



County of Fairfax, Virginia

MEMORANDUM

DATE: February 12, 2013
TO: Board of Supervisors
FROM: Edward E. Long, Jr., County Executive
SUBJECT: 2013 Legislative Report No. 2—Board Legislative Committee Meeting of February 8, 2013

One week after “crossover,” less than two weeks remain until the scheduled adjournment of the 2013 General Assembly, and approximately 1,000 bills and resolutions still await final disposition by the General Assembly. As a result, committees in both chambers will be meeting at length this week as they work to finish their dockets in advance of the February 18 deadline for completion of committee action.

In addition to working through this large volume of legislation, last week the full House and Senate considered the amendments to the 2012-2014 biennium budget that were reported by the House Appropriations and Senate Finance Committees, respectively, on Sunday, February 3. The House passed its budget by a vote of 74-22. The Senate Finance budget received five “no” votes in committee, with all five Democrats opposing the budget’s failure to include an expansion of Medicaid, as envisioned by the Patient Protection and Affordable Care Act. After a floor amendment was offered and accepted that authorizes the expansion in 2014, contingent upon federal approval of certain reforms to the program, the budget passed by a comfortable margin (36-4). By February 13, the House and Senate must reject each other’s budgets and appoint members of the conference committee.

The Legislative Committee met on February 8 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 February 8, 2013:

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

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Priority Principles for Reviewing Legislation

- 1. Adequately fund K-12 education.**
- 2. Adopt new revenue sources for transportation funding.**
- 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 Issues

House and Senate Budget Update: As discussed above, the House and Senate passed their respective budgets on February 7. The Committee received an updated analysis of the effect of several key budget items on the County, including the elimination of the reduction in Aid to Localities; an increase in Compensation Board funding; enhanced funding for salaries for Commonwealth's Attorneys; and additional funding for libraries. The Committee discussed the approaches taken by the House and Senate toward restoration of the Cost of Competing Adjustment for support staff. More detailed information is included in chart labeled as handwritten pages 67-76 of the attachments to this memorandum.

Update – Transportation Funding: As of February 8, the sole surviving transportation funding proposal is the Governor's bill, HB 2313 (Howell); the Committee received an overview of the components of this bill and directed staff to provide some additional information to the Board regarding costs of sample projects in the County as well as overall transportation needs. It was noted that the bill passed narrowly in the House and will likely serve as a starting point for discussions in the Senate. Further detail on the proposal is included on handwritten pages 77-78 of the attachments to this memorandum.

Specific Legislation

HB 1575 (Webert) (SLG) provides that local ordinances governing child care services and facilities shall not provide for inclusion of the child care provider's own children or any children who reside in a home in which child care services are offered in the total number of children for whom care is provided. Oppose unless amended to conform to current Fairfax County practice. (13100607D)

HB 2045 (Robinson) (SRSS) establishes a right to review by the Commissioner of Social Services of any decision of a local board of social services granting, denying, or changing a benefit available to a child in foster care for any individual whose claim for benefits related to foster care services available pursuant to state or federal law is denied or not acted upon by the local department with reasonable promptness. Amend to be consistent with existing appeals processes, which provide more specificity in Code. (13101381D-E)

HB 2341 (Ramadan) (Passed House) provides that a person who is qualified to register to vote may apply to register to vote by electronic means authorized by the State Board of Elections. Support. (13104278D)

Legislation Requiring Further Review (*Bills no longer under consideration are stricken through.*)

HB 1406 (Bell, R.) (HED) requires each school board to annually provide parent educational information or screen public school students in grades five through 10 for eating disorders. (13101583D) (*Added Jan. 25*)

~~**HB 1556** (Comstock) (HED) changes the ratio of students in average daily membership to full-time equivalent teaching positions from a divisionwide ratio to a schoolwide ratio. (13101345D)~~

~~**HB 1696** (Minchew) (HAPP) authorizes the Virginia Department of Transportation to enter into an agreement with the Metropolitan Washington Airports Authority (MWAA) whereby MWAA would reduce tolls on the Dulles Toll Road in exchange for the Commonwealth's moral obligation backing of bonds, not exceeding an aggregate principal amount of \$500 million, issued by MWAA to fund Phase 2 of the Dulles Corridor Metrorail project. (13103285D)~~

HB 1864 (Robinson) (HED) eliminates the requirement that school principals report certain enumerated acts that may constitute a misdemeanor offense to law enforcement and to the parents of any minor student who is the specific object of such acts. (13101520D) (*Added Jan. 25*)

~~**HB 1882** (Morrissey) (HGL) requires all public bodies to include in every contract of more than \$100,000 that involves the performance of work within the Commonwealth provisions requiring the contractor to agree (i) that 51 percent of all positions created in performance of the contract be filled by Virginia residents, (ii) that 35 percent of the total hours worked by apprentices in positions created in performance of the contract be performed by Virginia residents, and (iii) to use the Virginia Employment Commission as the first source of referral for obtaining qualified applicants for any new position. Under the bill, "new position" shall not include a position that is filled by a current employee of the contractor or an individual who was previously laid off by the contractor. The bill provides that it does not apply to any contracts for professional services. (13103440D)~~

HB 1993 (Massie) (HFIN) provides exclusions from the gross rental proceeds upon which the motor vehicle rental tax is imposed. The exclusions include cash discounts taken on a rental contract; finance, carrying, and other service charges; charges for motor fuels; charges for optional accidental death insurance; and other specified exclusions. (13100570D)

HB 1994 (Massie) (HTRAN) provides that the award of a public contract may be made on the basis of cost plus a percentage of the private investment made by a private entity in cases of the procurement of commercial or financial consulting services related to a qualifying transportation facility under the Public-Private Transportation Act or a qualifying project under the Public-Private Education Facilities and Infrastructure Act, where the commercial or financial consulting services are sought to solicit or to solicit and evaluate proposals for the qualifying transportation facility or the qualifying project. The bill defines "private entity," "qualifying transportation facility," and "qualifying project." (13100571D)

HB 2028 (Dudenhefer) (HED)/**SB 986** (Stuart) (SEH) allows school boards to require current certification or training in emergency first aid, cardiopulmonary resuscitation (CPR), and the use of automated external defibrillators (AEDs) for bus drivers, increases required school personnel with such training per school, and requires such training for those seeking initial teacher licensure, renewal of a license to teach, or a provisional teaching license with a waiver for disabilities. For students, beginning with first-time ninth grade students in the 2014-2015 school year, the bill adds a requirement that recipients of the standard and advanced diplomas must receive training in emergency first aid, CPR, and the use of AEDs with a waiver for students with disabilities. The bill also requires an AED in every school by the 2014-2015 school year and schoolwide cardiopulmonary resuscitation drills. (13103531D, 13103554D)

~~**HB 2060** (Yancey) (HED) provides that in cases in which a school attendance officer files a complaint alleging that a juvenile is a truant and the juvenile has not previously been proceeded against informally or adjudicated in need of supervision for failure to comply with compulsory school attendance laws, the intake officer shall defer filing of a petition alleging that the child is in need of supervision for 90 days and shall refer the child to the family assessment and planning team for development of a truancy plan. If the juvenile or his parent, guardian, or other person standing in loco parentis refuses to participate in the truancy plan, or if at the end of the 90-day period the child has failed to comply with the truancy plan, the intake officer shall file a petition alleging that the child is in need of supervision. (13102736D) (Added Jan. 25)~~

HB 2116 (Garrett) (HTRAN)/**SB 1209** (Stuart) (STRAN) amends the powers and duties of the Commissioner of Highways and the Commonwealth Transportation Board to create new efficiencies and streamline procedures by granting the Commissioner greater authority over administrative operations, matters involving the practice of civil engineering, and interaction with stakeholders. (13101417D, 13101418D)

HB 2120 (Herring)(HCT)/**SB 1006** (Barker) (SEH) provides that a licensed health care provider may perform a physical evidence recovery kit examination for a person who is believed to be the victim of a sexual assault and who is incapable of making an informed decision regarding consent to such examination when there is an immediate need to conduct the examination, no legally authorized representative is available to provide consent, and a capacity reviewer provides written certification that the person is incapable of providing informed consent and that the examination should be performed. (13102046D, 13102047D)

~~**HB 2258** (James) (HTRAN) requires the responsible public entity to obtain the approval of each affected jurisdiction prior to the execution of a comprehensive agreement under the Public-Private Transportation Act of 1995 (PPTA) or the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) whenever the development or operation of the qualifying transportation facility or project impacts local tax revenues or increases the fees or expenses that are paid by residents of the affected jurisdictions. The bill also (i) provides for the guidelines established by a responsible public entity under the PPTA to require that a final environmental impact study be completed prior to commencing project development and (ii) prohibits a comprehensive agreement under the PPTA from containing a non-compete or damage provision or any similar provision requiring additional payments to the private entity to recover reduced revenue due to improvements made by the Commonwealth to any other transportation facility. (Added Jan. 25)~~

~~**HB 2330** (Miller) (HCL)/**SB 1353** (Watkins) (SACNR) establishes a process for the Department of Mines, Minerals and Energy (DMME) to issue permits for the mining of uranium ore. DMME, in consultation with the Department of Environmental Quality, Department of Health, State Corporation Commission, Department of Conservation and Recreation, Department of Game and Inland Fisheries, Department of Historic Resources, and Department of Agriculture and Consumer Services, is required to adopt regulations governing uranium mining. DMME shall not accept an application for a uranium mining permit from an applicant unless the applicant had a valid permit for uranium exploration on July 1, 2013. DMME shall not accept an application for a permit to mine uranium at a location more than 10 miles from an area for which a uranium exploration permit was in effect on January 1, 2012. Permit holders are required to pay application fees and annual fees, which shall be sufficient to defray the costs of administering the uranium mining program. The measure establishes the Uranium Administrative Fund, Uranium Response Fund, and Long Term Monitoring Fund, which will be funded by fees assessed on permittees. A permittee that violates a permit condition or provision of law or regulation may be subject to civil penalties. A person who conducts uranium mining without a permit, violates a condition of a permit, fails to comply with a regulation or order, makes certain false statements, violates recordkeeping requirements, or impedes the DMME in its performance of duties is subject to criminal penalties. A uranium mining permit shall not be issued to an applicant unless the applicant is licensed by the State Corporation Commission as a uranium development corporation, the requirements for which are established by this measure. The Commission is authorized to suspend a uranium development license if it finds that a licensee is not in compliance with financial responsibility requirements or if it receives notice of a determination by an agency that an operation is being conducted in violation of a permit or license. The Commission may revoke a uranium development license if it finds by clear and convincing evidence that the license holder has failed to correct a condition for which its license was suspended or has committed other specified acts. (13103646D, 13103645D) (Added Jan. 25)~~

~~**SB 696** (Lucas) (SGL) creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Under the bill conduct of casino gaming shall~~

~~be limited to counties, cities, and towns that are located in Planning District 8, 9, 10, 15, 16, 17, 18, 19 20, 21, 22, or 23. The bill also contains technical amendments. (13100292D)~~

~~**SB 827** (Garrett) (SGL) requires any state agency that is authorized to implement a comparable federal program to receive statutory authorization to promulgate any regulation that is more stringent than the federal statute or regulation. By July 1, 2014, these agencies are required to complete a review of their regulations to determine whether each regulation (i) is more stringent than the comparable federal law or regulation and (ii) whether there is statutory authorization for the regulation that is found to be more stringent. When an agency determines that a more stringent regulation has not been authorized by a state statute the agency is required to amend the regulation to bring it into compliance with the federal law or regulation, or the General Assembly has to enact legislation authorizing the more stringent standard. If neither condition has been met within one year of the agency's determination that its regulation is more stringent than the comparable federal law or regulation, the regulation is deemed to be null and void. (13100718D)~~

SB 841 (Locke) (SGL) authorizes an owner or managing agent of a residential dwelling unit to develop and implement reasonable occupancy standards restricting the maximum number of occupants permitted to occupy the dwelling unit, provided such standards comply with the federal standards established under federal laws and regulations. The bill also authorizes an owner or managing agent to restrict the number of occupants in a dwelling unit to two persons per bedroom and clarifies that such restriction will not be enforceable under the provisions of the Uniform Statewide Building Code. (13102321D)

~~**SB 1091** (Hanger) (SGL) provides that participation by constitutional officers in the Department of the Treasury's risk management plan shall be determined by the local governing body of the locality served by the officers rather than by the State Compensation Board. Also, local governments and constitutional officers choosing not to participate in the risk management plan shall not be subject to payment of any premium or administrative costs. (13100849D) (Added Jan. 25)~~

SB 1197 (Saslaw) (SGL) authorizes localities within Planning District 8 to enter into individual contracts for architectural or professional engineering services up to \$5 million. Planning District 8 is composed of the counties of Arlington, Fairfax, Loudoun, and Prince William, the cities of Alexandria, Fairfax, Falls Church, Manassas and Manassas Park, and the towns of Dumfries, Herndon, Leesburg, Purcellville and Vienna. Currently, the authority to enter into such contracts is limited to localities and local authorities, sanitation districts, metropolitan planning organizations or planning district commissions with populations in excess of 80,000. (13102850D)

~~**SB 1231** (Stanley) (SFloor) allows an attorney to record a corrective affidavit to correct an obvious description error contained in a recorded deed, deed of trust, or mortgage. Obvious description errors include (i) errors transcribing courses and distances, (ii) errors incorporating a recorded plat or deed reference, (iii) errors in listing a lot number or designation, and (iv) omitted exhibits that supply the legal description of the property. Before a corrective affidavit~~

~~may be recorded, all parties to the deed, deed of trust, or mortgage and the title insurance company must be provided with a copy of the affidavit and such parties have 30 days to object in writing to the recordation of the corrective affidavit. (13104092D-S1)~~

~~**SB 1300** (Barker) (SEH) provides that any student who enrolls full time in a virtual school program served by a multidivision online provider outside his school division of residence shall have his state share of Standards of Quality per pupil funding, as well as 76 percent of his local share, transferred from the school division of residence to the enrolling school division. The total state and local share funds transferred from the resident division to the enrolling division shall not exceed the actual cost of the virtual school program. (13102988D)~~

~~**SB 1341** (Saslaw) (SLG) exempts certain electrical generation facilities powered by renewable sources of energy from local zoning and land use requirements. The exemption applies to a facility that is owned by an electric utility, has a capacity of at least four megawatts, is on a parcel of at least 25 acres, and has received all required approvals and permits from the State Corporation Commission and environmental regulators. (13104194D) (Added Jan. 25)~~

Elections

~~**HB 1471** (Watts) (HPE) provides that residents of assisted living facilities are permitted to vote absentee. The bill also provides that localities may establish absentee voter precincts at assisted living facilities that will be open prior to an election to allow in person absentee voting by the residents. The bill further provides that upon the request of an administrator of an assisted living facility in which at least 50 registered voters reside, at least two officers of election will be sent to the facility on Election Day to assist persons 65 years old or older or physically disabled with voting. (13102624D)~~

~~**HJ 659** (LeMunyon) (HPE)/**HJ 668** (Surovell) (HPE) permits the General Assembly to provide by law for the use of a portion of an applicant's social security number on the voter registration application. Currently, an applicant must provide his full social security number in order to register to vote. (13100563D, 13100564D)~~

~~**SB 883** (Deeds) (SPE) provides that the general registrar shall issue and mail a new Virginia voter registration card to all registered voters in his county or city no later than October 1 of each year. (13101191D)~~

~~**SB 1062** (Herring) (SPE) provides for numerous reforms to improve voter access to the polls, including (i) extending the hour that polls close on election day from 7:00 p.m. to 8:00 p.m.; (ii) allowing for early voting by qualified voters for a period from 10 to three days before the election, or eight to three days before a special election, at the office of the general registrar or secretary of the electoral board and other approved locations; (iii) shortening the deadline to register to vote from 21 days before a general or primary election and either six or 13 days before special elections to three days before any election, which would be the last day of the early voting period; and (iv) authorizing the Secretary of the State Board of Elections to establish a pilot program to allow members of the military on active duty and their spouses,~~

~~citizens residing outside of the United States, and military voters with disabilities or injuries to vote absentee by secure electronic means or other new technologies. The bill also provides that the State Board shall implement a system to accept absentee ballot applications electronically. Currently, an applicant may request and receive, but not submit, an absentee ballot application electronically. The bill also requires the State Board, in conjunction with the Department of Emergency Management, to create a written plan addressing the continuity of operations of elections in the event of an emergency. The bill also requires that the State Board perform periodic reviews of the conduct of elections and, based on the findings of such reviews, develop a written plan for minimizing the amount of time a voter has to wait to cast his vote on election day. (13103449D)~~

SB 1077 (Obenshain) (SPE) authorizes the State Board of Elections to apply to participate in the Systematic Alien Verification for Entitlements Program (SAVE Program) operated by the U.S. Citizenship and Immigration Services of the U.S. Department of Homeland Security. The SAVE Program enables access to immigration status and citizenship status information possessed by the U.S. Department of Homeland Security. If the application is approved, the State Board will utilize the SAVE Program for the purposes of verifying that voters listed in the Virginia Voter Registration System are United States citizens and shall promulgate rules and regulations governing the use of the immigration status and citizenship status information received from the SAVE Program. (13103248D)

~~**SB 1150** (Barker) (SPE) requires each electoral board to develop a plan to ensure that no voter waits for more than one hour to cast his vote on election day. Each board would submit to the State Board of Elections and the governing body of the city or county of the electoral board a list of resources necessary, including the optimum number of officers of election, pollbooks, ballots, and other voting equipment, to implement the plan. The bill also provides that officers of election may work in multiple precincts throughout election day. (13103374D)~~

School Resource Officers

~~**HB 1730** (Cole) (HED) requires each local school board to establish a collaborative agreement with local law enforcement agencies to employ one full-time uniformed school resource officer in every school in the local school division. (13103100D)~~

~~**HB 2244** (HAPP) provides that proceeds of the School Resource Officer Grants Fund may be disbursed to award matching grants to local law enforcement agencies and local school boards that have established a collaborative agreement to employ school resource officers in elementary schools within their shared district. Under current law, funds may be disbursed only when school resource officers are employed in middle or high schools within the district. (13103688D)~~

~~**SB 940** (Stuart) (SEH) requires every school board throughout the Commonwealth to coordinate with the local law enforcement agency to provide at least one school resource officer for every public elementary, middle, and high school within the district. The bill~~

~~provides that funding for these school resource officers shall be provided through the general appropriation act and not by any locality or school board. (13103170D)~~

~~**SB 1240** (Deeds) (SEH) requires every school board throughout the Commonwealth to coordinate with the local law enforcement agency to provide at least one school resource officer for every public elementary school within the district. The bill provides that funding for these school resource officers shall be provided through the general appropriation act and not by any locality or school board. (13103156D)~~

Staff "Watch List"/May Have State Revenue/Policy Implications *(Bills added on February 8 are so noted; bills no longer under consideration are stricken through.)*

~~**HB 1334** (Purkey) (HTRAN) requires approval of both the Governor and the General Assembly before any change in ownership of any Virginia port is permitted. (13100652D)~~

~~**HB 1373** (Head) (HCCT) allows localities with a population of 50,000 or greater to meet certain notice requirements by utilizing their websites, radio, or television instead of a newspaper of general circulation. (13100973D)~~

~~**HB 1374** (Head) (HCT) allows motions for summary judgment to be based, in whole or in part, upon depositions, answers to interrogatories, admissions in the proceedings, or affidavits. Currently, such motions cannot be based on depositions unless agreed to by the parties. (13100535D)~~

HB 1419 (Pogge) (HCCT) amends requirements governing zoning ordinances for temporary family health care structures to reduce from two to one the number of activities of daily living with which a person must require assistance to qualify as a "mentally or physically impaired person" eligible to reside in a temporary family health care structure; amend the occupancy restriction to allow a married couple, both of whom are mentally or physically impaired persons, to reside in a temporary family health care structure; and extend the time by which a temporary family health care structure must be removed from 30 to 90 days from the date on which the temporary family health care structure was last occupied by a mentally or physically impaired person receiving or in need of assistance. (13100491D)

~~**HB 1460** (Tyler) (HTRAN) prohibits tolling on Interstate 95 without the approval of the General Assembly. (13102793D)~~

~~**HB 1488** (Rush) (HACNR) delays the date that local governments will have to assume responsibility for administering the stormwater management program from July 1, 2014, to July 1, 2015. (13102265D)~~

HB 1547 (Knight) (HCCT) provides that the minimum tree canopy as required by localities during the development process shall be 10 percent for cemeteries. (13101788D)

~~**HB 1552** (Loupassi) (HCT) increases the punitive damages cap from \$350,000 to \$675,000 to reflect the effect of inflation since the cap was first established. The bill also provides that the cap will be adjusted annually in an amount equal to the annual increase in the United States Average Consumer Price Index for all items, all urban consumers. (13101757D)~~

HB 1562 (Orrock) (HACNR)/**SB 828** (Blevins) (Passed Senate) authorizes an animal control officer or law-enforcement officer to apply to a magistrate for a summons where the officer believes that the owner of a dangerous or vicious dog has willfully failed to comply with the law. The bill clarifies the distinctions between dangerous dogs and vicious dogs, requires the owner of either type of dog to provide basic care while confining the animal, and authorizes a court to order the owner to pay for the care of a dangerous or vicious dog while it is in state custody. (13101195D, 13100989D-E)

HB 1589 (Minchew) (HCCT)/**SB 744** (Black) (SLG) authorizes a locality to demolish or remove a derelict nonresidential structure and to file a lien against the property for the cost of the demolition or removal. The bill requires the locality to obtain the written consent of the property owner for such demolition or removal and prohibits the use of the authority to remove a building that is located in a local historic district or individually designated as a historic landmark. (13102354D, 13101612D)

~~**HB 1616** (Gilbert) (HCT) provides that no state agency or organization having jurisdiction over criminal law enforcement or regulatory violations, including but not limited to the Department of State Police nor any department of law enforcement of any city, county or town, shall procure a public unmanned aircraft system (drone aircraft) without the approval of the General Assembly or the local governing body, respectively. The bill requires a warrant for use of such an aircraft. The bill also provides that it is not unlawful for any law enforcement officer or other public official to operate a public unmanned aircraft system and disclose personal information from such operation if such officer reasonably determines that an emergency situation exists that involves immediate danger of death or serious physical injury to any person and the situation requires operation of a public unmanned aircraft system before a warrant authorizing such interception can, with due diligence, be obtained and there are grounds upon which such a warrant could be entered to authorize such operation. The bill also provides that it is not unlawful for a public institution of higher education to operate a public unmanned aircraft system solely for research or academic purposes. The bill also contains extensive procedural guarantees against release of personal information and contains reporting requirements by agencies and courts with respect to use of and data collected by such aircraft. (13100177D) (Added Jan. 25)~~

HB 2012 (Cline) (HCT) places a moratorium on the use of unmanned aircraft systems by state and local law enforcement and regulatory entities until July 1, 2014. (13103615D) (Added Jan. 25)

~~**HB 1624** (Hugo) (HGL) provides, under certain conditions, that when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of a transportation facility paid for in whole or in part by state funds, or when~~

~~overseeing or administering such procurement, neither the Commonwealth Transportation Board nor any state transportation agency nor any construction manager acting on behalf of such entities shall, in their bid specifications, project agreements, or other controlling documents, provide an incentive in the scoring of such bids that favors entities entering into project labor agreements. The bill defines "transportation facility" and sets out exceptions to this requirement. (13101645D)~~

HB 1637 (BaCote) (HCT) creates a procedure for restoring parental rights to a parent whose rights to his child have previously been terminated when the child is at least 14 years of age and the child has not achieved his permanency goal. The bill also provides that the juvenile and domestic relations court may appoint a special advocate to provide services to a child who is the subject of judicial proceedings for the restoration of parental rights. (13100391D)

HB 1642 (Pogge) (HCT)/**SB 908** (Reeves) provides that parents have a fundamental right to direct the upbringing, education, and care of their children and such right shall not be infringed by the government unless the governmental interest as applied to the parents is of the highest order and not otherwise served. (13103598D)

HB 1647 (Farrell) (HFloor) requires that a Virginia resident who is convicted of a (substantially similar) DUI in another state comply with Virginia ignition interlock requirements. (13103210D)

HB 1648 (Ransone) (SLG) provides that any locality by ordinance may develop criteria for providing discounted water and sewer fees and charges for low-income and disabled customers. (13101009D-E) *(Added February 8)*

SB 850 (Stuart) (HCCT) provides that any locality that owns a water and sewer system and has a population density of 200 persons per square mile or less may by ordinance develop criteria for providing discounted water and sewer fees and charges for low-income and disabled customers. (13100902D-E) *(Added February 8)*

HB 1708 (Habeeb) (HCT) allows for motions for summary judgment to be based, in whole or in part, upon pleadings, depositions, answers to interrogatories, admissions on file, or affidavits. Currently, such motions cannot be based on depositions unless agreed to by the parties. (13102871D)

HB 1715 (Iaquinto) (HCT) makes various changes to the provisions that allow circuit court clerks to provide remote access to certain records and to charge a fee for such access. The bill also directs that fees assessed for electronic filing of cases and other records and accessing certain records remotely shall be paid to the clerk's nonreverting local fund to be used to cover the clerk's operational expenses. (13101978D)

HB 1743 (Brink) (HHWI) provides that local departments of social services and licensed child-placing agencies may make independent living services available to persons 18 to 21 years of age who are released from commitment to the Department of Juvenile Justice after reaching 18

years of age and who were committed or entrusted to the care of a local board of social services or child-placing agency at the time they were committed to the custody of the Department of Juvenile Justice. (13102187D)

~~**HB 1754** (Wright) (HCT) provides that in order to be timely, service of process must be made within 90 days from the commencement of the action. Currently, service of process is timely if made within 12 months. The bill also provides that no nonsuit may be taken more than 90 days after the commencement of an action in the absence of timely service of process unless the court finds that the plaintiff exercised due diligence in attempting to serve process. (13103080D)~~

~~**HB 1804** (Miller) (HFIN) establishes a three percent state severance tax on the gross receipts of any uranium severed from the earth in the Commonwealth. One half of the proceeds of the tax shall be deposited in the general fund of the Commonwealth. The other half of the proceeds shall be distributed to the locality from which the uranium was severed. (13103390D)~~

~~**SB 919** (Watkins) (SFIN) establishes a three percent state severance tax on the gross receipts of any uranium severed from the earth in the Commonwealth. One half of the proceeds of the tax shall be deposited in the general fund of the Commonwealth. The other half of the proceeds shall be deposited into an Economic Development and Environmental Trust Fund established for each locality from which uranium is mined. Each locality's fund would be administered by a board appointed by the governing body of the locality. (13102561D)~~

~~**HB 1812** (McQuinn) (HFIN) alters the provisions governing local service charges on property owned by the Commonwealth (i) by including the value of hospitals and educational institutions owned by the Commonwealth in calculating the threshold that must be met before a locality may impose the service charge (under current law, the value of property owned by the Commonwealth must exceed 3% of the total value of all real property in the locality) and (ii) by including emergency medical services in the services whose cost is used to determine the amount of the service charge. (13102608D)~~

HB 1824 (Purkey) (HFIN) extends the tax credit beginning in 2013 to (i) growers or distributors of wheat, grains, fruits, nuts, crops, or plants and (ii) persons severing minerals or gases from the earth or distributors of the same. Under current law, manufacturers and distributors of manufactured goods that ship at least 75 net tons of noncontainerized cargo or 10 loaded 20-foot equivalent units (TEUs) through Virginia port facilities during a calendar year are eligible for an income tax credit if their volume of shipments through such facilities increases by at least five percent over a designated base year volume. The tax credit equals \$50 for each TEU above the base year volume shipped through a Virginia port facility. This bill would extend the tax credit to (i) growers or distributors of wheat, grains, fruits, nuts, crops, or plants and (ii) persons severing minerals or gases from the earth or distributors of the same. (13102485D)

HB 1828 (Villanueva) (HFloor) allows the purchase of land for the construction of railway lines by the Department of Rail and Public Transportation for the purpose of alleviating traffic congestion on highways. (13101411D)

HB 1836 (Lingamfelter) (HCCT) provides that the itemized contemplated expenditures in a local budget shall include any discretionary funds to be designated by individual members of the governing body and the specific uses and funding allocation planned for those funds by the individual member. (13100255D)

HB 1853 (Knight) (HCCT)/**SB 1029** (Reeves) (SLG) requires local planning commissions to consider the effects of development on military installations. The bill requires a local planning commission to cooperate with the commander of any military installation that will be affected by development and permits a governing body to appoint an additional nonvoting member to its planning commission to represent a local installation. (13101334D, 13101335D)

~~**HB 1949** (Yancey) (HCT) eliminates the provision making driving 80 mph or faster reckless driving and allows speed limits of 80 mph on toll roads, including HOT lanes. (13103600D)~~

~~**HB 1979** (May) (HAPP) authorizes the Commonwealth Transportation Board to issue bonds to (i) acquire the Dulles Greenway and (ii) if determined necessary by the Board, improve or upgrade the Dulles Greenway. If the Board were to acquire the Dulles Greenway, the Board would impose and collect tolls from all classes of vehicles in amounts established by the Board for the use of the same. The aggregate principal amount of bonds that could be issued by the Board would be conditioned upon the revenues from the tolls or other charges to be imposed on the Dulles Greenway as proposed and established by the Board, as follows: the revenues from the tolls or other charges proposed by the Board would reasonably be expected by the Board to pay (a) in full and when payable the debt service on all bonds or other obligations issued or entered into by the Board to acquire the Dulles Greenway, (b) the ongoing costs of operating and maintaining the Dulles Greenway, (c) the costs of purchasing and installing electronic tolling equipment or other equipment for the Dulles Greenway if such equipment is determined necessary, (d) the cost of purchasing parking facilities, and (e) ongoing necessary administrative costs relating to the Dulles Greenway. The bill provides no bonds could be issued by the Commonwealth Transportation Board to acquire the Dulles Greenway unless the Treasury Board provides through a written certification provided to the Governor and the Commonwealth Transportation Board its opinion that the revenues from the tolls or other charges proposed by the Commonwealth Transportation Board for use of the Dulles Greenway are reasonably expected to result in a debt service coverage ratio of at least 1.25. (13100658D)~~

~~**HB 1980** (May) (HTRAN) creates the Dulles Greenway Authority to, among other things, operate and maintain the Dulles Greenway. The Authority would be governed by a board of directors composed of 15 voting members as follows: one current member of the local governing body of each of the Counties of Arlington, Fairfax, Loudoun, and Prince William and the Cities of Alexandria, Fairfax, Falls Church, Manassas, and Manassas Park to be appointed by the Governor; four nonlegislative citizen members to be appointed by the Speaker of the House of Delegates; and two nonlegislative citizen members to be appointed by the~~

~~Senate Committee on Rules. The Secretary of Transportation would serve as a nonvoting ex officio member of the Board. For voting purposes, the members of the Board appointed by the Governor from the local governing bodies of the County of Fairfax and the County of Loudoun would each be entitled to cast two votes on each question put before the Board. The Authority would operate, maintain, and administer the Dulles Greenway on behalf of the Commonwealth using such moneys as provided to it for such purposes. The Authority would collect all tolls and other charges established by the Commonwealth Transportation Board for the use of the Dulles Greenway and would deposit such funds into the state treasury. The Authority would be prohibited from establishing or fixing tolls, rents, fees, or other charges for the use or enjoyment of any facility owned by the Commonwealth. The provisions of the bill would not become effective unless and until the Commonwealth Transportation Board acquires the Dulles Greenway on or before July 1, 2015.~~

HB 1999 (Greason) (SEH)/**SB 1207** (Stanley) (Passed Senate) Requires the Board of Education, by October 1, 2015 to report individual school performance using a grading system in addition to the standards of accreditation. The grading system will be based on both state and federal accountability requirements and an A to F grading scale and will include student growth and the school's accreditation rating. The Board will make the system and the assigned grades available to the public.

The bill also requires the Board, by October 1, 2013, to (i) assign a grade from A to F to each public school in the Commonwealth based primarily on state accreditation and federal accountability determinations for the 2013-2014 school year based on 2012-2013 state assessment results; (ii) make the grade assigned to each school in the Commonwealth available to the public on the annual report card for each school; and (iii) report to the General Assembly and the public a summary of the system and the assigned grades. (13104696D-H1, 13104786D-ES1) (*Added February 8*)

HB 2004 (Cline) (HCT) provides that the possessor of real property owes no duty of care to a trespasser except to refrain from injuring the trespasser by an intentional, willful, or wanton act. However, a possessor of real property may be liable for injury or death to a trespasser if (i) the possessor knew or should have known of the trespasser's presence on the property and failed to exercise ordinary care to protect the trespasser from an unsafe condition that is not open and obvious or (ii) the trespasser is a child of tender years who was injured by an instrument, machine, or other object that contained a concealed or latent danger that was not obvious to the child and the instrument, machine, or other object was easily accessible to children and in a location where children frequently gather. (13101516D)

~~**HB 2010** (Cline) (HTRAN) allows motorcycleists who are 21 years old or older to ride without wearing helmets. (13103488D)~~

HB 2048 (Sherwood) (HACNR) moves the water quality programs currently administered by the Department of Conservation and Recreation to the Department of Environmental Quality. The Department of Environmental Quality and the State Water Control Board will have oversight of water quality planning and laws dealing with stormwater management, erosion

and sediment control, and the Chesapeake Bay Preservation Areas. The composition of the Virginia Soil and Water Conservation Board is changed, reducing the number of voting members from 12 to seven, and the Department of Environmental Quality is assigned responsibility for staffing the Board. The Virginia Soil and Water Conservation Board will continue its oversight responsibilities of the soil and water conservation districts and of resource management planning. The Board of Conservation and Recreation will be responsible for administration of the flood prevention and dam safety laws. (13101882D)

~~**HB 2081** (Marshall, D.) (HRUL) prohibits the Commonwealth and its political subdivisions from adopting or implementing sustainable development policy recommendations of the United Nations or to enter into contracts with entities that assist in the implementation of such recommendations of the United Nations. The bill defines "state agency" and "sustainable development." (13100691D)~~

HB 2150 (Purkey) (HFIN)/**SB 1241** (Stosch) (SFIN) advances the conformity with the federal tax code from December 31, 2011, to January 2, 2013, and restores conformity with the federal earned income tax credit. The bill contains an emergency clause. (13103454D, 13103455D)

~~**HB 2223** (Cline) (HRUL) precludes the Commonwealth and its political subdivisions from adopting or implementing policy recommendations as may be required by the United Nations' Agenda 21 that infringe upon or restrict private property rights without due process. (13103763D)~~

~~**HB 2132** (Keam) (HRUL) prohibits any committee of the General Assembly from reporting a bill containing a new sales and use tax exemption or renewing an existing sales and use tax exemption unless such bill contains an expiration date of not longer than five years from the effective date of the new or renewed sales and use tax exemption. (13102339D)~~

~~**HB 2142** (Keam) (HCCT) provides that a locality may not regulate the number or frequency of usual and customary activities and events at farm wineries. The bill also states that regular business hours shall, at a minimum, include the hours between 9:00 a.m. and 9:00 p.m. (13102827D)~~

HB 2209 (Knight) (HACNR) transfers authority for administration of the nutrient management certification program and responsibility for adopting regulations on nitrogen application rates from the Department of Conservation and Recreation to the Virginia Soil and Water Conservation Board. The bill also empowers the Board to allocate general fund moneys to soil and water conservation districts to support their operations and oversee districts' programs. (13103324D)

~~**HB 2296** (Bulova) (HAPP) requires the Department of Conservation and Recreation to administer an urban best management practices cost share program. The program would provide matching funds of up to 50 percent to promote best management practices on private property. Eligible projects must be located in a locality subject to MS4 Phase I or Phase II stormwater permits. The bill also establishes the Virginia Urban Best Management Practices~~

~~Cost Share Fund as a subfund of the Virginia Water Quality Improvement Fund to provide the matching funds for the cost share program. (13103926D) (Added Jan. 25)~~

~~**HB 2319** (Villanueva) (HFIN) makes numerous changes intended to facilitate the attraction and operation of a National Hockey League or National Basketball Association franchise, or other events, among which are amendments that will (i) entitle the Authority, subject to appropriation, to personal, pass-through entity, and corporate income tax revenues generated by the operation of the facility; (ii) change the definition of "arena" by requiring a seating capacity of no less than 15,000, and expanding the purpose of the arena to include a venue for conferences and entertainment events; (iii) allow the City of Virginia Beach to remit certain local taxes generated from the facility to the Authority, including sales and use taxes, admissions taxes, food and beverage taxes, and business, professional and occupational license taxes; (iv) permit such locality to charge fees, ticket surcharges, or other charges for such facility and to remit all or a portion of such charges to the Authority; (v) exempt the Authority from the Virginia Public Procurement Act; (vi) require review by the State Treasurer prior to the issuance of bonds, and approval of the General Assembly if the bond issuance would constitute tax-supported debt or adversely affect the Commonwealth's debt capacity or credit rating; and (vii) eliminate the requirement that state tax revenues be applied to repayment of the bonds. The provisions of the bill expire on January 1, 2018, if the Hampton Roads Sports Facility Authority has not (a) executed a lease with a team that is a member of the National Hockey League or the National Basketball Association or (b) issued bonds for an arena for the purpose of holding conferences and entertainment events. (13103733D) (Added Jan. 25)~~

HB 2320 (Villanueva) (HFIN) gives the City of Virginia Beach rights similar to those that had been given in the past to the Hampton Roads Sports Facility Authority in constructing an arena for professional sports teams or for conferences and entertainment events. Among those rights is the authority to (i) issue bonds to construct an arena, and (ii) receive state income tax and sales tax revenue that is attributable to an arena, to repay the bonds. (13103735D) (Added Jan. 25)

~~**HJ 542** (Marshall) (HPE) provides for the refund of surplus revenues, above the amount required to be deposited to the Revenue Stabilization Fund, to the Commonwealth's income tax payers, provided such surplus exceeds \$50 million. (13100479D)~~

~~**HJ 574** (Pogge) (HCT) provides that the right of parents to direct the care, upbringing, and education of their children is a fundamental right that shall not be infringed upon by the Commonwealth without a demonstration that the interest of the Commonwealth is of the highest order and not otherwise served. (13102424D)~~

~~**HJ 609** (Gilbert) (HACNR) directs the Department of Environmental Quality to study the substances contained in biosolids generated from wastewater treatment facilities that are applied to lands for agricultural purposes. (13101943D)~~

~~**HJ 677** (Cline) (HPE) provides that in any 10 fiscal year period beginning with fiscal years of the Commonwealth starting on or after July 1, 2014, no more than five percent of the average~~

~~of the projected revenues for each fiscal year shall be used directly or indirectly for principal, interest, or other payments on debt. This limitation may be exceeded only by a vote of at least two-thirds of the members elected to each house of the General Assembly. The bill provides that the General Assembly shall define the terms "debt" and "projected revenues."~~ (13103501D)

SB 734 (Petersen) (SCT) provides that any person who knowingly makes, uses, or causes to be made or used a false or fraudulent record, document, or statement in support of any foreclosure shall be liable to the injured party. Upon proof of both a violation and damages, the injured party shall be entitled to appropriate equitable relief and compensatory damages. If compensatory damages are awarded, an injured party may also be awarded punitive damages. A person violating the provisions of this bill shall be liable for reasonable attorney fees and costs of a civil action. (13100542D)

~~**SB 771** (Wagner) (STRAN) reduces the number of license plates furnished by DMV to registered motor vehicles from two to one and requires the single license plate to be attached to the rear of the vehicle. (13101237D)~~

~~**SB 810** (Garrett) (SRUL) prohibits any committee of the General Assembly from reporting any bill impacting localities that does not fully fund any net expenditures that otherwise would have to be paid by localities. (13100889D)~~

SB 851 (Howell) (SFloor) reinstates the authority of Arlington County, which expired pursuant to a January 1, 2012, sunset date, to impose an additional transient occupancy tax at a rate not to exceed one-fourth of one percent. The revenues from the tax shall be spent solely for the purpose of promoting tourism and business travel in the county. (13102549D)

~~**SB 860** (Lucas) (SGL) provides that no real property asset that produces annual average revenue for the Commonwealth of \$10 million or more over the five most recent fiscal years, or \$10 million revenue for the Commonwealth in the most recent fiscal year, may be (i) the subject of any lease, concession agreement, or similar type of agreement that transfers to a nongovernmental entity possession or control of the asset for more than 10 years at a time, including any renewal, (ii) sold, or (iii) securitized as a part of a qualified transportation facility under the Public-Private Transportation Act of 1995 or a qualified project under the Public-Private Education Facilities and Infrastructure Act of 2002 unless it has been declared to be surplus property. The bill also requires any comprehensive agreement for a qualifying transportation facility where the responsible public entity is a state entity to provide a summary containing the major business points of the agreement to the Public-Private Partnership Advisory Commission for review and comment. In addition, the bill provides that any proposed comprehensive agreement for a qualifying transportation facility, when the responsible public entity is an agency or institution of the Commonwealth, that (i) creates state tax-supported debt, (ii) requires a level of appropriation beyond the appropriation received by the responsible public entity in the most recent appropriation act, or (iii) alters the Commonwealth's discretion to change the level of services or the funding for such services over time must be reviewed by the General Assembly prior to execution. (13103247D)~~

SB 929 (Vogel) (SFIN) provides a housing allowance for full-time, sworn State Police officers, based upon pay grade and geographical location, from funds that are appropriated for such purpose. The rates of the variable allowance shall be based on suggested rates developed and annually updated by the Department of Human Resource Management. The allowance would not be considered taxable income for state income tax purposes. (13101552D)

SB 977 (Lucas) (STRAN) requires the responsible public entity to obtain the approval of each affected jurisdiction prior to the execution of a comprehensive agreement under the Public-Private Transportation Act of 1995 (PPTA) or the Public-Private Education Facilities and Infrastructure Act of 2002 (PPEA) whenever the development or operation of the qualifying transportation facility or project impacts local tax revenues or increases the fees or expenses that are paid by residents of the affected jurisdictions. The bill also (i) provides for the guidelines established by a responsible public entity under the PPTA to require that a final environmental impact study be completed prior to commencing project development and (ii) prohibits a comprehensive agreement under the PPTA from containing a non-compete or damage provision or any similar provision requiring additional payments to the private entity to recover reduced revenue due to improvements made by the Commonwealth to any other transportation facility. (13103277D)

SB 1095 (Hanger) (SFIN) authorizes the Virginia Public Building Authority to issue an additional \$150 million in bonds to continue installing nutrient removal technology in eligible wastewater treatment facilities to comply with the Chesapeake Bay TMDL and the Watershed Implementation Plan. These funds would complete projects at facilities under existing signed Water Quality Improvement Fund agreements and at additional eligible facilities that did not receive moneys from the original bonds issued in 2007. (13101579D)

SB 1105 (McDougle) (SFloor) provides that the Commonwealth's biennial appropriations shall start on July 1 of odd-numbered years beginning with the biennial appropriation act for the period July 1, 2015, through June 30, 2017. The bill requires that the fiscal year beginning July 1, 2014, would not be a part of any biennial appropriation act (i.e., it would be a single-year transitional budget). (13102430D)

SB 1279 (Hanger) (SACNR) moves the water quality programs currently administered by the Department of Conservation and Recreation to the Department of Environmental Quality. The Department of Environmental Quality and the State Water Control Board will have oversight of water quality planning and laws dealing with stormwater management, erosion and sediment control, and the Chesapeake Bay Preservation Areas. The composition of the Virginia Soil and Water Conservation Board is changed, reducing the number of voting members from 12 to seven, and the Department of Environmental Quality is assigned responsibility for staffing the Board. The Virginia Soil and Water Conservation Board will continue its oversight responsibilities of the soil and water conservation districts and of resource management planning. The Board of Conservation and Recreation will be responsible for administration of the flood prevention and dam safety laws. (13101883D)

SB 1296 (Stosch) (SFIN) declares a tax credit obsolete if it has not been claimed by any taxpayer during the preceding five calendar years, and prohibits the Department of Taxation from authorizing any taxpayer to claim a tax credit once it has been declared obsolete. The Department shall report annually to the House Committee on Appropriations, the House Committee on Finance, and the Senate Committee on Finance on credits that have been declared obsolete and shall post such report on its website. (13101145D)

~~**SB 1336** (Black) (SLG) provides that all affected landowners shall be given notice of a proposed voluntary boundary adjustment. The bill authorizes landowners to file a petition to intervene in the action under certain circumstances. (13103372D) (Added Jan. 25)~~

~~**SB 1338** (Martin) (SFIN) requires prior General Assembly approval to toll any component of the Interstate Highway System in existence prior to July 1, 2013, except for HOT and HOV lanes. (13103791D)~~

~~**SJ 281** (Petersen) provides that no tax credit shall remain in effect longer than five years unless it is reenacted by the General Assembly. (13100549D)~~

Cigarette Tax Bills

~~**HB 1780** (Gilbert) (HCT)/**SB 1020** (Howell) (SCT) adds possession with intent to distribute tax-paid contraband cigarettes as a qualifying offense under the Virginia Racketeer Influenced and Corrupt Organization Act. (13102136D, 13102137D)~~

HB 1783 (Gilbert) (HCT) increases the penalty for possession with intent to distribute more than 25 but fewer than 500 cartons of tax-paid cigarettes by a person other than an authorized holder from a Class 2 to a Class 1 misdemeanor for a first offense and from a Class 1 misdemeanor to a Class 6 felony for a second or subsequent offense. The bill also imposes a Class 6 felony for possession, with intent to distribute, of 500 or more cartons of tax-paid cigarettes by a person other than an authorized holder and a Class 5 felony for a second or subsequent offense. (13102168D)

HB 1820 (Ware, O.) (HCT) provides that it is a Class 6 felony to sell, purchase, transport, receive, or possess 500 or more packages of unstamped cigarettes; under current law, the threshold is 3,000 or more packages. The Class 2 misdemeanor threshold is reduced from less than 3,000 to less than 500 packages. (13102131D)

~~**HB 1822** (Ware, O.) (HFIN) increases the penalties for the sale, purchase, transport, receipt, or possession of unstamped cigarettes, including heightened penalties for a second or subsequent offense. (13102135D)~~

HB 2219 (Peace) (HFIN) Provides that the bond or irrevocable letter of credit required to be filed by a wholesale dealer to obtain cigarette tax stamps without payment of the cigarette tax be in a face amount determined by the Tax Commissioner to cover possible losses from nonpayment of the tax, but not to exceed two times the anticipated average monthly amount of purchases of cigarette tax stamps by the wholesale dealer. Under current law, the face amount

of the bond or irrevocable letter of credit that is required to be filed is fixed at approximately two times the anticipated average monthly amount of purchases of cigarette tax stamps by the wholesale dealer. (13100922D)

SB 1017 (Howell) (SCT) Increases the penalty for possession with intent to distribute more than 25 but fewer than 500 cartons of tax-paid cigarettes by a person other than an authorized holder from a Class 2 to a Class 1 misdemeanor for a first offense and from a Class 1 misdemeanor to a Class 6 felony for a second or subsequent offense. The bill also imposes a Class 6 felony for possession, with intent to distribute, of 500 or more cartons of tax-paid cigarettes by a person other than an authorized holder and a Class 5 felony for a second or subsequent offense. (13102140D)

SB 1018 (Howell) (SCT) Provides that it is a Class 6 felony to sell, purchase, transport, receive, or possess 500 or more packages of unstamped cigarettes and a Class 5 felony for a second offense; under current law, the threshold is 3,000 or more packages and there is no heightened penalty for a second offense. The bill also provides that it is a Class 1 misdemeanor to sell fewer than 500 packages of unstamped cigarettes; under current law the threshold is fewer than 3,000 packages and is a Class 2 misdemeanor. (13102141D)

SB 1019 (Howell) (SCT) provides that any person who knowingly distributes or possesses with the intent to distribute counterfeit cigarettes where the amount is fewer than 10 cartons is guilty of a Class 1 misdemeanor for a first offense and a Class 6 felony for a second or subsequent offense. If the amount is 10 or more cartons, the offense is a Class 6 felony. (13102143D)

SB 1021 (Howell) (SFloor) authorizes (i) the Attorney General and the Department of Taxation to accept electronic filing of reports by stamping agents and manufacturers and (ii) the Department of Taxation to allow electronic purchase of cigarette tax stamps. (13102144D)

SB 1022 (Howell) (SCT) allows forfeiture of cigarettes possessed in violation of laws regarding the sale, purchase, transport, receipt, or possession of unstamped cigarettes and the possession with intent to distribute of certain amounts of tax-paid cigarettes if the violation is knowing and intentional. (13102139D)

SB 1092 (Hanger) (SFIN) provides that the bond or irrevocable letter of credit required to be filed by a wholesale dealer to obtain cigarette tax stamps without payment of the cigarette tax be in a face amount determined by the Tax Commissioner to cover possible losses from nonpayment of the tax, but not to exceed two times the anticipated average monthly amount of purchases of cigarette tax stamps by the wholesale dealer. Under current law, the face amount of the bond or irrevocable letter of credit that is required to be filed is fixed at approximately two times the anticipated average monthly amount of purchases of cigarette tax stamps by the wholesale dealer. (13100953D)

Legislation Provided for Information *Bills added on February 8 are so noted; bills defeated since the Board's January 29 meeting are stricken through.*

~~**HB 1307** (Ingram) (HHWI)/**HB 1577** (Wilt) (HHWI)/**HB 2153** (Garrett) (HHWI)/**SB 1180** (Reeves) (SRSS) prohibits the use of Temporary Assistance for Needy Families cash assistance paid to an eligible recipient (i) for the purchase of alcoholic beverages, tobacco products, or lottery tickets or (ii) in any transaction in any government store established for the sale of alcoholic beverages, establishment in which pari-mutuel wagering or charitable gaming is conducted, or adult entertainment establishment in which performers appear nude or partially nude. (13100179D, 13101969D, 13103679D, 13103680D)~~

~~**HB 1366** (Morrissey) (HMP)/**SB 975** (Northam) (SCT) makes it unlawful for a person to smoke in a motor vehicle in the presence of a child younger than 13 years of age; punishable by a civil penalty of \$100. (13101395D, 13102217D)~~

~~**HB 1371** (Morrissey) (HCT) removes driving in excess of 80 mph regardless of the applicable speed limit as an instance of reckless driving. (13101362D)~~

~~**HB 1441** (Morris) (HACNR) directs the Department of Conservation and Recreation to adopt regulations stating that the certification of nutrient management planners has no effect on the rights or qualifications of licensed architects, professional engineers, land surveyors, or landscape architects and does not qualify such planners to practice the profession of engineering. The Department is also directed to accept the qualifications of a licensed architect, professional engineer, land surveyor, or landscape architect as meeting the current certification requirement, found in Department regulations, of a combination of nutrient management-related educational courses and three years of practical experience related to nutrient management planning. (13101194D)~~

~~**HB 1495** (Dance) (HMP) prohibits any use of a handheld personal communications device while operating a motor vehicle, bicycle, electric personal assistive mobility device, electric power-assisted bicycle, or moped on the highways in the Commonwealth and makes such use a primary offense. (13102953D)~~

~~**HB 1512** (Krupicka) (HFIN) establishes an individual and corporate income tax subtraction beginning in 2013 for income from the lease of commercial or industrial space to a local public school division that used such space primarily to (i) provide instruction to K through 12 public school students or students in a publicly funded pre-kindergarten program or (ii) administer K through 12 public education programs or publicly funded pre-kindergarten education programs. (13101135D)~~

~~**HB 1513** (Krupicka) (HHWI) provides that the state plan for medical assistance shall include a provision for the payment of medical assistance for counseling and pharmacotherapy for cessation of tobacco use. (13101131D)~~

~~**HB 1540** (Watts) (HMP)/**SB 981** (Howell) (STRAN) provides that any person who operates a moving motor vehicle within a school zone or school crossing zone while using any handheld personal communications device in any manner for any purpose is guilty of a traffic infraction punishable by a fine of no more than \$250. The bill also provides that signs marking school zones shall contain a notice indicating that the use of handheld personal communications devices is prohibited within the zones. (13103183D, 13103147D)~~

~~**HB 1566** (Orrock) (HFIN) authorizes localities to impose an additional recordation tax at a rate equal to one-tenth of the state recordation rate, if the tax is approved by referendum. The revenue from the tax shall be used solely to provide affordable shelter. (13100893D)~~

~~**HB 1581** (Garrett) (HFIN) exempts entities organized under §501(c)(6) of the Internal Revenue Code from collecting sales and use tax on occasional sales of meals that occur fewer than 24 times a year. Under current law, this exemption is available only to entities organized under §501(c)(3) of the Internal Revenue Code and to entities organized for a charitable purpose under §501(c)(4) of the Internal Revenue Code that are eligible for the sales and use tax exemption on their purchases. (13102500D)~~

~~**HB 1591** (Ware, O.) (HACNR) bans the use of plastic carryout bags by retailers at the point of sale unless such bags are (i) durable plastic bags with handles, (ii) at least 2.25 mils thick, and (iii) specifically designed and manufactured for multiple reuse. (13102851D)~~

~~**HB 1526** (Rust) (HTRAN) provides that emergency vehicles and law-enforcement vehicles that otherwise would be allowed free use of HOT lanes cannot do so when the vehicle is being used to commute. (13101828D)~~

~~**HB 1559** (Morris) (HCT)/~~**HB 1928** (Morris) (HCT)~~ provides that any person convicted of a fourth or subsequent offense of §18.2-266 (DUI) within any time period is guilty of a Class 6 felony and that punishment shall include a mandatory minimum term of imprisonment of one year and a mandatory minimum fine of \$1,000. Under current law, penalties are the same but the offenses must occur within a 10-year period. (13103202D, 13102909D)~~

~~**HB 1567** (Head) (HCT) provides that any person who drives a motor vehicle in a reckless manner knowing his driver's license is suspended or revoked and causes an accident that results in the death of another person is guilty of a Class 6 felony. (13103203D)~~

~~**HB 1713** (Plum) (HTRAN) provides that all persons issued Virginia driver's licenses will be presumed to be participants in the organ donor program, unless otherwise indicated by the applicant in his application. Licensees who thus opt out will have this information shown on their driver's licenses. (13103141D)~~

~~**HB 1826** (Villanueva) (HMP) provides that whenever the necessity arises for the enforcement of laws related to kidnapping, police officers and other officers, agents, and employees of a locality, Capitol Police officers, and campus police may be sent beyond their territorial limits. (13101030D)~~

HB 1849 (Albo) (HGL)/**SB 1127** (McWaters) (SRSS) includes in the privileges for winery and farm winery licensees the ability to operate a contract winemaking facility. In the bill, "contract winemaking facility" is defined as the premises of a licensed winery or farm winery that obtains grapes, fruits, and other plants grown exclusively in Virginia from a person holding a Class A farm winery license and crushes, processes, ferments, bottles, or provides any combination of such services pursuant to an agreement with the Class A farm winery licensee. (13103339D, 13103340D)

HB 1885 (LeMunyon) (HAPP) requires VDOT, to the extent funds are made available, to determine a quantitative rating on the pavement condition and ride quality of every highway in the primary and secondary state highway systems at least every five years and to post the ratings on its website. (13103178D)

~~**HB 1895** (Kory) (HTRAN) clarifies the language of § 46.2-858 which prohibits a person from overtaking or passing another vehicle at certain intersections when a pedestrian is present. The bill does not make any substantive changes to existing law. (13100700D)~~

~~**HB 1950** (Lopez) (HTRAN)/**HB 2124** (Keam) (HTRAN)/**SB 1060** (Reeves) 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. (13101219D, 13102002D, 13103493D)~~

~~**HB 1963** (James) (HFIN)/**SB 859** (Blevins) (SFIN) allows a qualified taxpayer to deduct from his Virginia adjusted gross income an amount equal to 50 percent of the amount paid by the taxpayer for tolls in a qualified locality. A qualified locality is one in which the unemployment rate is higher than the statewide average and (i) in which a public-private transportation project that includes tolling is located or (ii) that is adjacent to a locality in which such a project is located. A qualified taxpayer is a taxpayer who resides in a qualified locality. (13102360D, 13101689D)~~

~~**HB 2164** (Morris) (HED) requires all moneys derived from local funds unencumbered in any year in any school division to be available for use the next year by the governing body that appropriated the funds. Under current law, only moneys derived from local funds unexpended in any year are required to be available for use the next year by the governing body that appropriated the funds. (13103169D)~~

~~**HB 2172** (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. (13101971D)~~

~~**HB 2188** (Jones) (HAPP) allows a political subdivision with employees eligible for coverage under the Line of Duty Act to make an irrevocable election to self-fund the benefits available under the Line of Duty Act. (13103632D) (Added Jan. 25)~~

~~**HB 2221** (Hope) (HMP) adds persons found legally incompetent or mentally incapacitated, persons involuntarily admitted to a mental health facility or sent for involuntary outpatient mental health treatment, and those who were the subject of a temporary detention order and subsequently agreed to voluntary admission to a mental health facility to the list of persons for whom it is a Class 6 felony to sell, barter, give, or furnish a firearm if the seller knows that the person is prohibited from possessing or transporting a firearm. (13103879D)~~

~~**HR 130** (James) (HRUL) recognizes the need for mitigation measures for disadvantaged populations adversely affected by the imposition of tolls in the Commonwealth. (13103944D) (Added Jan. 25)~~

SB 736 (Petersen) (HTRAN) requires drivers and passengers to wait for a reasonable opportunity to open vehicle doors on the side adjacent to moving traffic. The bill also requires that in this case vehicle doors only be left open as long as necessary. A violation constitutes a traffic infraction punishable by a fine of not more than \$100. (13100546D-E) (Added Jan. 25)

SB 759 (Edwards) (SFloor) makes various changes to guardianship and conservatorship laws, including: (i) permitting another person to initiate a guardianship proceeding before an incapacitated child turns 18 if there is no living parent; (ii) requiring a petition to state the basis for the court's jurisdiction; (iii) clarifying the court's ability to award reasonable fees for a guardian ad litem and counsel for the respondent; (iv) requiring the court to hold a hearing on the appointment of a guardian or conservator within 120 days from filing; (v) confirming that the court should consider the respondent's best interests when determining the need for a guardian or conservator; (vi) granting a conservator the power to make elections for a family allowance, exempt property allowance, and homestead allowance; and (viii) granting a court the ability to authorize a conservator, for good cause shown, to create and fund a trust for an incapacitated person. (13101678D-E)

~~**SB 763** (Edwards) (SCT) provides that it is a Class 6 felony for a person to publish on the Internet a photograph or video made in violation of the current law prohibiting filming, videotaping, or photographing a nonconsenting person in certain situations where there is an expectation of privacy. (13101720D)~~

SB 804 (Garrett) (SFloor) allows localities affected by a voluntary boundary agreement to attach to their petitions to the circuit court a Geographic Information System (GIS) map depicting the boundary change. The section formerly restricted the type of attachment to either a plat or a metes and bounds description. (13103984D-S1)

SB 811 (Garrett) (SCT) provides that any person who knowingly files a fraudulent lien or encumbrance in a public record against the real or personal property of a state or local employee, member of the General Assembly, member of a local governing body, constitutional officer or employee of a constitutional officer, or board member or employee of a regional jail or jail farm on account of the performance of the official duties of such member, employee, or officer, knowing or having reason to know that such lien or encumbrance is false or contains a

materially false or fraudulent statement or representation is guilty of a Class 5 felony. (13100964D)

SB 853 (Petersen) (SCT) elevates the punishment for committing an assault and battery against a magistrate who is engaged in the performance of his public duties from a Class 1 misdemeanor to a Class 6 felony, with a six-month mandatory minimum term of confinement. (13102891D)

SB 863 (Favola) (SRSS) provides that local departments of social services and licensed child-placing agencies may make independent living services available to persons 18 to 21 years of age who are released from commitment to the Department of Juvenile Justice after reaching 18 years of age and who were committed or entrusted to the care of a local board of social services or child-placing agency at the time they were committed to the custody of the Department of Juvenile Justice. (13100686D)

SB 864 (Favola) (SCT) creates a Class 1 misdemeanor for the physical possession of a firearm while in the residence of the alleged victim or the transport of a firearm by a person subject to an emergency protective order issued as a result of an assault and battery against a family or household member. (13102324D)

~~**SB 970** (Ebbin) (SFIN) imposes a fee of \$0.05 on paper and plastic bags used by purchasers to carry tangible personal property from the place of purchase. Durable, reusable plastic bags and bags used for ice cream, meat, fish, poultry, leftover restaurant food, newspapers, dry cleaning, and prescription drugs are exempt from the fee. Retailers are allowed to retain \$0.01 of the \$0.05 fee or \$0.02 if the retailer has a customer bag credit program. The revenues raised by the fee will be deposited in the Virginia Water Quality Improvement Fund. Failure to collect and remit the fee is punishable by fines of \$250, \$500, and \$1,000 for the first, second, and third or subsequent offenses, respectively. (Bill was almost successfully amended to provide for a two-year pilot program for Fairfax, Falls Church, Arlington, and Alexandria, but was defeated by Senate Finance. Companion bill HB 1381 (Morrissey) was tabled in House Finance subcommittee.)~~

~~**SB 976** (Lucas) (STRAN) provides that the Governor may remove any citizen member of the Commonwealth Transportation Board from office for malfeasance, misfeasance, incompetence, or gross neglect of duty. Currently, such members of the Board may be removed by the Governor at his pleasure. (13103610D)~~

~~**SB 1163** (Stanley) (SCT) creates a rebuttable presumption in actions for the personal injury or wrongful death that a person who, at the time of the injury or death, was an infant or was at least 18 years of age but less than 24 years of age and was enrolled as a full time student would have earned wages during his lifetime at the federal minimum wage rate in effect at the time the action was filed. Such wages shall be calculated based on 40 hours of work per week for the person starting from (i) age 19, if the person was an infant, or (ii) age 24, if the person was at least 18 years of age but less than 24 years of age and a full time student, and continuing until the person would have been 62 years of age. (13102401D)~~

SR 30 (Lucas) (SRUL) directs the Senate Committee on Finance to study how the impact of tolls on Virginia's disadvantaged citizens can be mitigated. (13103868D) (*Added Jan. 25*)

Elections

~~**HB 1456** (Watts) moves four census blocks in Fairfax County from the Fifty third to the Thirty ninth District in order to place all of the Camelot Precinct in the Thirty ninth District. Camelot Precinct currently is split between the two districts. The deviation from the ideal district population will be plus 1.4 percent. (13101994D)~~

HB 1725 (Rust) (HAPP) requires any person who offers to mail or deliver 25 or more absentee ballot applications to first register with the State Board of Elections, receive training, and include a specified notice and information to applicants. The bill includes requirements for the timely return of applications. Failure to comply with these requirements is a Class 4 misdemeanor; destruction of or failure to mail an application is a Class 1 misdemeanor. Also, any person who knowingly aids or abets, or attempts to aid or abet, a violation of the Uniform Military and Overseas Voters Act is guilty of a Class 4 felony. (13101841D) (*Added Jan. 25*)

HB 1747 (Cosgrove) (HPE)/**SB 1008** (Stanley) (SFloor) requires individuals and groups conducting voter registration drives to register with the State Board of Elections or local offices, provide information as required by the State Board, receive training, and execute a sworn affidavit that they will abide by all Virginia voter registration laws and rules. The bill also prohibits pre-populating registration applications with information unless directed by the applicant to do so. Finally, the bill reduces the time limit for mailing or delivering such completed applications from 15 to 10 days. (13101455D, 13101454D) (*Added Jan. 25*)

~~**HB 1599** (Anderson)/**SB 906** (Deeds) authorizes the State Board of Elections to provide for a pilot program in which localities may establish vote centers for use in primary elections instead of having to operate a polling place for every precinct in the locality. A vote center will consist of a location where voters from two or more designated precincts may vote. The State Board shall publish a report on the program by August 15 of any year in which a vote center is used. The provisions of the bill expire on December 31, 2016. (13102801D)~~

HB 2143 (Keam) (HPE) specifies that only the last four digits of an individual's social security number are to appear on the green envelope into which a provisional ballot is placed and that only the last four digits shall be required for absentee ballot applications. Clarifying language also is added to emphasize that provisional ballot envelopes are to be placed in the ballot container promptly. (13102661D) (*Added Jan. 25*)

~~**SB 962** (Ebbin) provides that a local electoral board may appoint a person 17 years of age as an officer of election, provided such person is a citizen of the United States, a resident of the Commonwealth, and, to the extent practicable, a resident of the precinct he is appointed to serve. (13101018D)~~

SB 967 (Ebbin) eliminates the requirement that a person applying for an absentee ballot provide additional information regarding the reason the applicant will be absent or cannot vote at his polling place on the day of the election. (13101139D)

Opening of School Year

~~**HB 1309** (Comstock) (HED) makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. (13100146D)~~

~~**HB 1310** (Habeeb) (HED) makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. (13100106D)~~

HB 1467 (Greason) (HED) makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. The bill contains technical amendments. (13101806D)

~~**HB 1491** (Kory) (HED) makes local school boards responsible for setting the school calendar and determining the opening day of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. The bill contains technical amendments. (13100490D)~~

~~**HB 1673** (Krupicka) (HED) permits the Board of Education to waive the requirement for a school board to set the first day that students are required to attend school after Labor Day in any school division that is providing (i) a minimum of 190 days or 1045 hours of instructional time for grades one through 12 and 190 days or 570 hours of instructional time for kindergarten or (ii) extensive and high quality teacher collaboration, preparation, or professional development time as determined by the Board pursuant to regulation. (13101179D)~~

~~**SB 1099** (Smith) (SEH) makes local school boards responsible for setting the school calendar and determining the opening of the school year and eliminates the post-Labor Day opening requirement and "good cause" scenarios for which the Board of Education may grant waivers of this requirement. (13102639D)~~

Studies

~~**HJ 619** (Jones) (HRUL) directs the Joint Legislative Audit and Review Commission to study all state supported preschool programs in the Commonwealth. In conducting the study, the Commission shall (i) inventory and identify all state supported preschool programs in Virginia; (ii) determine the socioeconomic status of students served by such programs and whether sufficient outreach is extended to potentially eligible students; (iii) determine where such programs are predominantly located and identify gaps in service; (iv) identify the level of~~

~~parental involvement; and (v) assess whether these programs meet state requirements for academics, teacher-student ratio, and conformity with federal requirements, if any. The Commission shall also review exemplary public preschool programs in other states to ascertain best practices that may be considered for adoption in Virginia. The Commission must report its findings and recommendations to the 2014 Session of the General Assembly. (13101772D)~~

~~**HJ 620** (Jones) (HRUL) directs the Joint Legislative Audit and Review Commission to study the efficiency and sufficiency of funding for transportation programs in the Commonwealth. (13102206D)~~

~~**HJ 635** (Gilbert) (HRUL) directs the Joint Legislative Audit and Review Commission to study the amount of federal revenue that Virginia receives at the state and local level annually, by functional area, and determine its importance and impact. (13101942D)~~

~~**HJ 675** (James) (HRUL) establishes a joint subcommittee to study how Virginia can mitigate the impact of tolls on Virginia's disadvantaged citizens. (13102363D)~~

~~**HJ 685** (Keam) (HRUL) directs the Joint Legislative Audit and Review Commission to study the Standards of Quality, giving particular attention to teacher-student ratios in grades K-12 and academic advanced programs. The joint resolution, among other things, to consider the feasibility of (i) converting prevailing costs to ratios for each major category of the support services positions, including ratios for all or some of the categories included in the appropriation act; (ii) establishing alternative staffing approaches to provide school divisions with additional instructional resources to address identified needs; (iii) assigning weights for at risk students and requiring additional support and services for English language learners and disadvantaged students; (iv) updating technology staffing ratios in view of the role of technology in instruction, assessments, and operations; (v) mitigating the incentive of reducing a school division's special education funding when students with disabilities are mainstreamed; and (vi) updating career and technical education staffing ratios relative to the implementation of new curricular pathways that require high tech equipment and specialized instruction. The study must be completed prior to the Board of Education's review of the Standards of Quality for the 2014-2016 biennial budget. The Commission must report its findings and recommendations by the first day of the 2014 Regular Session of the General Assembly. (13102005D)~~

~~**SJ 278** (Locke) (SRUL) directs the Joint Legislative Audit and Review Commission to study issues relating to property tax relief for low income property owners. (13102855D)~~

~~**SJ 289** (Deeds) (SRUL) establishes an eight member joint committee to conduct a one year study of the scheduling of elections in Virginia, evaluate the costs of annual statewide elections, and investigate various means to improve the scheduling of elections and to make possible accompanying improvements that will ensure efficient voting practices both at the polls and by absentee voting. (13100769D)~~

~~**SJ 299** (Vogel) (SRUL) directs the Joint Legislative Audit and Review Commission to study the efficiency of the Virginia Department of Transportation. (13101559D)~~

~~**SJ 312** (Lucas) (SRUL) recognizes the need for mitigation measures for disadvantaged populations adversely affected by the imposition of tolls in the Commonwealth. (13101658D)~~

~~**SJ 317** (Lucas) (SRUL) establishes a joint subcommittee to study how Virginia can mitigate the impact of tolls on Virginia's disadvantaged citizens.~~

~~**SJ 318** (Hanger) (SRUL) establishes a joint subcommittee to study local and state government service responsibility and taxing authority.~~

SJ 328 (Saslaw) (SRUL) directs the Joint Legislative Audit and Review Commission to study funding for elementary and secondary schools in Virginia and determine if adequate state support is being provided to the Commonwealth's public schools and if not, how state support may be increased and used more efficiently. The study ends in November 2014. (13103648D)

Constitutional Amendments (*added Jan. 25*)

~~**HJ 537** (Habeeb) (HPE)/**HJ 564** (Head) (HPE) 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. The General Assembly may designate a joint legislative commission or pair of standing committees representing both houses to suspend any administrative rule or regulation during the interim that the General Assembly is not in regular session. (13100111D, 13100534D)~~

~~**HJ 602** (Krupicka) (HPE) requires the Board of Education to develop Learning Readiness Quality Standards for state-supported early learning programs. The General Assembly is mandated to allocate funds to ensure that every Virginia family has the option to use a high quality early learning program that meets the standards and that is available for each child in the year in which the child reaches four years of age through a qualified early learning program.~~

HJ 622 (Jones) (HPE)/~~**SJ 275** (Obenshain) (SPE)~~ requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, Transportation Trust Fund, Highway Maintenance and Operating Fund, Priority Transportation Fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2014, 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 four years. Moneys designated for deposit into funds other than Transportation Funds shall not be used for any transportation-related purpose except

for making certain debt service payments on transportation-related bonds and notes. (13102211D, 13101568D)

~~HJ 659 (LeMunyon) (HPE)/HJ 668 (Surovell) (HPE) permits the General Assembly to provide by law for the use of a portion of an applicant's social security number on the voter registration application. Currently, an applicant must provide his full social security number in order to register to vote. (13100563D, 13100564D)~~

~~SJ 261 (Carrico) (SPE) expands the freedom of speech provisions of the Constitution of Virginia to permit prayer and the recognition of religious beliefs, heritage, and traditions on public property, including public school property. The amendment also provides that the Commonwealth and its political subdivisions, including public school divisions, shall not compose prayers and shall not require any person to join in prayers or other religious activity. (13100404D)~~

~~SJ 266 (Lucas) (SFloor) authorizes the General Assembly to provide by law for the restoration of civil rights for persons convicted of nonviolent felonies who have completed service of their sentences subject to the conditions, requirements, and definitions set forth in that law. The present Constitution provides for restoration of rights by the Governor. The amendment retains the right of the Governor to restore civil rights and adds the alternative for restoration of rights pursuant to law. (13104052D-S1)~~

~~SJ 319 (Ebbin) (SPE) requires that contributions to defined benefit retirement plans that are maintained for state employees and employees of participating political subdivisions and school divisions be made in strict adherence with contribution rates and times for the payment of the contributions as recommended by the Board of Trustees of the Virginia Retirement System (VRS). Under the resolution, for the four fiscal years beginning on and after July 1, 2014, the General Assembly could make contributions at a rate that is less than the VRS recommended contribution rate without any deferred contributions being recognized so long as the contributions are at least equal to certain minimum amounts. In addition, for fiscal years beginning on or after July 1, 2018, the General Assembly could provide for the deferral of all or any portion of such contributions for any fiscal year in which the maximum amount is appropriated from the Revenue Stabilization Fund by a separate vote of a majority of all the members voting in each house. All contributions deferred would be required to be repaid within 10 years at an annual interest rate equal to the current actuarially calculated long term rate of return as determined by VRS. The resolution also requires that retirement contributions deferred in 2010 be repaid by June 30, 2024. The resolution also specifies how certain other factors and variables used in setting contribution rates are to be determined. (13101035D)~~

~~SJ 367 (Ebbin) (SPE) provides that appointments to local electoral boards and as officers of election shall be on a nonpartisan basis, eliminating current provisions for party representation. (13104026D)~~

Attachments: Supplementary documents dated February 8, 2013

cc: Susan Datta, Chief Financial Officer
David J. Molchany, Deputy County Executive
Patricia Harrison, Deputy County Executive
David M. 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 of Supervisors
Richmond Team
Tom Biesiadny, Director, Department of Transportation
Michael H. Long, Deputy County Attorney

SUPPLEMENTARY DOCUMENTS
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February 12, 2013

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**FAIRFAX COUNTY
LEGISLATIVE SUMMARY**

2013 GENERAL ASSEMBLY

February 12, 2013

Fairfax County Legislative Summary 2013 General Assembly

Board of Supervisors Report Key

Bill No. – Patron, (District No.) Bill Title	Committee/Floor Actions	Bold = Date Position taken by full Board of Supervisors [] = Date position taken by BOS Legislative Committee
<p>HB 589 - Watts (39) Blue Star Memorial Highway; designating as portion of Old Keene Mill Road in Fairfax County.</p>	<p>1/10/2006 House: Referred to Committee on Transportation</p>	<p>12/5/2005</p>
<p>Initiate (067916260) Summary: Designates a portion of Old Keene Mill Road in Fairfax County a "Blue Star Memorial Highway."</p>		

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

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HB 1401 Del. Cole (88)	Real property tax; collection of delinquent taxes, notice to taxpayer regarding payment agreement.
HB 1430 Del. Lingamfelter (31)	Right to Farm Act; expands definition of agricultural operations, etc.
HB 1528 Del. Rust (86)	Commercial insurance policies; only first named insured required to be given notice of cancellation.
HB 1574 Del. Minchew (10)	Uniform Statewide Building Code; enforcement by towns.
HB 1575 Del. Webert (18)	Child care services and facilities; regulation in certain counties and cities.
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HB 2045 Del. Robinson (27)	Foster care and adoption; decisions regarding federal benefits, right to appeal to Commissioner.
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HB 2152 Del. Anderson (51)	Transportation commission membership.
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HB 2238 Del. Marshall, III (14)	Recorded plats & final site plans; plan shall be deemed final once it has been reviewed & approved.
HJ 594 Del. Loupassi (68)	Constitutional amendment; limit on appropriations (first reference).
HJ 693 Del. Habeeb (8)	Constitutional amendment; state school division for schools denied accreditation (first reference).
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SB 1039 Sen. Newman (23)	Vital records; DMV authorized to access records and issue certified copies, fees, penalty.
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HB 1468 Del. Greason (32)	Public schools; possession & administration of epinephrine by employees of local governing bodies.
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Fairfax County

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* * *

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HB 2009 Del. Cline (24)	VIEW; substance abuse screening and assessment of public assistance applicants and recipients.
HB 2011 Del. Surovell (44)	Urban county executive form of government; abandoned personal property.
HB 2020 Del. LeMunyon (67)	Tolls; use of revenues.
HB 2032	Virginia FOIA; allows regional public bodies to conduct

Del. May (33)	electronic meetings.
HB 2049	Commonwealth Transportation Board; increases total membership from 17 to 21 members.
Del. Rust (86)	Uniform Power of Attorney Act; violation, penalty.
HB 2053	
Del. Ware (11)	Mass Transit; removes all current allocations made by CTB and implements performance-based funding.
HB 2070	Public procurement; increases public notice of requests for proposals, technical amendments.
Del. Comstock (34)	VIEW; substance abuse screening and assessment of public assistance applicants and recipients.
HB 2078	Virginia Freedom of Information Act; requests for records.
Del. Peace (97)	
HB 2109	Tolls; requires GA approval for tolling of any Interstate or state highway component.
Del. Morefield (3)	Real property tax; modifies and clarifies special taxes that Fairfax County may impose.
HB 2125	Signs or advertising; civil penalties for placing within highway rights-of-way.
Del. Keam (35)	Tolls; Interstate Highway System components.
HB 2129	
Del. Spruill, Sr. (77)	Polling places; location shall not be in public or private school building.
HB 2131	Income tax, state and corporate; tax credit for removing barriers at places of public accommodation.
Del. Keam (35)	Bail; minimum financial conditions.
HB 2165	
Del. Dudenhefer (2)	Railroad right-of-way access; allocation of funds.
HB 2196	
Del. Peace (97)	Motor vehicles; locality may reasonably limit number of title loan businesses, payday lenders, etc.
HB 2204	Constitutional amendment; property tax exemption for nonprofit medical clinics serving indigent.
Del. Marshall, III (14)	United States Constitution; General Assembly hereby ratifies and affirms Equal Rights Amendment.
HB 2282	Local taxes; interest on refunds and delinquent taxes, report.
Del. Plum (36)	
HB 2293	VIEW; substance abuse screening and assessment of public assistance applicants and recipients.
Del. Wilt (26)	Commonwealth Transportation Board; increases number of membership, changes areas of representation.
HB 2297	Retail sales and transient occupancy taxes; taxes on room rentals based upon charges for use, etc.
Del. Filler-Corn (41)	Hunting; lawful to hunt or kill coyotes on Sunday.
HB 2323	
Del. Surovell (44)	Elections; costs of primaries.
HJ 573	
Del. Hope (47)	
HJ 667	
Del. Surovell (44)	
SB 710	
Sen. Hanger, Jr. (24)	
SB 721	
Sen. Carrico, Sr. (40)	
SB 732	
Sen. Petersen (34)	
SB 767	
Sen. Wagner (7)	
SB 803	
Sen. Garrett (22)	
SB 805	
Sen. Garrett (22)	

SB 806 Sen. Garrett (22)	Presidential primaries; localities shall be reimbursed by State for all costs incurred.
SB 813 Sen. Garrett (22)	Electoral boards and general registrars; reimbursement of costs of compensation and expenses.
SB 835 Sen. Favola (31)	TANF; assistance when convicted of drug-related felony, ineligible if fail or refuse drug testing.
SB 860 Sen. Lucas (18)	State entities; procurement by using public-private partnerships.
SB 1005 Sen. McWaters (8)	Handheld personal communications devices; using while driving on bridge or tunnel, primary offense.
SB 1072 Sen. Obenshain (26)	Elections; electronic pollbooks, photographs.
SB 1073 Sen. Obenshain (26)	Attorney; fees in certain land use cases.
SB 1081 Sen. Miller (1)	Public-Private Transportation Act of 1995, etc.; additional requirements.
SB 1094 Sen. Hanger, Jr. (24)	Retail sales and transient occupancy taxes; taxes on room rentals based upon charges for use, etc.
SB 1160 Sen. Barker (39)	Driving while texting; primary offense, increased penalties.
SB 1210 Sen. Stuart (28)	Transportation commission membership.
SB 1238 Sen. Barker (39)	Handheld personal communications devices; texting while driving is punishable as reckless driving.
SB 1239 Sen. Herring (33)	Uniform Statewide Building Code; enforcement by towns.
SB 1258 Sen. Herring (33)	Elderly or incapacitated adults; financial exploitation, penalties.
SB 1312 Sen. Martin (11)	Conditions of release; release of accused to pretrial services only when indigent.
SB 1329 Sen. Wagner (7)	Medicaid; expands class of recipients in State.
SB 1361 Sen. Black (13)	DRPT; analysis of proposed project provided to General Assembly.
SB 1362 Sen. Black (13)	Metropolitan Washington Airports; conditions upon Governor's authorization of Amendment No. 4.
SJ 272 Sen. Black (13)	Constitutional amendment; real property tax exemption for spouses of soldiers killed in action.
SJ 327 Sen. McDougle (4)	Constitutional amendment; state school division for schools denied accreditation (first reference).

Fairfax County Positions
(Oppose or Amend)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1337 - Cole (88) Polling place procedures; voter identification to be current, valid, and contain photograph.</p>	<p>11/20/2012 House: Referred to Committee on Privileges and Elections 1/29/2013 House: Subcommittee recommends reporting with amendment(s) (5-Y 2-N) 2/1/2013 House: Reported from Privileges and Elections with substitute (15-Y 7-N) 2/5/2013 House: VOTE: PASSAGE (63-Y 36-N) 2/6/2013 Senate: Referred to Committee on Privileges and Elections</p>	<p>1/29/2013</p>
<p>Oppose (13100862D) - Historical position of the Board. See also SB 719 (Black). Summary: Elections; polling place procedures; voter identification requirements. Removes several items from the list of acceptable identification documents that a voter must present when voting at the polls on election day: a copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter and a voter's social security card. The bill also requires that all forms of acceptable identification contain a photograph of the voter or the voter's name and address, which conforms to the identification requirements under the Help America Vote Act of 2002 and harmonizes the identification requirements for state and federal elections. This bill incorporates HB 1787 and HB 1788.</p>		
<p>HB 1401 - Cole (88) Real property tax; collection of delinquent taxes, notice to taxpayer regarding payment agreement.</p>	<p>12/17/2012 House: Referred to Committee on Finance 1/16/2013 House: Subcommittee recommends reporting (6-Y 4-N) 1/30/2013 House: Reported from Finance with substitute (17-Y 5-N) 2/5/2013 House: VOTE: PASSAGE (86-Y 14-N) 2/6/2013 Senate: Referred to Committee on Finance</p>	<p>1/29/2013</p>
<p>Oppose (13101129D) - Eliminates a collection tool, although it is only used by localities as a last resort. House Finance version is improved, but still not a good bill. Summary: Real property tax; sale of sole dwelling for delinquent taxes. Requires that, prior to initiating judicial proceedings to sell real property because of delinquent taxes, the locality must notify the taxpayer that he has the right to request that the treasurer enter into a payment schedule with him to pay the delinquent taxes.</p>		
<p>HB 1430 - Lingamfelter (31) Right to Farm Act; expands definition of agricultural operations, etc.</p>	<p>12/20/2012 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/28/2013 House: Subcommittee recommends reporting with amendment(s) (6-Y 1-N) 1/30/2013 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (21-Y 1-N) 2/4/2013 House: VOTE: PASSAGE (77-Y 22-N 1-A) 2/5/2013 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources</p>	<p>1/29/2013</p>
<p>Oppose (13101109D) - Although the bill has had several provisions stricken and a reenactment clause added, still strongly oppose the bill. Summary: Right to Farm Act. Expands the definition of agricultural operations to include the commerce of</p>		

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Bills	General Assembly Actions	Date of BOS Position
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farm-to-business and farm-to-consumer sales as well as commerce in other related items. The bill creates a rebuttable presumption that an agricultural operation is in compliance with local zoning ordinances when it operates on property that is zoned agricultural. The bill contains a clause providing that the provisions of the bill shall not become effective unless reenacted by the 2014 Session of the General Assembly.

<p><u>HB 1528</u> - Rust (86) Commercial insurance policies; only first named insured required to be given notice of cancellation.</p>	<p>1/3/2013 House: Referred to Committee on Commerce and Labor 1/15/2013 House: Reported from Commerce and Labor with substitute (22-Y 0-N) 1/21/2013 House: Passed House (87-Y 0-N) 1/22/2013 Senate: Referred to Committee on Commerce and Labor 2/4/2013 Senate: Reported from Commerce and Labor (13-Y 0-N) 2/6/2013 Senate: Passed Senate (40-Y 0-N)</p>	<p>1/29/2013</p>
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Amend (13103878D-H1) - Amend to require notice to any locality that is an additional insured.
Summary: Insurance notices. Permits insurers to send termination notices on commercial liability policies to the first name insured listed in the policy's declarations page.

<p><u>HB 1574</u> - Minchew (10) Uniform Statewide Building Code; enforcement by towns.</p>	<p>1/4/2013 House: Referred to Committee on General Laws 1/17/2013 House: Reported from General Laws with amendments (22-Y 0-N) 1/23/2013 House: Passed House (98-Y 0-N) 1/24/2013 Senate: Referred to Committee on General Laws and Technology</p>	<p>1/29/2013</p>
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Oppose (13102113D) - See also SB 1239 (Herring).
Summary: Provides that if any town does not elect to enforce the Uniform Statewide Building Code, then such enforcement shall be the responsibility of the county in which the town is situated. The bill also provides that the enforcement by the county shall be with equal dignity as the county does in unincorporated areas of the county and no agreement between the town and the county shall be required as a prerequisite for the county to perform this obligation. The bill contains technical amendments.

<p><u>HB 1575</u> - Webert (18) Child care services and facilities; regulation in certain counties and cities.</p>	<p>1/4/2013 House: Referred to Committee on Counties, Cities and Towns 1/25/2013 House: Reported from Counties, Cities and Towns (21-Y 0-N) 1/30/2013 House: Passed House(99-Y 0-N) 1/31/2013 Senate: Referred to Committee on Local Government</p>	<p>[2/8/2013]</p>
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[Oppose Unless Amended] (13100607D) - Oppose unless amended to conform to current Fairfax County operations.
Summary: Provides that local ordinances governing child care services and facilities shall not provide for inclusion of the child care provider's own children or any children who reside in a home in which child care services are offered in the total number of children for whom care is provided.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1687 - Iaquinto (84) Real property tax; increases in assessed value for prior years.</p>	<p>1/7/2013 House: Referred to Committee on Finance 1/16/2013 House: Subcommittee recommends reporting (10-Y 0-N) 1/21/2013 House: Reported from Finance (15-Y 5-N) 1/24/2013 House: VOTE: PASSAGE (75-Y 24-N) 1/25/2013 Senate: Referred to Committee on Finance</p>	<p>1/29/2013</p>
<p>Oppose (13102001D) - Historical position of the Board. Summary: Reduces the period of time in which the assessed value of real property may be increased for prior years from the three preceding tax years to the preceding tax year.</p>		
<p>HB 2045 - Robinson (27) Foster care and adoption; decisions regarding federal benefits, right to appeal to Commissioner.</p>	<p>1/9/2013 House: Referred to Committee on Health, Welfare and Institutions 1/22/2013 House: Reported from Health, Welfare and Institutions with amendment (22-Y 0-N) 1/25/2013 House: Passed House (98-Y 0-N) 1/28/2013 Senate: Referred to Committee on Rehabilitation and Social Services</p>	<p>[2/8/2013]</p>
<p>[Amend] (13101381D-E) - Amend to be consistent with existing appeals processes, which provide more specificity in Code. Summary: Foster care and adoption; decisions regarding federal benefits; appeal to the Commissioner. Establishes a right to review by the Commissioner of Social Services of any decision of a local board of social services granting, denying, or changing a benefit available to a child in foster care for any individual whose claim for benefits related to foster care services available pursuant to state or federal law is denied or not acted upon by the local department with reasonable promptness.</p>		
<p>HB 2079 - Jones (76) VA Public Procurement Act; process for competitive sealed bidding and negotiation.</p>	<p>1/9/2013 House: Referred to Committee on Transportation 1/22/2013 House: Referred to Committee on General Laws 1/31/2013 House: Reported from General Laws with amendments (22-Y 0-N) 2/5/2013 House: VOTE: PASSAGE (100-Y 0-N) 2/6/2013 Senate: Referred to Committee on General Laws and Technology</p>	<p>1/29/2013 [2/8/2013]</p>
<p>[Oppose Unless Amended] (13103624D-E) - Oppose unless amended to strike or amend lines 503 and 504, which places a cap on job order contracting, restricting localities' flexibility and efficiency in procurement. Monitor (13103624D) The issues raised in HB 2078, which the Board opposes, will be part of the study required in HB 2079 (relating to the Virginia Public Procurement Act), thus allowing HB 2078 to be tabled for the session. Summary: Virginia Public Procurement Act; methods of procurement. Reorganizes the definitions of competitive sealed bidding and competitive negotiation. The bill also adds a definition of job order contracting.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2096 - Habeeb (8) Opportunity Educational Institution; established, report.</p>	<p>1/9/2013 House: Referred to Committee on Education 1/28/2013 House: Subcommittee recommends reporting with amendment(s) (6-Y 3-N) and referring to Committee on Appropriations 1/30/2013 House: Reported from Education with substitute (18-Y 3-N) 1/30/2013 House: Referred to Committee on Appropriations 2/1/2013 House: Reported from Appropriations with substitute (18-Y 4-N) 2/5/2013 House: VOTE: PASSAGE (66-Y 34-N) 2/6/2013 Senate: Referred to Committee on Education and Health</p>	<p>1/29/2013</p>
<p>Oppose (13102767D) - Changes the governance of education; implications could be far-reaching and should be understood. Summary: Opportunity Educational Institution established. Creates the Opportunity Educational Institution to be administered and supervised by the Opportunity Educational Institution Board. The bill requires any school that has been denied accreditation and permits any school that has been accredited with warning for three consecutive years to be transferred to the Institution and remain in the Institution for five years or until the school achieves full accreditation. The bill also sets forth requirements for student attendance, staffing, and funding for the Institution.</p>		
<p>HB 2152 - Anderson (51) Transportation commission membership.</p>	<p>1/9/2013 House: Referred to Committee on Transportation 1/28/2013 House: Subcommittee failed to recommend reporting (2-Y 2-N) 1/31/2013 House: Reported from Transportation with amendment (14-Y 7-N) 2/5/2013 House: VOTE: PASSAGE (66-Y 33-N) 2/6/2013 Senate: Referred to Committee on Transportation</p>	<p>1/29/2013</p>
<p>Oppose (13103708D) - See also SB 1210 (Stuart). Summary: Gives the Chairman of the Commonwealth Transportation Board or his designee equal voting weight on the Virginia Railway Express oversight board. The bill also provides that the Chairman of the Commonwealth Transportation Board or his designee shall be included for purposes of constituting a quorum on certain transportation commissions and shall have voting rights equal to the appointees of component governments.</p>		

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Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2190 - Cosgrove (78) Stormwater management ordinances; requires localities to adopt more stringent requirements, etc.</p>	<p>1/10/2013 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/24/2013 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 1/30/2013 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (18-Y 4-N) 2/4/2013 House: VOTE: PASSAGE (73-Y 26-N) 2/5/2013 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources</p>	<p>1/29/2013</p>
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Oppose (13103377D)
Summary: Stringency of stormwater management ordinances. Requires localities to report to the Department of Conservation and Recreation when a more stringent stormwater management ordinance or stormwater requirements are developed by the localities. Before adoption of such an ordinance, the Department is required to review the ordinance or requirement and all supporting material and determine where the requirements will prevent the degradation of water resources and address TMDL requirements. Localities are prohibited from limiting the use of best management practices approved by the Director of the Department of Conservation and Recreation or the Virginia Soil and Water Conservation Board, except under limited conditions.

<p>HB 2238 - Marshall, III (14) Recorded plats & final site plans; plan shall be deemed final once it has been reviewed & approved.</p>	<p>1/14/2013 House: Referred to Committee on Counties, Cities and Towns 2/1/2013 House: Reported from Counties, Cities and Towns with amendments (21-Y 0-N) 2/5/2013 House: Passed House (100-Y 0-N) 2/6/2013 Senate: Referred to Committee on Local Government</p>	<p>[2/8/2013] 1/29/2013</p>
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[Amend] (13103120D-E) - Amend to allow costs of review of site plan to be collected at time of plan approval.
Oppose (13103120D)
Summary: Recorded plats and final site plans. Provides that a site plan shall be deemed final once it has been reviewed and approved by the locality if the only requirement remaining to be satisfied in order to obtain a building permit is the submission of any other administrative documents, agreements, deposits, or fees required by the locality in order to obtain the permit. The bill also amends a 2012 act by adding an enactment that clarifies the validity of previous extensions of valid plats and site plans.

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Bills	General Assembly Actions	Date of BOS Position
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<p>HJ 594 - Loupassi (68) Constitutional amendment; limit on appropriations (first reference).</p>	<p>1/4/2013 House: Referred to Committee on Privileges and Elections 1/25/2013 House: Reported from Privileges and Elections with substitute (16-Y 6-N) 1/29/2013 House: VOTE: ADOPTION (61-Y 35-N) 1/31/2013 Senate: Referred to Committee on Privileges and Elections</p>	<p>1/29/2013</p>
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Oppose (13100573D) - Board has historically opposed; limitations on flexibility could have effects on local funding.

Summary: Constitutional amendment (first resolution); limit on appropriations. Limits total appropriations in a year to the preceding year's total appropriations plus a percentage equal to the sum of the percentage increase in the rate of inflation plus the rate of population increase. However, additional appropriations may be made (i) for tax relief, ii) for deposits to the Revenue Stabilization Fund, or (iii) for nonrecurring capital projects. "Total appropriations" is defined so as not to include appropriated moneys that are received from the federal government or an agency or unit thereof. This resolution incorporates HJ 677.

<p>HJ 693 - Habeeb (8) Constitutional amendment; state school division for schools denied accreditation (first reference).</p>	<p>1/9/2013 House: Referred to Committee on Privileges and Elections 1/28/2013 House: Subcommittee recommends reporting (5-Y 2-N) 2/1/2013 House: Reported from Privileges and Elections with amendment (13-Y 9-N) 2/1/2013 House: Failed to report (defeated) in Privileges and Elections (10-Y 12-N) 2/1/2013 House: Reconsidered by Privileges and Elections 2/4/2013 House: VOTE: ADOPTION (58-Y 37-N) 2/5/2013 Senate: Referred to Committee on Privileges and Elections</p>	<p>1/29/2013</p>
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Oppose (13103571D) - Changes the sole constitutional authority of the Board of Education. See also SJ 327 (McDougle).

Summary: Constitutional amendment (first resolution); statewide school division for schools denied accreditation. Authorizes the General Assembly to establish a statewide school division to supervise and administer schools that have been denied accreditation for a number of consecutive school years, as determined by the General Assembly. Supervision of the statewide school division is to be vested in a single statewide school board established as may be provided by law. Funding of the statewide division is to be provided by law.

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Bills	General Assembly Actions	Date of BOS Position
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<p><u>SB 719</u> - Black (13) Polling place procedures; voter identification requirements, application for absentee ballot, etc.</p>	<p>12/3/2012 Senate: Referred to Committee on Privileges and Elections 1/29/2013 Senate: Reported from Privileges and Elections with substitute (8-Y 6-N) 2/11/2013 House: Referred to Committee on Appropriations 02/05/13 Senate: Passed Senate (20-Y 20-N; Lt. Gov votes Y)</p>	<p>1/29/2013</p>
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Oppose (13101225D) - Historical position of the Board. See also HB 1337 (Cole).
Summary: Elections; polling place procedures; voter identification requirements. Removes several items from the list of acceptable identification documents that a voter must present when voting at the polls on election day: a copy of a current utility bill, bank statement, government check, or paycheck that shows the name and address of the voter and a voter's social security card. The bill also requires that all forms of acceptable identification contain a photograph of the voter or the voter's name and address, which conforms to the identification requirements under the Help America Vote Act of 2002 and harmonizes the identification requirements for state and federal elections. The bill has a delayed effective date of July 1, 2014, and its provisions are contingent upon funding being included in a general appropriation act passed by the 2014 Session of the General Assembly.

<p><u>SB 1039</u> - Newman (23) Vital records; DMV authorized to access records and issue certified copies, fees, penalty.</p>	<p>1/8/2013 Senate: Referred to Committee on Education and Health 1/17/2013 Senate: Rereferred to Transportation 1/23/2013 Senate: Reported from Transportation with substitute (14-Y 0-N) 1/29/2013 Senate: Passed Senate (40-Y 0-N) 2/5/2013 House: Referred to Committee on Transportation</p>	<p>1/29/2013</p>
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Amend (13101973D) - Amend to clarify that fees collected would still go to local health departments; potential loss of estimated \$500,000 with bill in its introduced form.
Summary: Access to vital records; certified copies of vital records. The bill directs the Commissioner of the Department of Health and the Commissioner of the Department of Motor Vehicles to enter into a memorandum of understanding to develop a program to allow DMV to issue certified copies of vital records. Beginning July 1, 2014, DMV is authorized to issue certified copies of birth records from 1912 onward and beginning July 1, 2015, DMV is authorized to issue certified copies of all other birth records and all death, marriage, adoption, and divorce records. The bill further provides that DMV is subject to the State Registrar's rules, regulations, audit requirements, and penalties and that vital records must be on security paper. The bill also raises the cap on the fee for certified copies from \$8 to \$12 and provides that DMV shall keep a \$2 processing fee.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1140</u> - Petersen (34) Mass Transit; removes all current allocations made by CTB and implements performance-based funding.</p>	<p>1/9/2013 Senate: Referred to Committee on Finance 1/31/2013 Senate: Reported from Finance with substitute (10-Y 5-N) 2/5/2013 Senate: Passed Senate (39-Y 1-N) 2/11/2013 House: Referred to Committee on Appropriations</p>	<p>1/29/2013</p>
<p>Oppose (13103479D) - See also HB 2070 (Comstock). Further, would oppose amendments to remove current language regarding Northern Virginia transit funding. Summary: Commonwealth Mass Transit Fund. Implements performance-based funding for mass transit for revenues generated above \$160 million in 2014 and after. Creates the Transit Service Delivery Advisory Committee to advise the Department of Rail and Public Transportation on the distribution of such funds and how transit systems can incorporate the metrics into their transit development plans.</p>		
<p><u>SB 1256</u> - Obenshain (26) Voter identification requirements; photo ID required at polls, application for absentee ballot.</p>	<p>1/10/2013 Senate: Referred to Committee on Privileges and Elections 1/29/2013 Senate: Rereferred to Finance 1/31/2013 Senate: Reported from Finance with amendment (10-Y 5-N) 2/5/2013 Senate: Passed Senate (20-Y 20-N; Lt. Gov. votes Yes) 2/11/2013 House: Referred to Committee on Appropriations</p>	<p>1/29/2013</p>
<p>Oppose (13103249D) - Historical position of the Board. Summary: Voter identification requirements; photo ID. Requires photo ID at the polls by eliminating all forms of identification that do not contain a photograph of the voter from the list of forms of identification any one of which a voter must present in order to be allowed to vote. The bill also adds a valid United States passport to the list and requires that a student identification card issued by an institution of higher education in the Commonwealth contain a photograph in order to be used by a voter. The bill does not affect the right of a voter who does not present one of the required forms of identification to cast a provisional ballot. The bill also provides that the State Board shall provide free voter registration cards that contain a voter's photograph and signature if the voter does not possess other satisfactory photo ID. The bill has a delayed effective date of July 1, 2014, and its provisions are contingent upon funding being included in a general appropriation act passed by the 2013 Session of the General Assembly.</p>		

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Fairfax County Positions
(Support)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1333 - Farrell (56) Service district boundaries; allows localities to amend after notice and public hearing.</p>	<p>11/12/2012 House: Referred to Committee on Counties, Cities and Towns 1/18/2013 House: Reported from Counties, Cities and Towns with substitute (22-Y 0-N) 1/23/2013 House: Passed House(98-Y 0-N) 1/29/2013 Senate: Referred to Committee on Local Government</p>	<p>1/29/2013</p>
<p>Support (13100400D) - See also SB 798 (Garrett). Summary: Allows localities to amend service district boundaries after notice and a public hearing.</p>		
<p>HB 1423 - O'Bannon, III (73) Mandatory outpatient treatment; who may file petition.</p>	<p>12/19/2012 House: Referred to Committee on Health, Welfare and Institutions 1/15/2013 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 1/18/2013 House: Passed House(98-Y 0-N) 1/18/2013 House: Read third time and passed House BLOCK VOTE (98-Y 0-N) 1/21/2013 Senate: Referred to Committee on Education and Health 2/7/2013 Senate: Reported from Education and Health (15-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13100600D-E) Summary: Allows the community services board serving the county or city in which the person who would be the subject of an order for mandatory outpatient treatment following a period of voluntary or involuntary treatment resides and the community services board serving the county or city where such person receives treatment to petition for an order of mandatory outpatient treatment.</p>		
<p>HB 1468 - Greason (32) Public schools; possession & administration of epinephrine by employees of local governing bodies.</p>	<p>12/28/2012 House: Referred to Committee on Education 1/17/2013 House: Subcommittee recommends reporting with amendment(s) (8-Y 0-N) 1/21/2013 House: Reported from Education with amendment (17-Y 0-N) 1/24/2013 House: Passed House(99-Y 0-N) 1/25/2013 Senate: Referred to Committee on Education and Health</p>	<p>1/29/2013</p>
<p>Support (13102524D) - County staff coordinated with FCPS to initiate. See also SB 893 (Howell). Summary: Adds employees of local governing bodies and employees of local health departments to the lists of individuals who are permitted to possess and administer epinephrine and not be held liable for civil damages when certain conditions are met. The bill also requires local school boards to include in policies for the possession and administration of epinephrine a provision adding any employee of a local governing body or an employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to administer the drug to any student believed to be having an anaphylactic reaction. This bill contains an emergency clause.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1524 - Villanueva (21) Virginia Freedom of Information Act; records of minors participating in park and recreation program.</p>	<p>1/3/2013 House: Referred to Committee on General Laws 1/22/2013 House: Reported from General Laws (21-Y 1-N) 1/25/2013 House: VOTE: PASSAGE (96-Y 1-N) 1/28/2013 Senate: Referred to Committee on General Laws and Technology</p>	<p>1/29/2013</p>
<p>Support (13102684D) - Ensures the privacy of personal information of children attending park and recreational programs, unless the parents consent to the release of such information. Summary: Reverses the default rule of FOIA that certain park and recreation records of minors are subject to the mandatory disclosure provisions of FOIA unless the parent or an emancipated person who is the subject of the record requests in writing that the record not be disclosed. Under the bill, these records would be exempt from public disclosure unless and until the parent or emancipated person who is the subject of the record waives the protection.</p>		
<p>HB 1646 - Bell (20) Comprehensive services for at-risk youth and families; eligibility for state pool of funds.</p>	<p>1/7/2013 House: Referred to Committee on Health, Welfare and Institutions 1/15/2013 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/18/2013 House: Passed House (98-Y 0-N) 1/21/2013 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2013 Senate: Reported from Rehabilitation and Social Services with substitute (15-Y 0-N) 1/29/13 Senate: Passed Senate with substitute (40-Y 0-N) 1/31/13 Senate substitute agreed to by House (96-Y 0-N) 2/4/2013 House: Enrolled 2/4/2013 House: Signed by Speaker 2/4/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
<p>Support (13102314D) Summary: Provides that foster care services shall include independent living services provided to a former foster child who is over the age of 18 years but who has not yet reached the age of 21 years, and that a former foster child receiving such services shall be eligible for funding through the Comprehensive Services for At Risk Youth and Families program.</p>		
<p>HB 1649 - BaCote (95) Pawnbrokers and precious metals dealers; records required to be maintained, etc.</p>	<p>1/7/2013 House: Referred to Committee on General Laws 1/17/2013 House: Reported from General Laws (22-Y 0-N) 1/23/2013 House: Passed House(98-Y 0-N) 1/24/2013 Senate: Referred to Committee on General Laws and Technology</p>	<p>1/29/2013</p>
<p>Support (13100874D) - Historical position of the Board. Summary: Requires pawnbrokers and precious metals dealers to take a digital image of the form of</p>		

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Bills	General Assembly Actions	Date of BOS Position
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identification used by the person involved in the transaction. The bill also prohibits a pawnbroker from pawning or accepting goods or articles if the original serial number affixed to the good or article has been removed, defaced, or altered.

<p>HB 1682 - Bell (58) Mentally incapacitated persons; financial exploitation, penalty.</p>	<p>1/7/2013 House: Referred to Committee for Courts of Justice 1/23/2013 House: Subcommittee recommends reporting (7-Y 0-N) and referring to Committee on Appropriations 1/25/2013 House: Reported from Courts of Justice with substitute (16-Y 0-N) 1/25/2013 House: Referred to Committee on Appropriations 2/1/13 House: Reported from Appropriations (22-Y 0-N) 2/5/2013 House: VOTE: PASSAGE (100-Y 0-N) 2/6/2013 Senate: Referred to Committee for Courts of Justice</p>	<p>1/29/2013</p>
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Support (13102056D) - Consistent with Board initiative from 2011 and 2012. See also similar bills HB 1455 (Watts), HB 1781 (Filler-Corn), SB 706 (Stuart), SB 1258 (Herring).
Summary: Financial exploitation of incapacitated persons; penalty. Provides that it is unlawful for any person who knows or should know that another person suffers from mental incapacity to, through the use of that other person's mental incapacity, take, obtain, or convert money or other thing of value belonging to that other person with the intent to permanently deprive him thereof. A violation is punishable as larceny. This bill incorporates HB 1455 and HB 1603.

<p>HB 1683 - Bell (20) Comprehensive Services, Office of; reporting expenditures for children receiving services.</p>	<p>1/7/2013 House: Referred to Committee on Health, Welfare and Institutions 1/15/2013 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/18/2013 House: Passed House (98-Y 0-N) 1/18/2013 House: Passed House (98-Y 0-N) 1/21/2013 Senate: Referred to Committee on Rehabilitation and Social Services 1/25/2013 Senate: Reported from Rehabilitation and Social Services (15-Y 0-N) 1/29/2013 Senate: Passed Senate (40-Y 0-N) 2/4/2013 House: Enrolled 2/4/2013 House: Signed by Speaker 2/4/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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Support (13102316D)
Summary: Office of Comprehensive Services; reporting expenditures for children receiving services. Adds community-based mental health services to the list of services for which expenditures must be reported by the Office of Comprehensive Services for At-Risk Youth and Families.

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1718 - Anderson (51) Transportation projects; reimbursement of VDOT by localities & metropolitan planning organizations.</p>	<p>1/8/2013 House: Referred to Committee on Transportation 1/24/2013 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 1/29/2013 House: Reported from Transportation with amendments (18-Y 0-N) 2/4/2013 House: VOTE: PASSAGE (100-Y 0-N) 2/5/13 Senate: Referred to Committee on Transportation</p>	<p>1/29/2013</p>
<p>Support (13102259D) - See also SB 1075 (Barker). Summary: Transportation planning and projects. Requires a locality to repay the Department when a locality requests termination of a project and the Department does not agree to the termination or the locality or metropolitan planning organization doesn't advance the project. The bill also expands the step before a locality requests alterations to a project to include the design approval by the Chief Engineer.</p>		
<p>HB 1823 - Villanueva (21) Public procurement; posting by local public bodies of procurement opportunities.</p>	<p>1/8/2013 House: Referred to Committee on General Laws 1/29/2013 House: Reported from General Laws with substitute (15-Y 7-N) 2/1/2013 House: VOTE: PASSAGE (73-Y 25-N) 2/4/2013 Senate: Referred to Committee on General Laws and Technology</p>	<p>1/29/2013</p>
<p>Support (13103548D) - This aligns with current County practice and provides a compromise solution to the issue for other localities. Summary: Requires local public bodies to post required certain procurement notices on the Department of General Services' central electronic procurement website and makes newspaper publication or posting on other appropriate websites optional. Currently, only state public bodies are required to post procurement notices on the Department of General Services' central electronic procurement website. The bill provides, however, that no local public body shall be required to post on the Department of General Services' central electronic procurement website for reverse auctioning for goods and nonprofessional services if (i) the amount of such contract is expected to exceed \$100,000 and (ii) the local public body has a website for the posting of such notices and provides the website address to the Department of General Services for posting on its central electronic procurement website. The bill also requires the Department of General Services to (a) provide an electronic data file of the using agency's business opportunities at no charge to any requesting newspaper or other print publication with circulation in Virginia using the comma-separated values (CSV) format and (b) send the data file automatically via electronic mail on a daily, weekly, or monthly basis as agreed to by the parties. The bill specifies the information to be included in the data file.</p>		
<p>HB 1886 - LeMunyon (67) Vehicle tire weight limitations; prohibits over-the-road operation of certain vehicles.</p>	<p>1/8/2013 House: Referred to Committee on Transportation 1/29/2013 House: Reported from Transportation with substitute (19-Y 0-N) 2/4/2013 House: VOTE: PASSAGE (97-Y 3-N) 2/5/13 Senate: Referred to Committee on Transportation</p>	<p>1/29/2013</p>
<p>Support (13101076D) - County police department strongly supports. Summary: Prohibits over-the-road operation of certain vehicles whose tire weights exceed tire weight limit</p>		

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Bills	General Assembly Actions	Date of BOS Position
guidelines.		
<p>HB 1907 - Anderson (51) Handheld personal communications devices; primary offense for texting while driving, mandatory fine.</p>	<p>1/8/2013 House: Referred to Committee for Courts of Justice 1/28/2013 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 2/1/2013 House: Reported from Courts of Justice with substitute (14-Y 0-N) 2/5/2013 House: VOTE: PASSAGE (92-Y 4-N 2-A) 2/6/2013 Senate: Referred to Committee on Transportation</p>	<p>1/29/2013</p>
<p>Support (13103495D) - Historical position of the Board. See also SB 1160 (Barker). Summary: Driving while texting; primary offense; increased penalties. Provides that driving while texting is a traffic infraction punishable, for a first offense, by a fine of \$250 and, for a second or subsequent offense, by a fine of \$500. The current penalties are \$20 for a first offense and \$50 for a second or subsequent offense. The bill also increases the punishment of any person convicted of reckless driving to include a \$500 mandatory minimum fine if the person was texting at the time of the reckless driving offense. The bill also changes the offense from a secondary offense (one that can only be charged when the offender is stopped for another, separate offense) to a primary offense. The bill also increases the punishment of any person convicted of reckless driving to include a \$500 mandatory minimum fine if the person was texting at the time of the reckless driving offense. The bill incorporates HB 1357, HB 1360, HB 1495, HB1540, HB 1848, and HB 1883.</p>		
<p>HB 1982 - May (33) Local tax bills; permits treasurers to convey access online from database on treasurer's website.</p>	<p>1/9/2013 House: Referred to Committee on Finance 1/28/2013 House: Subcommittee recommends reporting (9-Y 0-N) 1/30/2013 House: Reported from Finance (22-Y 0-N) 2/5/2013 House: VOTE: PASSAGE (100-Y 0-N) 2/6/2013 Senate: Referred to Committee on Finance</p>	<p>1/29/2013</p>
<p>Support (13101534D) Summary: Local tax bills. Permits treasurers to convey, with the consent of the taxpayer, any tax bill by permitting the taxpayer to access his tax bill online from a database on the treasurer's website.</p>		
<p>HB 1990 - Sickles (43) License taxes; allows localities to impose on certain motor vehicles, temporary exemption.</p>	<p>1/9/2013 House: Referred to Committee on Counties, Cities and Towns 2/1/2013 House: Reported from Counties, Cities and Towns with substitute (19-Y 2-N) 2/5/2013 House: VOTE: PASSAGE (87-Y 10-N) 2/6/2013 Senate: Referred to Committee on Transportation</p>	<p>1/29/2013</p>
<p>Support (13102234D) - Historical position of the Board. Summary: License taxes on certain motor vehicles. Allows localities to impose a license tax, not to exceed \$250 annually, upon resident owners of motor vehicles that do not display license plates issued by the Commonwealth and that are not exempt from the requirements of displaying such license plates.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2026 - Dudenhefer (2) Virginia FOIA; remote participation in meeting by member of public body.</p>	<p>1/9/2013 House: Referred to Committee on General Laws 1/17/2013 House: Subcommittee recommends reporting (7-Y 0-N) 1/22/13 House: Reported from General Laws (22-Y 0-N) 1/25/2013 House: Passed House (98-Y 0-N) 1/28/2013 Senate: Referred to Committee on General Laws and Technology</p>	<p>1/29/2013</p>
<p>Support (13102255D) Summary: Virginia Freedom of Information Act; remote participation in a meeting by a member of a public body; personal matter. Allows a member of a public body to participate in a meeting by electronic communication means due to personal matters under certain circumstances. Currently, such remote participation is allowed only for emergency, medical condition, or distance from the meeting location of more than 60 miles. The bill is a recommendation of the Virginia Freedom of Information Advisory Council.</p>		
<p>HB 2052 - Rust (86) HOT lanes; allows state or local law-enforcement vehicles, etc. to enter.</p>	<p>1/9/2013 House: Referred to Committee on Transportation 1/22/2013 House: Reported from Transportation with amendment (21-Y 0-N) 1/28/2013 House: Passed House(98-Y 0-N) 1/29/2013 Senate: Referred to Committee on Transportation 2/6/2013 Senate: Reported from Transportation (14-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13101875D) - See also SB 1204 (McDougle). Summary: HOT Lanes. Allows state and law-enforcement vehicles, firefighting trucks, ambulances, and rescue squad vehicles to enter HOT lanes by crossing a barrier or buffer and not be guilty of reckless driving.</p>		
<p>HB 2089 - Wilt (26) Permits and other information; DEQ to transmit electronically air pollution control, etc.</p>	<p>1/9/2013 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/16/2013 House: Reported from Agriculture, Chesapeake and Natural Resources (22-Y 0-N) 1/21/2013 House: Passed House(87-Y 0-N) 1/22/2013 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/7/2013 Senate: Reported from Agriculture, Conservation and Natural Resources (14-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13101320D) Summary: Electronic transmission of permits. Allows the Department of Environmental Quality to transmit electronically air pollution control, water quality, and waste management permits or certificates, as well as other information such as plan approvals.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 2158 - Lopez (49) Officers of election; officers may be assigned to work in multiple precincts on election day.</p>	<p>1/9/2013 House: Referred to Committee on Privileges and Elections 1/25/2013 House: Reported from Privileges and Elections with substitute (20-Y 0-N) 1/30/2013 House: Passed House (99-Y 0-N) 1/31/2013 Senate: Referred to Committee on Privileges and Elections</p>	<p>1/29/2013</p>
<p>Support (13103756D) - Provides for efficiencies in the assignment of officers of election. See also SB 963 (Ebbin). Summary: Officers of election; multiple precincts. Provides that the local electoral board may reassign an officer of election from the precinct in which he was originally assigned to work to another precinct for the remaining portion of election day.</p>		
<p>HB 2265 - Knight (81) Cash proffers; locality may waive certain written notice requirements to reduce outstanding payment.</p>	<p>1/15/2013 House: Referred to Committee on Counties, Cities and Towns 2/1/2013 House: Reported from Counties, Cities and Towns (21-Y 0-N) 2/5/2013 House: VOTE: PASSAGE (100-Y 0-N) 2/6/2013 Senate: Referred to Committee on Local Government</p>	<p>1/29/2013</p>
<p>Support (13103137D) Summary: Cash proffers. Provides that a locality may waive certain written notice requirements in order to reduce, suspend, or eliminate outstanding cash proffer payments for residential construction calculated on a per-dwelling-unit or per-home basis that have been agreed to, but unpaid, by any landowner.</p>		
<p>HB 2316 - Byron (22) Virginia Public Procurement Act; multiple project contracts for engineering services.</p>	<p>1/18/2013 House: Referred to Committee on General Laws 1/31/2013 House: Reported from General Laws with amendments (22-Y 0-N) 2/5/2013 House: VOTE: PASSAGE (100-Y 0-N) 2/6/2013 Senate: Referred to Committee on General Laws and Technology</p>	<p>1/29/2013</p>
<p>Support (13103826D) - Allows greater flexibility in professional services contracts and may produce efficiency savings by permitting larger, multiple-project construction contracts. See also SB 1246 (Colgan). Summary: Virginia Public Procurement Act; multiple project contracts for architectural or professional engineering services relating to construction. Raises, for certain local public bodies, the maximum cost of architectural or professional engineering services for all projects in one contract term of a multiple project contract from \$500,000 to \$1 million, and raises the maximum cost of architectural or professional engineering services for any single project from \$100,000 to \$200,000 for airports and aviation transportation projects.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 2341 - Ramadan (87) Voter registration; electronic transmission of information.	1/18/2013 House: Referred to Committee on Privileges and Elections 2/1/2013 House: Reported from Privileges and Elections (21-Y 1-N) 2/5/2013 House: VOTE: PASSAGE (93-Y 5-N) 2/6/2013 Senate: Referred to Committee on Privileges and Elections	[2/8/2013]
<p>[Support] (13104278D) Summary: Electronic transmission of voter registration information. Provides that a person who is qualified to register to vote may apply to register to vote by electronic means authorized by the State Board of Elections.</p>		
HJ 551 - Ramadan (87) Constitutional amendment; General Assembly may exempt real property of spouses of soldiers killed.	11/19/2012 House: Referred to Committee on Privileges and Elections 1/21/2013 House: Subcommittee recommends reporting (5-Y 0-N) 1/25/2013 House: Reported from Privileges and Elections with amendment (22-Y 0-N) 1/29/2013 House: VOTE: ADOPTION (99-Y 0-N) 1/31/2013 Senate: Referred to Committee on Privileges and Elections	1/29/2013
<p>(13100523D) - Support only as an initiative funded by the state. See also SJ 272 (Black). Summary: Provides that the General Assembly may provide a real property tax exemption for the primary residence of surviving spouses of members of the military who are killed in action.</p>		
HJ 732 - Sickles (43) Federal Bureau of Investigation; consideration of site for new headquarters.	1/15/2013 House: Referred to Committee on Rules 1/31/2013 House: Reported from Rules with substitute (15- Y 0-N) 2/4/2013 House: Agreed to by House (99-Y 0-N) 2/5/2013 Senate: Referred to Committee on Rules	1/29/2013
<p>Support (13103580D) Summary: Memorializes the Congress of the United States to encourage the U.S. General Services Administration to consider Virginia as the site for the new Federal Bureau of Investigation headquarters.</p>		
SB 701 - McEachin (9) State government employment; nondiscrimination.	10/25/2012 Senate: Referred to Committee on General Laws and Technology 1/21/2013 Senate: Reported from General Laws and Technology with amendments (8-Y 7-N) 1/25/2013 Passed Senate (24-Y 16-N) 2/2/2013 House: Referred to Committee on General Laws	1/29/2013
<p>Support (13100446D) - Historical position of the Board. Summary: Prohibits discrimination in state employment based on race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, sexual orientation, or status as</p>		

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Bills	General Assembly Actions	Date of BOS Position
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a special disabled veteran or other veteran covered by the Vietnam Era Veterans Readjustment Assistance Act of 1974, as amended. The bill defines "sexual orientation" as a person's actual or perceived heterosexuality, bisexuality, homosexuality, or gender identity or expression. The bill expressly provides that "sexual orientation" shall not include any person's attraction toward persons with whom sexual conduct would be illegal due to the age of the parties. The bill contains technical amendments.

SB 706 - Stuart (28)
Mentally incapacitated adults; financial exploitation, penalty.

11/27/2012 Senate: Referred to Committee for Courts of Justice
1/21/2013 Senate: Reported from Courts of Justice with substitute (12-Y 0-N)
1/21/2013 Senate: Rereferred to Finance
1/29/2013 Senate: Reported from Finance (15-Y 0-N)
2/1/2013 Senate: Passed Senate (39-Y 0-N)
2/6/2013 House: Referred to Committee for Courts of Justice
2/6/2013 House: Reported from Courts of Justice (16-Y 0-N)
2/6/2013 House: Referred to Committee on Appropriations

1/29/2013

Support (13100827D) - Consistent with Board initiative from 2011 and 2012. See also similar bills HB 1455 (Watts), HB 1682 (Bell), HB 1781 (Filler-Corn), SB 1258 (Herring).
Summary: Provides that it is unlawful for any person who knows or should know that another person suffers from mental incapacity to, through the use of that other person's mental incapacity, take, obtain, or convert money or other thing of value belonging to that other person with the intent to permanently deprive him thereof. A violation is punishable as larceny. The bill incorporates SB 1258.

SB 724 - Miller (1)
Absentee voting; persons age 65 and older on day of an election are entitled to vote absentee.

12/5/2012 Senate: Referred to Committee on Privileges and Elections
1/15/2013 Senate: Reported from Privileges and Elections with substitute (11-Y 3-N 1-A)
1/21/2013 Senate: Passed Senate (28-Y 9-N)
1/25/2013 House: Referred to Committee on Privileges and Elections

1/29/2013

Support (13101448D)
Summary: Elections; absentee voting. Provides that persons age 65 and older on the day of an election for which an absentee ballot is requested are entitled to vote absentee. This bill incorporates SB 873.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 798</u> - Garrett (22) Service districts; modifying boundaries, dissolution of district.</p>	<p>12/19/2012 Senate: Referred to Committee on Local Government 1/15/2013 Senate: Reported from Local Government with substitute (15-Y 0-N) 1/22/2013 Senate: Passed Senate (40-Y 0-N) 1/25/2013 House: Referred to Committee on Counties, Cities and Towns 2/8/2013 House: Reported from Counties, Cities and Towns with substitute (21-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13100886D) - See also HB 1333 (Farrell). Summary: Amendment of service district boundaries. Allows localities to modify the boundaries of service districts in order to enlarge or reduce the size of the districts. Any such modification requires the governing body of the locality to either adopt an ordinance or file a petition for a court order. The bill also provides a procedure for dissolving a service district in certain situations.</p>		
<p><u>SB 875</u> - Barker (39) Provisional driver's license holders; changes from secondary offense to primary use of cell phones.</p>	<p>1/4/2013 Senate: Referred to Committee on Transportation 1/16/2013 Senate: Reported from Transportation (13-Y 0-N) 1/22/2013 Senate: Passed Senate (40-Y 0-N) 1/25/2013 House: Referred to Committee on General Laws 2/7/2013 House: Referred to Committee for Courts of Justice</p>	<p>1/29/2013</p>
<p>Support (13102739D) - Historical position of the Board. See also HB 1357 (Rust). Summary: Provisional driver's license holders. Changes from a secondary offense to a primary offense use of a cell phone by a provisional driver's license holder.</p>		
<p><u>SB 888</u> - Deeds (25) Advertising; payment of penalties & costs associated with enforcement of prohibition on certain.</p>	<p>1/4/2013 Senate: Referred to Committee on Transportation 1/16/2013 Senate: Reported from Transportation (13-Y 0-N) 1/22/2013 Passed Senate (40-Y 0-N) 1/25/2013 House: Referred to Committee on Transportation</p>	<p>1/29/2013</p>
<p>Support (13101751D) Summary: Advertising within highway rights-of-way. Provides that penalties and costs collected as the result of an agreement between the Commissioner of Highways and a locality to enforce the prohibition on advertising within highway rights-of-way shall be paid to the locality.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 893</u> - Howell (32) Public schools; possession & administration of epinephrine by employees of local governing bodies.</p>	<p>1/4/2013 Senate: Referred to Committee on Education and Health 1/10/2013 Senate: Reported from Education and Health (15-Y 0-N) 1/15/2013 Senate: Passed Senate (40-Y 0-N) 1/25/2013 House: Referred to Committee on Education 2/6/2013 House: Reported from Education with amendment (21-Y 0-N) 2/8/2013 House: Passed House with amendment (97-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13102627D) - County staff coordinated with FCPS staff to initiate. See also HB 1468 (Greason). Summary: Public schools; possession and administration of epinephrine. Adds employees of local governing bodies and employees of local health departments to the lists of individuals who are permitted to possess and administer epinephrine and not be held liable for civil damages when certain conditions are met. The bill also requires local school boards to include in policies for the possession and administration of epinephrine a provision adding any employee of a local governing body or an employee of a local health department who is authorized by a prescriber and trained in the administration of epinephrine to administer the drug to any student believed to be having an anaphylactic reaction.</p>		
<p><u>SB 894</u> - Petersen (34) Uniform Statewide Building Code; who may be cited for violations.</p>	<p>1/4/2013 Senate: Referred to Committee on General Laws and Technology 1/14/2013 Senate: Reported from General Laws and Technology with amendments (15-Y 0-N) 1/18/2013 Senate: Passed Senate (38-Y 0-N) 1/25/2013 House: Referred to Committee on General Laws</p>	<p>1/29/2013</p>
<p>Support (13100545D) - Also support amendments to clarify the procedure for issuance of a summons or a ticket. Summary: Clarifies that a local enforcement officer may issue a summons or a ticket to the lessor or sublessor of a residential dwelling unit for violation of any Building Code provision provided a copy of the notice is also served on the owner of the property.</p>		
<p><u>SB 959</u> - Favola (31) Pedestrians, etc; local government to adopt ordinances requiring to stop at marked crosswalks.</p>	<p>1/7/2013 Senate: Referred to Committee on Transportation 1/16/2013 Senate: Reported from Transportation with substitute (13-Y 0-N) 1/22/2013 Senate: Passed Senate (40-Y 0-N) 1/25/2013 House: Referred to Committee on Transportation 2/6/2013 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13104084D-S1) Summary: Crossing highways. Allows local governing bodies to adopt ordinances requiring users of shared-use paths to stop before crossing highways at marked crosswalks.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 963</u> - Ebbin (30) Officers of election; officers may be assigned to work in multiple precincts on election day.</p>	<p>1/8/2013 Senate: Referred to Committee on Privileges and Elections 1/29/2013 Senate: Reported from Privileges and Elections with substitute (14-Y 0-N) 2/4/2013 Senate: Passed Senate (40-Y 0-N) 2/6/2013 House: Referred to Committee on Privileges and Elections</p>	<p>1/29/2013</p>
<p>Support (13101017D) - Provides for efficiencies in the assignment of officers of election. See also HB 2158 (Lopez). Summary: Provides that the local electoral board may reassign an officer of election from the precinct in which he was originally assigned to work to another precinct for the remaining portion of election day.</p>		
<p><u>SB 1075</u> - Barker (39) Transportation projects; requires locality to repay VDOT when locality requests termination.</p>	<p>1/9/2013 Senate: Referred to Committee on Transportation 1/23/2013 Senate: Reported from Transportation with amendments (14-Y 0-N) 1/29/2013 Senate: Passed Senate (40-Y 0-N) 2/5/2013 House: Referred to Committee on Transportation 2/7/13 House: Reported from Transportation (22-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13103476D) - See also HB 1718 (Anderson). Summary: Requires a locality to repay the Department when a locality requests termination of a project and the Department does not agree to the termination or the locality or metropolitan planning organization doesn't advance the project. The bill also expands the step before a locality requests alterations to a project to include the design approval by the Chief Engineer.</p>		
<p><u>SB 1165</u> - Newman (23) Driver's licenses, provisional; person under age 18 certain restrictions.</p>	<p>1/9/2013 Senate: Referred to Committee on Transportation 1/16/2013 Senate: Reported from Transportation with amendments (13-Y 0-N) 1/22/2013 Senate: Passed Senate (40-Y 0-N) 1/25/13 House: Referred to Committee on Transportation</p>	<p>1/29/2013</p>
<p>Support (13102649D) Summary: Provisional driver's licenses. Provides that the holder of a provisional driver's license under age 18 is not authorized to operate a motor vehicle with more than one passenger who is (i) less than 21 years old and (ii) not a member of the driver's family or household, unless a licensed driver 21 or over is in the vehicle. This bill only applies to those with a provisional driver's license who turn 17 after July 1, 2013.</p>		
<p><u>SB 1204</u> - McDougle (4) HOT lanes; allows state or local law-enforcement vehicles, etc. to enter.</p>	<p>1/9/2013 Senate: Referred to Committee on Transportation 1/16/13 Senate: Reported from Transportation (13-Y 0-N) 1/22/2013 Senate: Passed Senate (40-Y 0-N) 1/25/13 House: Referred to Committee on Transportation 2/7/2013 House: Reported from Transportation with amendment (22-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13101874D) - See also HB 2052 (Rust). Summary: Allows state and law-enforcement vehicles, firefighting trucks, ambulances, and rescue squad</p>		

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

Bills	General Assembly Actions	Date of BOS Position
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vehicles to enter HOT lanes by crossing a barrier or buffer and not be guilty of reckless driving.

<p><u>SB 1222</u> - Norment, Jr. (3) Handheld personal communications devices; primary offense for texting while driving, mandatory fine.</p>	<p>1/9/2013 Senate: Referred to Committee on Transportation 1/23/2013 Senate: Rereferred to Courts of Justice 2/4/2013 Senate: Reported from Courts of Justice with substitute (9-Y 6-N) 2/5/2013 Senate: Passed Senate (24-Y 15-N) 2/11/2013 House: Referred to Committee for Courts of Justice</p>	<p>1/29/2013</p>
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Support (13102174D) - Historical position of the Board. See also HB 1360 (Cline), HB 1848 (Loupassi).
Summary: Driving while texting; primary offense; increased penalties. Provides that driving while texting is a traffic infraction punishable, for a first offense, by a fine of \$250 and, for a second or subsequent offense, by a fine of \$500. The current penalties are \$20 for a first offense and \$50 for a second or subsequent offense. The bill also increases the punishment of any person convicted of reckless driving to include a \$500 mandatory minimum fine if the person was texting at the time of the reckless driving offense. The bill also changes the offense from a secondary offense (one that can only be charged when the offender is stopped for another, separate offense) to a primary offense. The bill also increases the punishment of any person convicted of reckless driving to include a \$500 mandatory minimum fine if the person was texting at the time of the reckless driving offense. The bill incorporates SB 1160 and SB 1238.

<p><u>SB 1226</u> - Stuart (28) Cash proffers; extends from 7 to 12 years time by which locality must begin utilization.</p>	<p>1/9/2013 Senate: Referred to Committee on Local Government 1/22/2013 Senate: Reported from Local Government with amendments (10-Y 1-N) 1/28/2013 Senate: Passed Senate (38-Y 2-N) 2/2/2013 House: Referred to Committee on Counties, Cities and Towns</p>	<p>1/29/2013</p>
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Support (13102261D)
Summary: Zoning; cash proffers. Extends from 7 to 12 years the time by which a locality must begin utilization of cash proffers.

<p><u>SB 1246</u> - Colgan (29) Virginia Public Procurement Act; multiple project contracts for airports.</p>	<p>1/9/2013 Senate: Referred to Committee on General Laws and Technology 2/4/2013 Senate: Reported from General Laws and Technology with substitute (15-Y 0-N) 2/5/2013 Senate: Passed Senate (40-Y 0-N) 2/11/2013 House: Referred to Committee on General Laws</p>	<p>1/29/2013</p>
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Support (13102992D) - Allows greater flexibility in professional services contracts and may produce efficiency savings by permitting larger, multiple-project construction contracts. See also HB 2316 (Byron).
Summary: Virginia Public Procurement Act; multiple project contracts for architectural or professional engineering services relating to construction. Raises (i) the maximum cost of architectural or professional engineering services for all projects in one contract term of a multiple project contract from \$500,000 to \$1.5 million and (ii) the maximum cost of architectural or professional engineering services for any single project

Bold – Indicates BOS formal action
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Bills	General Assembly Actions	Date of BOS Position
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from \$100,000 to \$500,000 for airports and aviation transportation projects. For a locality or authority or sanitation district with a population in excess of 80,000, the bill raises the maximum cost of such services from \$1 million to \$2 million.

<p>SB 1253 - Northam (6) Smoking; localities to ban in designated public parks, etc.</p>	<p>1/9/2013 Senate: Referred to Committee on Local Government 1/29/2013 Senate: Reported from Local Government (11-Y 4-N) 2/4/2013 Senate: Passed Senate (26-Y 14-N) 2/6/2013 House: Referred to Committee on General Laws</p>	<p>1/29/2013</p>
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Support (13102254D)
Summary: Smoking in certain public areas. Allows localities to ban smoking in designated public parks, public beaches, and similar outdoor public areas.

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

Fairfax County Positions
(Monitor)

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Bills	General Assembly Actions	Date of BOS Position
<p>HB 1507 - Lewis, Jr. (100) Recording deeds; statement of preparation, exception.</p>	<p>1/3/2013 House: Referred to Committee for Courts of Justice 1/16/2013 House: Reported from Courts of Justice with amendment (18-Y 0-N) 1/23/2013 House: Passed House (98-Y 0-N) 1/24/2013 Senate: Referred to Committee for Courts of Justice 2/6/2013 Senate: Reported from Courts of Justice with substitute (13-Y 0-N)</p>	<p>[2/8/2013] 1/29/2013</p>
<p>[Monitor] (13100915D-E) Oppose (13100915D) Summary: Recording deeds; statement of preparation. Clarifies that the circuit court clerk may reject for filing or recording only deeds conveying real property, and not deeds of trust, unless the deed states on its first page that it was prepared either by the owner of the property or by an attorney licensed to practice in Virginia.</p>		
<p>HB 1598 - Anderson (51) Real property tax; boards of equalization.</p>	<p>1/6/2013 House: Referred to Committee on Finance 1/28/2013 House: Subcommittee recommends reporting with amendment(s) (9-Y 0-N) 1/30/2013 House: Reported from Finance with substitute (21-Y 0-N) 2/5/2013 House: Passed House (100-Y 0-N) 2/6/2013 Senate: Referred to Committee on Finance</p>	<p>[2/8/2013] 1/29/2013</p>
<p>[Monitor] (13104648D-H1) - Worked with AOBA to resolve differences. Oppose (13101346D) Oppose as written; bill contains a number of adverse provisions, including proposal to revise the presumption statute for assessments. Historical position of the Board. Summary: Modifies several provisions governing boards of equalization including (i) modifying qualifications for membership of certain boards; (ii) authorizing boards to receive complaints electronically as long as taxpayers may also file complaints on paper forms; (iii) prohibiting a board to deny relief based on a lack of information from the taxpayer as long as certain specified information is provided; (iv) providing procedures by which a taxpayer may appoint a representative; and (v) providing procedures to be followed before a board may increase assessments on certain types of property; and (vi) setting deadlines for consideration of certain information.</p>		
<p>HB 1692 - Jones (76) Public-Private Transportation Act; receipt of competing proposals, etc.</p>	<p>1/7/2013 House: Referred to Committee on Transportation 1/24/2013 House: Subcommittee recommends reporting with amendment(s) (5-Y 0-N) 1/31/2013 House: Reported from Transportation with substitute (21-Y 0-N) 2/5/2013 House: Passed House (100-Y 0-N) 2/6/13 Senate: Referred to Committee on Transportation</p>	<p>1/29/2013</p>
<p>Monitor (13102965D) - Clarify posting requirements. Summary: Requires that the responsible public entity shall allow 120 days for the submission of any competing proposals. The bill specifies that the notice is to include specific information regarding the nature, timing, and</p>		

Bills	General Assembly Actions	Date of BOS Position
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scope of the qualifying transportation facility, and that the responsible public entity must afford opportunities for public comment on the proposals submitted. The bill also requires that once the negotiation phase for the development of an interim or a comprehensive agreement is complete and a decision to award has been made by a responsible public entity, the responsible public entity is required to post the major business points of the interim or comprehensive agreement. The bill contains technical amendments. This bill incorporates HB 2258.

HB 1717 - Anderson (51)
Comprehensive plan; transportation component shall be consistent with Statewide Transportation Plan.

1/8/2013 House: Referred to Committee on Counties, Cities and Towns
1/24/2013 House: Subcommittee recommends reporting with amendment(s) (11-Y 0-N)
1/25/2013 House: Reported from Counties, Cities and Towns with amendments (21-Y 0-N)
1/30/2013 House: VOTE: PASSAGE (85-Y 11-N)
1/31/2013 Senate: Referred to Committee on Local Government

[2/8/2013]
1/29/2013

[Monitor] (13102257D-E) ~~Support~~ (13102257D) — ~~See also SB 1293 (Barker).~~
Summary: Comprehensive plan; transportation. The bill allows the Department of Transportation and a locality to agree on a time period shorter than 90 days for the Department to provide written comments on the locality's transportation plan.

HB 2072 - Peace (97)
Condemnation; local application process.

1/9/2013 House: Referred to Committee on Counties, Cities and Towns
1/24/2013 House: Subcommittee recommends reporting with amendment(s) (11-Y 0-N)
1/25/2013 House: Reported from Counties, Cities and Towns with amendment (21-Y 0-N)
1/30/2013 House: Passed House(99-Y 0-N)
1/31/2013 Senate: Referred to Committee on Local Government

[2/8/2013]
1/29/2013

[Monitor] (13103364D-E) ~~Amend~~ (13103364D) — ~~Amend to clarify that land use approvals can still have dedication of land as a condition.~~
Summary: Local application process; condemnation. Provides that no locality shall condition or delay the timely consideration of any application for or grant of any permit or other approval for any real property over which it enjoys jurisdiction for the purpose, expressed or implied, of allowing the locality to condemn or otherwise acquire the property or to commence any process to consider whether to undertake condemnation or acquisition of the property.

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2175 - Cox (66) Veterans care center; construction in Northern Virginia.</p>	<p>1/9/2013 House: Referred to Committee on Appropriations 1/21/2013 House: Reported from Appropriations with substitute (17-Y 0-N) 1/25/2013 House: Passed House (98-Y 0-N) 1/28/2013 Senate: Referred to Committee on Finance 2/5/2013 Senate: Reported from Finance (13-Y 0-N) 2/7/2013 Senate: Passed Senate (40-Y 0-N)</p>	<p>1/29/2013</p>
<p>Monitor (13103642D) Summary: Authorizes the Governor to request federal funds to construct a new veterans' care center in Northern Virginia, and requires the State Treasurer to issue a short-term treasury loan in an amount up to \$28.5 million for the state share of construction costs, once the U.S. Department of Veterans Affairs has determined that federal funds will be allocated for the new center.</p>		
<p>HB 2239 - Marshall, III (14) Cash proffers; not to be used for capital improvement to an existing local government facility.</p>	<p>1/14/2013 House: Referred to Committee on Counties, Cities and Towns 2/1/2013 House: Reported from Counties, Cities and Towns with substitute (21-Y 0-N) 2/5/2013 House: Passed House (100-Y 0-N) 2/6/2013 Senate: Referred to Committee on Local Government</p>	<p>[2/8/2013] 1/29/2013</p>
<p>[Monitor] (13104780D-H1) Amend (13103032D) — Amend to allow renovation needed to address new development impact. Summary: Cash proffers. Provides that cash proffers shall not be used for any capital improvement to an existing facility that does not expand facility capacity or for any operating expense of an existing facility such as ordinary maintenance or repair.</p>		
<p>HJ 755 - Howell (28) Tax restructuring; elimination of BPOL, Machinery and Tool, etc., Taxes.</p>	<p>1/18/2013 House: Referred to Committee on Rules 1/22/2013 House: Reported from Rules with substitute (15-Y 0-N) 1/25/2013 House: Agreed to by House BLOCK VOTE (95-Y 0-N) 1/28/2013 Senate: Referred to Committee on Rules</p>	<p>1/29/2013</p>
<p>Monitor (13104396D-H1) - Bill was amended to allow VACo and VML to participate in the study. Summary: Tax restructuring; report. Directs the Virginia Small Business Commission and Virginia Manufacturing Development Commission to evaluate and develop a plan for implementing tax restructuring to eliminate the BPOL, Machinery and Tool, and Merchants' Capital Taxes.</p>		

Bills	General Assembly Actions	Date of BOS Position
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<p>SB 865 - McEachin (9) Tolls; General Assembly to approve prior to imposition and collection for use of Interstate System.</p>	<p>1/3/2013 Senate: Referred to Committee on Transportation 1/23/2013 Senate: Rereferred to Finance 1/31/2013 Senate: Reported from Finance with substitute (12-Y 3-N) 2/5/2013 Senate: Passed Senate (30-Y 10-N) 2/11/2013 House: Referred to Committee on Transportation</p>	<p>[2/8/2013] 1/29/2013</p>
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[Monitor] (13104866D-S1) ~~Oppose~~ (13101747D)
Summary: Tolling Interstate Highway System components. Requires General Assembly approval before tolls are imposed or collected on any component of the Interstate Highway System in existence prior to July 1, 2013, except for high-occupancy toll lanes and high-occupancy vehicle lanes. This bill incorporates SB 1338.

<p>SB 884 - Deeds (25) Impoundment structures; notice of increase in the flow of water, civil penalties.</p>	<p>1/4/2013 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/17/2013 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (14-Y 0-N) 1/28/2013 Senate: Recommitted to Agriculture, Conservation and Natural Resources 1/31/2013 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (12-Y 2-N) 2/4/2013 Senate: Passed Senate (28-Y 11-N) 2/6/2013 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources</p>	<p>[2/8/2013] 1/29/2013</p>
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[Monitor] (13104830D-S3) - Bill has been amended to address concerns. ~~Amend~~ (13101257D) — Amend to exempt localities.
Summary: Impoundment structures; notice of increase in the flow of water; penalty. Prohibits an owner of a high hazard potential impounding structure from increasing the flow of water in a manner that increases water depths below the structure by more than two feet without notifying certain property owners and emergency services. The bill does not apply to some releases of water, such as those due to certain rain events or emergencies. Civil penalties assessed for violations are to be paid into the Dam Safety Administrative Fund. The bill further instructs the Department of Conservation and Recreation to promulgate guidance for implementing the law.

Bills	General Assembly Actions	Date of BOS Position
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<p>SB 1293 - Barker (39) Comprehensive plan; transportation component to be consistent with Statewide Transportation Plan.</p>	<p>1/15/2013 Senate: Referred to Committee on Transportation 1/23/2013 Senate: Reported from Transportation with amendments (14-Y 0-N) 1/29/2013 Senate: Passed Senate (40-Y 0-N) 2/2/2013 House: Referred to Committee on Counties, Cities and Towns 2/8/2013 House: Reported from Counties, Cities and Towns with amendment (17-Y 5-N)</p>	<p>[2/8/2013] 1/29/2013</p>
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[Monitor] (13103477D-E) ~~Support~~ (13103477D) — See also ~~HB 1717~~ (Anderson).
Summary: Comprehensive plan; transportation. The bill allows the Department of Transportation and a locality to agree on a time period shorter than 90 days for the Department to provide written comments on the locality's transportation plan.

<p>SB 1313 - Stosch (12) Income tax, local; City of Portsmouth authorized to levy to generate revenue for transportation.</p>	<p>1/17/2013 Senate: Referred to Committee on Finance 1/31/2013 Senate: Reported from Finance (8-Y 5-N) 2/5/2013 Senate: Passed Senate (27-Y 11-N) 2/11/2013 House: Referred to Committee on Finance</p>	<p>1/29/2013</p>
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Monitor (13103316D) - Patron has indicated he views this as an alternative transportation funding bill.
Summary: Local income tax. Adds the City of Portsmouth to the list of localities authorized to impose a local income tax to generate revenue to be used for transportation purposes. The bill also removes the requirement that the local income tax be approved by a referendum and repeals the five-year sunset on the local income tax.

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
HB 1302 - Loupassi (68) Tolling fees; prevents VDOT from charging monthly fees for payment program and its transponders.	7/16/2012 House: Referred to Committee on Transportation 1/24/2013 House: Tabled in Transportation (13-Y 9-N)	1/29/2013
<p>Support (13100038D) Summary: Tolling fees. Prevents the Department of Transportation from charging monthly fees for the automatic electronic tolling payment program and its transponders.</p>		
HB 1329 - Head (17) Local taxes; interest on refunds and delinquent taxes.	11/8/2012 House: Referred to Committee on Finance 1/28/2013 House: Subcommittee recommends striking from docket (9-Y 0-N) 1/30/2013 House: Stricken from docket by Finance by voice vote	1/29/2013
<p>Monitor (13100533D) - See also similar bills HB 1578 (Wilt) and SB 710 (Hanger). Summary: Authorizes localities not to pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer.</p>		
HB 1340 - Ware, Jr. (65) Electoral boards and general registrars; reimbursement of costs of compensation and expenses.	11/20/2012 House: Referred to Committee on Privileges and Elections 1/18/2013 House: Reported from Privileges and Elections (19-Y 2-N) 1/18/2013 House: Referred to Committee on Appropriations 2/5/2013 House: Left in Appropriations	1/29/2013
<p>Support (13100628D) - Historical position of the Board. See also SB 813 (Garrett). Summary: Compensation and expenses of electoral boards and general registrars. Provides for reimbursement by the state to the localities of the entire costs of compensation and expenses of the electoral boards and general registrars.</p>		
HB 1341 - Ware, Jr. (65) Presidential primaries; localities shall be reimbursed by State for all costs incurred.	11/20/2012 House: Referred to Committee on Privileges and Elections 1/18/2013 House: Reported from Privileges and Elections (16-Y 5-N) 1/18/2013 House: Referred to Committee on Appropriations 2/5/2013 House: Left in Appropriations	1/29/2013
<p>Support (13100629D) - Historical position of the Board. See also SB 806 (Garrett). Summary: Presidential primary costs. Provides that localities shall be reimbursed by the state for all costs incurred in conducting the presidential primary.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1357 - Rust (86) Handheld personal communications devices; texting while driving a primary offense.</p>	<p>12/3/2012 House: Referred to Committee for Courts of Justice 1/21/2013 House: Subcommittee recommends incorporating (HB1907-Anderson) by voice vote</p>	<p>1/29/2013</p>
<p>Support (13100970D) - Historical position of the Board. See also SB 875 (Barker). Summary: Texting while driving. Makes texting while driving a primary offense. This bill was incorporated into HB 1907.</p>		
<p>HB 1360 - Cline (24) Reckless driving; using a handheld personal communications device, penalty.</p>	<p>12/4/2012 House: Referred to Committee for Courts of Justice 1/21/2013 House: Subcommittee recommends incorporating (HB1907-Anderson) by voice vote</p>	<p>1/29/2013</p>
<p>Support (13101224D) - Historical position of the Board. See also HB 1848 (Loupassi), SB 1222 (Norment). Summary: Reckless driving; using a handheld communications device; penalty. Provides that driving while simultaneously using a handheld communications device for something other than verbal communication constitutes driving a motor vehicle that is not under proper control, punishable as reckless driving, a Class 1 misdemeanor. Under current law, the more specific offense of "texting while driving" (repealed by this bill) incurs a \$20 fine and is a secondary offense, which means that a law-enforcement officer must have cause to stop or detain a driver for some other violation, the primary offense, before issuing a citation for texting while driving, the secondary offense. This bill was incorporated into HB 1907.</p>		
<p>HB 1412 - Crockett-Stark (6) VIEW Program; substance abuse screening and assessment of public assistance recipients.</p>	<p>12/18/2012 House: Referred to Committee on Health, Welfare and Institutions 1/24/2013 House: Subcommittee recommends incorporating (HB1789-Bell, Robert B.) (7-Y 0-N)</p>	<p>1/29/2013</p>
<p>Oppose Unless Amended (13100376D) - Oppose unless amended to provide that added costs for additional drug testing will be paid by the state. See also HB 1789 (Bell), HB 2009 (Cline), HB 2109 (Morefield), SB 721 (Carrico). Summary: Substance abuse screening and assessment of public assistance recipients. Requires local departments of social services to screen each Virginia Initiative for Employment Not Welfare (VIEW) program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that, when a screening indicates reasonable cause to believe a participant is using illegal drugs, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive Temporary Assistance for Needy Families (TANF) payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program. This bill was incorporated into HB 1789.</p>		

Bills	General Assembly Actions	Date of BOS Position
HB 1429 - Morris (64) Zoning; attorney fees.	12/20/2012 House: Referred to Committee for Courts of Justice 2/5/2013 House: Left in Courts of Justice	1/29/2013
<p>Oppose (13101582D) Summary: Provides that a court may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in a zoning action brought against it or that successfully challenges the validity of a zoning ordinance.</p>		
HB 1437 - Purkey (82) Intangible personal property tax; classification of certain machinery and tools.	12/20/2012 House: Referred to Committee on Finance 1/25/2013 House: Subcommittee failed to recommend reporting (2-Y 2-N) 2/5/2013 House: Left in Finance	1/29/2013
<p>Oppose (13100654D) - Eliminates local machinery and tools tax; oppose. Historical position of the Board. Summary: Intangible personal property tax; machinery and tools. Classifies as intangible personal property, and therefore subject solely to state taxation, machinery and tools purchased on or after July 1, 2013, that have not been in service for more than three years.</p>		
HB 1455 - Watts (39) Elderly or incapacitated persons; financial exploitation, penalty is a Class 3 felony.	12/27/2012 House: Referred to Committee for Courts of Justice 1/25/2013 House: Incorporated by Courts of Justice (HB1682-Bell, Robert B.) by voice vote	1/29/2013
<p>Support (13102365D) - Consistent with Board's initiative from 2011 and 2012. See also similar bills HB 1682 (Bell), HB 1781 (Filler-Corn), SB 706 (Stuart), SB 1258 (Herring). Summary: Financial exploitation of elderly and incapacitated; penalty. Provides that any person who knowingly exploits the impaired mental capacity or the physical capacity of an incapacitated adult or an adult (defined for the purposes of the bill as 60 years old or older) by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation to use, obtain, convert, or take control of or endeavor to use, obtain, convert, or take control of the incapacitated adult's or adult's money, assets, property, or financial resources with the intent to deprive the incapacitated adult or adult of the use, benefit, or possession of the money, assets, property, or financial resources and to convert such money, assets, property, or financial resources to the perpetrator's own use or benefit is guilty of a Class 5 felony. However, any responsible person or a person who has a fiduciary relationship with the incapacitated adult or adult who commits such a violation is guilty of a Class 3 felony. It is not a defense that the accused did not know the age of the victim. This bill was incorporated into HB 1682.</p>		

Bills	General Assembly Actions	Date of BOS Position
HB 1458 - Watts (39) TANF; assistance when convicted of drug-related felony.	12/27/2012 House: Referred to Committee on Health, Welfare and Institutions 1/22/2013 House: Referred to Committee on Rules 1/31/2013 House: Tabled in Rules by voice vote	1/29/2013
<p>Support (13102025D) - Historical position of the Board. See also SB 835 (Favola). Summary: Eligibility for TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families assistance shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance provided he complies with all obligations imposed by the court and the Department of Social Services, is actively engaged in or has completed substance abuse treatment, and participates in drug screenings.</p>		
HB 1535 - Rust (86) Town and county; joint powers.	1/3/2013 House: Referred to Committee on Counties, Cities and Towns 2/5/2013 House: Left in Counties, Cities and Towns	1/29/2013
<p>Oppose (13100969D) Summary: Joint town and county powers. Clarifies that where a town and county generally enjoy the same power, a county power applies in or as to a town when the county power is granted and exercised for a county-wide purpose, as determined by the county. A town may by ordinance negate the application of the exercised county power in or as to the town; may itself exercise the joint power, preempting the exercise of the county's power in or as to the town; or may adopt and affirm the application of the exercised county power in or as to the town. Where a county and a town generally enjoy the same power, and the county power is granted and exercised for a local or municipal purpose that expressly or impliedly only applies in the unincorporated county, the county power does not apply in or as to the town absent the town's ordinance so applying the exercised county power in or as to the town. The bill also provides that this act is declarative of existing law.</p>		
HB 1555 - Bell (20) Virginia State Virtual School; established as statewide school division, report.	1/4/2013 House: Referred to Committee on Education 1/24/2013 House: Subcommittee recommends referring to Committee on Appropriations (7-Y 0-N) 1/28/2013 House: Referred to Committee on Appropriations 2/5/2013 House: Left in Appropriations	1/29/2013
<p>Oppose (13102616D) - Implications of a statewide virtual school should be carefully examined before enactment; could impact local school division funding. Summary: Virginia State Virtual School; created as school division. Establishes the Virginia State Virtual School as a statewide school division, to be supervised and administered by the Board of Education, for the delivery of full-time online educational programs and services to school-age persons in the Commonwealth. The bill also sets out procedures for (i) student enrollment, (ii) participation by multidivision online providers, and (iii) calculation of the state and local share of funding per participating student.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1578 - Wilt (26) Local taxes; interest on refunds and delinquent taxes.</p>	<p>1/4/2013 House: Referred to Committee on Finance 1/16/2013 House: Subcommittee recommends laying on the table (9-Y 0-N) 2/5/2013 House: Left in Finance</p>	<p>1/29/2013</p>
<p>Monitor (13101713D) - See also similar bills HB 1329 (Head) and SB 710 (Hanger). Summary: Authorizes each locality not to pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer, provided that the locality does not collect interest on taxes that are delinquent because of errors made by the locality. The benefit of not collecting or paying interest applies only when the refund or payment of the delinquent taxes is made within 60 days of notice of the error.</p>		
<p>HB 1611 - Hugo (40) Onsite sewage systems; inspections shall be required only once every two years rather than annually.</p>	<p>1/6/2013 House: Referred to Committee on Health, Welfare and Institutions 2/5/2013 House: Left in Health, Welfare and Institutions</p>	<p>1/29/2013</p>
<p>Oppose (13102505D) - Historical position of the Board. Summary: Onsite sewage systems. Provides that inspections of onsite sewage systems shall be required only once every two years rather than annually.</p>		
<p>HB 1662 - BaCote (95) Libraries; locality to adopt an ordinance that prohibits firearms, ammunition, etc. in.</p>	<p>1/7/2013 House: Referred to Committee on Militia, Police and Public Safety 1/17/2013 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/29/2013</p>
<p>Support (13102665D) - Historical position of the Board. Summary: Control of firearms; libraries owned or operated by localities. 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.</p>		
<p>HB 1712 - Plum (36) Local commission on human rights.</p>	<p>1/8/2013 House: Referred to Committee on Counties, Cities and Towns 1/23/2013 House: Subcommittee recommends laying on the table (6-Y 4-N) 2/5/2013 House: Left in Counties, Cities and Towns</p>	<p>1/29/2013</p>
<p>Support (13101099D) - Historical position of the Board. Summary: Provides that any locality that has established a local commission on human rights may include discrimination based on sexual orientation among those areas of discrimination the commission may investigate.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1722</u> - Head (17) Facilities; assistance and documentation to person seeking business license, etc.</p>	<p>1/8/2013 House: Referred to Committee on Counties, Cities and Towns 1/23/2013 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/29/2013</p>
<p>Amend (13103566D) - Amend to make permissive under the circumstances of each case. Summary: Assistance and documentation required from localities. Provides that in any instance in which a person is seeking a business permit, a license, or an application for any similar local government approval from a locality, the locality shall provide documentation and instructions that outline all steps necessary to obtain the permit, license or approval. The locality shall also specify any further permit, license or other approval that may be required to complete the original project or business activity and shall disclose the expected time required by the locality for the completion of each step of the process to obtain the license, permit or other approval.</p>		
<p><u>HB 1779</u> - Filler-Corn (41) Tolling transponder fees; prohibits imposition of monthly fee for any month.</p>	<p>1/8/2013 House: Referred to Committee on Transportation 1/22/2013 House: Subcommittee recommends striking from docket by voice vote 2/5/2013 House: Left in Transportation</p>	<p>1/29/2013</p>
<p>Support (13101125D) Summary: Tolling transponder fees. Prohibits imposition of a monthly fee for any tolling transponder for any month in which the transponder is used at least 10 times.</p>		
<p><u>HB 1781</u> - Filler-Corn (41) Elderly or incapacitated adults; financial exploitation, penalties.</p>	<p>1/8/2013 House: Referred to Committee for Courts of Justice 2/5/2013 House: Left in Courts of Justice</p>	<p>1/29/2013</p>
<p>Support (13103503D) - Consistent with Board initiative from 2011 and 2012. See also similar bills HB 1455 (Watts), HB 1682 (Bell), SB 706 (Stuart), SB 1258 (Herring). Summary: Financial exploitation of elderly or incapacitated adults; penalties. Provides that it is a felony punishable by imprisonment in a state correctional facility for not less than one nor more than 20 years to knowingly and without legal justification, by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation, use, obtain, convert, or take control of an incapacitated adult's money, assets, property, or financial resources with the intent to permanently deprive the adult of the use, benefit, or possession of the property or financial resources. If the violation is by a caregiver or person in a position of trust, it is a Class 3 felony. The bill allows forfeiture of personal property used in connection with the crime.</p>		

Bills	General Assembly Actions	Date of BOS Position
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<p>HB 1787 - Bell (58) Polling places; identification required to vote.</p>	<p>1/8/2013 House: Referred to Committee on Privileges and Elections 1/29/2013 House: Subcommittee recommends incorporating (HB1337-Cole) by voice vote 2/1/2013 House: Incorporated by Privileges and Elections (HB1337-Cole) by voice vote</p>	<p>1/29/2013</p>
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Oppose (13103361D) - Historical position of the Board.

Summary: Elections; identification required to vote. Amends the type of identification a voter must present to vote at the polls. All such identification must contain the voter's name, date of birth, and photograph; must be issued by the United States or the Commonwealth; and must contain an expiration date that is unexpired or that expired only after the most recent general election. The bill also requires that the Department of Motor Vehicles shall issue a free special identification card to voters who do not possess and cannot afford the necessary photo identification. The bill has a delayed effective date of July 1, 2014. This bill was incorporated into HB 1337.

<p>HB 1788 - Bell (58) Elections; identification to register to vote and present at polls.</p>	<p>1/8/2013 House: Referred to Committee on Privileges and Elections 1/29/2013 House: Subcommittee recommends incorporating (HB1337-Cole) by voice vote 2/1/2013 House: Incorporated by Privileges and Elections (HB1337-Cole) by voice vote</p>	<p>1/29/2013</p>
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Oppose (13103250D) - Historical position of the Board.

Summary: Elections; identification to register to vote and to vote. Requires that an applicant to register to vote must present proof of citizenship with his registration application. The bill provides that any person who is registered in Virginia as of January 1, 2014, is deemed to have provided satisfactory proof of citizenship and provides a method for applicants who do not possess and cannot afford a document proving citizenship to obtain such proof for free. The bill also amends the type of identification a voter must present to vote at the polls. All such identification must contain the voter's name, date of birth, and photograph; must be issued by the United States or the Commonwealth; and must contain an expiration date that is unexpired or that expired only after the most recent general election. The bill also requires that the Department of Motor Vehicles shall issue a free special identification card to voters who do not possess and cannot afford the necessary photo identification. The bill has a delayed effective date of July 1, 2014. This bill was incorporated into HB 1337.

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1789 - Bell (58) VIEW; substance abuse screening & assessment of public assistance applicants and recipients.</p>	<p>1/8/2013 House: Referred to Committee on Health, Welfare and Institutions 1/24/2013 Subcommittee recommends reporting with amendment(s) (5-Y 2-N) and referring to Committee on Appropriations 1/29/2013 House: Reported from Health, Welfare and Institutions with substitute (14-Y 8-N) 1/29/2013 House: Referred to Committee on Appropriations 2/5/2013 House: Left in Appropriations</p>	<p>1/29/2013</p>
<p>Oppose Unless Amended (13102901D) - Historical position of the Board. Oppose unless amended to provide that added costs for additional drug testing will be paid by the state. See also HB 1412 (Crockett-Stark), HB 2009 (Cline), HB 2109 (Morefield), SB 721 (Carrico). Summary: Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. This bill provides that, when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year.</p>		
<p>HB 1831 - Lingamfelter (31) Businesses, beginning;tax incentives.</p>	<p>1/8/2013 House: Referred to Committee on Finance 1/25/2013 House: Subcommittee recommends laying on the table (4-Y 1-N) 2/5/2013 House: Left in Finance</p>	<p>1/29/2013</p>
<p>Oppose (13103296D) - Oppose as written; any BPOL exemption should be local option. Potential revenue loss estimated at \$9.5 million. Summary: Tax incentives for beginning businesses. Exempts beginning businesses owned by disabled veterans with service-connected disabilities from certain fees imposed by the State Corporation Commission (SCC) and exempts all beginning businesses from the local business license tax. The bill also establishes state tax credits for beginning businesses for local personal property taxes paid by such businesses. The exemptions and tax credits would apply up through the first two full years that the business is in operation in the Commonwealth. The SCC fee exemptions and the business license tax exemption would only apply to businesses beginning operations on or after July 1, 2013, while the state tax credits would apply to businesses beginning operations on or after January 1, 2013.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1835 - Poindexter (9) Firefighters and emergency medical technicians; cap on damages.</p>	<p>1/8/2013 House: Referred to Committee for Courts of Justice 2/5/2013 House: Left in Courts of Justice</p>	<p>1/29/2013</p>
<p>Support (13102675D) Summary: Firefighters; emergency medical technicians; cap on damages. Imposes a \$250,000 cap on damages that may be recovered against firefighters and emergency medical technicians in a civil action arising out of the provision of fire-fighting and emergency medical services.</p>		
<p>HB 1848 - Loupassi (68) Reckless driving; using a handheld personal communications device, penalty.</p>	<p>1/8/2013 House: Referred to Committee for Courts of Justice 1/21/2013 House: Subcommittee recommends incorporating (HB1907-Anderson) by voice vote</p>	<p>1/29/2013</p>
<p>Support (13102175D) - Historical position of the Board. See also HB 1360 (Cline), SB 1222 (Norment). Summary: Reckless driving; using a handheld communications device; penalty. Provides that driving while simultaneously using a handheld communications device for something other than verbal communication constitutes driving a motor vehicle that is not under proper control, punishable as reckless driving, a Class 1 misdemeanor. Under current law, the more specific offense of "texting while driving" (repealed by this bill) incurs a \$20 fine and is a secondary offense, which means that a law-enforcement officer must have cause to stop or detain a driver for some other violation, the primary offense, before issuing a citation for texting while driving, the secondary offense. This bill was incorporated into HB 1907.</p>		
<p>HB 1883 - Bulova (37) Handheld personal communications devices; texting while driving, reckless driving.</p>	<p>1/8/2013 House: Referred to Committee for Courts of Justice 1/21/2013 House: Subcommittee recommends incorporating (HB1907-Anderson) by voice vote</p>	<p>1/29/2013</p>
<p>Support (13101527D) - Historical position of the Board. Summary: Texting while driving; injury to another or damage to property. Provides that any person who, while "texting" and driving, causes an accident in which a person is killed or injured or in which an attended vehicle or other attended property is damaged is guilty of reckless driving. The bill also provides that a violation of this provision shall not preclude prosecution under any other applicable provision of the criminal law. This bill was incorporated into HB 1907.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 1887 - LeMunyon (67) Rail-to-Dulles Project; places limitations and conditions on expenditure of revenues of State.</p>	<p>1/8/2013 House: Referred to Committee on Transportation 1/24/2013 House: Subcommittee failed to recommend reporting (2-Y 4-N) 2/5/2013 House: Left in Transportation</p>	<p>1/29/2013</p>
<p>Oppose (13103175D) Summary: Rail-to-Dulles Project. Places limitations and conditions on the expenditure of revenues of the Commonwealth on Phase II of the Rail-to-Dulles Project.</p>		
<p>HB 1908 - Surovell (44) Commonwealth Transportation Board; changes composition.</p>	<p>1/8/2013 House: Referred to Committee on Transportation 1/24/2013 House: Subcommittee recommends laying on the table by voice vote 2/5/2013 House: Left in Transportation</p>	<p>1/29/2013</p>
<p>Support (13100086D) - Historical position of the Board. See similar bills HB 2049 (Rust) and SB 732 (Petersen). Summary: the composition of the CTB so that one member will be appointed from each of Virginia's congressional districts and three will be at-large appointees. The three ex officio members remain unchanged. The bill also replaces the term "metropolitan statistical areas" with "metropolitan planning areas with populations greater than 200,000."</p>		
<p>HB 1956 - Brink (48) Special elections; Commonwealth shall pay costs of conducting to fill vacancy in General Assembly.</p>	<p>1/9/2013 House: Referred to Committee on Privileges and Elections 1/18/2013 House: Reported from Privileges and Elections (16-Y 5-N) 1/18/13 House: Referred to Committee on Appropriations 1/30/2013 House: Subcommittee recommends laying on the table by voice vote 2/5/2013 House: Left in Appropriations</p>	<p>1/29/2013</p>
<p>Support (13102256D) Summary: Provides that the Commonwealth shall pay the costs of conducting a special election to fill a vacancy in the General Assembly if such election is held on a day other than the day of a general election.</p>		
<p>HB 2009 - Cline (24) VIEW; substance abuse screening and assessment of public assistance applicants and recipients.</p>	<p>1/9/2013 House: Referred to Committee on Health, Welfare and Institutions 1/24/2013 House: Subcommittee recommends incorporating (HB1789-Bell, Robert B.) (7-Y 0-N)</p>	<p>1/29/2013</p>
<p>Oppose Unless Amended (13101964D) - Historical position of the Board. Oppose unless amended to provide that added costs for additional drug testing will be paid by the state. See also HB 1412 (Crockett-Stark), HB 1789 (Bell), HB 2109 (Morefield), SB 721 (Carrico). Summary: Requires local departments of social services to screen each VIEW program participant to</p>		

Bills	General Assembly Actions	Date of BOS Position
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determine whether probable cause exists to believe the participant is engaged in the use of illegal drugs. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal drugs, the Department of Social Services shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal drugs shall be ineligible to receive TANF payments for a period of one year. This bill was incorporated into HB 1789.

HB 2011 - Surovell (44)
Urban county executive form of government; abandoned personal property.

1/9/2013 House: Referred to Committee on Counties, Cities and Towns
2/1/2013 House: Tabled in Counties, Cities and Towns by voice vote

1/29/2013

Support (13103590D)

Summary: Provides that any county that has adopted the urban county executive form of government (Fairfax County) may, by ordinance, provide that it shall be unlawful for any person to place, leave, or abandon on any real property in the county, or within specified districts within the county, any dilapidated furniture, appliance, machinery, equipment, shopping cart, building material or other item or personal property, which is either in a wholly or partially rusted, wrecked, junked, dismantled or inoperative condition and which is not completely enclosed within a building. The ordinance shall provide that any such item which remains on the real property for a period of seven days after a notice of violation is given to the owner of such personal property shall be presumed to be abandoned and subject to being removed from the real property by the county or its agents without further notice. In the event any such item is so removed, the cost of removal, including an administrative fee in the amount of \$150.00, shall be charged to the owner of the personal property. No such ordinance shall apply to any real property used for the purpose of a licensed junk dealer or establishment engaged in the repair, rebuilding, reconditioning or salvaging of equipment. The ordinance may provide that a violation of the ordinance shall constitute a class 1 misdemeanor.

HB 2020 - LeMunyon (67)
Tolls; use of revenues.

1/9/2013 House: Referred to Committee on Transportation
2/5/2013 House: Left in Transportation

1/29/2013

Oppose (13101077D)

Summary: Use of toll revenues. Prohibits use of toll revenues for any purpose other than the construction, reconstruction, replacement, maintenance replacement, improvement, or maintenance of the facility for the use of which the tolls were imposed and collected, except as otherwise provided in § 33.1-23.03:4 (Toll Facilities Revolving Account) and subsection D of § 33.1-23.03:10 (tolls on Interstate Highway System components). The bill exempts from its provisions tolls imposed and collected on January 1, 2013.

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2032 - May (33) Virginia FOIA; allows regional public bodies to conduct electronic meetings.</p>	<p>1/9/2013 House: Referred to Committee on Science and Technology 1/16/2013 House: Reported from Science and Technology (17-Y 5-N) 1/16/2013 House: Referred to Committee on General Laws 1/24/2013 House: Subcommittee recommends laying on the table by voice vote 2/5/2013 House: Left in General Laws</p>	<p>1/29/2013</p>
<p>Support (13100580D) - Recommendation of Efficiency and Consolidation Task Force. Summary: Freedom of Information Act; electronic meetings. Allows regional public bodies to conduct electronic meetings in the same manner as state public bodies. The bill also removes the requirement that a public body hold one meeting each year at which no member participates using electronic means. This bill is a recommendation of the Joint Commission on Technology and Science.</p>		
<p>HB 2049 - Rust (86) Commonwealth Transportation Board; increases total membership from 17 to 21 members.</p>	<p>1/9/2013 House: Referred to Committee on Transportation 1/24/2013 House: Reported from Transportation (18-Y 4-N) 2/5/2013 House: VOTE: DEFEATED (49-Y 51-N)</p>	<p>1/29/2013</p>
<p>Support (13102214D) - Historical position of the Board. See also similar bills HB 2049 (Rust) and SB 732 (Petersen). Summary: Increases the total membership of the Commonwealth Transportation Board from 17 to 20 members by doubling the representation for the Richmond, Hampton Roads, and Northern Virginia highway construction districts.</p>		
<p>HB 2053 - Ware (11) Uniform Power of Attorney Act; violation, penalty.</p>	<p>1/9/2013 House: Referred to Committee for Courts of Justice 2/5/2013 House: Left in Courts of Justice</p>	<p>1/29/2013</p>
<p>Support (13102059D) - Consistent with Board initiative from 2011 and 2012. Summary: Provides that an agent under a power of attorney who violates the Uniform Power of Attorney Act with intent to defraud the principal and converts the principal's property is guilty of embezzlement.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2070 - Comstock (34) Mass Transit; removes all current allocations made by CTB and implements performance-based funding.</p>	<p>1/9/2013 House: Referred to Committee on Transportation 1/24/2013 House: Subcommittee recommends laying on the table by voice vote 2/5/2013 House: Left in Transportation</p>	<p>1/29/2013</p>
<p>Oppose (13103445D) - See also SB 1140 (Petersen). Summary: Commonwealth Mass Transit Fund. Removes all current allocations made by the Commonwealth Transportation Board to mass transit and implements performance-based funding for mass transit.</p>		
<p>HB 2078 - Peace (97) Public procurement; increases public notice of requests for proposals, technical amendments.</p>	<p>1/9/2013 House: Referred to Committee on General Laws 1/24/2013 House: Subcommittee recommends laying on the table by voice vote 2/5/2013 House: Left in General Laws</p>	<p>1/29/2013</p>
<p>Oppose (13103358D) Summary: Public procurement; design-build; construction management; protests; private investment. Increases public notice of requests for proposals from 10 to 30 days. The bill also (i) limits the use of competitive negotiation for construction projects, including certain public institutions of higher education, for which the aggregate or sum of all phases is not expected to exceed \$10 million, the nature of the project is such that it is unusually complex or extraordinary conditions exist, and the Director of the Department of General Services and the Secretary of Administration certify such conditions exist; (ii) requires posting on eVa and other appropriate websites for state and local public bodies using certain methods of procurement; (iii) changes the process for procurement of design-build or construction management projects; and (iv) allows a bidder or offeror to protest a public body's use of competitive negotiation. The bill contains technical amendments.</p>		
<p>HB 2109 - Morefield (3) VIEW; substance abuse screening and assessment of public assistance applicants and recipients.</p>	<p>1/9/2013 House: Referred to Committee on Health, Welfare and Institutions 1/24/2013 House: Subcommittee recommends incorporating (HB1789-Bell, Robert B.) (7-Y 0-N)</p>	<p>1/29/2013</p>
<p>Oppose Unless Amended (13101011D) - Historical position of the Board. Oppose unless amended to provide that added costs for additional drug testing will be paid by the state. See also HB 1412 (Crockett-Stark), HB 1789 (Bell), HB 2009 (Cline), SB 721 (Carrico). Summary: Requires local departments of social services to screen each VIEW program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal substances. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal substances, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal substances shall be ineligible to</p>		

Bills	General Assembly Actions	Date of BOS Position
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receive TANF payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program; however, an individual has one opportunity during the subsequent 12-month period to comply with the screening, assessment, or treatment requirements and be reinstated to eligibility for TANF benefits. This bill was incorporated into HB 1789.

HB 2125 - Keam (35) Virginia Freedom of Information Act; requests for records.	1/9/2013 House: Referred to Committee on General Laws 1/24/2013 House: Subcommittee recommends laying on the table by voice vote 2/5/2013 House: Left in General Laws	1/29/2013
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Monitor (13101987D) - This could create workload issues for the County, and has been referred to the FOIA Council for study in the off-session.

Summary: Provides that FOIA requests may be made by any citizen of the United States and not just citizens of the Commonwealth. The bill also allows a public body to require prepayment before providing requested records when the cost for production of the records is likely to exceed \$100.

HB 2129 - Spruill, Sr. (77) Tolls; requires GA approval for tolling of any Interstate or state highway component.	1/9/2013 House: Referred to Committee on Transportation 2/5/2013 House: Left in Transportation	1/29/2013
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Oppose (13102418D)

Summary: Toll roads. Requires General Assembly approval for tolling of any Interstate, state primary, or state secondary highway system component.

HB 2131 - Keam (35) Real property tax; modifies and clarifies special taxes that Fairfax County may impose.	1/9/2013 House: Referred to Committee on Counties, Cities and Towns 1/31/2013 House: Subcommittee recommends laying on the table by voice vote 2/5/2013 House: Left in Counties, Cities and Towns	1/29/2013
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Support (13102351D)

Summary: Real property tax in certain service districts; Fairfax County. Modifies and clarifies the special real property taxes that Fairfax County may impose in a service district to pay for the costs of the additional improvements and services provided in the district. The bill states that the tax may be imposed on property used for different purposes, not just zoned for different purposes. In addition, if the use or zoning of real property changes from one that is taxed in the service district to one that is not, then the local governing body may require the property owner to pay a lump sum equal to the present value of future taxes that will be lost as a result of the change in use or zoning.

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 2165</u> - Dudenhefer (2) Signs or advertising; civil penalties for placing within highway rights-of-way.</p>	<p>1/9/2013 House: Referred to Committee on Transportation 2/5/2013 House: Left in Transportation</p>	<p>1/29/2013</p>
<p>Support (13103562D) Summary: Signs or advertising within limits of highways. Imposes a civil penalty of \$100 for first violations and \$250 for second or subsequent violations for placing advertising within highway rights-of-way.</p>		
<p><u>HB 2196</u> - Peace (97) Tolls; Interstate Highway System components.</p>	<p>1/10/2013 House: Referred to Committee on Transportation 2/5/2013 House: Left in Transportation</p>	<p>1/29/2013</p>
<p>Oppose (13103576D) Summary: Tolls on Interstate Highway System components. Requires approval by the General Assembly prior to tolling any Interstate Highway System component in operation prior to July 1, 2013, except for HOV lanes and HOT lanes and continued tolling on toll facilities in operation prior to January 1, 2013.</p>		
<p><u>HB 2204</u> - Marshall, III (14) Polling places; location shall not be in public or private school building.</p>	<p>1/10/2013 House: Referred to Committee on Privileges and Elections 1/23/2013 House: Subcommittee recommends striking from docket by voice vote</p>	<p>1/29/2013</p>
<p>Oppose (13103093D) - Majority of County polling places are schools. Summary: Polling places. Provides that no polling place shall be located in a public or private school building.</p>		
<p><u>HB 2282</u> - Plum (36) Income tax, state and corporate; tax credit for removing barriers at places of public accommodation.</p>	<p>1/16/2013 House: Referred to Committee on Finance 1/25/2013 House: Subcommittee recommends laying on the table (3-Y 0-N) 2/5/2013 House: Left in Finance</p>	<p>1/29/2013</p>
<p>Support (13103142D) - Consistent with Board's position on accessibility in the Legislative Program. Summary: Tax credit for removing barriers at places of public accommodation. Establishes beginning January 1, 2013, an individual and corporate income tax credit equal to 50 percent of the amount paid by a business to remove physical barriers at places of public accommodation, as defined under the Americans with Disabilities Act (e.g., hotels, restaurants, etc.), in order to allow greater access and usage by disabled persons. The credit would not exceed \$1,000 in amounts incurred by the business to remove barriers at each place of public accommodation. The Department of Housing and Community Development would administer the tax credit program. Any unused tax credits could be carried forward for five years. The credit would sunset on January 1, 2018.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>HB 2293 - Wilt (26) Bail; minimum financial conditions.</p>	<p>1/17/2013 House: Referred to Committee for Courts of Justice 1/28/2013 House: Subcommittee recommends laying on the table by voice vote 2/5/2013 Left in Courts of Justice</p>	<p>1/29/2013</p>
<p>Oppose (13103929D) - Board has historically opposed. Summary: Minimum financial conditions of bail. Provides that any judicial officer fixing terms of bail shall presume, subject to rebuttal, that the following minimum financial conditions are necessary to assure the appearance of the accused and to assure his good behavior pending trial: Any person charged with a Class 1 or Class 2 misdemeanor shall have bail fixed at an amount not less than \$1,000, secured or unsecured; any person charged with a Class 6 felony shall have bail fixed at an amount not less than \$5,000, secured; any person charged with a Class 5 felony shall have bail fixed at an amount not less than \$10,000, secured; any person charged with a Class 4 felony shall have bail fixed at an amount not less than \$25,000, secured; any person charged with a Class 3 felony shall have bail fixed at an amount not less than \$50,000, secured; any person charged with a Class 1 or Class 2 felony shall have bail fixed at an amount not less than \$100,000, secured; and any person charged with a felony that is unclassified shall have bail fixed at an amount not less than \$10,000, secured.</p>		
<p>HB 2297 - Filler-Corn (41) Railroad right-of-way access; allocation of funds.</p>	<p>1/17/2013 House: Referred to Committee on Transportation 1/28/2013 House: Subcommittee recommends reporting with amendment(s) (2-Y 1-N) 1/31/2013 House: Tabled in Transportation (11-Y 10-N)</p>	<p>1/29/2013</p>
<p>Support (13103818D) Summary: Allocation of funds for railroad right-of-way access. Provides that funds for contract fees paid by the Virginia Railway Express for access to the rights-of-way of CSX Transportation, Norfolk Southern Corporation, and the National Railroad Passenger Corporation are to be allocated from the public transportation portion of federal Surface Transportation Program funds.</p>		
<p>HB 2323 - Surovell (44) Motor vehicles; locality may reasonably limit number of title loan businesses, payday lenders, etc.</p>	<p>1/18/2013 House: Referred to Committee on Commerce and Labor 2/5/2013 House: Left in Commerce and Labor</p>	<p>1/29/2013</p>
<p>Support (13100147D) - Certain areas of the County have seen a proliferation of these businesses. Summary: Local limitations as to 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>		

Bills	General Assembly Actions	Date of BOS Position
<p>HJ 573 - Hope (47) Constitutional amendment; property tax exemption for nonprofit medical clinics serving indigent.</p>	<p>12/18/2012 House: Referred to Committee on Privileges and Elections 1/28/2013 House: Subcommittee recommends laying on the table by voice vote 2/5/2013 House: Left in Privileges and Elections</p>	<p>1/29/2013</p>
<p>(13100892D) - Support only as an initiative funded by the state. Summary: Constitutional amendment (first resolution); property tax exemption for nonprofit medical clinics serving the indigent. Exempts property owned by nonprofit medical clinics organized to provide health care services without charge to the indigent.</p>		
<p>HJ 667 - Surovell (44) United States Constitution; General Assembly hereby ratifies and affirms Equal Rights Amendment.</p>	<p>1/8/2013 House: Referred to Committee on Rules 1/31/2013 House: Tabled in Rules by voice vote</p>	<p>1/29/2013</p>
<p>Support (13100777D) - Board has historically opposed. Summary: United States Constitution; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the United States Constitution that was proposed by Congress in 1972. This 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>		
<p>SB 710 - Hanger, Jr. (24) Local taxes; interest on refunds and delinquent taxes, report.</p>	<p>11/28/2012 Senate: Referred to Committee on Finance 1/22/2013 Senate: Stricken at request of Patron in Finance (14-Y 0-N)</p>	<p>1/29/2013</p>
<p>Monitor (13100850D) - See also similar bills HB 1329 (Head) and HB 1578 (Wilt). Summary: Local taxes; interest on refunds and delinquent taxes. Authorizes a locality to not pay interest on refunds owed to a taxpayer that are due to willful errors made by the taxpayer. The bill also directs the Chairmen of the House and Senate Committees on Finance to convene a working group to consider the feasibility and fiscal impact on local governments of establishing uniform methods of assessing interest earned on overpayment of taxes or charged for underpayment of taxes and uniform criteria for evaluating the timely repayment of taxes.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 721 - Carrico, Sr. (40) VIEW; substance abuse screening and assessment of public assistance applicants and recipients.</p>	<p>12/3/2012 Senate: Referred to Committee on Rehabilitation and Social Services 1/18/2013 Senate: Reported from Rehabilitation and Social Services with amendments (8-Y 6-N) 1/18/2013 Senate: Rereferred to Finance 1/29/2013 Senate: Reported from Finance with substitute (10-Y 5-N) 2/4/2013 Senate: Defeated by Senate (19-Y 20-N)</p>	<p>1/29/2013</p>
<p>Oppose Unless Amended (13100403D) - Historical position of the Board. Oppose unless amended to provide that added costs for additional drug testing will be paid by the state. See also HB 1412 (Crockett-Stark), HB 1789 (Bell), HB 2009 (Cline), HB 2109 (Morefield).</p> <p>Summary: Substance abuse screening and assessment of public assistance applicants and recipients. Requires local departments of social services to screen each Virginia Initiative for Employment Not Welfare (VIEW) program participant to determine whether probable cause exists to believe the participant is engaged in the use of illegal substances. The bill provides that when a screening indicates reasonable cause to believe a participant is using illegal substances, the local department of social services shall require a formal substance abuse assessment of the participant, which may include drug testing. In cases in which drug testing is required, the cost of testing shall be paid by the Department of Social Services. Any person who fails or refuses to participate in a screening or assessment without good cause or who tests positive for the use of illegal substances shall be ineligible to receive Temporary Assistance for Needy Families (TANF) payments for a period of one year, unless he enters into and complies with the requirements of a drug treatment program; however, an individual has one opportunity during the subsequent 12-month period to comply with the screening, assessment, or treatment requirements and be reinstated to eligibility for TANF benefits.</p>		
<p>SB 732 - Petersen (34) Commonwealth Transportation Board; increases number of membership, changes areas of representation.</p>	<p>12/12/2012 Senate: Referred to Committee on Transportation 1/30/2013 Senate: Stricken at request of Patron in Transportation (15-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13100540D) - Historical position of the Board. See also similar bills HB 1908 (Surovell) and HB 2049 (Rust).</p> <p>Summary: Composition of the Commonwealth Transportation Board. Increases the number of members of the Commonwealth Transportation Board to 18, by the addition of one citizen member, and changes the areas of representation from the construction districts to the congressional districts.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 767</u> - Wagner (7) Retail sales and transient occupancy taxes; taxes on room rentals based upon charges for use, etc.</p>	<p>12/18/2012 Senate: Referred to Committee on Finance 1/22/2013 Senate: Reported from Finance with substitute (9-Y 4-N 1-A) 1/25/2013 Senate: Passed Senate (23-Y 17-N) 2/2/2013 House: Referred to Committee on Finance 2/6/2013 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/29/2013</p>
<p>Support (13100678D) - Historical position of the Board. See also SB 1094 (Hanger). Fiscal impact estimated at \$200,000. 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 and such facilitation efforts, the bill requires the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The effective date of the bill is January 1, 2014. This bill incorporates SB 1094.</p>		
<p><u>SB 803</u> - Garrett (22) Hunting; lawful to hunt or kill coyotes on Sunday.</p>	<p>12/20/2012 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/17/2013 Senate: Reported from Agriculture, Conservation and Natural Resources with amendments (8-Y 7-N) 1/23/2013 Senate: Read third time and defeated by Senate (13-Y 26-N)</p>	<p>1/29/2013</p>
<p>Monitor (13100717D) Summary: Hunting nuisance species. Makes it lawful to hunt or kill nuisance species on Sunday. Among the species that could be hunted on Sunday are blackbirds, coyotes, crows, cowbirds, feral swine, grackles, English sparrows, starlings, and those species designated as nuisance species by regulations of the Board of Game and Inland Fisheries.</p>		
<p><u>SB 805</u> - Garrett (22) Elections; costs of primaries.</p>	<p>12/20/2012 Senate: Referred to Committee on Privileges and Elections 1/22/2013 Senate: Passed by indefinitely in Privileges and Elections (15-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13101210D) - Historical position of the Board. Summary: Provides that the state will reimburse the localities for the costs of primary elections as funded by the general appropriation act.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 806 - Garrett (22) Presidential primaries; localities shall be reimbursed by State for all costs incurred.</p>	<p>12/20/2012 Senate: Referred to Committee on Privileges and Elections 1/22/2013 Senate: Passed by indefinitely in Privileges and Elections (15-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13101211D) - Historical position of the Board. See also HB 1341 (Ware). Summary: Presidential primary costs. Provides that localities shall be reimbursed by the state for all costs incurred in conducting the presidential primary.</p>		
<p>SB 813 - Garrett (22) Electoral boards and general registrars; reimbursement of costs of compensation and expenses.</p>	<p>12/20/2012 Senate: Referred to Committee on Privileges and Elections 1/29/2013 Senate: Passed by indefinitely in Privileges and Elections (13-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13101212D) - Historical position of the Board. See also HB 1340 (Ware). Summary: Compensation and expenses of electoral boards and general registrars. Provides for reimbursement by the state to the localities of the entire costs of compensation and expenses of the electoral boards and general registrars.</p>		
<p>SB 835 - Favola (31) TANF; assistance when convicted of drug-related felony, ineligible if fail or refuse drug testing.</p>	<p>12/28/2012 Senate: Referred to Committee on Rehabilitation and Social Services 1/18/2013 Senate: Reported from Rehabilitation and Social Services with amendment (13-Y 1-N) 1/18/2013 Senate: Rereferred to Finance 1/29/2013 Senate: Reported from Finance with amendment (13-Y 2-N) 2/1/2013 Senate: Passed Senate (31-Y 8-N) 2/7/2013 House: Subcommittee recommends laying on the table (4-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13100684D) - Historical position of the Board. See also HB 1458 (Watts). Summary: Eligibility for TANF; drug-related felonies. Provides that a person who is otherwise eligible to receive Temporary Assistance for Needy Families assistance shall not be denied assistance solely because he has been convicted of a felony offense of possession of a controlled substance, provided that he complies with all obligations imposed by the court and the Department of Social Services, is actively engaged in or has completed substance abuse treatment, and participates in drug screenings. This bill is contingent upon an appropriation of general funds effectuating the provisions of this bill.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 860 - Lucas (18) State entities; procurement by using public-private partnerships.</p>	<p>1/3/2013 Senate: Referred to Committee on General Laws and Technology 1/28/2013 Senate: Passed by indefinitely in General Laws and Technology (12-Y 3-N)</p>	<p>1/29/2013</p>
<p>Monitor (13103247D) Summary: Procurement by state entities using public private partnerships; Public-Private Transportation Act; Public-Private Education Facilities and Infrastructure Act of 2002. Provides that no real property asset that produces annual average revenue for the Commonwealth of \$10 million or more over the five most recent fiscal years, or \$10 million revenue for the Commonwealth in the most recent fiscal year, may be (i) the subject of any lease, concession agreement, or similar type of agreement that transfers to a nongovernmental entity possession or control of the asset for more than 10 years at a time, including any renewal, (ii) sold, or (iii) securitized as a part of a qualified transportation facility under the Public-Private Transportation Act of 1995 or a qualified project under the Public-Private Education Facilities and Infrastructure Act of 2002 unless it has been declared to be surplus property. The bill also requires any comprehensive agreement for a qualifying transportation facility where the responsible public entity is a state entity to provide a summary containing the major business points of the agreement to the Public-Private Partnership Advisory Commission for review and comment. In addition, the bill provides that any proposed comprehensive agreement for a qualifying transportation facility, when the responsible public entity is an agency or institution of the Commonwealth, that (i) creates state tax-supported debt, (ii) requires a level of appropriation beyond the appropriation received by the responsible public entity in the most recent appropriation act, or (iii) alters the Commonwealth's discretion to change the level of services or the funding for such services over time must be reviewed by the General Assembly prior to execution.</p>		
<p>SB 1005 - McWaters (8) Handheld personal communications devices; using while driving on bridge or tunnel, primary offense.</p>	<p>1/8/2013 Senate: Referred to Committee on Transportation 1/16/2013 Senate: Reported from Transportation (11-Y 2-N) 1/22/2013 Senate: Rereferred to Courts of Justice 1/30/2013 Senate: Reported from Courts of Justice with amendments (9-Y 5-N) 2/1/2013 Senate: Defeated by Senate (18-Y 21-N)</p>	<p>1/29/2013</p>
<p>Support (13100467D) Summary: Use of a handheld personal communications device while driving. Makes using a handheld personal communication device while driving on a bridge or in a tunnel a primary offense. All other offenses involving the use of a handheld personal communication device while driving remain secondary offenses. The bill also increases the penalty for causing an accident because of the use of a handheld personal communications device while driving on a bridge or in a tunnel to \$150 for a first offense and \$250 for a second or subsequent offense.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1072</u> - Obenshain (26) Elections; electronic pollbooks, photographs.</p>	<p>1/9/2013 Senate: Referred to Committee on Privileges and Elections 1/29/2013 Senate: Failed to report (defeated) in Privileges and Elections (7-Y 7-N)</p>	<p>1/29/2013</p>
<p>Oppose (13103420D) - Historical position of the Board. Summary: Elections; electronic pollbooks; photographs. Provides that electronic pollbooks shall contain a photograph of and identifying information for each voter either received from the Department of Motor Vehicles or taken by an officer of election when the voter presents himself to vote that shall be accessed by the officer of election when the voter presents himself to vote. If the voter does not appear to be the same person depicted in the photograph in the pollbook, any qualified voter may and the officer of election shall challenge the vote of such voter. A voter with religious objections to being photographed may refuse to have his photograph taken.</p>		
<p><u>SB 1073</u> - Obenshain (26) Attorney; fees in certain land use cases.</p>	<p>1/9/2013 Senate: Referred to Committee on Local Government 1/22/2013 Senate: Failed to report (defeated) in Local Government (6-Y 9-N)</p>	<p>1/29/2013</p>
<p>Oppose (13103650D) Summary: Attorney fees in certain land use cases. Provides that a court, in addition to any other relief provided, and for good cause, may award reasonable attorney fees, expenses, and court costs to any person, group, or entity that prevails in an action successfully challenging an ordinance, administrative act, or other local action related to planning, subdivision of land, zoning, or other land use activity.</p>		
<p><u>SB 1081</u> - Miller (1) Public-Private Transportation Act of 1995, etc.; additional requirements.</p>	<p>1/9/2013 Senate: Referred to Committee on General Laws and Technology 1/28/2013 Senate: Passed by indefinitely in General Laws and Technology (15-Y 0-N)</p>	<p>1/29/2013</p>
<p>Monitor (13103521D) Summary: Public-Private Transportation Act of 1995 and Public-Private Education Facilities and Infrastructure Act of 2002; addition requirements for comprehensive agreements. Provides that no comprehensive agreement providing for the lease, operation, or transfer of ownership of a qualifying transportation facility under the Public-Private Transportation Act or a qualified project under the Public-Private Education Facilities and Infrastructure Act with a total value of \$1 billion or more shall be executed by a state agency unless (i) approved by the Governor and (ii) a bill that includes a specific description of the proposed agreement and its anticipated expenditures and revenues is passed by the General Assembly.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1094</u> - Hanger, Jr. (24) Retail sales and transient occupancy taxes; taxes on room rentals based upon charges for use, etc.</p>	<p>1/9/2013 Senate: Referred to Committee on Finance 1/22/2013 Senate: Incorporated by Finance (SB767-Wagner) (14-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13101563D) - Historical position of the Board. See also SB 767 (Wagner). Fiscal impact estimated at \$200,000. 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 and such facilitation efforts, the bill requires the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The effective date of the bill is January 1, 2014. This bill was incorporated into SB 767.</p>		
<p><u>SB 1160</u> - Barker (39) Driving while texting; primary offense, increased penalties.</p>	<p>1/9/2013 Senate: Referred to Committee on Transportation 1/23/2013 Senate: Rereferred to Courts of Justice 2/4/2013 Senate: Incorporated by Courts of Justice (SB1222-Norment) (14-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13103482D) - Historical position of the Board. See also HB 1907 (Anderson). Summary: Driving while texting; primary offense; increased penalties. Provides that driving while texting is a traffic infraction punishable, for a first offense, by a fine of \$250 and, for a second or subsequent offense, by a fine of \$500. The current penalties are \$20 for a first offense and \$50 for a second or subsequent offense. The bill also changes the offense from a secondary offense (one that can only be charged when the offender is stopped for another, separate offense) to a primary offense. The bill also provides that a violation of this provision does not preclude prosecution under any other applicable provision of the criminal law or of the law governing the operation of motor vehicles. The bill was incorporated into SB 1222.</p>		
<p><u>SB 1210</u> - Stuart (28) Transportation commission membership.</p>	<p>1/9/2013 Senate: Referred to Committee on Transportation 1/16/2013 Senate: Reported from Transportation with amendment (8-Y 4-N) 1/29/2013 Senate: Read third time and defeated by Senate (19-Y 20-N)</p>	<p>1/29/2013</p>
<p>Oppose (13103705D) - See also HB 2152 (Anderson). Summary: Gives the Chairman of the Commonwealth Transportation Board or his designee equal voting weight on the Virginia Railway Express oversight board. The bill also provides that the Chairman of the Commonwealth Transportation Board or his designee shall be included for purposes of constituting a quorum on certain transportation commissions and shall have voting rights equal to the appointees of component governments.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1238</u> - Barker (39) Handheld personal communications devices; texting while driving is punishable as reckless driving.</p>	<p>1/9/2013 Senate: Referred to Committee on Transportation 1/23/2013 Senate: Rereferred to Courts of Justice 2/4/2013 Senate: Incorporated by Courts of Justice (SB1222-Norment) (14-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13103497D) Summary: Reckless driving; texting; penalty. Provides that texting while driving is punishable as reckless driving, a Class 1 misdemeanor; currently, violations incur a \$20 fine. The bill also makes texting while driving a primary offense; currently, law-enforcement officers must have cause to stop or detain a driver for some other violation before issuing a citation for texting while driving. If the degree of culpability is slight, the person may be found not guilty of reckless driving but guilty of texting while driving, which is punishable by a \$50 fine. The bill was incorporated into SB 1222.</p>		
<p><u>SB 1239</u> - Herring (33) Uniform Statewide Building Code; enforcement by towns.</p>	<p>1/9/2013 Senate: Referred to Committee on General Laws and Technology 2/4/2013 Senate: Failed to report (defeated) in General Laws and Technology (4-Y 10-N 1-A)</p>	<p>1/29/2013</p>
<p>Oppose (13102035D) - See also HB 1574 (Minchew). Summary: Provides that if any town does not elect to enforce the Uniform Statewide Building Code, then such enforcement shall be the responsibility of the county in which the town is situated. The bill also provides that the enforcement by the county shall be with equal dignity as the county does in unincorporated areas of the county and no agreement between the town and the county shall be required as a prerequisite for the county to perform this obligation. The bill contains technical amendments.</p>		
<p><u>SB 1258</u> - Herring (33) Elderly or incapacitated adults; financial exploitation, penalties.</p>	<p>1/10/2013 Senate: Referred to Committee for Courts of Justice 1/21/2013 Senate: Incorporated by Courts of Justice (SB706-Stuart) (13-Y 0-N)</p>	<p>1/29/2013</p>
<p>Support (13103692D) - Consistent with Board initiative from 2011 and 2012. See also HB 1455 (Watts), HB 1682 (Bell), HB 1781 (Filler-Corn), SB 706 (Stuart). Summary: Financial exploitation of elderly or incapacitated adults; penalties. Provides that it is a felony punishable by imprisonment in a state correctional facility for not less than one nor more than 20 years to knowingly and without legal justification, by deception, intimidation, undue influence, coercion, harassment, duress, or misrepresentation, use, obtain, convert, or take control of an incapacitated adult's money, assets, property, or financial resources with the intent to permanently deprive the adult of the use, benefit, or possession of the property or financial resources. If the violation is by a caregiver or person in a position of trust, it is a Class 3 felony. The bill allows forfeiture of personal property used in connection with the crime. The bill was incorporated into SB 706.</p>		

Bills	General Assembly Actions	Date of BOS Position
SB 1312 - Martin (11) Conditions of release; release of accused to pretrial services only when indigent.	1/17/2013 Senate: Referred to Committee for Courts of Justice 2/6/2013 Senate: Left in Courts of Justice	1/29/2013
<p>Oppose (13103932D) Summary: Release of accused to pretrial services only when indigent. Provides that, when a person is arrested for either a felony or a misdemeanor, any judicial officer may place the person in the custody and supervision of a designated person, organization, or pretrial services agency but that no person shall be released to a pretrial services agency without a secured bond unless he is determined by a court to be indigent.</p>		
SB 1329 - Wagner (7) Medicaid; expands class of recipients in State.	1/18/2013 Senate: Referred to Committee on Education and Health 1/31/2013 Senate: Stricken at request of patron in Education and Health (14-Y 0-N)	1/29/2013
<p>Support (13103997D) - Position in Legislative Program. Summary: Expansion of Medicaid. Expands the class of Medicaid recipients in Virginia to include those meeting the criteria in the federal Patient Protection and Affordable Care Act. Such expansion would expire if federal financial participation for the expanded population is reduced below 90%. The bill also authorizes the Department of Medical Assistance Services to seek federal authorization to reform the Medicaid service delivery model in Virginia.</p>		
SB 1361 - Black (13) DRPT; analysis of proposed project provided to General Assembly.	1/18/2013 Senate: Referred to Committee on Transportation 1/30/2013 Senate: Stricken at request of Patron in Transportation (15-Y 0-N)	1/29/2013
<p>Oppose (13104287D) - There are already requirements in place for new rail projects. Additionally, the language is extremely vague and could affect and/or delay transit service changes. Summary: Responsibilities of Department.</p>		
SB 1362 - Black (13) Metropolitan Washington Airports; conditions upon Governor's authorization of Amendment No. 4.	1/18/2013 Senate: Referred to Committee on General Laws and Technology 1/28/2013 Senate: Passed by indefinitely in General Laws and Technology (13-Y 2-N)	1/29/2013
<p>Oppose (13104343D) - This bill could stop the Phase 2 project from going forward, by requiring General Assembly approval before the Governor signs Amendment No. 4 of the MWAA lease agreement. Amendment #4 (which was approved by the MWAA Board of Directors and currently awaits signature by US Secretary of Transportation) includes language, consistent with the USDOT IG report and developed in consultation with USDOT, to: assure lease compliance by providing USDOT immediate access to MWAA's records; and</p>		

Bills	General Assembly Actions	Date of BOS Position
<p>improve MWAA's policies and procedures based on best practices in procurement, contracting, human resources, budget, travel, ethics, governance and transparency. Also defines "airport purposes" and conditions MWAA's activity subject to US-DOT Secretary approval.</p> <p>Summary: Place conditions upon the Governor of Virginia's authorization of AMENDMENT NO. 4 to the LEASE of the METROPOLITAN WASHINGTON AIRPORTS between THE UNITED STATES OF AMERICA acting by and through THE SECRETARY OF TRANSPORTATION and THE METROPOLITAN WASHINGTON AIRPORTS AUTHORITY.</p>		
<p>SJ 272 - Black (13) Constitutional amendment; real property tax exemption for spouses of soldiers killed in action.</p>	<p>12/13/2012 Senate: Referred to Committee on Privileges and Elections 1/29/2013 Senate: Reported from Privileges and Elections with substitute (11-Y 0-N) 1/29/2013 Senate: Rereferred to Finance 1/31/2013 Senate: Passed by indefinitely in Finance with letter (13-Y 0-N)</p>	<p>1/29/2013</p>
<p>(13102717D) - Support only as an initiative funded by the state. See also HJ 551 (Ramadan).</p> <p>Summary: Constitutional amendment (first resolution); real property tax exemption for spouses of soldiers killed in action. Provides a real property tax exemption for the primary residence of surviving spouses of members of the military who are killed in action.</p>		
<p>SJ 327 - McDougale (4) Constitutional amendment; state school division for schools denied accreditation (first reference).</p>	<p>1/9/2013 Senate: Referred to Committee on Privileges and Elections 1/29/2013 Senate: Reported from Privileges and Elections with substitute (8-Y 5-N 1-A) 2/5/2013 Senate: Passed by for the day</p>	<p>1/29/2013</p>
<p>Oppose (13103634D) - Changes the sole constitutional authority of the Board of Education. See also HJ 693 (Habeeb).</p> <p>Summary: Constitutional amendment (first resolution); statewide school division for schools denied accreditation. Authorizes the General Assembly to establish a statewide school division to supervise and administer schools that have been denied accreditation for a number of consecutive school years, as determined by the General Assembly. Supervision of the statewide school division is to be vested in a single statewide school board established as may be provided by law. Funding of the statewide division is to be provided by law, and transfer of certain per pupil shares of various funds from the local school district of residence to the statewide district is authorized.</p>		

**BUDGET PROPOSALS FOR FY 2014
DURING THE 2012 GENERAL ASSEMBLY SESSION
as of February 8, 2013**

FY 2014 Estimated Impact to Fairfax County

Direct County Impact	Governor's Proposals	House	Senate
Elimination of Aid to Localities Reduction	\$3.2 million	\$3.2 million	\$3.2 million
Compensation Board Increase	\$0.3 million	\$0.4 million	\$0.4 million
Commonwealth Attorneys	\$70,000	\$70,000	\$70,000
Libraries	\$0.0	\$5,000	\$20,000
TOTAL DIRECT COUNTY IMPACT	\$3.57 million	\$3.68 million	\$3.69 million

Fairfax County Public Schools	Governor's Proposals	House	Senate
Cost of Competing - Instructional Personnel	(\$4.0 million)	(\$2.0 million)	\$0.2 million

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

According to FCPS staff, compared to the School's Proposed Budget, the Governor's Proposed Budget includes a net decrease of \$6.9 million. This is primarily due to the elimination of the Cost of Competing which was a loss of \$4.0 million. The House restores one-half of this funding, for a net loss of \$2.0 million while the Senate restores the full \$4.0 million FY 2014 cut plus restores \$0.2 million from FY 2013.

**BUDGET PROPOSALS FOR FY 2012- FY 2014 DURING THE 2013 GENERAL ASSEMBLY SESSION
as of February 8, 2013**

Issue	Fairfax County Impact
Central Appropriations	
<u>Aid to Localities</u>	
<p>Governor McDonnell's Amendments: Provides \$45 million in FY 2014 to eliminate the across-the-board cut in aid to localities.</p> <p>House: No Change. Senate: No Change.</p>	<p>Would restore \$3.2 million to Fairfax County in FY 2014. The County's cut in FY 2013 remains \$3.6 million.</p>
Compensation Board	
<u>State-Supported Employee Compensation</u>	
<u>Central Appropriations</u>	
<p>Governor McDonnell's Amendments: No changes recommended to language authorizing a 2% across-the-board increase to Constitutional Officers and their staff contingent upon FY 2013 year-end revenue.</p> <p>House: Provides an additional 1% across-the-board increase beginning in September.</p> <p>Senate: Provides an additional 1% across-the-board increase beginning in September.</p>	<p>Potential increase of \$0.3 million to Fairfax County.</p> <p>Potential increase of \$0.4 million to Fairfax County.</p> <p>Potential increase of \$0.4 million to Fairfax County.</p>
<u>Commonwealth Attorneys</u>	
<p>Governor McDonnell's Amendments: Additional funding of \$2.1 million to increase the salaries of each Assistant Commonwealth's Attorney by \$3,308 and to increase the entry level salary to \$48,693. The funding is the initial step toward an intention to provide a similar increase in FY 2015.</p> <p>House: No Change Senate: No Change</p>	<p>Would result in additional salary reimbursement of approximately \$70,000 for Fairfax County.</p>
<u>Inmate Per Diem Funding</u>	
<p>Governor McDonnell's Amendments: Provides an additional \$6.3 million in FY 2013 for inmate per diem based on updated inmate population forecasts. No additional funding was added for FY 2014; therefore, funding is not sufficient for the anticipated statewide inmate population. No changes for per diem rates.</p> <p>House: Reduces funding by \$0.5 million in FY 2014 due to opening of River Northern Correctional Center in Grayson County</p>	<p>Funding will be based on County's inmate population in FY 2013. Since funding in FY 2014 is not sufficient to meet the statewide inmate population, funding to the County could be impacted.</p> <p>No impact to Fairfax County.</p>
<u>Public Safety</u>	
<u>State Aid to Localities with Police Departments (HB 599)</u>	
<p>Governor McDonnell's Amendments: Holds funding in FY 2013 and FY 2014 at the FY 2012 level although HB 599 funding is supposed to follow the percentage change in the State's General Fund revenue. State general fund revenue is projected to rise 3.6% in FY 2013 and 3.8% in FY 2014.</p> <p>House: No Change Senate: No Change</p>	<p>Funding will be maintained at \$23.7 million in FY 2103 and FY 2014.</p>

**BUDGET PROPOSALS FOR FY 2012- FY 2014 DURING THE 2013 GENERAL ASSEMBLY SESSION
as of February 8, 2013**

Issue	Fairfax County Impact
Resource Officers	
<p>House: Provides \$1.3 million for the School Resource Officer Incentive Grant program. Priority will be given to localities requesting officers in elementary, middle, and high schools where no resource officers are currently in place. Localities must match funds based on the Local Composite Index (LCI).</p> <p>Senate: Provides \$1.0 million for the School Resource Officers Incentive Grant program with priority granted to localities basing their programs on best practices using intelligence-led policing model.</p>	<p>Funding is grant based and funding from the grant would be approximately 32% of the cost based on the County's LCI.</p> <p>Funding is grant based.</p>
Library	
Aid to Local Libraries	
<p>House: Increases local library aid by \$250,000 (1.7%) in FY 2014 for e-books, streaming media and electronic databases</p> <p>Senate: Increases local library aid by \$1.0 million, a 6.9% increase, in FY 2014 for digital information resources.</p>	<p>Potential increase to the County of approximately \$5,000.</p> <p>Potential increase to the County of approximately \$20,000.</p>
Other Items of Interest	
Water Quality Improvement Fund (WQIF)	
<p>Governor McDonnell's Amendments: Includes a \$200 million bond package to address critical water quality needs, including \$101 million for Water Quality Improvement Fund (WQIF) grants for anticipated water quality funding needs through FY 2016. Of the \$101 million, \$35 million is for urban stormwater (non-point) with an additional \$16.9 million from surplus funding for combating non-point source pollution through local stormwater programs and agricultural best management practices.</p>	<p>Potentially positive impact. Because of a lack of funds, the WQIF has been reimbursing just 85% of the approved grant amount.</p>
Soil and Water Conservation Districts	
<p>House: Increases funding for each of the 47 soil and water conservation districts from \$80,539 to \$90,539 per district.</p>	<p>Would increase funding to the Northern Virginia Soil and Water Conservation District by \$10,000.</p>

**BUDGET PROPOSALS FOR FY 2012- FY 2014 DURING THE 2013 GENERAL ASSEMBLY SESSION
as of February 8, 2013
HUMAN SERVICES**

Issue	Fairfax County Impact
Human Services	
<u>Comprehensive Services Act (CSA)</u>	
<p>Governor McDonnell's Budget Amendments: reduces program expenditures in two areas. One item reduces program funding in FY 2014 by \$9.9 million in anticipation of new software that will integrate multiple data systems currently used to track components of CSA and its population and potentially find areas of overlap, waste and other problems. Another item reduces spending by \$21.9 million in FY 2013 and \$19.7 million in FY 2014 to levels consistent with anticipated program expenditures. The Governor has indicated that this is consistent with anticipated program expenditures, but there is concern among localities that there may be other factors involved.</p> <p>House: Accepts Governor's amendment.</p> <p>Senate: Accepts Governor's amendment, but allows unspent year-end CSA allocations to be reinvested to address service gaps.</p>	<p>No direct impact is expected. However, because the state Office of Comprehensive Services (OCS) is in its first year of conducting locality audits and integrating data systems, there is currently no information to support a \$9.9 million CSA expenditure reduction from the identification of waste or other problems.</p>
<u>Medicaid Eligibility Determination</u>	
<p>Governor McDonnell's Budget Amendments: allows the agency to modify aspects of this process to be in compliance with mandated provisions of the federal Patient Protection and Affordable Care Act. These changes include methodology changes, the ability to accept telephonic applications, real-time application assistance, and customer service. Local departments of social services conduct Medicaid eligibility processes on behalf of the state.</p> <p>House: Accepts Governor's amendment.</p> <p>Senate: Accepts Governor's amendment.</p>	<p>To Be Determined (TBD)</p>
<u>Congregate Care Rates</u>	
<p>Governor McDonnell's Budget Amendments: to encourage the move of people with complex medical or behavioral needs from state training centers into community-based settings or to help individuals in imminent risk of institutionalization stay in the community, DMAS is authorized to establish a 25 percent higher reimbursement rate for such services during FY 2014.</p>	<p>TBD</p>
<u>Medicaid Utilization</u>	
<p>Governor McDonnell's Budget Amendments: removes \$1.1 billion in federal funding in FY 2014 that was added last year for the new population predicted to be eligible for Medicaid on January 1, 2014, as a result of the federal Affordable Care Act (the U.S. Supreme Court's decision allows states to decide whether or not to expand its Medicaid population). Other actions increase state funding (and federal match) by 10% in FY 2013 and 6.5% in FY 2014 due to hospital rebasing in FY 2014, hospital payments delayed from FY 2012 to FY 2013, and the accounting of pharmacy rebates as expenditures versus revenue.</p> <p>House: does not provide for the expansion of Medicaid to 133 percent of the federal poverty level, as envisioned in the federal health care reform law, unless stringent conditions are met and with a start date no earlier than July 1, 2014. The House also includes language allowing disenrollment if the more stringent conditions are not met. The House does not yet appear to be firmly on the path towards Medicaid expansion.</p> <p>Senate: provides for the expansion of Medicaid to 133 percent of the federal poverty level on January 1, 2014, provided certain conditions are met by the federal government. A Senate floor amendment during consideration of the budget, combined with comments from Senators, indicates the Senate is on the path towards the expansion of Medicaid.</p>	<p>TBD</p>

BUDGET PROPOSALS FOR FY 2012- FY 2014 DURING THE 2013 GENERAL ASSEMBLY SESSION
as of February 8, 2013
HUMAN SERVICES

Issue	Fairfax County Impact
<p><u>Dual Eligibility Demonstration Project</u></p> <p>Governor McDonnell's Budget Amendment: provides state funding of \$650,784 and \$1.9 million in federal funding in FY 2014 to start this three-year integrated managed care model in January 2014. This voluntary program may cover up to 70,000 individuals who are eligible for both Medicare and Medicaid (dual eligible) and have complex health care needs. They will receive all covered benefits from one managed care plan. The project will be implemented in Central Virginia, Northern Virginia, Tidewater and Western/Charlottesville regions.</p> <p>House: Accepts Governor's amendment.</p> <p>Senate: Accepts Governor's amendment.</p>	TBD
<p><u>Early Intervention Part C Services (Infant and Toddler Connection)</u></p> <p>Governor McDonnell's Budget Amendments: increases state funding for this program by \$3 million each year. Part C services are federally mandated, and are provided to children from infancy to three years of age who display possible developmental delays or disabilities. In FY 2013, up to \$750,000 will be used to update and enhance the data collection and accountability system associated with the program.</p> <p>House: Increases funding by \$750,000.</p> <p>Senate: Increases funding above the Governor's budget by \$3.0 million.</p>	TBD
<p><u>Auxiliary Grants</u></p> <p>Governor McDonnell's Budget Amendments: reduces state funding by \$500,000 in FY 2014 as a result of fewer individuals participating in this program.</p> <p>House: Accepts Governor's amendment.</p> <p>Senate: Provides \$2.0 million for a 5% increase in rates to residents that accept the auxiliary grant rate.</p>	No impact as this aligns the state budget with actual spending levels.
<p><u>Crisis Services for Intellectually and Developmentally Disabled Children</u></p> <p>Governor McDonnell's Budget Amendments: provides funding (\$1.25 million in FY 2014) in accordance the U.S. Justice Department agreement, for mobile crisis, in-home, and psychiatric services.</p> <p>House: Increases funding above the Governor's budget by \$450,000.</p> <p>Senate: Increases funding above the Governor's budget by \$1.0 million.</p>	TBD
<p><u>Children's Behavioral Health Crisis Services</u></p> <p>Governor McDonnell's Budget Amendments: adds \$1 million in FY 2014 to build on existing funding for crisis services, child psychiatry, case management, in-home services or other crisis services deemed appropriate by the Commissioner.</p> <p>House: Increases funding above the Governor's budget by \$450,000.</p> <p>Senate: Increases funding above the Governor's budget by \$1.0 million.</p>	TBD
<p><u>Crisis Services for Adults with Intellectual and Developmental Disabilities</u></p> <p>Governor McDonnell's Budget Amendments: provides \$3.8 million additional funding in FY 2014 for services as required by the U.S. Justice Department agreement.</p> <p>House: Accepts Governor's amendment.</p> <p>Senate: Accepts Governor's amendment.</p>	TBD
<p><u>Discharge Assistance Program</u></p> <p>Governor McDonnell's Budget Amendments: adds \$750,000 in FY 2014 to provide community-based services to individuals determined clinically ready for discharge from state hospitals but who face barriers that impede their transition to the community.</p> <p>House: Accepts Governor's amendment.</p> <p>Senate: Accepts Governor's amendment.</p>	TBD

**BUDGET PROPOSALS FOR FY 2012- FY 2014 DURING THE 2013 GENERAL ASSEMBLY SESSION
as of February 8, 2013
HUMAN SERVICES**

Issue	Fairfax County Impact
<p><u>Northern Virginia Mental Health Institute</u></p> <p>Governor McDonnell's Budget Amendments: provides \$700,000 in FY 2014 to continue operation of beds at NVMHI through this biennium.</p> <p>House: Retains governor's amendment but modifies language to require that the additional funding be used to continue the operation of at least 123 beds at NVMHI.</p> <p>Senate:</p>	TBD
<p><u>Foster Care</u></p> <p>Governor McDonnell's Budget Amendments: dedicates \$318,868 in state funds, \$260,892 in federal funds and up to 10 staff positions in FY 2014 to improve financial oversight of child welfare programs and meet federal standards. State Title IV-E foster care programs are under federal financial review, and penalties could amount to as much as \$18 million. These staff will assess and review all foster care spending to ensure that federal and state standards are met.</p> <p>House: Accepts Governor's amendment.</p> <p>Senate: Accepts Governor's amendment.</p>	
<p><u>Health Insurance Credit</u></p> <p>Governor McDonnell's Budget Amendments: provides \$439,338 in state funds each year and \$422,109 in federal funds each year to cover the cost of the health insurance credit for retired local social services employees.</p> <p>House: Accepts Governor's amendment.</p> <p>Senate: Accepts Governor's amendment.</p>	TBD
<p><u>Adoption Programs</u></p> <p>Governor McDonnell's Budget Amendments: adds \$2 million in state funds and \$350,000 in federal funds in FY 2014 to fund pilot projects aimed at providing adoptive parents with financial assistance and work with non-state entities to enhance the state's child welfare system and increase the number of foster children adopted in Virginia. Also adds \$1 million in state funds to be used to give a one-time payment of up to \$1,000 to parents adopting foster care children.</p> <p>House: Accepts Governor's amendment.</p> <p>Senate: Accepts Governor's amendment.</p>	No direct impact. This funding will be provided to non-profits to encourage adoptions which could reduce the foster care population.
<p><u>Kindergarten Readiness</u></p> <p>Governor McDonnell's Budget Amendments: provides \$750,000 in FY 2014, bringing total state funding to \$1.5 million for that year (same as in FY 2013) to the Virginia Early Childhood Foundation. Funds are matched with local public and private resources. The Foundation works with coalitions across the state through its Smart Beginnings program to improve early learning skills and improve readiness for kindergarten and beyond. Language requires the Foundation to work with public and private entities to develop recommendations for a kindergarten readiness assessment and subsequent pilot projects.</p> <p>House: Accepts Governor's amendment.</p> <p>Senate: Accepts Governor's amendment.</p>	TBD

**BUDGET PROPOSALS FOR FY 2012 - FY 2014 DURING THE 2013 GENERAL ASSEMBLY SESSION
PUBLIC EDUCATION
as of February 8, 2013**

Public Education	Fairfax County Impact
<p>Direct Aid to Public Education</p> <p>Governor McDonnell's Amendments: Includes \$58.7 million in FY 2014 to support the state share of a 2% salary increase for funded SOQ instructional positions, effective July 1, 2013. The salary increase is optional for school divisions. The Governor indicated that the statewide salary increase was partially paid for by the elimination of the Cost-of-Competing supplement for Northern Virginia localities.</p> <p>State funding for the salary increase is contingent on teacher reform measures included in the proposed Educator Fairness Act. The Educator Fairness Act extends the probationary period for teachers from 3 to 5 years. The legislation will provide a definition of incompetence to include one or more unsatisfactory performance evaluations. In addition, the act will streamline grievance procedures.</p> <p>House: Makes the 2% salary increase effective January 1, 2014, thus providing funding for a half-year only. Specifies that in meeting the equivalent salary increases to be eligible for this incentive funding, school divisions may not include any increases that were provided in FY 2014 to offset the cost of required member contributions to the VRS.</p> <p>Senate: Specifies that in meeting the equivalent salary increases to be eligible for this incentive funding, school divisions may not include any increases that were provided in FY 2014 to offset the cost of required member contributions to the VRS.</p> <p>Blind or Visually Impaired Students</p> <p>Governor McDonnell's Amendments: Provides \$4.9 million in FY 2014 to support the cost of the recommended staffing standard for blind or visually impaired students. This is a funding standard only, not a mandated one.</p> <p>House: No change</p> <p>Senate: No change</p>	<p>Based on projected payments by the Virginia Department of Education (DOE), funding for FCPS will increase \$13.9 million in FY 2014 compared to the FY 2013 DOE projected funding <u>IF</u> FCPS chooses to increase salaries by 2%. A 2% salary increase would cost FCPS an additional \$38 million. Without a salary increase, funding from the State for all FCPS funds would increase \$8.6 million which is primarily the result of higher sales tax estimates and projected enrollment.</p> <p>No impact, language only.</p>
<p>Elimination of Cost-of-Competing</p> <p>Governor McDonnell's Amendments: Proposes to totally eliminate the already reduced cost-of-competing supplement for support personnel in Northern Virginia. This change reduces state funding to Northern Virginia by \$12.1 million in FY 2014.</p> <p>The \$12.1 million cut in FY 2014 by the Governor is the amount that had been partially restored by the 2012 General Assembly. The cut to Northern Virginia from the previous cost-of-competing level is \$32 million (\$12 million to Fairfax County).</p> <p>House: Adds \$6.1 million to partially restore the cost-of-competing supplement for support personnel in Northern Virginia in FY 2014.</p> <p>Senate: Adds \$12.6 million to restore the cost-of-competing supplement for support personnel in Northern Virginia in FY 2014.</p>	<p>This results in a \$4.0 million loss in FY 2014 to FCPS from what would have been received if the cost-of-competing was not eliminated.</p> <p>Restores half of the reduction, which results in a loss of \$2.0 million to FCPS in FY 2014.</p> <p>Restores \$4.0 million plus an additional \$0.2 million from the FY 2013 reduction.</p>

**BUDGET PROPOSALS FOR FY 2012 - FY 2014 DURING THE 2013 GENERAL ASSEMBLY SESSION
PUBLIC EDUCATION
as of February 8, 2013**

Public Education	Fairfax County Impact
<p>School Nurse Funding Methodology for 2014-16 Biennium Governor McDonnell's Amendments: Inserts language to base state funding for school nurses on one nurse per school, plus one additional nurse for schools with at least 1,500 students in the 2014-2016 biennium. The amendment is a funding standard that does not establish a staffing standard that school divisions would have to meet. However, additional new language in the budget recommends that the Board of Education adopt similar staffing standards; if it did, the funding standard would then become a mandate for staffing.</p> <p>House: No change</p> <p>Senate: No change</p>	<p>The County does not currently meet this staffing standard. If the Board of Education adopts it, the additional cost to the County would be \$14.8 million.</p>

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

According to FCPS staff, compared to the School's Proposed Budget, the Governor's Proposed Budget includes a net decrease of \$6.9 million. This is primarily due to the elimination of the Cost of Competing which was a loss of \$4.0 million. The House restores one-half of this funding, for a net loss of \$2.0 million while the Senate restores the full \$4.0 million FY 2014 cut plus restores \$0.2 million from FY 2013.

**BUDGET PROPOSALS FOR FY 2012- FY 2014 DURING THE 2013 GENERAL ASSEMBLY SESSION
as of February 8, 2013
TRANSPORTATION**

Budget Item #	Issue	Fairfax County Impact
430	<p>Governor McDonnell's Budget: Provides significant additional authority to transportation agencies, by allowing them to state all actions necessary to ensure the maximization of federal transportation funds, notwithstanding any provision of law to the contrary. Similar language allowing the Secretary flexibility has been included in the past, but this expand that authority.</p> <p>House and Senate Budgets: No Change</p>	The provision is broad and the potential ramifications could be substantial, by affecting the existing transportation formulas.
430	<p>VRE Funding</p> <p>Governor McDonnell's Budget: states that funds for contract fees paid by VRE for access to the right-of-way of CSX, Norfolk Southern, and Amtrak, will be allocated from the public transportation's portion of federal Surface Transportation Program funds.</p> <p>House and Senate Budgets: No Change</p>	This appears to address the funding that was in jeopardy because of the Equity Bonus program being discontinued, thereby reducing the likelihood of a need for an increase in fares, decrease in service, or increase in local subsidy for VRE service.
	<p>Dulles Rail Funding</p> <p>House Budget: Prohibits the use of state funding on Dulles Rail Phase II project unless the agreement includes provisions stating that the recommendations identified by U.S. Inspector General report have been addressed or the Governor notifies the General Assembly as to why a certain recommendation has not yet been implemented.</p> <p>Senate Budget: No Language</p>	Could impact future state funds for Dulles Rail. However, MWAA is working with the House to modify the language.
	<p>Dulles Greenway Study</p> <p>House Budget: Directs the Secretary of Transportation to evaluate the potential benefits of purchasing the Dulles Greenway to ensure reasonable toll rates to the traveling public.</p> <p>Senate Budget: No Language</p>	No current impact, but staff will monitor.
435	<p>DMV - NVTC Funding</p> <p>Governor McDonnell's Budget: Provides DMV with funding from the 2.1% sales tax on fuel in certain transportation districts (NVTC and PRTC) for administrative costs in implementing and collecting the tax. Similar language has been included for Department of Taxation.</p>	Should have little to no impact, but will monitor. Similar language is included for Department of Taxation, which is transferring administration responsibilities to DMV in 2013.
439	<p>Governor McDonnell's Budget: Conveys to DMV that the allocation of 2.1% sales tax must go to the respective commissions in amounts equivalent to the shares collected by member jurisdictions, as previously done by Department of Taxation.</p> <p>House and Senate Budgets: No Change</p>	No impact. States change in administering agency, per HB 876 (2012).
441	<p>Mass Transit Funding</p> <p>Governor McDonnell's Budget: increases funding for Financial Assistance for Public Transportation for the FY 2014 by \$3,287,148. Operating Assistance for FY2014 is increased by transit for the biennium is increased by \$6,212,646.</p> <p>Senate and House Budgets: Revises mass transit funding numbers to reflect the most recent transportation funding forecast – specifically, the Mass Transit Fund will be increased by approximately \$3 million, capital funding will be increased by approximately \$1 million, and special projects by about \$65,000. Also, removes language directed to the treatment of local funds by the NVTC. The language is no longer needed as it has been incorporated in grantee agreements DRPT has made with local governments.</p>	Based on previous allocations, and if the allocation formula remains the same, an additional \$2,174,000 may be available for transit operations within Fairfax County.
	<p>Rt. 1 Transit Study</p> <p>Senate Budget: Dedicates \$2.0 million from the Commonwealth Mass Transit Fund to implement a Route 1 Transit Corridor Study and Alternatives Analysis</p> <p>House Budget: No Language</p>	This would be used for a transit study along the Rt. 1 Corridor within Fairfax and, possibly, Prince William Counties.

442	<p>Passenger Rail Funding Senate Budget: Provides the DRPT Director the ability to aggregate any of the remaining passenger rail portion of bond proceeds from the Virginia Transportation Act of 2000 to include intercity passenger rail enhancements to include rail improvements and passenger station facilities.</p> <p>House Budget: No Language</p>	Should have little to no impact, but staff will monitor.
446	<p>Highway Construction Governor McDonnell's Budget: increases funding for Highway System Acquisition and Construction by \$199,588,566 for the biennium. Within that account, Dedicated and Statewide Construction is decreasing by \$3,662,252 and interstate construction is decreasing by \$86,464,778; while primary construction is increasing by \$160,252,359; and secondary construction is increasing by \$33,642,388; and urban construction is increasing by \$90,239,171. Senate Budget: Directs the CTB to establish a state funded transportation enhancement program for Virginia Byways, which will be funded between \$500,000 and \$2.5million. Also dedicates \$500,000 to the Rt. 15 "Journey Through Hollowed Ground" Project. House Budget: Directs the CTB to examine the impacts of change in federal law and consider establishing a state funded transportation enhancement program. Changes to federal law exclude scenic or historic highway programs from what was formerly known as the Transportation Enhancements Program.</p>	<p>Depending on what decisions are made by the CTB for Six-Year Program allocations, an estimated additional \$30 million may be available for highway construction projects in Fairfax County over the biennium. Could result in a deduction in construction funds for other purposes. No current impact but could impact construction funds in the future.</p>
447	<p>Highway Maintenance Governor McDonnell's Budget: increases funding for Highway System Maintenance and Operations by \$133,354,907 for the biennium; with \$31,185,396 less for Interstates, \$129,776,192 less for primaries; \$174,382,926 more for secondaries; and \$100,275,667 more for Transportation Operations Services. House and Senate Budgets: Provides \$900,000 in additional interstate maintenance funding based on the latest calculations for the additional .05% sales tax that is being redirected for transportation activities.</p>	<p>Currently unclear at this point, but using historical estimates, an estimated additional \$20 million may be available for maintenance within Northern Virginia. Currently unclear, but a small amount of additional funding may be available for maintenance in Northern Virginia.</p>
3-5.09	<p>Additional General Fund Support for Transportation Governor's Budget Amendment: authorizes that 0.05 percent of the current 5-cent sales and use tax rate be used to add revenue to the Highway Maintenance and Operating Fund for transportation maintenance. The language would move \$48.1 million in FY14 from the general fund to the highway maintenance fund. House Budget: Accepts Governor's Amendment, but stipulates that if legislation is not adopted by the 2013 Session depositing an additional 0.05% of the general sales tax to Highway Maintenance, such amount, would instead be utilized as an advance deposit to the Revenue Stabilization Fund. Senate Budget: No Additional Language</p>	Using historical estimates, an estimated additional \$6.7 million may be available for maintenance within Northern Virginia. However, the funds would come from the General Fund, thereby possibly reducing funding received for other programs.

Transportation Funding Proposal Update February 8, 2013

The Governor's Transportation Bill was passed by the House 53-46 on February 5th. On the same day, the Senate rejected the transportation proposals. The bill, as passed by the House, has three main revenue components – new state revenues, reallocating of existing state General Fund revenues and potential federal revenues.

New State Revenues

- **Eliminates the current 17.5 cents per gallon gasoline tax and replaces the current 5% sales tax with a 5.8% sales tax, generating net new funding of \$608 million over 5 years.** (switching from a cents per gallon gas tax to a percentage sales tax will allow this revenue source for transportation to grow over time)
 - These funds are distributed as follows: 4.75% of the increased sales tax will go to the Priority Transportation Fund and .7% will be transferred to DMV. Of the remaining funds, 85% will go to maintenance and operations and 15% will go to the Transportation Trust Fund (for highway construction, transit, ports, airports, space flight authority).
- **Increases vehicle registration fees by \$15, generating new funding of \$547 million over 5 years.**
 - These funds are distributed as follows: 50% to transit and 50% to intercity passenger rail.

Reallocation of Existing State General Fund Revenues

- **Transfers an additional .25 cent of the state's portion of the existing sales tax from the General Fund to transportation, providing approximately \$811 million over 5 years.**
 - These funds are allocated to maintenance.

Potential Federal Revenues

- **Dedicates potential federal revenues that will become available if Congress enacts the Marketplace Equity Act, which grants states the legal authority to collect out-of-state sales taxes.** If passed, this could generate \$1.2 billion over 5 years for transportation, education and localities.
 - These funds would be distributed as follows: 1.125 cents of the 5.8 percent sales tax will be dedicated to public education (\$310 million over 5 years); 0.5 cents of the 5.8 percent sales tax will be given to the localities to use at their discretion (\$138 million over 5 years); 0.5 cents of the 5.8 percent sales tax will be given to the localities for local transportation priorities (\$138 million over 5 years); 3.675 cents of the 5.8 percent sales tax will go to the TTF (\$1.02 billion over 5 years).

(over)

Other key aspects of the House-passed bill:

- Two revenue options that were included in the Governor's introduced bill have been removed, decreasing the total revenues in the bill.
 - Prohibits VDOT from expending any revenues to implement tolling on I-95 south of Fredericksburg, removing potential revenue which was to defray the cost of maintenance on I-95.
 - Removed the proposed \$100 annual alternative fuel vehicle fee (which would have raised \$66 million over 5 years and was to be dedicated to transit).
- The first \$300 million from the reallocation of existing state General Fund revenues (transfers from the current General Fund) will be dedicated to Dulles Rail Phase II, provided that reforms to MWAA, identified by the U.S. Department of Transportation Inspector General, are addressed.
- Directs the Secretary of Transportation to form a workgroup of transportation stakeholders and local government officials, in order to review local transportation funding options and determine which may provide a viable method for localities to generate additional transportation funds for local priorities. The report, due by November 1, 2013, will include recommendations for consideration by the 2014 GA session.

Staff comments:

- The legislation provides \$300 million for Dulles Metrorail extension over three years.
- The vast majority of the transfer of the existing sales tax and the new sales tax that replaces the gas tax will be allocated to maintenance.
- The majority of construction funds are contingent on action by the federal government.
- The dedicated source for transit – increase in vehicle registration fees – provides far less than what is needed for transit.

2013 General Assembly Session Transportation Funding/Allocation Bills

Bills	Patron	Description	Committee	Status	Notes
Transportation Funding Bills					
House HB 1718	Anderson	Transportation projects; reimbursement of VDOT by localities & metropolitan planning organizations.	S Transportation	Passed House 100-0	Legislation passed in 2012 required localities and MPOs to reimburse VDOT for expenses when terminating a project or requesting alterations that exceed 10% of the total project cost. The bill clarifies that localities and MPOs are required to pay for terminating projects only when VDOT does not mutually agree; and clarifies that this would apply after design approval by the Chief Engineer.
HB 1993	Massie	Motor vehicle rental tax; exclusions from the tax.	H Floor	Passed House 100-0	Excludes from the gross rental proceeds upon which the motor vehicle rental tax is imposed - cash discounts taken on a rental contract; finance, carrying, and other service charges; charges for motor fuels; charges for optional accidental death insurance; and other specified exclusions.
HB 2313	Howell, W.	GOVERNOR'S TRANSPORTATION PLAN: Revenues and appropriations of State; changes to revenues collected and distribution.	S Finance	Passed House 53-46	Raises the registration fees for vehicles and trailers and designates the increase for Mass Transit and Intercity Passenger Rail. Eliminates the motor fuels tax and raises the state sales and use tax from 4% to 4.8% and provides for a refund of taxes paid on diesel fuel for vehicles having a gross vehicle weight rating of 10,000 pounds or less. Establishes procedures for the collection of the state sales and use tax from remote sellers for sales made in the Commonwealth, contingent upon the federal government passing legislation authorizing such collection. If enacted, a portion of the revenues would be for construction and another portion allocated to the localities - with half of that dedicated for local transportation needs. The bill repeals the application of the local sales and use tax to the sale of certain fuels used for domestic consumption, and replaces the revenue for the localities that imposed the sales and use tax with a portion of the new revenues generated by the bill. The bill prohibits VDOT from expending any revenues on any program or projects that implements tolling on Interstate 95 south of Fredericksburg.
Senate					
SB 1075	Barker	Transportation planning and projects.	H Transportation	Passed Senate 40-0	Legislation passed in 2012 required localities and MPOs to reimburse VDOT for expenses when terminating a project or requesting alterations that exceed 10% of the total project cost. The bill clarifies that localities and MPOs are required to pay for terminating projects only when VDOT does not mutually agree; and clarifies that this would apply after design approval by Chief Engineer.
Transportation Allocation Formula Bills					
House SB 1140	Petersen	Commonwealth Mass Transit Fund.	S Floor	Passed Senate 39-1	Implements performance-based funding for mass transit for revenues generated above \$160 million in 2014 and after. Creates the Transit Service Delivery Advisory Committee to advise the Department of Rail and Public Transportation on the distribution of such funds and how transit systems can incorporate the metrics into their transit development plans.
Transportation Trust Fund					
House HI 622	Jones, C.	Constitutional amendment (first resolution); Transportation Funds.	S Privileges and Elections	Passed House 99-0	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, construction fund, maintenance fund, Priority Transportation Fund, and other funds established by general law for transportation. All revenues dedicated to these Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to them. 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 2/3 plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years. Moneys designated for deposit into funds other than Transportation Funds shall not be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes.
Senate					

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Legislation No Longer Under Consideration

Transportation Funding Bills

House						
HB 1403	Cole	Sales and use tax revenue dedicated to the Transportation Trust Fund.	H Finance	Incorporated into HB 2313 (Howell)	Increases the amount of sales tax dedicated to the Transportation Trust Fund from an amount generated by a 0.5 percent tax rate under current law to an amount generated by a 1% tax rate, phased in by a 0.1% increase each year for five years, or over a longer period of time if there is a lack of growth in general fund revenues.	
HB 1409	Scott, J.	Motor fuels tax; converts rate of taxation from cents per gallon to a percentage rate.	H Finance	Tabled by Voice	Converts the rate of taxation on motor fuels from cents per gallon to a percentage rate. DMV Commissioner will calculate the percentage rate in an amount that will most closely yield the amount of cents per gallon being charged on the applicable motor fuel prior to the effective date of the bill. Thereafter, the percentage rates would not change, but would be applied against the average price per gallon of the fuel to determine the cents to be charged.	
HB 1438	Purkey	Motor fuels tax; indexed.	H Finance	Incorporated into HB 2313 (Howell)	Requires that the motor fuels tax rate be indexed on January 1, 2014, and each year thereafter, to the average percentage change in the USDOT's Transportation Services Index for the three years ending October 31 of the year immediately preceding the affected year.	
HB 1450	Stolle	Additional state sales and use tax in the Hampton Roads Planning District; referendum.	H Finance	Tabled by a Voice	Provides for an additional 1% sales tax Hampton Roads localities to be used for regional transportation projects, if approved by a referendum at the November 2013 election.	
HB 1472	Watts	Transportation funding and administration.	H Finance	Tabled by Voice	Provides additional funding for transportation by (i) imposing a motor fuels sales tax rate of 5% for highway maintenance; (ii) increasing the state sales tax in Northern Virginia by 0.5% for transportation projects in Northern Virginia; and (iii) adding an additional recordation tax in Northern Virginia at a rate of \$0.40 per \$100 valuation. The bill reduces the sales tax rate on food for human consumption from 1.5% to 1%, and repeals the authority for certain localities to impose a local income tax. The bill removes the sunset date (June 30, 2018) for the \$.125 per \$100 of assessed value limit on the Northern Virginia C&I tax, allowing an increase to \$0.25 per \$100 of assessed value. Finally, the bill increases the special real property tax rate on commercial property in localities in Hampton Roads from \$0.10 to \$0.125 per \$100 of assessed value.	
HB 1650	Krupicka	Retail Sales and Use Tax; revenue distributed to certain localities.	H Finance	Left in Finance	Provides that if a heavy rail commuter mass transportation infill station is constructed in a service district, the locality is entitled to retain the sales tax revenue generated in the service district, up to \$1.25 million per year, to pay bonds for that construction.	
HB 1663	Minchew	Motor fuels tax; authorizes any county or city to impose at rate not to exceed \$0.10 per gallon.	H Finance	Incorporated into HB 2313 (Howell)	Authorizes any county or city to impose a tax at a rate not to exceed \$0.10 per gallon on motor fuel sold by a wholesale distributor to a retail dealer in the locality. The revenue from such tax shall be used solely for transportation projects.	
HB 1677	Hugo	Transportation funding.	H Finance	Incorporated into HB 2313 (Howell)	Adjusts the sources and amounts of funding for transportation by repealing the tax on all motor fuels except diesel fuel and diesel blended fuel, increasing the retail sales and use tax rate by 0.75% and allocating the additional revenue to transportation according to the current formula for motor fuels tax revenue allocation, and doubling the amount of current sales tax revenue dedicated to the Transportation Trust Fund.	
HB 1878	Morrissey	Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities.	H Finance	Tabled by Voice	Establishes a 5% tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to maintenance, construction, intercity passenger rail, and the localities to be used for transportation purposes. Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, registered owners of hybrid electric vehicles would be eligible for a refund of the new 5% gas tax. Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014 - income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate. Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013; and eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.	

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HB 1888	LeMunyon	Income tax, state and fuels taxes; adjusted for inflation.	H Finance	Incorporated into HB 2313	Adjusts elements of Virginia's individual income tax and fuels taxes annually to account for inflation. The individual income tax income brackets, return filing thresholds, standard deduction, and personal exemption amounts would be adjusted annually beginning in 2014 by the percentage increase in the Consumer Price Index for All Urban Consumers (CPI-U), for all items, from October 1 through September 30 for the immediately preceding year. Virginia's fuels taxes would be adjusted each July 1 beginning in 2013 by the percentage change in the U.S. Department of Labor's Producer Price Index for Other Nonresidential Construction - Land Transportation from May 1 through April 30 immediately preceding the affected July 1.
HB 2063	Rust	Establishing and adjusting sources of revenues for appropriations of the Commonwealth.	H Finance	Tabled by Voice Vote	Establishes a 5% tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline - revenues would be distributed to maintenance, construction, intercity passenger rail, and localities to be used for transportation purposes. Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, registered owners of hybrid electric vehicles would be eligible for a refund of the new 5% gas tax. Repeals income tax credits for vehicle emissions testing equipment effective for taxable years beginning on or after January 1, 2013. Authorizes planning district commissions to be eligible to receive revenues to be used solely for transportation purposes within the planning district - the revenues would be generated by an additional 0.5% state sales tax and an additional state recordation tax of \$.15 per \$100 in the localities located in the planning district commission. In order to be eligible, the planning district commission must determine, in order of priority, a list of 10 transportation projects that it would like to fund with the revenues. Additionally, the governing bodies of the localities representing at least a majority of the residents within the planning district commission must pass a resolution in support of the generation of such revenues. After these requirements have been met, the General Assembly must specifically authorize the imposition of such taxes in the localities in the planning district commission during the next session. If the revenues are authorized, then, if applicable, a locality would no longer be authorized to impose a local income tax.
HB 2179	Rust	Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities.	H Finance	Tabled by Voice Vote	Establishes a 5% tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to the HMOF, TTE, IPROF, and localities to be used for transportation purposes. Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, registered owners of hybrid electric vehicles would be eligible for a refund of the new 5% gas tax. Prohibits the placement of tolls on existing roads in the Commonwealth without the approval of the General Assembly; Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014 - income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate. Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013; Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.
HB 2224	Howell, A.	Motor fuels tax; increases rate by \$0.10 per gallon, revenue to be used for transportation.	H Finance, Sub #1	Tabled by Voice Vote	Increases the motor fuels tax rate by \$0.10 per gallon and dedicates the additional revenue to the operation, maintenance, improvement, and expansion of the Commonwealth's transportation system.

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2013 General Assembly Session Transportation Funding/Allocation Bills

HB 2253	Albo	Transportation funding.	H Finance	Incorporated into HB 2313 (Howell)	The bill makes several changes to the individual and corporate income tax: (i) decreases all individual income tax rates by 0.2%; (ii) adopts market-based sourcing for corporate income tax for the sourcing of services, marketable securities, and property; and (iii) repeals (a) the land preservation tax credit, (b) the long-term care insurance tax credit, and (c) the coalfield employment enhancement tax credit, including the ability of electricity generators to allocate tax credits earned by such persons for purchasing coal to persons with an economic interest in coal. The bill imposes a 5% state tax on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed for maintenance of roads in the secondary state highway system and construction of new roads. The bill also increases the additional state registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of hybrid electric motor vehicles registered in the Commonwealth would be eligible for a refund of the new 5% tax on motor fuels sales. The bill imposes a 2% state transient occupancy tax, an initial 1% state motor vehicle registration fee, and a \$0.20 per \$100 recordation fee in any locality in Northern Virginia that is imposing either of the two local taxes set forth below; The bill completely exempts food for human consumption from state and local sales taxes, repeals the sales and use tax exemption for nonprofit entities, and increases the amount of state sales tax distributed to localities from 1% to 1.23%. The bill authorizes Fairfax County, Loudoun County, and Prince William County to impose a 4% food and beverage tax without a referendum, to be used for the construction of roads that reduce traffic congestion. The bill authorizes Arlington County and the cities in Northern Virginia to impose an additional 0.5% local sales and use tax to be used for the construction of roads that reduce traffic congestion. The bill also authorizes localities in Hampton Roads to impose an additional 1% sales and use tax to be used for the construction of roads that reduce traffic congestion. All provisions of the bill, except the adoption of market-based sourcing for corporate income tax, are effective January 1, 2016. The market-based sourcing for corporate income tax is effective January 1, 2014.
HB 2285	May	Alternative fuels; establishes tax rate for biodiesel fuel, etc., used in operating highway vehicle.	H Finance	Left in Finance	Establishes beginning January 1, 2014, alternative fuels tax rates for biodiesel fuel, liquefied natural gas, liquefied petroleum gas, methanol, compressed natural gas, hydrogen, and electricity used in operating a highway vehicle.
HB 2333	Watts	Transportation; funding and administration.	H Finance	Tabled by Voice Vote	Provides additional funding for transportation by (i) imposing a motor fuels sales tax rate of five percent for highway maintenance; and (ii) increasing the additional registration fee on electric vehicles from \$50 to \$102 and imposing it on hybrid motor vehicles, with all revenue from such fee distributed to Intercity Passenger Rail (owners of hybrid electric motor vehicles would be eligible for a refund of motor fuels taxes paid); The bill also reduces the sales and use tax rate on food for human consumption from 1.5 percent to one percent, and repeals the authority for certain localities to impose a local income tax. The bill removes the sunset date (June 30, 2018) from the legislation that reduced the special real property tax rate on commercial property in Northern Virginia from \$0.25 per \$100 of assessed value to \$0.125 per \$100 of assessed value. The bill also authorizes planning district commissions to be eligible to receive revenues to be used solely for transportation purposes within the planning district. The revenues would come from an additional 0.5% state sales and use tax and an additional state recordation tax of 40 cents per \$100 in the localities located in the planning district. In order to be eligible, the planning district commission must determine, in order of priority, a list of 10 transportation projects that it would like to fund with the revenues. Additionally, the governing bodies of the localities representing at least sixty percent of the residents within the planning district commission must pass a resolution in support of the generation of such revenues. After these requirements have been met, the General Assembly must specifically authorize the imposition of such taxes in the localities in the planning district commission during the next session of the General Assembly.
HB 2335	Yancey	Transportation Revenue Fund; established, report.	H Appropriations	Left in Appropriations	Establishes the Transportation Revenue Fund and dedicates revenues attributable to economic growth from Virginia's cargo marine terminals to the Fund. The bill also provides that if the operations at one or more ports of Virginia are turned over to a private entity, the money paid by the private entity to the Commonwealth shall be deposited to the Fund. Moneys in the Fund shall be used solely for the construction of new roads in any locality in which a port is located and for the extension of such roads into other localities if the extension is an integral part of the new road.
Senate					
SB 687	Lucas	Virginia Casino Gaming Commission; created, penalties, report.	S General Laws	Passed by Indefinitely 15-0	Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the licensing scheme for casino gaming, provides penalties for violations of the casino gaming law, and limits casino gambling to localities that in which at least fifty percent of the land area is exempt from local real property taxation. Provides a portion of the taxes generated for transportation purposes.

2013 General Assembly Session Transportation Funding/Allocation Bills

SB 689	Lucas	Virginia Casino Gaming Commission; created, penalties, report.	S General Laws, Sub #1	Passed by Indefinitely 15-0	Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming in the state. Under the bill, the conduct of casino gaming is limited to localities in which at least 40 percent of the assessed value of all real estate situated in the locality is exempt from local property taxation. Provides a portion of the taxes generated for transportation purposes.
SB 695	Lucas	Va. Toll Relief Act and Va. Casino Gaming Commission; regulation of casino gaming, penalties.	S General Laws, Sub #1	Passed by Indefinitely 15-0	Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Provides a portion of the taxes generated for transportation purposes.
SB 696	Lucas	Va. Toll Abatement Act and Va. Casino Gaming Commission; regulation of casino gaming, penalties.	S General Laws, Sub #1	Passed by Indefinitely 15-0	Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Under the bill conduct of casino gaming shall be limited to localities that are located in Planning District 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, or 23. Provides a portion of the taxes generated for transportation purposes.
SB 697	Lucas	Va. Transportation Enhancement and Toll Abatement Act and Va. Casino Gaming Commission; regulation.	S General Laws, Sub #1	Passed by Indefinitely 15-0	Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Under the bill conduct of casino gaming shall be limited to localities that are located in Planning District 8, 9, 10, 15, 16, 17, 18, 19, 20, 21, 22, or 23. Provides a portion of the taxes generated for transportation purposes.
SB 700	Alexander	Taxes on fuels; issuance of bonds.	S Finance	Left in Finance	Makes the retail sale of gasoline, diesel fuel, and other fuels subject to the general 5% retail sales tax and reduces the fuels tax on such fuels by \$0.05 per gallon from \$0.175 per gallon to \$0.125 per gallon. Of the net additional revenues generated each year, \$250 million would go to maintenance and the remainder would be deposited into the Highway Construction Projects Trust Fund created under the bill, which would be used to finance or fund the construction, acquisition, reconstruction, or replacement of improvements or additions to highway projects specifically set forth in the general appropriation act to be financed or funded using moneys from the Fund. The bill authorizes the issuance of up to \$5 billion in bonds for such highway projects with the bonds. The CTB is charged with ensuring that of the revenues deposited into the Trust Fund, over the long term, approximately 38% of such revenues would be used for projects in Northern Virginia, 31% for projects in Hampton Roads, and 31% for projects in all the remaining construction districts.
SB 714	Lucas	Va. Toll Mitigation Act & Virginia Casino Gaming Commission; regulation of casino gaming, penalties.	S General Laws, Sub #1	Passed by Indefinitely 15-0	Creates the Virginia Casino Gaming Commission as the licensing body for casino gaming. The bill sets up the regulatory system for casino gaming and provides penalties for violations of the casino gaming law. Proceeds of the gross receipts tax and admission tax imposed on casino gaming operators will be paid into the Toll Mitigation Fund; for (i) Dominion Boulevard Bridge and Roadway Improvement Project and (ii) Downtown Tunnel/Midtown Tunnel/Martin Luther King Freeway Extension Project. A referendum of the location of a casino gaming operation shall be limited to localities within Hampton Roads, and no initial license to operate a casino gaming operation may be issued unless a regional referendum has been approved. Provides a portion of the taxes generated for transportation purposes.
SB 717	Watkins	Establishing and adjusting sources of revenue for appropriations of the Commonwealth and its localities.	S Finance	Left in Finance	Establishes a 5% on motor fuels sales based on the statewide average wholesale price of a gallon of self-serve unleaded regular gasoline. The revenues would be distributed to maintenance, construction, intercity passenger rail, and localities to be used for transportation purposes. Increases the additional registration fee on electric vehicles from \$50 to \$102 and requires hybrid electric motor vehicles registered in the Commonwealth to pay this fee. However, owners of the registered hybrid vehicles would be eligible for a refund of the new five percent tax on motor fuels sales. Prohibits the placement of tolls on existing roads in the Commonwealth without the approval of the General Assembly. Lowers individual income tax rates and changes the individual income tax structure, effective January 1, 2014 - income less than \$5,000 would be taxed at a 0.75% rate, income over \$5,000 and up to \$17,000 would be taxed at a 4.5% rate, and income over \$17,000 would continue to be taxed at a 5.75% rate. Repeals income tax credits for vehicle emissions testing equipment, clean-fuel vehicles, and biodiesel fuel producers effective for taxable years beginning on or after January 1, 2013. Eliminates the sales tax exemption currently extended to certain services, such as auto repairs, taxi and limousines, armored cars, travel, and transportation.
SB 733	Petersen	Virginia's fuels taxes; annually changing rate by using changes in fuel efficiencies of vehicles.	S Finance	Left in Finance	Increases or decreases each year the rates of Virginia's fuels taxes using a fuel efficiency index, with 2007 as the base year. Thus, the percentage change in the fuel efficiency index between the current year and 2007, the base year, would determine the annual percentage increase or decrease in the rates of Virginia's fuels taxes.
SB 824	McWaters	Hampton Roads Planning District; additional 1% sales & use tax in counties in District.	S Finance	Failed to Report 5-7	Provides for an additional 1% sales tax in the counties and cities located in Hampton Roads, with the additional revenues generated by the tax to be used for regional transportation projects, if approved by referendum at the November 2013 election.

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	Petersen	Transportation; funding and administration.	S Finance	Left in Finance	Increases the base fuel tax rate in Virginia by 10 cents per gallon of gasoline, gasohol, and diesel fuel, and then increases or decreases the rate each year using a fuel efficiency index, with 2007 as the base year. The bill also establishes a \$10 fee for the sale of each new electric motor vehicle battery, with the proceeds used for maintenance. Finally, the bill increases the membership of the CTB from 17 members to 23 members, with four members representing Northern Virginia, three members representing Hampton Roads, and two members representing Richmond.
SB 855			S Finance	Left in Finance	
SB 872	McWaters	Transportation Trust Fund; increases percentage portion of general fund surplus that is deposited.	S Finance	Left in Finance	Increases from 67% to 75% the portion of the general fund surplus remaining at the end of each fiscal year that is deposited into the construction fund. Such deposit takes place after deposits are made to the Revenue Stabilization Fund and the Water Quality Improvement Fund and other statutorily mandated commitments are met.
SB 925	McWaters	Retail Sales & Use Tax; increases amount of revenue dedicated to Transportation Trust Fund.	S Finance	Left in Finance	Increases the amount of sales tax revenue dedicated to the construction fund from an amount generated by a 0.5% tax rate under current law to an amount generated by a 0.75 % tax rate, phased in over a period of three years.
SB 1321	Obenshain	General fund balance; assignment of fund surplus to Transportation Trust Fund at end of fiscal year	S Finance	Left in Finance	Provides that after the full deposit is assigned to the Revenue Stabilization Fund from any general fund surplus at the end of the fiscal year, the Comptroller shall assign the remaining general fund balance to transportation construction.
SB 1328	Wagner	Revenues and appropriations of State; changes to revenues collected and distribution.	S Finance	Left in Finance	The bill raises the state sales and use tax from 4% to 4.5%, and designates the increased revenues for the construction fund, to be allocated in the same manner as other sales and use tax revenues designated for the that fund. The bill 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, the bill requires the intermediary to separately state the taxes on the bill or invoice provided to the customer and to collect the taxes based upon the total charges or the total price paid for the use or possession of the room. The bill eliminates the statewide cents-per-gallon taxation of gasoline and blended fuel but leaves it in place for other types of motor fuels. The bill establishes a new 5.5% tax on motor fuels sales. The bill increases the registration fee for electronic vehicles from \$50 to \$75, and levies the annual fee on alternative fuel vehicles.
SB 1340	Saslaw	Revenues and appropriations of State; changes specifically relating to transportation funding.	S Finance	Left in Finance	The bill raises the state sales tax rate from 4% to 5%. Of these new revenues, an amount equal to a one-half percent sales tax will be used for construction, with the percentage of that dedicated to mass transit raised to 25%. Of the other one-half percent of the new 1% sales tax, 2/3 will be distributed to localities to use for education, and 1/3 will be used to fund higher education in the Commonwealth. In fiscal years 2014, 2015, 2016, and 2017, \$80 million dollars each year that would otherwise be used for construction will be designated to the Dulles Phase 2, subject to certain conditions. The bill raises the cents-per-gallon rate of the tax on motor fuels by 5 cents on July 1, 2013 and July 1, 2014, and then begins indexing the cents-per-gallon rate on July 1, 2015.
HB 1355	Newman	GOVERNOR'S TRANSPORTATION PLAN; Revenues and appropriations of State; changes to revenues collected and distribution.	S Finance	Recommitted to Finance	Raises the registration fees for vehicles and trailers and designates the increase for Mass Transit and Intercity Passenger Rail. Eliminates the motor fuels tax and raises the state sales and use tax from 4% to 4.8%. Establishes procedures for the collection of the state sales and use tax from remote sellers for sales made in the Commonwealth, contingent upon the federal government passing legislation authorizing such collection. If enacted, a portion of the revenues would be for construction and another portion allocated to the localities - with half of that dedicated for local transportation needs. Raises the annual license fee for electric vehicles from \$50 to \$100 and imposes the fee on hybrid electric vehicles and alternative fuel vehicles.
Transportation Allocation Formula Bills					
House					
HB 1884	LeMunyon	Allocation of highway maintenance funds.	H Transportation	Tabled by Voice Vote	Provides that highway maintenance funds shall be allocated on the basis of VMT in each highway construction district compared to the Commonwealth as a whole. The bill allows the Commissioner to direct funds to specific maintenance projects he believes are needed to protect public safety, provided he provides written notice to the CTB.
HB 2070	Comstock	Mass Transit; removes all current allocations made by CTB and implements performance-based funding.	H Transportation	Left in Transportation	Removes all current allocations made by the CTB to mass transit and implements performance-based funding for mass transit. This is based on DRPT's recommendations from the SJ 297 Study.
HB 2141	Keam	Street maintenance payments.	H Transportation	Left in Transportation	Provides for increased highway maintenance payments to municipalities where traffic volumes exceed the statewide average by more than 20%

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Senate		House		Transportation Trust Fund Bills	
Bill Number	Author	Constitutional amendment; Transportation Funds.	H Privileges and Elections, Constitutional Amdts. Sub	Incorporated into	Description
HJ 584	Watts	Constitutional amendment; Transportation Funds.	H Privileges and Elections, Constitutional Amdts. Sub	Incorporated into HJ 622 (Jones)	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, construction fund, maintenance fund, Priority Transportation Fund, and any other transportation fund established by general law. All revenues dedicated to Transportation Funds on January 1, 2013, by general law, other than a general appropriation law, shall be deposited to the Funds, unless the General Assembly by general law, other than a general appropriation law, alters the dedicated revenues. Funds will be appropriated only for such transportation systems and projects as authorized by the General Assembly by law, excluding a general appropriation law. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 plus one of the members voting in each house, and it must be repaid with reasonable interest within three years.
HJ 651	Villanueva	Constitutional amendment (first resolution); Transportation Funds.	H Privileges and Elections, Constitutional Amdts. Sub	Incorporated into HJ 622 (Jones)	Requires the General Assembly to maintain permanent and separate Transportation Funds, including the Commonwealth Transportation Fund, construction fund, maintenance fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to the Funds. The General Assembly by general law, other than a general appropriation law, may alter the revenues dedicated to the Funds. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years. Moneys designated for deposit into funds other than Funds shall not be used for any transportation-related purpose except for making certain debt service payments on transportation-related bonds and notes.
HJ 652	O'Bannon	Constitutional amendment (first resolution); Transportation Funds.	H Privileges and Elections, Constitutional Amdts. Sub	Incorporated into HJ 622 (Jones)	Requires the General Assembly to maintain permanent and separate Transportation Funds, including the Commonwealth Transportation Fund, construction fund, maintenance fund, and other funds established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2014, by general law, other than a general appropriation law, shall be deposited to the Funds, unless the General Assembly by general law, other than a general appropriation law, alters the dedicated revenues. The General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years.
Senate		House		Transportation Trust Fund	
HB 2172	Torian	Prince William County Metrorail Improvement District.	H Transportation, Sub #1	Left in Transportation	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.
SI 275	Obenshain	Constitutional amendment; Transportation Funds (first reference).	S Floor	Stricken from Senate Calendar	Requires the General Assembly to maintain permanent and separate Transportation Funds to include the Commonwealth Transportation Fund, construction fund, maintenance fund, and others established by general law for transportation. All revenues dedicated to Transportation Funds on January 1, 2013, 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 General Assembly may borrow from the Funds for other purposes only by a vote of 2/3 plus one of the members voting in each house, and the loan must be repaid with reasonable interest within four years.

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