidelines for such projects to ensure that the public interest is protected.
Legislation No Longer Under Consideration					
Transportation Funding Bills					
House					
HB 1410	Marshall, R.	Motor fuels; reduces tax rate on gasoline and gasohol.	H Appropriations	Left in H Appropriations	Reduces the motor fuels tax on gasoline and gasohol from 5.1% to 3.5% of the statewide average wholesale price of a gallon of unleaded regular gasoline. The rate increased from 3.5% to 5.1% on January 1, 2015, as required by Chapter 766 of the Acts of Assembly of 2013, because Congress did not pass the Marketplace Fairness Act.
HB 1529	Berg, M.	General appropriation act; expiration date of second enactment Chapter 2, 2014 Sp. I Act.	H Appropriations	Left in H Appropriations	Provides that the enactment of the current general appropriation act that states that "no provision of this act shall result in the expiration of any provision of: (i) Chapter 896 of the Acts of Assembly of 2007 (HB 3202) pursuant to the 22nd enactment of that chapter or (ii) Chapter 766 of the Acts of Assembly of 2013 (HB 2313) pursuant to the 14th enactment of that chapter" shall expire on June 30, 2015.

2015 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
HB 1579	Cole, M.	Vehicle registrations; expiration and renewal on or after July 1, 2015.	H Transportation	H Transportation Tabled by Voice Vote	Provides that vehicle registrations issued on and after July 1, 2015, will be permanent, unless vehicle ownership or the address where the vehicle is principally garaged changes.
HB 2095	Keam, M.	Real property tax on commercial and industrial property.	H Finance	Sub 1 Failed to Recommend Reporting 2-6	Requires counties to appropriate 30 percent of the revenue from the special tax on commercial and industrial property(C& I) attributable to property located within any town that constructs and maintains its streets to such town, unless the county and town agree otherwise.
HJ 581	Surovell, S.	Highways; JLARC to study alternative taxes and fees for funding in the Commonwealth.	H Rules	Studies Sub Recommends Laying on Table by Voice Vote	Directs JLARC to study the adequacy of taxes and fees currently dedicated to highway funding and the feasibility of alternative revenue sources, including but not limited to road usage charges based on vehicle miles traveled, other flat fees, increased use of tolls, and charges on motor vehicle parts and fluids that must be replaced as vehicle miles traveled increase, such as tires and motor oil.
Senate					
SB 716	Lucan, L	Virginia Casino Gaming Commission; regulation of casino gaming, penalties.	General Laws and Technology	S General Laws and Technology Failed to Report 4-10	Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming; specifies licensing requirements for casino gaming; and imposes penalties for violations of casino gaming law. Under the bill, casino gambling shall be limited to localities in which at least 40 percent of the land area is exempt from local real property taxation pursuant to federal law or subdivisions (a) (1) through (a) 5 and (a) 7 of Section 6 of Article X of the Constitution of Virginia. Proceeds of the gross receipts tax and admission tax imposed on casino gaming operators to be paid as follows: (i) 10 percent to the locality in which the casino gaming operation is located and (ii) 90 percent into the Toll Mitigation Fund, to be used to mitigate the tolls for specified projects in Hampton Roads.
SB 791	Carrico, C	Motor vehicle safety inspection; increases charge.	S Finance	S Finance Stricken at Request of Patron 14-0	Increases the price of a vehicle safety inspection by \$1 for each category of vehicle and allocates \$0.50 of the additional \$1 to the Department of State Police toward the Department's costs in administering the motor vehicle safety inspection program; the remaining \$0.50 is retained by the inspection station.
SB 887	Petersen, J.	Real property; tax on commercial and industrial property in certain localities.	S Finance	S Finance Passed by indefinitely 15-0	Requires counties to appropriate 30 percent of the revenue from the special tax on commercial and industrial property attributable to property located within any town that constructs and maintains its streets to such town, unless the county and town agree otherwise.
SB 949	Stuart, R.	Hybrid vehicle registration; tax credit for certain vehicle owners.	S Finance	S Finance Passed By Indefinitely 13-1	Creates a \$64 tax credit for the 2015 tax year for hybrid vehicle owners who paid the \$64 annual license tax between July 1, 2013, and July 1, 2014. The bill has a July 1, 2018, expiration date.
Transportation Allocation Formula Bills					
House					
HB 1407	Lingamfelter, L.	State secondary highways; allocation of 10 per cent of funds.	H Transportation, Sub \$4	Sub #4 Recommends Laying on the Table 6-0	Allocates 10 percent of state revenues allocated to state secondary highways for use in reconstructing deteriorated state secondary highway pavements. The bill reduces from 25 to 20 percent the share of such revenues currently allocated to advancing high priority projects statewide and reduces from 15 to 10 percent the share of such revenues currently allocated to projects undertaken pursuant to the Public-Private Transportation Act of 1995.
HB 1501	Carr, B	Highway maintenance; bases payments to cities and towns on lane-miles of highways.	H Transportation, Sub \$4	Sub #4 Recommends Laying on the Table 6-0	Bases highway maintenance payments to cities and towns on lane-miles of highways. Under current law, such payments are based on moving-lane-miles available to peak-hour traffic.
HB 1502	Carr, B	Highway maintenance; payments to certain cities.	H Transportation, Sub \$4	Sub #4 Recommends Laying on the Table 7-0	Provides for highway maintenance payments to cities for paved trails that accommodate all modes of nonmotorized transportation, at a rate of 50 percent of the per-miles rate established for highway maintenance payments for collector roads and local streets.
HJ 599	Watts, V.	Study; JLARC; highway construction allocations; report.	H Rules, Studies Sub	Studies Sub Recommends Laying on Table by Voice Vote	Directs the Joint Legislative Audit and Review Commission to study the reasonableness, appropriateness, and equity of highway construction allocations in the Commonwealth.
HJ 601	Villanueva, R.	Study; JLARC; equity of funding for transportation programs; report.	H Rules, Studies Sub	Studies Sub Recommends Laying on Table by Voice Vote	Directs the Joint Legislative Audit and Review Commission to study the adequacy and equity of funding for transportation programs in the Commonwealth.

2015 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
Senate					
SB 952	Dance, R.	Highway maintenance payments to cities and towns.	S Transportation	S Transportation Passed by Indefinitely 15-0	Bases highway maintenance payments to cities and towns on lane-miles of highways. Under current law, such payments are based on moving-lane-miles available to peak-hour traffic.
SB 953	Dance, R.	Highway maintenance payments to certain cities.	S Transportation	S Transportation Passed by Indefinitely 15-0	Provides for highway maintenance payments to cities for paved trails that accommodate all modes of nonmotorized transportation, at a rate of 50 percent of the per-miles rate established for highway maintenance payments for collector roads and local streets.
SB 1023	Stuart, R.	Mass transit; transit funding in statewide prioritization.	S Transportation	Stricken at request of Patron 15-0	Includes moneys from the Commonwealth Mass Transit Fund and highway aid to mass transit in the list of funds subject to the statewide prioritization process (HB 2). The bill also requires the Joint Commission on Transportation Accountability to review the prioritization of projects by the CTB and to make necessary recommendations regarding the process to the General Assembly.
SB 1159	Edwards, J.	Highway projects; Commonwealth Transportation Board to develop a life-cycle cost analysis.	S Transportation	S Transportation Passed by Indefinitely 15-0	Requires the Commonwealth Transportation Board to develop a life-cycle cost analysis for all primary highway projects approved by the Board for which the total cost of initial construction exceeds \$500,000. The bill requires the analysis to include the total initial cost of the project and projected future maintenance costs and requires the Board to make project decisions accordingly.
SB 1274	Barker, G.	State highways; allocation of funds.	S Transportation	S Transportation Passed by Indefinitely 15-0	Allocates 10 percent of state revenues allocated to state secondary highways for use in reconstructing deteriorated state secondary highway pavements. The bill reduces from 25 to 20 percent the share of such revenues currently allocated to bridge reconstruction and rehabilitation and reduces from 15 to 10 percent the share of such revenues currently allocated to projects undertaken pursuant to the Public-Private Transportation Act of 1995.
Transportation Trust Fund Bills					
House					
HJ 502	Fowler, H.	Constitutional amendment; Transportation Funds.	H Privileges and Elections, Constitutional Amendments Sub	Left in H Privileges and Elections	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund (TTF), Highway Maintenance and Operating Fund (HMOF), Priority Transportation Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2016, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds. The General Assembly by general law, other than a general appropriation law, may alter 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 two-thirds plus one of the members voting in each house, and the loan must be repaid with reasonable interest within three years. No moneys designated for deposit into funds other than Transportation Funds shall be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes.
HJ 576	LeMunyon, J.	Constitutional amendment; Transportation Funds.	H Privileges and Elections, Constitutional Amendments Sub	Left in H Privileges and Elections	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, TTF, HMOF, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2016, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The amendment specifies that the General Assembly shall not borrow from the Funds for any other purpose.
Senate					
SJ 217	Black, R.	Constitutional amendment; Transportation Funds.	S Floor	Rejected by Senate 17-22	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, TTF, HMOF, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2016, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The amendment specifies that the General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house and that the loan must be repaid with reasonable interest within four years.

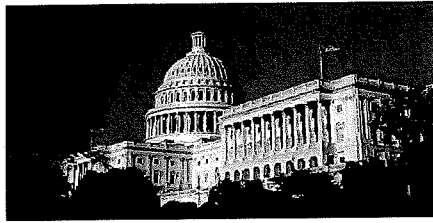
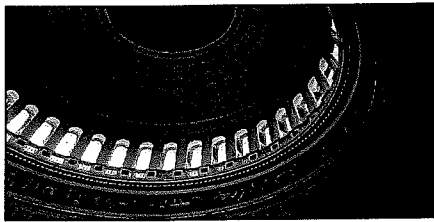
2015 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Summary
SJ 219	Cosgrove, J.	Constitutional amendment; Transportation Funds.	S Privileges and Elections	Incorporated into SJ217	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, TTF, HMOF, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2016, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The amendment specifies that the General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house and that the loan must be repaid with reasonable interest within four years.
SJ 255	Obenshain, M.	Constitutional amendment (first resolution); Transportation Funds.	S Privileges and Elections	Incorporated into SJ217	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, TTF, HMOF, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2016, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Fund moneys to transportation and related purposes. The amendment specifies that the General Assembly may borrow from the Funds for other purposes only by a vote of two-thirds plus one of the members voting in each house and that the loan must be repaid with reasonable interest within four years.
NVTA Allocation Bills					
House					
HB 1525	Minchew, J.	NVTA; Department of Taxation's costs in administering certain taxes.	H Finance, Sub #1	Sub Recommends Laying on the Table by Voice Vote	Requires the Department of Taxation to provide to NVTA the methodology it uses in calculating, and an itemized accounting of, the amount of revenue it retains in costs incurred for administering the collection of sales tax revenue otherwise due to the NVTA.
HB 2099	Keam, M.	Use of certain revenues by the Northern Virginia Transportation Authority.	H Transportation, Sub #4	Sub Recommends Laying on the Table 6-0	Allows new sidewalk projects to be funded by NVTA.
Senate					
SB 932	Petersen, J.	Northern Virginia Transportation Authority; use of certain revenues for new sidewalk projects.	S Transportation	S Transportation Failed to Report 7-8	Allows new sidewalk projects to be funded by NVTA.
HB 2296	Joannou, J	Tolling authority; approval by General Assembly before collecting or imposing tolls.	H Transportation	Left in H Transportation	Requires approval by the General Assembly before the imposition or collection of tolls or user fees on any interstate, primary, or secondary highway, on any project undertaken pursuant to the PPTA, or by the HRTAC, NVTA, or RMTA.

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ALCALDE & FAY

HIGHLIGHTS OF THE PRESIDENT'S FY 2016 BUDGET



Since release of the Obama Administration's Fiscal Year (FY) 2016 Budget on February 2, 2015, we have reviewed budgetary analysis and information from relevant Federal Agencies. The Administration's recommendations are intended to serve as a guide to funding levels for Congress to enact through the annual appropriations process. Proposed funding allocations for programs generally of interest to local governments have been highlighted below as provided in the Agencies' congressional justifications and Budget summaries.

The Administration's FY 2016 Budget includes the following funding and policy proposals:

DEPARTMENT OF AGRICULTURE

\$25 billion in Department of Agriculture discretionary budget authority, an increase of about \$1 billion above the FY 2015 enacted level, to fund programs and operating expenses. This amount includes funding for Special Supplemental Nutrition Program for Women, Infants, and Children (WIC), Rural Development, food safety, Forest Service, research and conservation activities. Funding for mandatory programs is estimated at \$131 billion, about \$3 billion above the FY 2015 level, which largely reflects increases in the Commodity Credit Corporation Fund.

Food and Nutrition Service

- \$6.6 billion for WIC to fully support projected participation of 8.5 million participants per month in 2016. WIC is critical to the health of low-income pregnant women, new mothers, and their infants and young children. The Supplemental Nutrition Assistance Program (SNAP) is proposed to be increased from \$82 billion to \$84 billion, and Child Nutrition Programs are proposed to increase from \$21 billion in FY 2015 to \$22 billion.

Natural Resources and Environment

- No funding is requested for the Watershed Rehabilitation program, the Water Bank Program, or the Emergency Watershed Protection Program, which are managed by NRCS within USDA.

Animal and Plant Health Inspection Service

- \$1.163 billion for the Animal Plant and Health Inspection Service, a slight increase compared to the FY 2015 level of \$1.136 billion.

Water and Wastewater Grants

- The FY 2016 Budget would keep level funds for loans but decrease funds for grants for rural water and wastewater projects. \$1.2 billion is requested for water/wastewater loans, which is the same as FY 2015 levels. Grants would be funded at \$452 million, a decrease from \$455 million in FY 2015.

Telecommunications Deployment

- No funding is requested for telecommunications loans used for the improvement and construction of telecommunications facilities that meet broadband standards. The Budget includes \$25 million for grants under the Distance Learning and Telemedicine program.

DEPARTMENT OF COMMERCE

\$9.8 billion in discretionary funding for the Department of Commerce, an increase of \$1.3 billion over the FY 2015 enacted level.

Economic Development Assistance (EDA) Programs

- \$213 million, approximately \$227,000 more than the FY 2015 level, for EDA to support innovative economic development planning, regional capacity building, and capital projects.
- \$25 million is included for the Regional Innovation Strategies Program to promote economic development projects that spur entrepreneurship and innovation at the regional level.
- \$14 million reduction in funding for the Public Works Program to allow distribution of resources across the range of EDA grant programs to provide a diverse set of options for promoting innovation and economic development.

National Telecommunications and Information Administration (NTIA)

- \$49 million for the National Telecommunications and Information Administration (NTIA) to increase technical assistance and advisory services to communities looking to expand their broadband infrastructure, support spectrum sharing research and testing, and help manage the transition of Federal telecommunications services from copper to IP-based system.
- \$135 million for grants to states and localities to plan for the build-out of the first responders' network. NTIA will administer grants that assist state, regional, tribal, and local jurisdictions in identifying, planning, and implementing the most efficient, effective options for utilizing and integrating infrastructure associated with the nationwide public safety broadband network.
- The First Responder Network Authority (FirstNet) builds, maintains, and operates a nationwide, interoperable public safety broadband network to support first responders. FirstNet is expected to be fully funded in FY 2015 at \$7 billion through spectrum auction proceeds. Following consultation with regional, state, tribal, and local jurisdictions, FirstNet in FY 2016 will issue a request for proposal (RFP) to develop its network.

National Institute of Standards and Technology (NIST)

- \$1.1 billion for expanding the NIST's work to accelerate scientific measurements and standards and improve competitiveness in manufacturing sectors, which is \$255.8 million above FY 2015 enacted levels.

- \$141 million for the Hollings Manufacturing Extension Partnership (MEP), with an increased focus on expanding technology and supply chain capabilities to support technology adoption by smaller manufacturers to improve their competitiveness.
- \$6 million for the Advanced Manufacturing Technology Consortia (AMTech), a public-private partnership that will support industry-led consortia developing technologies to address major manufacturing challenges faced by American businesses.

DEPARTMENT OF EDUCATION

\$70.7 billion in total discretionary budget authority for the Department of Education, an increase of \$3.6 billion over the previous year. The request includes increases for preschool development grants, education technology, and a new proposal that would make attending community college free of charge. Notably, the Administration's Budget does not propose new funding for the Race to the Top program.

Preschool for All (P4A)

- \$1.3 billion, the same amount as in FY 2015, and \$75 billion in mandatory funds over 10 years, for the Preschool for All program, which will help states implement universal high-quality preschool programs that help prepare all 4-year-olds from low- and moderate-income families for success in kindergarten and beyond.

Preschool Development Grants

- \$750 million in FY 2016 for Preschool Development Grants, a \$500 million increase over the FY 2015 enacted level, to significantly expand the reach of the program, which was launched in FY 2014 with awards to 18 States. These grants increase the quality of preschool programs and give more children access to their benefits.
- One key goal of the Preschool Development Grants would address fundamental needs including workforce development, and quality infrastructure components such as program standards, monitoring, and evaluation.
- A second key goal would support the scale-up of high-quality local programs that could serve as models for Preschool for All.

Title I Grants to Local Educational Agencies

- \$15.4 billion, an increase of \$1 billion, for Title I Grants to Local Educational Agencies (LEAs), which provide support to school districts and schools that have been serving a greater number of students from low-income families in recent years and are also working to implement new college- and career-ready (CCR) standards and aligned assessments, close achievement gaps, turn around their lowest-performing schools, and use new educator evaluation systems to improve instruction and provide better support to teachers. The request also would help build State capacity to carry out these critical reforms by increasing the State-level set-aside of Title I funds from one percent to three percent.

School Improvement Grants (SIG)

- \$555.8 million, a \$50 million increase over 2015, targeted to States that demonstrate a strong commitment to using SIG funds for evidence-based interventions, with new funds being used only for subgrants to LEAs that propose to implement proven interventions or school closures.

Investing in Innovation (i3)

- \$300 million in FY 2016 for the Investing in Innovation (i3) program, an increase of \$120 million over the 2015 enacted level, to develop, validate, and scale up proven education practices and strategies.
- The increase for i3 includes \$50 million for a new education-based research agency modeled after the military's Defense Advanced Research Projects Agency (DARPA)-ED.
- In order to create incentives to leverage existing public education funding, including Federal formula funding, to support activities that are evidence-based and more likely to improve student outcomes, the Administration will seek appropriations language providing grantees with new flexibility to use Federal, State, or local resources to meet the program's matching requirement.

Leveraging What Works

- \$100 million for a new Leveraging What Works pilot for districts that agree to use the grant—as well as a portion of their existing formula funds—to implement evidence-based strategies and interventions, evaluate those interventions, and report publicly on school level expenditure and outcome data.

Next Generation High Schools

- \$125 million for a new, competitive Next Generation High Schools program to transform the high school experience and more effectively prepare students for college and careers by using Federal, State, and local resources to create learning models that are rigorous, relevant, and focus on real-world experiences and incorporate personalized learning and career and college exploration. Special consideration would be given to projects designed to improve readiness for postsecondary education and careers in science, technology, engineering, and mathematics fields.

21st Century Community Learning Centers

- \$1.1 billion, the same as the 2015 enacted level, for 21st Century Community Learning Centers to support State and local efforts to implement in-school and out-of-school strategies for providing students (and, where appropriate, teachers and family members), particularly those in high-need schools, the additional time, support, and enrichment activities needed to improve student achievement.
- The Administration's request would continue to allow funds to be used for before- and after-school programs, summer enrichment programs, and summer school programs, and would also permit States and eligible local entities to use funds to support expanded-learning-time programs.

Support for Educators

- \$5 billion over five years for a new mandatory program, Teaching for Tomorrow, to provide funds to States or districts willing to make fundamental changes—based on proven or promising models—in how they recruit and prepare new teachers for the profession or their approaches to developing and supporting teachers throughout their careers.

- The President's Budget proposes replacing several current activities that address teaching and school leadership issues, namely the Teacher Incentive Fund; Transition to Teaching, School Leadership, and Teacher Quality Partnerships with programs such as:
 - **Excellent Educators Grants:** \$350 million, \$120 million more than in 2015, to support evidence-based State and local initiatives to strengthen systems for preparing, supporting, and retaining effective teachers and principals in high-need districts and schools.
 - **Teacher and Principal Pathways:** \$138.8 million to support investments in the recruitment, competitive selection, preparation, and placement of new teachers and principals for high-need schools.
 - **Improving Teacher Quality State Grants:** \$2.3 billion, the same as the 2015 level, to support ongoing State and local efforts to improve teacher and principal effectiveness and help ensure that all students have equitable access to highly effective teachers and principals, particularly in high-need LEAs, schools, fields, and subjects.
 - **Educational Technology State Grants:** \$200 million for a revised program that would fund State subgrants to model districts to support teachers and leaders in using technology to improve instruction and personalize learning.

Expanding Educational Options

- **Charter Schools Grants:** \$375 million, \$121 million more than the FY 2015 level, to support the start-up, replication, and expansion of successful charter schools. The requested increase reflects a priority in the President's Budget for supporting effective models of school reform and would be coupled by new authority for State grantees to make subgrants to charter management organizations and other nonprofit organizations to replicate and expand schools with demonstrated records of improving student achievement and attainment.
- **Magnet Schools Assistance to LEAs:** \$91.6 million, the same as in FY 2015, to establish and operate magnet schools that are part of an approved desegregation plan, and \$28.5 million for the Advanced Placement programs, which under the Administration's proposal would help provide access for low-income students to an expanded range of advanced course programs and tests, including dual-enrollment programs and early college high schools.
- **Advanced Placement:** \$28.5 million, the same as in FY 2015, for the Advanced Placement programs, which under the Administration's proposal would help provide access for low-income students to an expanded range of advanced course programs and tests, including dual-enrollment programs and early college high schools.

Promise Neighborhoods

- \$150 million for the Promise Neighborhoods program, a \$93 million increase, to provide competitive one-year planning grants and up to five-year implementation grants to community-based organizations for the development and implementation of comprehensive neighborhood programs. The program also supports efforts to combat the effects of poverty and improve educational and life outcomes for children and youth.
- Funds would support an estimated 25 new planning grants and up to 25 new implementation grants, as well as support for seven continuation awards for the 2012 cohort of implementation grantees.
- In coordination with the Department of Housing and Urban Development (HUD), the Department would reserve a portion of 2016 funds for planning grants to communities that intend to apply for

funding under both the Promise Neighborhoods and HUD's Choice Neighborhoods programs. Funds would also be used to expand technical assistance to grantees.

School Safety

- \$90 million for Safe and Drug-Free Schools and Communities (SDFSC) National Activities, an increase of \$20 million more than the FY 2015 level, to expand support for key elements of the President's Now is the Time initiative (NITT), which is designed to protect our children and our communities by reducing gun violence, making schools safer, and increasing access to mental health services. Key activities include the following:
 - **School Climate Transformation Grants:** \$62.4 million to help schools train their teachers and other school staff to implement evidence-based behavioral intervention strategies to help improve the school climate.
 - **Project Prevent Grants:** \$14.6 million for LEAs to help schools in communities with pervasive violence break the cycle of violence.
 - **Project SERV (School Emergency Response to Violence):** \$5 million would be awarded to support the provision of education-related services to LEAs and to institutions of higher education (IHEs) in which the learning environment has been disrupted due to a violent or traumatic crisis.

Special Education Grants to States Program

- \$11.7 billion for the Grants to States Program, an increase of \$175 million from the FY 2015 enacted level. Formula grants are provided to States to assist in providing special education and related services to children with disabilities ages three through 21.

Pell Grants

- \$28.9 billion for Pell Grants, including \$22.5 billion in discretionary funds and \$6.5 billion in mandatory funds. The proposed allocation will provide sufficient resources to fully fund the maximum Pell Grant award, which is \$5,775 in the 2015-2016 award year, and will increase with inflation in the 2016-2017 award year, and index it to inflation beyond 2017.
- The President's Budget proposes to make several small reforms to the Pell Grant program, as outlined below:
 - Strengthen academic progress requirements in the Pell Grant program in order to encourage students to complete their studies on time.
 - Allow those students enrolled in eligible career pathways programs who are eligible under the recently restored Ability to Benefit provision to receive the full Pell Grant award.
 - Prevent additional Pell disbursements to recipients who repeatedly enroll and obtain aid but do not earn any academic credits.
 - Move Iraq Afghanistan Service Grants to the Pell Grant program to avoid further award reductions as a result of sequestration.

America's College Promise

- \$1.4 billion for America's College Promise, a total of \$60.3 billion over the next decade, a new proposed grant program for States to make community college free for responsible students, enabling them to earn a certificate, an associate's degree or up to two years' worth of credits towards a bachelor's degree without paying any tuition and fees.

College Opportunity and Graduation Bonus

- \$647 million, a total of \$7 billion over the next decade, for the College Opportunity and Graduation Bonus program that will reward colleges that successfully enroll and graduate a significant number of low- and moderate-income students on time and encourage all institutions to improve their performance. Eligible institutions may receive a grant that will support innovation, interventions, and reforms to further increase college access and success based upon the number of Pell Grant recipients they graduate on time.

First in the World (FITW) Program

- \$200 million for the First in the World program, a \$140 million increase from 2015. These competitive awards aim to improve postsecondary completion rates through innovative, promising, and evidence-based strategies.
- The Administration plans to set aside up to 30 percent of the funds available for a competition to support the implementation of projects at Minority Serving Institutions.

Gaining Early Awareness and Readiness for Undergraduate Programs (GEAR UP)

- The President's request includes \$301 million, the same as in FY 2015, for this program designed to increase the number of low-income students who are prepared to enter and succeed in postsecondary education.

Federal TRIO Programs

- The proposal includes \$859.8 million, an increase of \$20 million, for college preparation programs, including approximately 2,800 TRIO projects serving middle school, high school, and college students and adults. The Budget also will support a new TRIO initiative designed to give existing grantees the opportunity to compete for increased funding to implement, evaluate, and scale additional, evidence-based college access and success strategies.

DEPARTMENT OF ENERGY

\$29.9 billion in discretionary funds for the Department of Energy, a 9.2 percent increase over the FY 2015 enacted level of \$27.4 billion.

Energy Efficiency & Renewable Energy (EERE)

- \$2.72 billion, a 42 percent increase from the FY 2015 enacted level of \$1.9 billion, for the EERE program, through which the EPA works with business, industry, and universities to increase the use of renewable energy and energy efficiency technologies.

Weatherization and Intergovernmental Grants

- \$318 million, representing a 31 percent increase from the FY 2015 enacted level of \$243 million for the Weatherization Assistance Program, the State Energy Program and a new competitive grants program to form partnerships with local governments for the promotion of clean energy investments.

ENVIRONMENTAL PROTECTION AGENCY

\$8.6 billion for the Environmental Protection Agency, a \$452 million increase from the \$8.2 billion FY 2015 enacted level.

Clean Water State Revolving Fund (CWSRF)

- \$1.1 billion for the CWSRF program, which provides funding for wastewater infrastructure, nonpoint source pollution control, and estuary management projects. This would represent a \$333 million reduction from the FY 2015 enacted level of \$1.45 billion.

Drinking Water State Revolving Fund (DWSRF)

- \$1.2 billion for the DWSRF program, \$279 million more than the FY 2015 enacted level of \$907 million. The DWSRF program provides funding for communities to finance infrastructure improvements for public drinking water systems.

Brownfields Program

- \$110 million for Brownfields projects, a \$30 million increase from the FY 2015 enacted level of \$80 million. The program provides funding to communities for the clean-up and redevelopment of properties, which may be complicated by the presence or potential presence of a hazardous substance, pollutant, or contaminant.

DEPARTMENT OF HEALTH AND HUMAN SERVICES

\$83.8 billion in discretionary budget authority for the Department of Health and Human Services (HHS), approximately \$4.8 billion above the FY 2015 enacted level.

Grants to States for Medicaid

- \$356.8 billion, an increase of \$18.7 billion above the FY 2015 enacted level. The majority of the increase is attributed to the Affordable Care Act's Medicaid expansion, and the funding consists of \$243.5 billion for FY 2016 and \$113.3 billion in an advance appropriation from FY 2015.
- The request also includes a number of policy provisions aimed at saving money and implementing program reforms.

Substance Abuse and Mental Health Service Administration (SAMHSA)

- \$3.66 billion for SAMHSA, an increase of \$45 million above the FY 2015 level. This request is divided, in part, among the following four program partnerships with states, communities, tribal and private not-for-profit organizations to enhance health and reduce the adverse impact of substance abuse and mental illness on America's communities:
 - Substance Abuse Prevention: \$210.9 million, \$35.8 million above the FY 2015 enacted level.
 - Substance Abuse Treatment: \$2.14 billion, \$40.7 million below the FY 2015 enacted level.
 - Health Surveillance and Program Support: \$236.6 million, an increase of \$42.8 million above the FY 2015 enacted level.
 - Mental Health: \$1.078 billion, \$6.8 million above the FY 2015 enacted level.

- \$10 million for a new Strategic Prevention Framework for Prescription Drugs (SPF Rx), to raise public awareness about the dangers of sharing medications and to work with pharmaceutical and medical communities to raise awareness on the risks of overprescribing.
- \$151 million for programs within the President's Now is the Time (NITT) violence prevention initiative, an increase of \$35 million above the FY 2015 enacted level. As outlined below, the requested funding will be allocated among existing programs as well as three new initiatives:
 - \$55 million for Project AWARE to improve mental health awareness, increase referrals to behavioral health services and support systems, including \$40 million for Project AWARE State Grants and \$15 million for Mental Health First Aid. Funding will be used to increase awareness of mental health issues and connect young people with behavioral health issues and their families with needed services.
 - \$20 million for Healthy Transitions to support youth ages 16 to 25 with mental health and substance abuse problems and their families.
 - \$72.25 million for the continuation of workforce-related programs initiative in FY 2015, which includes \$56 million (an increase of \$21 million over the FY 2015 enacted level) for the jointly administered SAMHSA-HRSA Behavioral Health Workforce Education and Training (BHWET) Grant program to increase the clinical service capacity of the behavioral health workforce.
 - \$10 million for a new Peer Professional Workforce Development program, which will award grants to provide tuition support and further the capacity of community colleges to develop and sustain behavioral health paraprofessional training and education programs.
 - \$4 million for a new initiative, Science of Changing Social Norms, which includes two components: Building the Evidence, to measure and track attitudes, behaviors and community norms regarding mental health and substance abuse; and Social Norms, to develop and test an array of messages.
 - In addition to SAMHSA funding, the President is also requesting additional funding for the Now is the Time initiative within his CDC budget, including \$10 million to conduct research on the causes and prevention of gun violence (investigating links between video games, media images, and violence), as well as \$23.6 million to complete expansion to all 50 states of the National Violent Death Report System, which reports anonymous data on all types of violent deaths.

Community Health Centers

- \$4.2 billion for Community Health Centers (CHC) is included within the Health Resources and Services Administration (HRSA) request, which is approximately \$809 million below the FY 2015 enacted level but which would now include \$2.7 billion in new mandatory resources (also requests \$2.7 billion in mandatory funding in both FY 2017 and FY 2018). This funding is projected to serve approximately 28.6 million patients in 2016, an increase of 1.1 million patients over 2015. The request is projected to support 75 new access point grants, and continuation and quality improvement activities for more than 1,300 health centers operating over 9,000 primary care sites.

Ryan White Grants

- \$2.32 billion for the Ryan White HIV/AIDS Programs, approximately the same as the FY 2015 enacted level. The Budget proposes consolidating the Part D (Children, Youth, Women, and Families) program within the Part C (Early Intervention) program in FY 2016, in order to achieve

the following goals: expand the focus on women, infants, children and youth across all the funded grantees; increase points of access for these populations; and reduce duplication of effort and reporting/administrative burden among co-funded grantees.

Precision Medicine Initiative

- The Administration is proposing a new cross-Department initiative, primarily between the NIH and FDA, to focus on developing treatments, diagnostics, and prevention strategies tailored to the individual genetic characteristics of each patient, also known as precision medicine. The FDA will use approximately \$10 million to modernize the regulatory framework to aid the development and use of molecular diagnostics in precision medicine, and the Office of the National Coordinator for Health Information Technology (ONC) will use approximately \$5 million to help develop technology and define standards and certification criteria to enable the exchange of genomic data.
- The majority of the funding would be allocated to the NIH, who would receive approximately \$200 million to be used for the following initiatives:
 - Cancer Genomics: \$70 million to expand current cancer genomics research to initiate new studies of how a tumor's DNA can be used to predict and treat tumor cells that develop resistance to a therapy, apply new non-invasive methods to track response to therapy, and explore the efficacy of new combinations of cancer drugs targeted to specific tumor mutations.
 - National Research Cohort: \$130 million to launch a national research cohort of one million or more individuals, who volunteer to share their genetic information in the context of other health data over time.

DEPARTMENT OF HOMELAND SECURITY

\$41.2 billion in Department of Homeland Security (DHS) funding – an overall decrease of \$3 billion below the FY 2015 enacted level. Of this funding, \$1.5 billion, \$577 million more than in FY 2015, is requested for critical state and local programs, such as the prevention of terrorist attacks, border security, aviation security, disaster preparedness, and cybersecurity.

The Budget also proposes to consolidate and restructure several of the Department's stand-alone FEMA grant programs (State Homeland Security, Urban Area Security Initiative, Port Security) into a new National Preparedness Grant Program to better develop, sustain, and leverage core capabilities across the country while supporting national preparedness and response. Key proposed DHS – FEMA funding includes:

National Preparedness Grant Program

- \$1.043 billion for the new program, which would consist of a mix of formula grants to the states intended to sustain current activities including some Urban Area Security Initiative grants, and competitive grants to states and regions for specific policy areas, including critical infrastructure, counterterrorism, and transportation.

Firefighter Assistance Grants

- \$670 million, identical to FY 2015 enacted levels, for direct grant assistance to local fire departments improve the ability to safeguard the lives of firefighting personnel and citizens. This request

includes grants to hire and retain firefighters (Staffing for Adequate Fire and Emergency Response - SAFER); provide training, equipment and personal protective gear (Assistance to Firefighters Grants - AFG); and support projects that enhance the safety of the public and firefighters from fire and related hazards (Fire Prevention & Safety - FP&S).

Emergency Management Performance Grants

- \$350 million, identical to FY 2015 enacted levels, to assist state, local, tribal and territorial governments in preparing for all hazards by providing direction, coordination, guidance, and assistance so that a comprehensive emergency preparedness system exists for all hazards.

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

\$49.3 billion in gross discretionary funding for the Department of Housing and Urban Development (HUD), approximately \$4 billion above FY 2015 enacted levels.

Community Development Fund

- \$2.88 billion, of which \$2.8 billion is requested for the Community Development Block Grant (CDBG) program, approximately \$200 million less than the FY 2015 enacted level.
- The Administration also recommends a number of CBDG reforms, including; helping grantees target funding to the areas of greatest need; enhancing program accountability; synchronizing program cycles; eliminating the number of small grantees; and providing options for regional coordination, administration, and planning.

Housing Opportunities for Persons with AIDS (HOPWA)

- \$332 million, \$2 million more than FY 2015 enacted levels, for grants to local communities, States, and nonprofit organizations for projects that benefit low-income persons living with HIV/AIDS and their families.

Homeless Assistance Grants

- \$2.48 billion, \$345 million more than FY 2015 enacted levels, to support new permanent supportive housing and cover a wide range of activities to assist homeless persons and prevent future homelessness.

Housing Counseling Assistance

- \$60 million for Housing Counseling Assistance, a \$13 million increase over FY 2015 enacted levels to provide counseling to consumers on seeking, financing, maintaining, renting, or owning a home, and assist homeowners facing foreclosure.

Tenant-Based Rental Assistance/Housing Choice Vouchers

- \$21.125 billion, \$1.821 billion more than FY 2015 enacted levels to assist very low-income families, the elderly, and the disabled to afford decent, safe, and sanitary housing in the private market.

Project-Based Rental Assistance

- \$10.76 billion, \$1.03 billion more than FY 2015 enacted levels, to provide rental subsidies for eligible tenant families residing in newly constructed, rehabilitated and existing rental and cooperative apartment projects.

Public Housing Capital Fund

- \$1.97 billion, \$95 million for than FY 2015 enacted levels, for the capital and management activities of Public Housing Agencies.

Public Housing Operating Fund

- \$4.461 billion, \$112 million more than FY 2015 enacted levels, for the operation, management, and maintenance of publicly owned affordable rental housing.

HUD-Veterans Affairs Supportive Housing (HUD-VASH) Program

- \$75 million, identical to the FY 2015 enacted level, for new rental assistance vouchers for homeless Veterans.

HOME Investments Partnerships Program

- \$1.06 billion, \$160 million above FY 2015 enacted levels, for formula grants to States and localities to fund a wide range of activities including building, buying, and/or rehabilitating affordable housing for rent or homeownership or providing direct rental assistance to low-income people.

Housing for the Elderly

- \$455 million, \$35 million more than FY 2015 enacted levels for project rental assistance for the elderly.

The Choice Neighborhoods Initiative

- \$250 million, \$170 million more than FY 2015 enacted levels, for competitive grants to transform, rehabilitate and replace public housing in distressed neighborhoods.

Housing for People with Disabilities

- \$177 million, \$42 million more than FY 2015 enacted levels, for project rental assistance for supportive housing for persons with disabilities.

Neighborhood Stabilization Program (NSP)

- \$72 million, \$175 million less than FY 2015 enacted levels, for the purpose of stabilizing communities that have suffered from foreclosures and abandonment, through the purchase and redevelopment of foreclosed, abandoned and short-sale homes.

Revitalization of Severely Distressed Public Housing (HOPE VI)

- \$80 million, \$10 million less than FY 2015 enacted levels, for broad range transformative investments in high-poverty neighborhoods where public housing and other HUD-assisted housing are located.

DEPARTMENT OF THE INTERIOR

\$13 billion in Department of the Interior discretionary funding, a \$753 million increase from the FY 2015 enacted level of \$12.3 billion.

Land and Water Conservation Fund

- \$900 million for Land and Water Conservation Fund (LWCF) programs in the Departments of the Interior and Agriculture, a \$594 million increase from the FY 2015 enacted level. Of that total, \$672 million for the Interior Department alone, a \$467 million increase from the FY 2015 enacted level. The Fund would, in part, provide conservation grants under the National Park Service, including \$100 million for State Assistance Grants, a \$52 million increase from the FY 2015 enacted level, and \$25 million for the Urban Parks and Recreation Fund, which has not been funded since 2002.

DEPARTMENT OF JUSTICE

\$28.7 billion, approximately \$1.3 billion above the FY 2015 enacted levels, in Department of Justice discretionary funding. This funding includes \$3.511 billion, \$1.039 billion less than FY 2015 enacted levels, for State and local Programs.

Community Oriented Policing Services

\$303 million, \$95 million more than FY 2015 enacted levels, for grants to enable State and local law enforcement agencies to increase the number of officers available for targeted patrol and other proven strategies to prevent and reduce crime. This funding includes \$249.5 million, \$69.5 million more than FY 2015, for the COPS Hiring Program.

Office of Justice Programs

The Budget requests more than \$1.142 billion, \$98.7 million less than FY 2015 enacted levels, for Office of Justice Programs (OJP) State and Local Law Enforcement Assistance. Within that allocation are the following programs:

- **Byrne Justice Assistance Grants (JAG):** \$388 million, \$12 million more than FY 2015 enacted levels, to support law enforcement, prosecution and courts, crime prevention, corrections, drug treatment and other important initiatives. This funding includes \$30 million for a Body Worn Camera Demonstration project and \$22.5 million for the Bulletproof Vests Program.
- **Byrne Incentive Grants:** \$15 million in new funding for supplementary grants to State and local governments to implement proven, evidence-based, public safety strategies.
- **Byrne Competitive Grants:** \$15 million in new funding to State and local governments, non-profit and community-based organizations to improve the functioning of the criminal justice system and assist victims of crime.
- **Residential Substance Abuse Treatment (RSAT) Program:** \$14 million, \$4 million more than FY 2015 enacted levels, to assist States and units of local government in developing and

implementing residential substance abuse treatment programs in State and local correctional and detention facilities and to create and maintain community-based aftercare services for offenders.

- **Byrne Criminal Justice Innovation Program:** \$29.5 million in new funding to work with local leadership in high-poverty communities to invest and engage more intensely to create jobs, leverage private investment, increase economic activity, reduce violence, and expand educational opportunities.
- **Drug Court Programs:** \$36 million, \$5 million less than FY 2015 enacted levels, for grants, training and technical assistance to State, local, and tribal governments to support the development, expansion, and enhancement of effective drug courts.
- **Justice and Mental Health Collaboration Program:** \$14 million, \$5.5 million more than FY 2015 enacted levels, for grants, training, and technical and strategic planning assistance to help State, local, and tribal governments develop multi-faceted strategies that bring together criminal justice, social services, and public health agencies, as well as community organizations, to develop system-wide responses to the needs of mentally ill individuals involved in the criminal justice system.
- **Veterans Treatment Court Program:** \$4 million, \$1 million less than FY 2015 enacted levels, for grants, training and technical assistance to State and local governments to support the creation and development of veteran treatment courts.
- **Prescription Drug Monitoring Program (PDMP):** \$9 million, \$2 million less than FY 2015 enacted levels, to enhance the capacity of regulatory and law enforcement agencies to collect and analyze controlled substance prescription data.
- **Second Chance Act Program:** \$120 million, \$52 million more than FY 2015 enacted levels, for grants to establish and expand various adult and juvenile offender reentry programs and funds reentry-related research. Included in this funding is \$10 million for the Smart Probation Program to help States and localities develop comprehensive, innovative probation, as well as parole supervision programs.
- **Victims of Trafficking Program:** \$10.5 million, \$31.75 million less than FY 2015 enacted levels, to empower local law enforcement to better identify and rescue trafficking victims.
- **Defending Childhood/Children Exposed to Violence Program:** \$23 million, \$15 million more than FY 2015 enacted levels, to support research and provide demonstration grants and training and technical assistance, in partnership with the Department of Health and Human Services, to encourage the development of comprehensive intervention and treatment programs to assist children who are victims of, or witnesses to, violence.
- **Implementation of the Adam Walsh Act:** \$20 million, identical to FY 2015 enacted levels, for grants and technical assistance to help State and local governments develop and enhance sex

offender registration and notification systems that are in compliance with the Sex Offender Registration and Notification Act.

- **Community Teams to Reduce the SAK Backlog:** \$41 million, identical to FY 2015 enacted levels, for grants that support community efforts to develop plans and identify the most critical needs to address sexual assault prevention, investigation, prosecution and services, including addressing their untested sexual assault evidence kits (SAKs) at law enforcement agencies or backlogged crime labs.
- **State Criminal Alien Assistance Program (SCAAP):** As part of its program reduction and consolidation efforts, the Administration's FY 2016 Budget cuts all funding for the SCAAP, which provides federal payments to States and local governments to reimburse correctional officer salary costs incurred for incarcerating undocumented criminal aliens.

Office of Juvenile Justice

\$339.4 million, \$87.9 million more than FY 2015, to support state and local efforts to develop and implement effective and coordinated prevention and intervention juvenile programs. Within that allocation are the following programs:

- **Juvenile Justice Formula Grants:** \$70 million, \$14.5 million more than FY 2015 enacted levels, to support State and local efforts to develop and implement comprehensive State juvenile justice plans, as well as provide training and technical assistance.
- **Juvenile Delinquency Prevention Initiatives:** \$42 million, \$27 million more than FY 2015 enacted levels, to support delinquency prevention programs and activities to benefit youth who are at risk of having contact with the juvenile justice system.
- **Youth Mentoring Program:** \$58 million, \$32 million less than FY 2015 enacted levels, to enhance and expand existing community-based mentoring strategies and programs, and develop, implement, and pilot test mentoring strategies and programs designed for youth in the juvenile justice, reentry, and foster care systems.

Office of Violence Against Women (OVW)

\$473.5 million, \$43.5 million more than FY 2015, for OVW programs, which reduce violence against women and administer justice for and strengthen services to victims of domestic violence, dating violence, sexual assault, and stalking.

- **Grants to Combat Violence Against Women:** \$193 million, \$2 million less than FY 2015, for Grants to Combat Violence Against Women (STOP).
- **Grants to Encourage Arrest Policies:** \$50 million, identical to previous years for grants to encourage State and localities to treat sexual assault, domestic violence, dating violence, and stalking as serious violations of criminal law requiring the coordinated involvement of the entire criminal justice system and community-based victim service organizations.

- **Rural Domestic Violence and Child Abuse Enforcement Assistance:** \$33 million, identical to previous years, for State and local governments to identify, assess, and appropriately respond to child, youth, and adult victims of domestic violence, sexual assault, dating violence, and stalking in rural communities.
- **Transitional Housing Assistance Grants for Victims of Domestic Violence, Dating Violence, Stalking, or Sexual Assault Program:** \$25 million, \$1 million less than FY 2015, to assist victims of domestic violence, dating violence, sexual assault, and stalking who are in need of transitional housing, short-term housing assistance, and related supportive services.
- **Grants to Reduce Sexual Assault, Domestic Violence, Dating Violence, and Stalking on Campus Program:** \$26 million, \$14 million more than FY 2015, to strengthen the response of institutions of higher education to the crimes of sexual assault, domestic violence, dating violence and stalking on campuses and enhances collaboration among campuses, local law enforcement, and victim advocacy organizations. Eligible applicants are institutions of higher education.
- **Legal Assistance for Victims Grant Program:** \$52.5 million, \$10 million more than FY 2015 enacted funding to strengthen civil and criminal legal assistance programs for adult and youth victims of domestic violence, dating violence, sexual assault, and stalking.
- **Sexual Assault Services Formula Grant Program:** \$27 million, \$3 million less than FY 2015, for grants to States to assist in supporting rape crisis centers and other nonprofit, nongovernmental organizations or tribal programs that provide services, direct intervention, and related assistance to victims of sexual assault.

DEPARTMENT OF LABOR

\$13.2 billion in Department of Labor discretionary funding – an increase of \$1.3 billion above the FY 2015 enacted level of \$11.9 billion. The Budget also makes investments to bolster the enforcement of critical wage and hour, whistleblower, retirement security, and worker safety laws. In addition, the Budget makes improvements in the Department's programs and infrastructure to ensure they are positioned to meet the needs of the modern workforce and economy.

Of note, the Workforce Innovation and Opportunity Act (WIOA) was signed into law in July 2014, and takes full effect by July 1, 2015. Designed to help job seekers access employment, education, training, and support services to succeed in the labor market and to match employers with the skilled workers they need to compete in the global economy, WIOA is the first legislative reform in 15 years of the public workforce system, replacing the Workforce Investment Act of 1998. WIOA authorizes many programs within the Department of Labor, including employment and training services for adults, dislocated workers, and youth, as well as programs aimed at assisting specific vulnerable populations such as the Job Corps and YouthBuild. In addition, WIOA authorizes other programs administered by the Department of Education and the Department of Health and Human Services.

Employment and Training Administration (ETA)

- \$9.9 billion – a \$200 million increase from the FY 2015 enacted level of \$9.7 billion – for ETA programs. This amount includes \$816 million for Adult Employment and Training Formula Grants (increase from FY 2015); \$1.3 billion for dislocated worker employment and training activities (increase from FY 2015); and \$873 million for Youth Employment and Training Activities (increase from FY 2015).

Job Corps

- \$1.7 billion – \$17 million more than the FY 2015 enacted level – for the Office of Job Corps to help unemployed, young Americans receive education, job training, and employment assistance.

Occupational Safety and Health Administration

- \$592 million – a \$40 million increase from the FY 2015 enacted level of \$552 million – for the Occupational Safety and Health Administration. This funding allows OSHA to inspect hazardous workplaces and work with employers to help them understand and comply with safety and health regulations.

Veterans Employment and Training Service (VETS)

- \$271 million – a slight increase from the FY 2015 enacted level of \$270 million – for the Veterans Employment and Training Service (VETS), which serves America's veterans and service members by preparing them for meaningful careers, providing employment resources and expertise, and protecting their employment rights.

YouthBuild

- \$84.5 million – a slight increase from the FY 2015 enacted level of \$79.7 million – for the YouthBuild program, which addresses the challenges faced by unemployed, high school dropouts by providing them with an opportunity to gain both the education and occupational skills that will prepare them for employment with a living wage.

DEPARTMENT OF TRANSPORTATION

\$94.7 billion in discretionary and mandatory budgetary resources for the Department of Transportation, an increase of \$22.2 billion above the 2015 funding level.

The centerpiece of the President's FY 2016 budget for the Department is a six-year, \$478 billion surface transportation reauthorization proposal, which builds on the Administration's previous four-year proposal, the Generating Renewal, Opportunity, and Work with Accelerated Mobility, Efficiency, and Rebuilding of Infrastructure and Communities throughout America—or the GROW AMERICA Act, (submitted to Congress in 2014). The Administration plans to update the GROW AMERICA Act to reflect the longer length of the proposal, along with several policy modifications, and resubmit to Congress in the coming weeks. The proposal would be funded in large part by devoting to the Highway Trust Fund a one-time transition toll charge of 14 percent on the untaxed foreign earnings that U.S. companies have accumulated overseas (repatriation), estimated to generate approximately \$238 billion.

Office of the Secretary

- **TIGER Grants:** \$1.25 billion of mandatory funding to continue the TIGER program, a \$750 million increase over the FY 2015 enacted level, to fund infrastructure projects of national and regional significance, planning grants, and award and oversight expenses.

New Bond Programs

- **America Fast Forward Bonds (AFFB):** A permanent and expanded version of the popular, although short-lived, Build America Bond (BAB) program, AFFB's would be taxable bonds issued by State and local governments for which the federal government makes direct borrowing subsidy payments to those issuers (*through refundable tax credits*) at a subsidy rate equal to 28 percent of the coupon interest on the bonds. This subsidy rate is intended to be approximately revenue neutral relative to the estimated future federal tax expenditures for tax-exempt bonds. Expanding on BABs, AFFBs could be used for those projects typically financed with qualified private activity bonds in order to support a wider variety of public investments.
- **Qualified Public Infrastructure Bonds (QPIBs):** Created as a new category of qualified private activity bond, QPIBs would be a tax-exempt option for financing eligible infrastructure projects, including airports, docks and wharves, mass commuting facilities, facilities for the furnishing of water, sewage facilities, solid waste disposal facilities, and qualified highway or surface freight transfer facilities. The projects must be owned by State or local governments and be available for general public use, and unlike PABs, the QPIB bond program will have no expiration date, no issuance caps, and interest on these bonds will not be subject to the alternative minimum tax.

Federal Aviation Administration (FAA)

\$15.84 billion in FAA budget authority, essentially the same as the FY 2015 enacted funding level. The Budget request also proposes increasing the non-Federal Passenger Facility Charge (PFC) limit from \$4.50 to \$8.00 and eliminates passenger and cargo entitlement funding for large hub airports but maintains discretionary eligibility.

Federal Highway Administration (FHWA)

\$51.3 billion in FY 2016 to invest in the Nation's highway and bridge infrastructure, a \$10.3 billion increase above FY 2015 funding levels.

- **Freight Program:** \$1 billion for a new Multimodal Freight Investment Program (MFIP) that will improve goods movement and advance export and economic development opportunities in the U.S. by funding multimodal or multi-jurisdictional projects to improve goods movement, economic competitiveness and sustainability. The MFIP includes a discretionary grant program (National Freight Infrastructure Program) and an incentive grant program (Multimodal Freight Incentive Grants) based on distributions to States that account for State freight infrastructure and activity.
- **The Critical Immediate Safety Investments Program (CISIP):** \$7.45 billion as part of the "Fix-it-First" initiative to focus on the reconstruction, restoration, rehabilitation, preservation or safety improvement of existing highway assets.
- **Highway Safety Improvement Program:** \$2.6 billion to fund efforts to reduce traffic fatalities and serious injuries on all public roads.
- **National Highway Performance Program:** \$22.3 billion to support the condition and performance of the National Highway System.

- **Surface Transportation Program:** \$10.3 billion to provide transportation agencies the ability to target funds toward State and local priorities for the following: projects to improve or preserve the condition and performance on any Federal-aid highway; bridge and safety projects on any public road; facilities for non-motorized transportation; transit capital projects; and public bus terminals and facilities.
- **Congestion Mitigation and Air Quality Improvement (CMAQ) Program:** \$2.3 billion to help States, local governments, and private sponsors reduce highway congestion and harmful emissions.
- **Transportation Infrastructure Finance and Innovation Act (TIFIA) Program:** \$1.0 billion to provide Federal credit assistance funding to support nationally or regionally significant transportation projects.
- **Metropolitan Transportation Planning Program:** \$320 million to provide resources for the improvement of metropolitan and statewide transportation planning processes.
- **Transportation Alternatives Program:** \$847 million to increase transportation choices and access to transportation services.
- **Fixing and Accelerating Surface Transportation (FAST):** \$500 million for a new competitive grant program that will encourage innovative solutions to our most pressing transportation challenges. State and local partners will be evaluated on their willingness to commit to performance improvements in important areas such as safety or congestion management.

Federal Transit Administration (FTA)

\$18.4 billion to construct new public transit systems, improve the condition of transit assets, expand access, and increase transit safety. This amount represents an increase of approximately \$7.4 billion over the FY 2015 enacted level.

- **Formula Grants:** \$13.914 billion for FTA formula grant programs.
- **Capital Investment Grants:** \$3.25 billion for the construction of new fixed guideway systems or extensions to fixed guideway, corridor-based bus systems, and core capacity improvement projects. These projects include heavy rail, light rail, commuter rail, bus rapid transit, ferries, and streetcar systems that are implemented in communities across the country.
- **Rapid Growth Area Bus Rapid Transit Corridor Program:** \$500 million for a new Bus Rapid Transit discretionary grant program to help communities experiencing fast-growing populations by encouraging multi-modal development along corridors, which will be aided by allowing Federal-Aid Highway funding to be used as part of the local match requirement.

Federal Railroad Administration (FRA)

\$5 billion as the first year of a proposed six-year \$28.55 billion rail reauthorization included in the Administration's surface transportation proposal, an increase of \$3.4 billion above FY 2015 enacted levels.

- **National High Performance Rail System:** \$4.8 billion to support the National High-Performance Rail System, including two major new programs funded by a proposed new Rail Account included in the Transportation Trust Fund: 1) Current Passenger Rail Service, \$2.45 billion to return public rail assets to a state of good repair and to make other critical investments needed to maintain current rail services; and 2) Rail Service Improvement Program, \$2.325 billion to develop high-performance passenger rail networks throughout the United States. The program will also fund PTC for commuter railroads and support network development planning.

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