



**FAIRFAX COUNTY BOARD OF SUPERVISORS'
2013 GENERAL ASSEMBLY
FINAL LEGISLATIVE REPORT
February 26, 2013**

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

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Fairfax County Vision Elements

To protect and enrich the quality of life for the people, neighborhoods, and diverse communities of Fairfax County by:

Maintaining Safe and Caring Communities

Building Livable Spaces

Connecting People and Places

Maintaining Healthy Economies

Practicing Environmental Stewardship

Creating a Culture of Engagement

Exercising Corporate Stewardship

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Section I

Final Report to Board of Supervisors 2013 General Assembly

OVERVIEW

In some respects, the 2013 General Assembly can be described as a tale of two sessions. The first part began on the third week of the session, on January 21, the Martin Luther King, Jr., holiday and also Inauguration Day; in the absence of Senator Henry Marsh (D-Richmond), Senate Republicans passed a redistricting plan that significantly redrew the Senate districts that were apportioned in 2011. The reaction from Democrats was swift and furious. Senator A. Donald McEachin (D-Henrico) blasted the plan on the Senate floor as “sneaky,” “underhanded,” and “beneath the dignity of the Senate.” Press reports quoted Senator John Edwards (D-Roanoke) as saying that the maneuver had “destroyed the normal trust and give-and-take of the Senate.” Democrats threatened to sue over the constitutionality of the move, and warned that they would not be interested in cooperating with Republicans on the session’s major issues, including Governor McDonnell’s transportation funding bill, which could not pass without Democratic support. The Governor told the media he was “not happy” about the episode, adding, “I don’t think that’s the way that business should be done.”

In a similar vein, several days later, after weeks of waiting for the announcement of committee assignments for newly-elected Senator Kenneth C. Alexander (D-Norfolk) (elected to replace Senator Yvonne Miller after her death in 2012), Senate Republicans announced that Senator Miller’s seat on Senate Finance would go to Senator Charles W. Carrico (R-Grayson), turning a 9-6 split on that committee to a 10-5 ratio. In the past, when the Senate was evenly split between parties, as it is now, Senate Finance was also relatively evenly divided by means of a power-sharing agreement.

Partisan tensions ran high after these decisions and there was a sense among observers that prospects for agreement on major issues were dim. On February 3, the Democrats on Senate Finance voted against the Senate Finance budget due to its failure to include expansion of Medicaid as envisioned in the federal Patient Protection and Affordable Care Act; since at least one Democratic vote is needed to pass the budget, prognosticators warned of a repeat of the 2012 session, when the budget was not resolved until April. Then, on February 5, “crossover” day, Senate Democrats, along with eight Republicans, voted against a substitute for the Senate version of the Governor’s transportation plan, which had been offered by Senator Wagner (R-Virginia Beach), ultimately recommitting it to Senate Finance for the Session.

However, the second act of the session was ushered in the next day when House Speaker William J. Howell (R-Stafford) ruled on February 6 that the Senate redistricting plan was not germane to the underlying House bill to which it had been attached, and the tone of discussions changed significantly. The next day, the Senate amended the Senate Finance budget to signal an opening to compromise on the expansion of Medicaid, and the Senate then passed its budget overwhelmingly (36-4).

After this apparent breakthrough, negotiations subsequently intensified between the House and the Senate on the two major issues remaining to be resolved: the Governor’s transportation funding plan, which existed in its House-passed form, and the budget, on which the major sticking point between the chambers was the expansion of Medicaid. These two issues became linked for some legislators, especially Senators, after the Governor sent a letter to budget conferees urging them not to include Medicaid expansion in the budget, shortly after a tentative deal had been reached on transportation. After intense behind-the-scenes negotiations, the final version of the transportation bill ultimately passed with bipartisan support, 60-40 in the House and, after some delay in obtaining the Governor’s assurance that he would not significantly amend the Medicaid provisions in the budget, 25-15 in the Senate.

Similarly, the budget conference report also passed both chambers with strong bipartisan support after an additional last-minute revision to respond to concerns raised by the Attorney General and to ensure that the process for Medicaid expansion was addressed in a constitutional manner. In a reminder of past eras of cooperation in the General Assembly and perhaps signaling the potential for future collaboration, several members testified on the floor in both chambers to the collegiality of negotiations on both the budget and the transportation bill. So, perhaps, all’s well that ends well.

The 2013 session was similar to past years in the breadth of topics considered. Bills were introduced on matters ranging from casino gambling and bicycle safety to fox penning and uranium mining. Despite some controversial bills, such as a proposed study to examine “the need, means, and schedule for establishing a metallic-based monetary unit to serve as a contingency currency for the Commonwealth,” the number of hot-button social issues engaged by this General Assembly was significantly lower than in 2012, when bills on abortion and similar contentious issues grabbed headlines. One resolution introduced this year of interest to the Board is **HJ 933** (Scott, J.M., and co-patroned by the County delegation), which commends Susan E. Mittereder on her years of service; this resolution was adopted by the House after a floor speech in which the patron thanked Dr. Mittereder for her service, and was later adopted by the Senate as well.

This was the last session of Governor McDonnell's term, and his focus appeared to be on creating a legacy for his tenure, introducing a package of education reforms and public safety bills in addition to his transportation funding bill. Political pundits have already begun looking to the future, with national interest already focused on November's gubernatorial race. There is also a crowded field for the Lieutenant Governor and Attorney General races, and all House of Delegates seats are on the ballot in November, 2013 as well. The 2014 General Assembly will have several new faces, due to retirements, and a new administration will take office next January. It is hoped, but remains to be seen, whether the 2014 General Assembly will continue in the spirit of cooperation that emerged in the second half of the 2013 session.

LOCAL GOVERNMENT OVERVIEW

Overall the 2014 GA session was better for local governments than what may have been expected at its inception. The 2012-2014 biennium budget amendments contained some good news for local governments, including the elimination of local government financial assistance to the state, which was a top priority. Additionally, many of the most egregiously intrusive bills were either killed or improved in the course of the session. Finally, and perhaps most importantly, a comprehensive transportation funding package passed the GA, providing the first significant, sustainable new transportation funding in a generation. There were numerous reasons why this attempt was finally successful, but certainly high on the list were efforts by the Mayors and Chairs throughout the Urban Crescent, who came together with local chambers of commerce to press the GA for real transportation solutions.

Local governments were generally successful in defeating or ameliorating problematic legislation this year. The overall volume of bills was slightly reduced; 2,572 bills and resolutions were introduced, down from 2,876 in 2012 (as has been the case in short sessions since the House adopted a change to its rules in 2009, delegates were limited to fifteen bills apiece). County legislative staff reviewed the majority of this legislation in order to separate those bills of importance to the County from the hundreds of commending and memorial resolutions and other measures not pertinent to local government and referred 1,529 bills for review by County operational and legal staff. The Board took formal positions on 148 bills this year (down from 222 last year). The Board was originally opposed to or sought to amend 55 bills; at the end of the session, only 11 bills remained in that category.

There were, unfortunately, some troubling developments, including attempts to “reform” K-12 education. Continuing the trend of recent years, most of the legislation in this area seemed to affect small numbers of schools or students, rather than focusing on the larger issues, including the continued state underfunding of K-12. Perhaps most troubling was legislation, passed by the GA, allowing low-performing schools to be transferred to a newly created, statewide school division, which could hand off management to a private, for-profit company. This legislation, modeled after a Louisiana law and proposed by the Governor, clearly contains a diminution of local authority over K-12 education. Many also expressed concerns that this represents a move toward increased state power over local school decisions, which could extend to charter schools and other intrusions into local authority in the future.

Looking toward the 2014 GA session, clearly the underfunding of core services will be a significant issue for localities, particularly in the area of K-12, where state funding is at approximately the 2007 level, and HB 599 funding for localities with police departments. How and when the expansion of Medicaid is implemented will also be an important issue in the off session, as it became a major sticking point in negotiations over both the 2012-2014 biennium budget amendments and transportation funding legislation. Ultimately, the budget conference report included language to create a legislative commission to analyze and assess possible state and federal reforms to the Medicaid program prior to allowing the expansion to take place, allowing both the budget and transportation funding legislation to pass the GA.

COUNTY LEGISLATIVE INITIATIVES

Given the need to focus on broad, overarching policy issues facing the 2013 General Assembly, such as transportation funding and priority budget issues, the County opted not to introduce initiatives for the 2013 Session. However, a number of bills introduced this session were closely related to previous County initiatives or were introduced after close collaboration with the County.

HB 1682 (Bell, R.B.) and **SB 706** (Stuart) are Governor's bills that provide 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. These bills are consistent with the County's initiatives from 2011 and 2012, which originated with the Fairfax County Police Department, and incorporate similar bills sponsored by Delegate Watts and Senator Herring. Both bills passed the General Assembly unanimously and await action by the Governor. While these bills do not contain all the provisions originally sought by the County, stakeholders generally agreed that the legislation represents a major step forward in the protection of vulnerable adults. Some interest has been expressed among other members of the General Assembly about revisiting this issue in future sessions, particularly in the civil arena, and there may be opportunities to revise the new criminal statute, if needed.

Having passed both chambers and now en route to the Governor, **HB 1990** (Sickles) would allow localities to impose a penalty not to exceed \$250 upon residents who have failed to register their vehicle in the Commonwealth to avoid paying their personal property tax. The bill maintains the current exemptions from the requirement to register certain vehicles in Virginia such as farming vehicles. The Governor vetoed a similar bill last year, but **HB 1990** was modified to address the Governor's concerns.

HB 1468 (Greason) and **SB 893** (Howell) add 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 bills also require 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. The bills contain an emergency clause. **SB 893** was initiated by Fairfax County Public Schools after collaboration with the County and was a response to concerns stemming from legislation on the same subject in 2012, which allowed school personnel to administer epinephrine, but did not include school health aides, who are not employed by the schools. Both bills passed unanimously.

COUNTY PRINCIPLES/PRIORITIES

(1.) Funding Core Services – K-12 Education

Principle: It is essential that the state fully meet its Constitutional responsibility to adequately fund K-12 education, including full funding for the biennial re-benchmark of Virginia's Standards of Quality (SOQ).

The key K-12 funding issue for Fairfax County this session was Cost of Competing Adjustment (COCA) for support positions. The Governor again proposed to eliminate COCA for support positions in FY 2014. COCA is an additional factor used in the state K-12 funding formula, recognizing the higher salaries required in certain high cost areas of the Commonwealth to attract and retain highly qualified teachers and support staff.

The Governor tried this last year, proposing an approximately \$32 million annual cut to Northern Virginia, but a strong, bipartisan coalition of legislators from Northern Virginia and surrounding localities was able to restore most of the COCA funds in FY 2013, and a small amount in FY 2014 (\$12 million of the \$32 million was restored). Given the bipartisan support last session, and the recent JLARC report that reaffirms the need for COCA, the Governor's actions were not only a surprise but also a disappointment. The Governor's proposed structural change would have negatively affected all Northern Virginia localities for years to come (including Stafford, Fauquier, Spotsylvania and others that border Northern Virginia and receive a reduced COCA factor). Though Fairfax County strongly supported full restoration of COCA for support positions in FY 2014, restoring some of the funding -- \$9.4 million in FY 2014, as was done in the budget conference report -- is helpful. Further restoration of COCA will be an area of focus for the 2014 GA session.

Overall, the larger issue of K-12 funding, or underfunding, will surely be an issue in the future. According to a 2013 JLARC report, while Virginia ranks number 8 in per capita personal income compared to other states, it only ranks number 38 in state per pupil funding for K-12 education. State K-12 funding was particularly hard hit during the recent recession, and many of the cuts were structural and permanent. Beginning the process of restoring state funding for K-12 will likely be a major focus for localities in the 2014 session, particularly as the 2014-2016 biennium budget is crafted and funding for K-12 is rebenchmarked. As part of that process, the Local Composite Index of Ability to Pay (LCI) will be recalculated for all school divisions. Fairfax County has experienced increases in state funding in the last two biennia, as the County's LCI has dropped as a result of the housing market collapse which affected Northern Virginia before other areas of the state, coupled with continuing enrollment growth. However, it is possible that the County's LCI could increase in the next biennium, which would mean reduced state funding to the County for K-12.

(2.) Funding Core Services – Transportation Funding

Principle: Major new revenue sources for transportation must be enacted during the 2013 General Assembly session. Current revenue sources are not generating sufficient funding to meet Virginia's critical highway needs or its statutory share of eligible transit costs.

As in previous years, numerous bills were introduced this Session related to transportation funding. The Governor's proposal was carried by Speaker Howell (**HB 2313**) and Sen. Newman (**SB 1355**). As introduced the bills would have:

- Eliminated the current 17.5 cents per gallon gasoline tax and replaced it with an increase in the current 5% sales tax to 5.8%. The majority of these funds were allocated to maintenance and operations with approximately 20% provided for construction.
- Increased the vehicle registration fee by \$15, with the funding allocated to transit and intercity passenger rail.
- Transferred an additional .25% (from .5% to .75%) of the state's portion of existing sales tax from the General Fund to transportation, phased over a five-year period, with the funding going to maintenance.
- Imposed an annual \$100 fee on alternative vehicles, with the revenues directed to transit.
- Dedicated potential federal revenues that would become available if Congress enacts the Marketplace Equity Act, which grants states legal authority to collect out-of-state sales taxes. These funds would have been allocated to transportation, public education, and to localities.
- Directed that \$300 million of the reallocated General Fund revenues would be dedicated to Dulles Rail Phase II.

During the legislative process, the House kept much of the Governor's proposal but included language that would prohibit further tolling of I-95. Additionally, the House bill directed the Secretary of Transportation to form a workgroup of transportation stakeholders and local government officials to review local transportation funding options and determine which may provide a viable method for localities to generate additional transportation funds for local priorities. As amended, **HB 2313** was passed by the House (53-46).

During consideration of **SB 1355**, the Senate rejected various substitutes on the Senate floor and sent the bill back to the Senate Finance Committee, effectively killing the bill. However, during consideration of **HB 2313** in the Senate Finance Committee, it was replaced with a substitute, which was then passed by the Senate (26-14). The Senate substitute:

- Increased the gas tax to 22.5 cents per gallon, with funds going through the current transportation formula.
- Imposed a statewide 1% sales tax on wholesale gas, with funds provided for local or regional construction projects.
- Increased vehicle registration fees by \$15, with the funds provided to rail and transit.
- Transferred an additional .05% (from .5% to .55%) of the state's portion of existing sales tax from the General Fund to transportation, with the funds provided to rail and transit.
- Dedicated potential federal revenues that would become available if Congress enacts the Marketplace Equity Act, which grants states legal authority to collect out-of-state sales taxes. These funds would be allocated to transportation, public education, and to localities. If no Congressional action occurred by July 1, 2014, the statewide sales tax on wholesale gas would be increased by 1%. Further, the phased transfer of General Fund revenues to transportation maintenance would be halted. However, if Congress subsequently passes the legislation, these actions would revert back.
- Authorized a statewide local option sales tax of up to one percent, dedicated to local transportation priorities.
- Prohibited tolling on I-95 south of Fredericksburg.
- Allocated \$300 million from increased registration fees to Dulles Rail Phase II.

The House and Senate versions of **HB 2313** were negotiated in a conference committee, which included Senator Howell and Delegate Albo. The **Conference Report** provides approximately \$880 million for maintenance, construction, and transit by the year 2018, by:

- Eliminating the 17.5 cents per gallon gas tax.
- Imposing a 3.5% wholesale gas tax and a 6% wholesale diesel tax.
- Increasing the automobile sales tax from 3% to 4.3%.
- Increasing the state sales tax from 5% to 5.3%.
- Transferring an additional .175% (from .5% to .675%) of the state's portion of existing sales tax from the General Fund to transportation, phased in over five years.
- Increasing the fee for alternative fuel vehicles to \$100, including electric and hybrid vehicles, but excludes natural gas-powered vehicles.
- Dedicating potential federal revenues that would become available if Congress enacts the Marketplace Equity Act, which grants states legal authority to collect out-of-state sales taxes. These funds would be allocated to transportation, public education, and to localities. If the Act is not adopted by Congress by January 1, 2015, the wholesale gas tax (not diesel) would increase to 5.1%.
- Prohibiting tolling on I-95 south of Fredericksburg without prior General Assembly approval.
- Allocating \$300 million from the state maintenance funding to Dulles Rail Phase II.

The **Conference Report** also includes regional components for Northern Virginia and Hampton Roads. Several Members of the Fairfax County Delegation were involved in crafting the Northern Virginia plan, which is expected to provide an additional \$300-350 million per year by:

- Imposing a .7% sales tax, to a total of 6% for Northern Virginia.
- Imposing a 3% Transient Occupancy Tax (hotel tax).
- Imposing a grantors tax of \$0.25 per \$100 valuation.
- Of the revenues collected, the **Conference Report** states that 70% will be provided to the Northern Virginia Transportation Authority to be used on regional projects that are included within the regional transportation plan that have been evaluated by VDOT for reducing congestion, as well as mass transit capital projects that increase capacity.
- 30% of funds will be distributed to the individual localities and must be spent on urban or secondary road construction, for other capital improvements that reduce congestion, for other projects that have been improved by the most recent long-range transportation plan adopted by NVTA, and for public transportation purposes.
 - Localities must enact the local Commercial and Industrial Property (C&I) tax at \$.125 cents per \$100 valuation or dedicate an equivalent amount into a special amount into a special fund that can be used solely for transportation. This amount must be at least equal to the amount expended or disbursed for FY 2012. Should the locality not do this or do so at a lower rate, the amount of the revenue the locality receives will be reduced by the difference between the amount they would have received if they were imposing the maximum amount and the amount of revenue deposited into this special fund.
- Requiring the NVTA and its counties and cities to work cooperatively with the towns when implementing these provisions.
- Repealing the local option to enact a 1% income tax by referendum.
- Including language requiring that should the General Assembly, NVTA, or any of the localities use these funds for non-transportation-related projects or those projects outside the boundaries provided in the act, these additional regional revenues would expire. However, staff will work with the Delegation to see if the language can be modified to ensure that if one jurisdiction would act in this manner, that jurisdiction would be penalized, rather than the entire region.

The **Conference Report** was adopted by the House (60-40) and by the Senate (25-15).

Transit Funding Formula

Based on a study conducted by the Department of Rail and Public Transportation (DRPT), **HB 2070** (Comstock) and **SB 1140** (Petersen) were introduced. This bill would have replaced the current transit formula with one that based half of transit operating funds on performance measures that were to be defined by the CTB. As proposed by DRPT, this performance-based funding would be allocated within peer groups, which would have had inherently different transit systems competing against each other, largely reducing the stability of state funds. Additionally, the bill as introduced would have removed from the Virginia Code long-standing language vital to transit funding in Northern Virginia related to the allocation of Metrorail and Metrobus subsidies (the Subsidy Allocation Model), which was crafted more than a decade ago to ensure fair allocation of these subsidies. **HB 2070** was tabled by House Transportation Subcommittee #4. The Senate Patron amended **SB 1140** to retain the Northern Virginia language. Additionally, the bill was changed to implement performance-based funding for revenues

generated above \$160 million, or approximately the current funding levels. The bill was also changed to create a Transit Service Delivery Advisory Committee to advise DRPT on the distribution of such funds and how transit systems can incorporate the metrics into their transit development plans. As amended, **SB 1140** was passed by the Senate (38-1) and the House agreed to the amendments (76-19).

Other Transportation Funding Legislation

In addition to the funding proposals noted above, numerous other bills were introduced to provide additional transportation resources, some through increases in revenues and others by transferring funds from the General Fund. Of these bills, **HB 1403** (Cole), **HB 1438** (Purkey), **HB 1663** (Minchew), **HB 1677** (Hugo), **HB 1888** (LeMunyon), and **HB 2253** (Albo), were incorporated into **HB 2313**. **HB 1409** (Scott, J.), **HB 1472** (Watts), **HB 1878** (Morrissey), **HB 2063** (Rust), **HB 2179** (Rust), **HB 2224** (Howell, A.), **HB 2285** (May), and **HB 2333** (Watts) were either tabled by or left in the House Finance Committee. **SB 700** (Alexander), **SB 717** (Watkins), **SB 733** (Petersen), **SB 855** (Petersen), **SB 872** (McWaters), **SB 925** (McWaters), **SB 1321** (Obenshain), **SB 1328** (Wagner), and **SB 1340** (Saslaw) were all left in the Senate Transportation Committee.

Legislation passed in 2012 required localities and Metropolitan Planning Organizations (MPOs) to reimburse VDOT for expenses when terminating a project or requesting alterations that exceed 10% of the total project cost. **HB 1718** (Anderson) /**SB 1075** (Barker) was introduced to clarify 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 1718/SB 1075** was passed by the House (100-0) and the Senate (40-0).

(3.) Governance – Local Authority

Principle: Existing local government authority should be preserved, particularly in such key areas as taxation and land use, where local governments must have sufficient authority to govern effectively. Further, local authority should be enhanced to provide localities more flexibility in the administration of local government, as appropriate community solutions differ significantly from one area of the state to another.

Taxation

Fewer than usual adverse bills were introduced this year to weaken local taxing authority. All were either killed or improved through amendments.

HB 1401 (Cole), as introduced, would have prohibited localities from instituting a judicial sale for delinquent taxes on real property that is the sole dwelling of the taxpayer; while this is a remedy utilized very infrequently by localities, the bill was amended to eliminate that prohibition but require certain notifications prior to any judicial proceedings.

HB 1437 (Purkey) would have classified 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. The bill was left in House Finance after a subcommittee failed to recommend reporting by a vote of 2-2. Delegate Purkey has made several previous attempts to eliminate the machinery and tools tax.

As passed, **HB 1598** (Anderson) modifies several provisions governing boards of equalization (BOEs) including: (i) qualifications for membership; (ii) authorization to receive complaints electronically as long as taxpayers may also file complaints on paper forms; (iii) a prohibition on denial of relief based on a lack of information from the taxpayer as long as certain specified information is provided; (iv) procedures to be followed before a BOE may increase assessments on certain types of property; and (vi) setting deadlines for consideration of certain information. As introduced, the original language pertaining to many of these provisions was adverse, particularly a change to the presumption provisions on valuation in court proceedings. After several discussions between local governments and industry representatives, changes were agreed to, and local governments removed their objections to the bill.

HB 1687 (Iaquinto) would have reduced 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 one year. After passing the House 75-24, the bill was passed by indefinitely in Senate Finance by a vote of 15-0. This bill was a version of previous legislation in 2012 (HB 483, Iaquinto), which was carried over; that bill originated from a Fairfax County tax appeal.

HB 1831 (Lingamfelter) would have exempted beginning businesses owned by disabled veterans with service-connected disabilities from certain fees imposed by the State Corporation Commission (SCC); the bill also would have exempted all beginning businesses from the local business license tax. The bill also would have established state tax credits for beginning businesses for local personal property taxes paid by such businesses, applicable for the first two full years in operation. The bill was laid on the table at the House Finance subcommittee level.

HB 1329 (Head)/**HB 1578** (Wilt)/**SB 710** (Hanger) would have authorized localities not to pay interest on the refund of local taxes when the refund is due to errors made by the taxpayer. **SB 710** also included language directing 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. **HB 1329** was stricken from the docket in House Finance; **HB 1578** was laid on the table in House Finance; and **SB 710** was stricken at the request of the patron in Senate Finance. The bills were also a repeat issue from the 2012 session.

SB 1313 (Stosch) would have added the City of Portsmouth to the list of Northern Virginia and Hampton Roads localities authorized to impose a local income tax for transportation purposes. The bill also removed the requirement that the local income tax be approved by a referendum and repealed the five-year sunset on the local income tax. The patron, who is chairman of Senate Finance, described the bill as a possible alternative to the state underfunding of transportation in the two regions, especially if a statewide bill failed this session. However, the bill was killed in a House Finance subcommittee, and was

not resurrected as a revenue source in the final statewide transportation bill. In fact, **HB 2313**, as passed, repeals this statute.

HB 2131 (Keam) would have modified and clarified the special real property taxes that Fairfax County may impose in a service district to pay for the costs of additional improvements and services provided in the district. The bill stated that the tax could be imposed differently on portions of mixed-use property depending on the use. In addition, if the use or zoning of real property changed from one that is taxed in the service district to one that is not, then the local governing body could have required 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. The patron also offered a substitute that would have limited the authority to the Tysons project. A subcommittee of House Counties, Cities, and Towns laid the bill on the table by voice vote and also referred the bill to the Housing Commission for study.

A bill supported by local governments, **HB 1982** (May) 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.

A study related to local business taxation, **HJ 755** (Howell) would have directed 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. At the request of VACo and VML, the study resolution was amended to provide for participation in the study by representatives of these organizations. However, the study was passed by indefinitely in Senate Rules; the Chairman of Senate Rules agreed to send a letter requesting that the two Commissions listed in the resolution hold three to five meetings on the subject and that interested parties such as VACo, VML, and the National Federation of Independent Businesses be allowed to participate in those meetings. County legislative staff will monitor this closely.

Land Use

While there has not been a singular issue this year that had the magnitude of the previous session's amendment to the eminent domain clause of the Virginia Constitution, numerous introduced bills sought to change local authority over local land use decisions, some of which brought significant controversy.

Among the most controversial bills this year, the defeated **HB 1430** (Lingamfelter) sought to amend the current "Right to Farm" statute to expand the definition of an "agricultural operation" to include, among other things, "the sale of certain items, such as art, literature, artifacts, furniture, food, beverages, and other items that are incidental to" the operation if such were not a majority of the sales. Superfluously, the bill also sought to negate any local ordinances that limited certain constitutionally protected activity. As introduced, the bill would also have created new personal liability while abrogating sovereign immunity for any government employee who sought to enforce such local ordinances. After a House committee substitute gutted much of the bill but kept the expanded definition of agricultural operation and added a reenactment clause, the substitute sailed through the House only to be passed by indefinitely in the Senate Committee on Agriculture, Conservation, and Natural Resources.

Similarly controversial, though among a different constituency, **HB 2190** (Cosgrove) imposes a new bureaucracy on localities, like Fairfax County, that enact local stormwater ordinances that are more stringent than current state minimum standards. Ensuring stormwater quality is not an exact science. Under existing state law, localities are responsible for meeting stormwater quality goals that are imposed by the state. Currently, the Commonwealth's Department of Conservation and Recreation (DCR) sets minimum standards to achieve water quality goals and reviews local regulations to ensure that they are stringent enough to meet state water quality goals. Ironically, **HB 2190** will flip this dynamic on its head by telling DCR (or DEQ if it receives oversight responsibility over stormwater regulations) to veto local stormwater regulations that are more stringent than state minimum standards if DCR determines that the local regulations go further than necessary to meet state water quality goals and legitimate community concerns such as public safety and ensuring economic efficiency of stormwater facilities.

After the Senate Committee on Agriculture, Conservation, and Natural Resources passed a substitute **HB 2190**, the bill's proponents, the Home Builders Association of Virginia (HBAV), and one of the bill's opponents, the Virginia Municipal Stormwater Association (VAMSA), wrote amendments that were agreed to by the Senate. Similar to the Senate Committee Substitute, these amendments address some concerns with the original bill, but not all. For example, the amendments helpfully remove the requirement in the original bill that DCR review all local actions; instead, the amendments allow an affected landowner to appeal a local decision to DCR after a particular local decision is adopted. The locality, however, will have to justify its action to DCR before the landowner presents any arguments in opposition. While the amendments lower the anticipated number of local decisions to be reviewed by DCR, the bill's core survives. If enacted, **HB 2190** would impose new state limits on local efforts to respond to community concerns, as well as potentially create unclear effects on the quality of water in and around the Chesapeake Bay. The House accepted the Senate's substitute.

Among other less controversial topics, three bills relating to proffers passed both houses with little conflict. **HB 2265** (Knight) relieves landowners from giving written notice to others whose land is affected by cash proffers if the governing body wishes 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. Adding flexibility for localities, **SB 1226** (Stuart) extends the time within which a locality must expend a proffer of cash from 7 to 12 years. Unused proffers of cash still must be given to the Commonwealth Transportation Board. Also, **HB 2239** (Marshall, D.) clarifies the general understanding that cash proffers must be used for capital improvements that expand facility capacity and not for ordinary maintenance or repair that is unrelated to the impacts of new development.

Regarding some bills that have passed both chambers on other topics, **HB 2238** (Marshall, D.) is arguably a clarification that localities shall not make any steps to obtain a building permit a necessary condition of obtaining final site plan approval. **HB 2238** gives such approved site plans the benefits of the previously enacted extension of such approvals to 2017 that is found in Virginia Code § 15.2-2209.1.

Also without controversy, **HB 1333** (Farrell) allows governing bodies to amend the boundaries of an established service district after a public hearing to address changing circumstances or to exclude portions of the service district that, in fact, did not receive the expected benefit of the service district and, therefore, should have been excluded in the original boundaries.

HB 2306 (Ramadan) provides that, if an entire parcel of land is to be acquired for public use, fair market value for the parcel that is to be paid by the condemning authority shall be no less than the value stated in the current real estate tax assessment. In any case, it would be difficult to argue that a parcel's fair market value should be lower than the amount used to assess real estate taxes.

Finally, if land is taken specifically for a highway project, **HB 2298** (Anderson) and **SB 820** (Puckett) will allow any billboard on the taken property to be relocated to another place on the same property, if practicable, regardless of whether the sign is nonconforming with the current zoning of the parcel; however, the sign may not be enlarged and remains nonconforming unless the current zoning would consider the sign conforming. The County has approximately 10 billboards that are primarily located along the Route 7 and Route 1 corridors.

In brief, land use legislation that failed this year includes **HB 1429** (Morris) and **SB 1073** (Obenshain), both of which would have required taxpayers to pay attorney's fees to anyone who prevailed in a zoning case against any locality. Either bill would have threatened major costs and, consequently, the chilling of enforcement of zoning laws, a core function of local government to protect the public health, safety, and welfare.

SB 884 (Deeds), stricken at its patron's request, would have imposed new notification requirements on owners of impounding structures, meaning water-holding dams, without a clear exemption for government owners of such dams, such as the County and the Park Authority, that already have adequate safety measures in place.

Among other land use legislation that was left in the respective committees this session are: **HB 1611** (Hugo), which would have required inspections of onsite septic systems once every two years instead of annually, **HB 2011** (Surovell), which would have granted the County authority to charge an additional \$150 fee when it removes abandoned personal property, such as shopping carts, from streams and other County-owned land, and **HB 2142** (Keam), which would have overridden local zoning ordinances regulating the number or frequency of events at wineries and their hours of operation.

(4.) State Budget

Principle: The Commonwealth should rebalance its resources and responsibilities so that the funding partnership with localities is restored, ensuring the delivery of critically needed services in communities throughout Virginia. State established standards for locally delivered services must be accompanied by state funding that is adequate to successfully provide those services, and accountability for successes and failures should be reciprocal, ensuring both the state and localities accept responsibility commensurate with their respective roles.

The budget process is always an interesting one in Richmond – expecting the unexpected is usually a safe bet, and the 2013 GA session continued that tradition. Unlike in most years, however, the House and Senate budgets contained few surprises. However, two critical items threatened to derail the budget in the Senate – the state’s decision on Medicaid expansion, and a surprise and controversial plan to reconfigure Senate districts mid-cycle (these are explained earlier in the Overview section of the report).

The budget season began with the Governor presenting his 2012-2014 biennium budget amendments to the joint money committees in Richmond prior to the session. The Governor’s revised revenue forecast added \$98.8 million over the 2012-2014 biennium, and raised growth from 2.9 percent to 3.6 percent in FY 2013. However, in FY 2014, growth was projected to slow from 4.5 percent in the official forecast to 3.8 percent. The proposed spending changes recommended by the Governor increased funding by \$215.1 million from the existing 2012-2014 biennial budget level, including \$92.7 million in budget reductions and reallocations. These spending amendments were financed by an additional \$102.1 million from FY 2012 General Fund (GF) balances and \$117.6 million in revenue and transfers, leaving an unappropriated GF balance of \$10.8 million. However, it is important to note that the Governor’s amendments also contained approximately \$524 million in agency savings and funding cuts to various programs. Certainly the key item of concern to Fairfax County and Northern Virginia was the Governor’s proposal to again eliminate Cost of Competing Adjustment (COCA) funding for support positions in FY 2014 (as explained on page 6 under K-12 funding).

The best news for local governments was that both the House and Senate budgets retained the Governor’s amendment of \$45 million in FY 2014 to end local government financial assistance to the state. From Fairfax County’s perspective, both budgets restored some funding for Cost of Competing, though the Senate restored twice as much as the House (\$12.5 million vs. \$6 million). Both amounts are vastly below the full funding amount of \$32 million, but it was important that at least some funding for this critical factor be maintained.

The most significant difference between the two budgets was over Medicaid expansion. Though both budgets sought reforms to the Medicaid program, the House seemed to follow the Governor’s lead in opposing the expansion and requiring General Assembly approval at a later date, before the expansion could proceed. The Senate was more supportive of the expansion, with Senate Democrats making it clear that no budget could win Senate approval without it. An 11th hour compromise resulted in a legislative commission that would oversee reforms required to expand Medicaid to 400,000 uninsured Virginians, which received the Governor’s tacit approval. But just as quickly as that roadblock was eliminated and in the final hours of the GA session, Attorney General Ken Cuccinelli ruled that such a commission was unconstitutional. That provoked a threat from Senate Democrats to doom both the budget and the transportation funding bill. A revised budget amendment was quickly drafted. The new amendment: requires DMAS to provide a report to the commission on specific waiver and/or state Medicaid plan changes that have been approved; the language then mandates DMAS seek federal approval of any necessary waivers/plan changes; then requires that the commission approve implementation of the Medicaid expansion if these conditions are met; and finally, mandates that DMAS implement the expansion once approved by the commission. By removing the commission’s discretion and making its actions mandatory, GA members indicated they believe the alteration remedies the flaw Cuccinelli identified, and the 2013 budget process came to a dramatic close.

Top Priority and Other Priority Budget Items for Fairfax County in Conference Report for HB 1500

(all dollar amounts are statewide)

Below is a list of items of interest to Fairfax County in the 2012-2014 biennium budget conference report of interest to Fairfax County. In addition to restoring some COCA funding, eliminating local government financial assistance to the state and expanding Medicaid, numerous other County priorities were funded including: Early Intervention for Infants and Toddlers (Part C), bonds and funding for wastewater and stormwater projects, and an increased Medicaid waiver rate for individuals transitioning from state training centers.

SUPPORT

K-12 Cost of Competing Adjustment (COCA)

The conference report partially restores Cost of Competing for K-12 support positions in FY 2014 (\$9.4 million).

Early Intervention for Infants and Toddlers (Part C)

The conference report provides an additional \$2.3 million in FY 2013 and \$6 million in FY 2014 for Part C early intervention.

Aid to Localities (ATL)

The conference report supports the Governor's amendment of \$45 million in FY 2014 to end local government financial assistance to the state.

Water Quality Improvement Fund (WQIF)

The conference report includes the use of bond money (\$101 million) to help local governments and water authorities to pay for infrastructure improvements. It also endorses \$35 million for local stormwater management projects to meet federal permit requirements.

Training Centers

The conference report provides \$3.7 million in FY 2014 to increase Medicaid payments by up to 25 percent for congregate care for ID waiver recipients with complex needs, transitioning from institutional care to the community. The report also requires the Commissioner of the Department of Behavioral Health and Developmental Services to provide quarterly reports on the transition of individuals from the training centers to the community.

Medicaid Expansion

The expansion of Medicaid became a major issue during the 2014 GA session, and threatened to derail negotiations over the budget and transportation funding. The final budget language: requires DMAS to provide a report to the commission on specific waiver and/or state Medicaid plan changes that have been approved; requires DMAS to seek federal approval of any necessary waivers/plan changes; and requires that the commission approve implementation of the Medicaid expansion if these conditions are met.

Northern Virginia Mental Health Institute

The conference report restores \$700,000 in FY 2014 to maintain bed capacity at NVMHI.

Medicaid Waivers

The conference report provides funding for 200 additional ID waiver slots in FY 2014 and 50 additional DD waiver slots in FY 2014.

Poison Control Centers

The conference report restores \$1 million to poison control centers.

Healthy Families

The conference report restores \$350,000 GF and \$200,000 in TANF funds for Healthy Families.

Auxiliary Grants

The conference report provides \$2 million for a three percent increase for auxiliary grants for people in assisted living facilities.

Teachers and Support Staff Salary Increase

The conference report provides \$70.2 million for the state's share of an 11 month salary increase for teachers and support staff. The increase is optional and requires a local match. School divisions cannot count raises required for the VRS employee contribution as their local match.

State Supported Local Employees

The conference report provides a three percent salary increase for state supported local employees, effective August 1, 2013.

Route 1 Transit Study

The conference report dedicates \$2 million from the Commonwealth Mass Transit Fund to implement the Route 1 transit study.

Housing

The conference report provides \$1 million for the Housing Trust Fund and \$1 million for permanent supportive housing and rapid re-housing.

Judges

The conference report recommends filling five judicial vacancies, in addition to the 15 proposed in the Governor's budget, including one circuit court position in Fairfax County.

OPPOSE**K-12 Opportunity Schools**

The conference report provides some funding for the implementation of the Opportunity Educational Institution bill, HB 2096, which changes the governance of education and could have far-reaching implications. The conference report also includes language directing a JLARC study of lowest performing schools or districts by June 30, 2014.

OTHER ITEMS OF INTEREST**Dulles Rail Phase II**

The conference report prohibits the use of state funding for Dulles Rail Phase II unless MWAA has "addressed" all of the recommendations in the November 2012 USDOT IG report. This language was amended from the House budget language which required MWAA to "implement" the recommendations in the IG report, and is therefore not a problem for the Dulles Rail Phase II project.

Dulles Greenway

The conference report directs the Secretary of Transportation to investigate the feasibility and efficacy of purchasing the Dulles Greenway.

School Security

The conference establishes a five year, \$30 million revolving Security Equipment Fund that would provide annual competitive grants up to the \$100,000 per division. It also provides \$2.9 million in FY 2014 to address recommendations by the Governor's Task Force on School and Campus Safety, and \$1.3 million for grants to hire school resource officers and school security officers to serve in elementary, middle and high schools.

School Nurse Staffing Standard

The conference report eliminates language in the Governor's budget amendments for a prospective funding methodology for school nurses for the 2014-2016 rebenchmarking cycle. Meeting this proposed standard would have been very expensive for localities.

Rainy Day Fund

The conference report increases the reserved amount for the 2014-2016 rainy day fund deposit from the \$50 million proposed by the Governor to \$95 million.

OTHER LEGISLATION OF INTEREST

Child Care

HB 1575 (Webert) would have changed the County's local licensing requirements of in-home-child-care facilities that are not state licensed. The bill inadvertently addressed certain Northern Virginia localities' child care regulations and was stricken at the patron's request.

Commonwealth Transportation Board (CTB)

As in years past, several members of the Northern Virginia delegation introduced legislation to change the composition of the CTB to more equitably reflect population. Currently, the CTB's citizen members represent each of VDOT's highway construction districts, with five representing the state at-large. **SB 732** (Petersen) would have increased the number of citizen members of the CTB to fifteen, providing one CTB member from each of Virginia's eleven Congressional districts along with two representing urban interests and two representing rural interests. During the bill's consideration in the Senate Transportation Committee, efforts were made to significantly amend the bill, at which point, the patron asked the bill to be stricken. **HB 1908** (Surovell) kept the same number of CTB members, but changed the composition to one member from each Congressional district along with two at-large members representing urban interests and one representing rural interests. **HB 1908** was tabled by a voice vote in House Transportation Subcommittee #4. Lastly, **HB 2049** (Rust) kept the representation based on construction districts, but provided an extra member for the Richmond, Hampton Roads, and Northern Virginia districts. To try to further address some of the concerns of rural interests, the bill would have provided two at-large urban members and three at-large rural. Despite these efforts, **HB 2049** was defeated by the House 49-51. An effort to reconsider the bill also failed.

Constitutional Amendments

Since 2013 is an election year for members of the House of Delegates, this was the year for "first resolution" Constitutional amendments (Constitutional amendments must pass in identical form twice; once before and once after a General Assembly election, before being approved by the voters in a referendum.)

General Assembly members introduced a total of 51 proposed Constitutional amendments this year; only one survived, **HJ 551** (Ramadan). This Constitutional amendment expands the existing property tax exemption for disabled veterans and surviving spouses that was approved by the voters in 2010 to the surviving spouses of service members killed in action. As introduced, this amendment would have mandated the property tax exemption; after local governments urged the state to consider funding the cost of the expansion of the existing exemption, the measure was amended in House Privileges and Elections to make the exemption a local option. In the Senate, a companion measure, **SJ 272** (Black), was amended in Senate Privileges and Elections to provide for the state to reimburse eligible surviving spouses for their property tax bills. Due to the potential cost to the state, the bill was rereferred to Senate Finance, where it was passed by indefinitely with a letter to JLARC asking for additional research to be done on the number of affected taxpayers. It is possible that information generated by this request may be useful in determining the potential revenue impact of this proposal.

Several Constitutional amendments introduced this year were recurrences of previously unsuccessful attempts. Despite receiving the backing of the Governor and the Attorney General, the perennial effort to allow the General Assembly to set up a process for the restoration of civil rights for felons (introduced by thirteen legislators this year) failed again in a subcommittee of House Privileges and Elections. There were also multiple efforts to establish a "lockbox" for transportation funding, all of which failed in the Senate. Similarly, attempts to enshrine Virginia's right to work law in the state Constitution (**HJ 536**, Bell and **SJ 293**, Black) both failed on the Senate floor, as did amendments relating to the use of a secret ballot in votes to authorize employee representation (**HJ 611**, O'Bannon and **SJ 88**, Reeves). However, a companion bill, **HB 1385** (Comstock), statutorily requiring a secret ballot in the designation, selection, or authorization of a labor organization to represent employees, passed the House (69-30) and Senate (20-19).

Several Constitutional amendments were part of the Governor's education reform package. **HJ 684** (Lingamfelter) and **SJ 302** (Obenshain) would have granted the Board of Education authority to establish

charter schools within the school divisions of the Commonwealth. **HJ 684** failed to report in House Privileges and Elections on a vote of 11-11 after concerns were expressed by members on both sides of the aisle about the potential for diversion of local school funding dollars to charter schools. **SJ 302** failed on the Senate floor by a vote of 20-19, with one abstention.

HJ 693 (Habeeb) and **SJ 327** (McDougle) were related efforts that would have authorized the General Assembly to create a statewide school board that could take over chronically failing schools; the constitutional amendments were introduced due to concerns that their companion legislation, **HB 2096** (Habeeb) and **SB 1324** (McDougle), was unconstitutional. As discussed earlier in this report, local governments and school boards strongly objected to these measures due to their provisions for transfer of local dollars away from local control. After **SB 1324** passed the Senate, its patron asked that **SJ 327** be passed by for the day, effectively killing it for the session. **HJ 693** was recommitted to Senate Privileges and Elections from the Senate floor; **HB 2096** also failed on the Senate floor. However, **SB 1324** passed both chambers and awaits action by the Governor.

County-Town Issues

Referred for study at the request of the patron, **HB 1535** (Rust) was a bill requested by the Town of Herndon. In Virginia, towns have been an integral part of counties, geographically, politically, and fiscally. This relationship contrasts sharply with cities, which are geographically outside of and completely independent from counties. The bill sought to purportedly clarify the powers of counties and the towns within them where each locality apparently had authority to regulate the same activity. Among other things, **HB 1535** would have granted towns veto power over county ordinances that towns did not want to apply within town boundaries. **HB 1535** has been referred to the Commission on Local Government. An identical bill, **HB 1585** (Minchew) was stricken at its patron's request.

HB 1574 (Minchew) and **SB 1239** (Herring) would have mandated county enforcement of the Uniform Statewide Building Code for all towns within its jurisdiction "with equal dignity" as the county provides in unincorporated areas of the county (currently counties are only required to enforce the building code for towns with a population under 3,500). The bills further provided that no agreement between the town and the county would be required for the county to perform this obligation. The legislation was introduced as a result of a disagreement over enforcement of some portions of the building code between Loudoun County and the Town of Leesburg.

Fairfax County worked closely with VACo to defeat these bills, as they created a new mandate on localities. Though the County already enforces the building code in Vienna and Clifton, Herndon does its own building code enforcement. Enforcement is required in Clifton, as it falls below the population threshold, but is not required in Vienna or Herndon. If the County were to take over all building code enforcement in towns, there would be costs and staffing needs that are not currently budgeted. Because the bills were broad in scope, it was also unclear what the impact would be to counties throughout the Commonwealth, where numerous agreements between counties and towns may exist. The bills died in the Senate General Laws Committee with a request that the issue be sent to the Housing Commission for study.

Elections

After the long lines experienced by many voters on Election Day 2012, improvements to election administration attracted interest at all levels of government, including a mention by newly-reelected President Obama in his speech on Election night. The Board responded to delays at County polling places by creating the Bipartisan Election Process Improvement Commission, which is currently reviewing a broad spectrum of election-related matters.

In the General Assembly, expectations at the beginning of the session for reforms to Virginia's voting process were high, and a number of bills were introduced that were intended to expand access to the polls. A variety of approaches were considered, including allowing for "no-excuse" absentee voting, or allowing for early voting (**HB 1353** (Morrissey), **HB 1361** (Scott, J.M.), **HB 1520** (Villanueva), **HB 1592** (Ware, O.), **HB 1922** (Herring), **HB 1937** (Lopez), **HB 2013** (Torian), **HB 2119** (Spruill), **SB 702** (Howell)); allowing for absentee voting for those 65 and older (**HB 1394** (Marshall, D.W.), **HB 1938** (Lopez), **SB 724** (Miller), **SB 873** (McWaters)); allowing absentee voting for parents or guardians of certain young children (**HB 1710** (Plum)); providing for the extension of polling hours (**HB 1774** (Filler-Corn), **HB 2016** (Torian), **SB 964** (Ebbin)); requiring an enhanced ratio of voting machines to voters per precinct (**HB 2017** (Torian),

SB 739 (Petersen)); providing for early voting in anticipation of certain declared emergencies (**HB 2264** (Krupicka)); and an omnibus bill containing several of these provisions (**SB 1062** (Herring)). None of these bills passed; most failed to survive their chamber of origination.

A number of helpful bills were introduced that would have provided for some state assistance in the costs of election administration; these bills all failed as well. However, there was some discussion in a subcommittee of House Privileges and Elections among members who also serve on the House Appropriations Committee about further conversations after the end of the session about the appropriate balance of costs borne by localities and those borne by the state. Among the unsuccessful bills this year were **HB 1340** (Ware, R.L.)/**SB 813** (Garrett), providing for state reimbursement to localities of the entire costs of compensation and expenses of the electoral boards and general registrars); **HB 1341** (Ware, R.L.)/**SB 806** (Garrett), providing for state reimbursement to localities for all costs incurred in conducting the presidential primary; **HB 1342** (Ware, R.L.)/**SB 805** (Garrett), providing for state reimbursement to localities for costs of primary elections, as funded by the appropriation act); and **HB 1956** (Brink), providing 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).

Several bills supported by the County that would assist in the administration of elections passed overwhelmingly. **HB 2158** (Lopez)/**SB 963** (Ebbin) allow a local electoral board to 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. This measure allows some flexibility in the assignment of officers of election, particularly in cases when an officer of election does not report to work on Election Day and a substitute must be reassigned. **HB 2341** (Ramadan), which was supported by the Voter Registrars Association of Virginia, allows for electronic voter registration for individuals who have a driver's license or special identification card issued through the Department of Motor Vehicles. Registrars believe that instituting an online registration system will minimize human error in the registration process by eliminating the transcription errors that frequently occur when staff must decipher handwriting on paper registration forms.

In 2012, after significant controversy, legislation was passed requiring voters to present one of a number of permitted forms of identification at the polls in order to cast a regular ballot. Governor McDonnell issued an executive order directing the State Board of Elections to conduct an extensive public outreach campaign to inform voters of the new requirement prior to the November 2012 general election. In 2013, a number of bills were introduced to further restrict the allowable forms of identification. Two of these bills, **HB 1337** (Cole) and **SB 719** (Black), removed a bank statement, utility bill, paycheck, or Social Security card from the list of acceptable forms of identification. **HB 1337** was amended on the Senate floor (with the assistance of the Lieutenant Governor's tie-breaking vote) to delay the effective date of the legislation to July 1, 2014, and to condition its provisions upon the appropriation of funding by the 2014 General Assembly; the State Board of Elections has estimated that another public outreach campaign, should it be directed, would cost an estimated \$250,000-500,000. **HB 1337** passed the Senate 21-20 (again with the Lieutenant Governor casting the tie-breaking vote); **SB 719** was left in House Appropriations in favor of a more restrictive bill, **SB 1256** (Obenshain), which requires a photo ID to be presented at the polls in order for a voter to cast a regular ballot. **SB 1256** requires that free identification cards be made available to those who do not have an acceptable form of identification; the bill also has a delayed effective date and is contingent upon an appropriation of funding by the 2013 General Assembly.

Another measure that generated significant controversy was **SB 723** (Carrico), which would have allocated Virginia's electoral votes by Congressional district, with the winner of the majority of the 11 Congressional districts' votes also winning the two electoral votes associated with the at-large Senate seats. The patron argued that the current "winner-take-all" system disenfranchises rural areas, since the majority of voters are concentrated in urban areas. After several Republican senators announced their opposition to changing Virginia's system, especially in the absence of other states making a similar change, the bill was passed by indefinitely in Senate Privileges and Elections by a vote of 11-4.

FBI Relocation

HJ 732 (Sickles), as introduced, would have memorialized Congress to encourage the U.S. General Services Administration to consider Northern Virginia as the site for the new Federal Bureau of Investigation (FBI) headquarters. The resolution was reported unanimously from committee after being amended in House Rules to recommend that the GSA consider the entire state as a site for the FBI. Unfortunately, the resolution was passed by indefinitely in Senate Rules; the Chairman of that committee

emphasized that although there was likely no disagreement on the substance of the resolution, the policy of the Senate was not to endorse resolutions memorializing Congress.

Human Services

The Board has consistently watched for legislation that would weaken TANF and foster care services, recognizing the value of these programs in strengthening families. Again this year legislation requiring TANF recipients to be tested for illegal drug use could have interfered with the County's own "Bridges" program, designed to find and overcome barriers to employment, including drug abuse. The bills also would have added another unfunded mandate on the human services program (**HB 1789** (Bell, R.B.), **HB 1412** (Crockett-Stark), **HB 2009** (Cline), **HB 2109** (Morefield), and **SB 721** (Carrico)). The County, along with other advocates, was successful in identifying these consequences, and the House bills were defeated in the Appropriations committee. The Senate bill was narrowly defeated on the floor (19-20). Patrons of the legislation have promised to return again next year.

The county again supported bills (**HB 1458** (Watts), **SB 835** (Favola)) introduced to allow persons previously convicted of drug related felonies to qualify for TANF, as is now allowed for SNAP (food stamp) support. However, both bills failed to report again this year.

Legislation was also introduced to meet requirements of the federal Title IV-E foster care program requiring that certain appeals procedures be established in state law or risk the loss of the IV.E funding. **HB 2045** (Robinson) was introduced to meet that requirement, and provides that foster care appeals would be heard by the Commissioner of Social Services. The bill passed and the implementation will be monitored to assure that any appeals made by County residents are heard in a proper and timely manner.

HB 2175 (Cox), introduced at the request of veterans from Northern Virginia, establishes authority for the Governor to: (1) request federal funds to construct a new veterans' care center in Northern Virginia and (2) provide for loans that would represent the required state share for the center. The location of the center is not yet identified and potentially may or may not use state-owned land; however, the federal funding necessary for the project requires that the Governor be able to move quickly to certify the state's commitment when such decisions are made without a requirement to return to the General Assembly.

HB 2282 (Plum) would have established 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 was to sunset on January 1, 2018. The bill was left in House Finance.

K-12 Reforms

In recent years, K-12 reform legislation has proliferated. It is interesting to note that most of the reforms seem to affect small numbers of schools or students, rather than focusing on the larger issues of concern, particularly state underfunding of K-12. During the 2013 GA session, several bills relating to reforming K-12 education were considered.

The most concerning legislation considered by the GA on this topic was, in fact, passed by the GA. **SB 1324** (McDougle) and **HB 2096** (Habeeb) allow low-performing schools to be transferred to a statewide Opportunity Educational Institution division, which could hand off management to a private, for-profit company. As discussed earlier in this section, though Constitutional questions were raised about **HB 2096** and **SB 1324**, both resolutions that would have started the process of amending the state constitution to allow for the establishment of a statewide school division (**HJ 693** (Habeeb) and **SJ 327** (McDougle)) failed in the Senate. It is now likely that the constitutionality of this legislation will be challenged in court.

The legislation takes a radical approach to K-12 funding, by requiring the transfer of local per-pupil funding from the school division to the statewide division for the pupils in the school that was taken over. The per-pupil funding would include required local funding as well as discretionary local funding. This would mean that for the first time, the state would be directing the use of revenues that exceed what

localities are required to appropriate under state funding formulas. The state would be transferring discretionary local funding to a statewide board that is not responsible to local taxpayers or students. Additionally, there is no guarantee in the legislation that the discretionary local dollars will follow the student; instead, it is possible that discretionary funding from some localities would be spent on students in another part of the state.

The GA also passed bills to require the state Board of Education to develop an A to F grading system for schools, **HB 1999** (Greason) and **SB 1207** (Stanley). Though such school report cards are in place in several other states, including Oklahoma, Arizona and North Carolina, the bills do raise some concerns for local governments. In addition to the possible confusion that could be created by yet another accountability report on schools, this grading system raises potential red flags when combined with the Opportunity Education Institution legislation passed by the GA. Some have expressed concerns over the possibility that the state could seek to transfer low ranked schools (and local funding) to the statewide school division, threatening local school divisions' ability to respond to community concerns and interests about the functioning of local schools.

School Safety

After the mass shooting in Newtown, Connecticut, Governor McDonnell issued an executive order creating the Governor's Task Force on School and Campus Safety, which was tasked, among other responsibilities, with examining current laws and regulations "to identify gaps relating to school and campus safety and provide timely recommendations for legislative or budget amendments." In early February, a package of school safety legislation stemming from the Task Force's work was introduced at the request of the Governor. Since the bills were introduced late in the session, the committee consideration of the bills was somewhat compressed; members of the House Courts committee noted the lack of time for deliberations in voting to table **SB 1377** (Stuart), which would have provided that possession of an explosive device or firearm on the premises of a school with the intent to commit a violent felony would be a Class 3 felony.

The other seven bills in the Governor's package passed, and cover many aspects of school security, including information sharing and funding for infrastructure improvements. **HB 2343** (Sherwood) establishes the School Security Infrastructure Improvement Fund, which will be used to make grants and loans to local school divisions for capital infrastructure improvements related to school safety and security, and the Local School Safety Fund, which will be used to make grants to address school safety, security, and violence prevention. **HB 2344** (Cole) requires local school divisions to establish policies and procedures for the establishment of threat assessment teams in each school, to be overseen by a division-level committee. **HB 2345** (Yost) requires the Virginia Center for School Safety, in conjunction with the Department of State Police, the Department of Behavioral Health and Developmental Services, and the Department of Education, to develop a model critical incident response training program for public school personnel and those providing services to schools. **HB 2346** (Ransone) requires schools to conduct at least two lock-down drills per year, and requires sharing of school safety audits and emergency plans with law enforcement and emergency management. **HB 2347** (Ramadan) provides for information sharing with threat assessment teams. **SB 1376** (Martin) provides civil immunity for those who report information in good faith regarding certain threats to school safety. **SB 1378** (Garrett) increases the penalty for "straw man" transactions of firearms and requires a mandatory minimum sentence of one year for those guilty of the offense.

Traffic Safety

As in years past, several bills were introduced that regarding cell phone use or texting while driving, including **HB 1357** (Rust), **HB 1360** (Cline), **HB 1495** (Dance), **HB 1540** (Watts), **HB 1848** (Loupassi), **HB 1883** (Bulova), **HB 1907** (Anderson), **SB 981** (Howell), **SB 1160** (Barker), **SB 1222** (Norment), and **SB 1238** (Barker). They were incorporated into **HB 1907** and **SB 1222**. As written, the final bill makes texting while driving a primary offense. Currently, texting while driving is a secondary offense, meaning that someone can only be fined if stopped for another violation. Further, **HB 1907/SB 1222** increases fines to \$250 for a first violation and \$500 for any subsequent violations – currently it carries a \$20 fine for a first violation and \$50 for any subsequent offenses. Further, **HB 1907/SB 1222** imposes a mandatory minimum fine of \$500 for anyone who is convicted of reckless driving if the person was texting at the time of another reckless driving offense. **HB 1907** passed the House (92-4-2) and the Senate (28-12), while **SB 1222** passed the House (91-6-2) and the Senate (27-12).

VRE Board

Administration initiatives aimed at changing Northern Virginia transportation boards were introduced during the session, and in this instance, would change the voting structure of the Virginia Railway Express (VRE) Operations Board. **SB 1210** (Stuart) and **HB 2152** (Anderson) would require that the vote of the Chairman of the Commonwealth Transportation Board (CTB), or his designee, carry the same weight as the highest contributing jurisdiction, if the state's contribution is at least equal to that jurisdiction for that year. Currently, the highest contributing jurisdiction is Prince William County. Concerns to the changes mandated by this bill were raised by VRE and local jurisdictions, including that this bill would compel a change to the VRE Master Agreement and impacts to VRE's current and future bonds. **SB 1210** was defeated by the Senate (19-20). **HB 2152** was passed by the House, but was then amended by the Senate to include a delayed enactment until July 1, 2014. **HB 2152** then passed the Senate (32-7) and the House agreed to the amendments (82-13).

ONGOING ISSUES AND STUDIES

As in past years, the creation of new study commissions was kept to a minimum this year. However, a fair number of studies have been directed by the General Assembly, and a select list of those studies of interest to the County is provided below. County staff will be monitoring the progress of these studies:

HB 1435 (Albo) allows the Office of the Executive Secretary of the Supreme Court of Virginia to contract with an independent entity such as the National Center for State Courts to study the feasibility and effect of implementing a senior judge system. The Office of the Executive Secretary of the Supreme Court of Virginia shall submit an executive summary of its progress towards accomplishing the study by November 15, 2014.

HB 2138 (Byron) establishes the Health Insurance Reform Commission as a legislative commission. The duties of the Commission include monitoring the implementation of the Patient Protection and Affordable Care Act; determining whether Virginia should establish a state-run health benefit exchange; recommending what health benefits should be required to be included within the scope of the essential health benefits provided under health insurance products offered in the Commonwealth; providing assessments of existing and proposed mandated health insurance benefits and providers; and developing recommendations to increase access to health insurance coverage, ensure that the costs of health insurance coverage are reasonable, and encourage a robust market for health insurance products. Committees of the General Assembly are directed to request the Commission to assess the impact and efficacy of legislation proposing a mandated health insurance benefit or provider. The Commission will expire on July 1, 2017. The measure also repeals the Special Advisory Commission on Mandated Health Insurance Benefits.

HJ 595 (Loupassi) directs the Virginia State Crime Commission to review laws regarding child sexual abuse.

HJ 621 (Jones) directs the Joint Legislative Audit and Review Commission to conduct a one-year study of the competitiveness, efficiency, and governance structure of the Port of Virginia.

HJ 635 (Gilbert) directs JLARC 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. The Commission shall submit its report to the Governor and the 2015 Session of the General Assembly.

HJ 687 (O'Bannon) directs the Joint Commission on Health Care to study the factors affecting health care costs. The Commission shall (i) study and report on promising policies, practices, and initiatives expected to help control health care costs while maintaining quality of care; (ii) identify factors considered to be the primary contributors to the increase of health care costs; (iii) review approaches undertaken in other states and countries to control health care costs; and (iv) examine the likely impact of federal Patient Protection and Affordable Care Act provisions on the cost of health care.

HJ 688 (Byron) directs JLARC to update its 2003 review of workforce training in Virginia. The Commission is requested to examine the level of transparency of funding of workforce training and development programs and recommend measures to ensure access to information regarding expenditures and the outcomes generated by such expenditures. The Commission shall report to the Governor and the 2015 Session of the General Assembly.

HJ 689 (Purkey) directs the Joint Commission on Health Care to study the current and impending severe shortage of medical doctors in Virginia. In conducting its study, the Commission shall (i) determine whether a shortage of medical doctors exists in the Commonwealth, by specialty and by geographical region; (ii) project the future need for medical doctors in Virginia over the next 10 years by field of specialty; and (iii) identify and assess factors that contribute to the shortage of medical doctors, including medical school admissions, the costs of medical education, and the effect of excessive malpractice insurance premiums, malpractice laws and caps, the shortage of nurses, and ancillary regulations such as the Certificate of Public Need; and (iv) identify the medical specialty fields primarily affected by the shortage of doctors and recommend ways to alleviate such shortages. The Commission must submit its

preliminary findings and recommendations to the 2014 Session of the General Assembly and its final findings and recommendations to the 2015 Session.

SJ 277 (Blevins) requests the Virginia Secretary of Public Safety to establish a Statewide Traffic Incident Management Committee to coordinate the adoption and implementation of the National Unified Goal for Traffic Incident Management by highway and emergency response personnel in order to mitigate highway incidents and improve incident response in the Commonwealth.

SJ 282 (Favola) requests the Department of Social Services to develop and present options for implementing the extension of foster care maintenance and adoption assistance payments for individuals up to 21 years of age.

SJ 328 (Saslaw) directs JLARC to study the efficiency and effectiveness of elementary and secondary school spending in Virginia, including comparing to other states how and to what extent Virginia funds elementary and secondary education; and identifying opportunities to improve the quality of education students receive in consideration of the funds spent.. The Commission shall submit its report in November 2016.

SJ 330 (Northam) directs the Joint Commission on Health Care to study the service needs of individuals with autism and autism spectrum disorders transitioning from public and private secondary schools, including needs related to housing, employment, and day support services.

SR 30 (Lucas) directs the Senate Finance Committee to study ways to mitigate the impact of tolls on Virginia's disadvantaged citizens.

As discussed earlier in this report, the study originally envisioned in **HJ 755** (Howell) that would have examined ways to eliminate the BPOL, machinery and tool, and merchants' capital taxes was passed by indefinitely in Senate Rules. However, a study will likely be undertaken informally by the Small Business and Manufacturing Development Commissions, with the participation of other interested parties, and will be closely monitored by County staff.



FAIRFAX COUNTY LEGISLATIVE SUMMARY

2013 GENERAL ASSEMBLY

February 26, 2013

Fairfax County Legislative Summary 2013 General Assembly

Board of Supervisors Report Key

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

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

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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<i>Fairfax County Positions (Oppose or Amend) :</i>	
HB 1337 Del. Cole (88)	Polling place procedures; voter identification to be current, valid, and contain photograph.
HB 1401 Del. Cole (88)	Real property tax; collection of delinquent taxes, notice to taxpayer regarding payment agreement.
HB 1528 Del. Rust (86)	Commercial insurance policies; only first named insured required to be given notice of cancellation.
HB 2045 Del. Robinson (27)	Foster care and adoption; decisions regarding federal benefits, right to appeal to Commissioner.
HB 2079 Del. Jones (76)	VA Public Procurement Act; process for competitive sealed bidding and negotiation.
HB 2152 Del. Anderson (51)	Transportation district commissions; membership.
HB 2190 Del. Cosgrove (78)	Stormwater management ordinances; requires localities to adopt more stringent requirements, etc.
HB 2238 Del. Marshall, III (14)	Recorded plats & final site plans; plan shall be deemed final once it has been reviewed & approved.
SB 1039 Sen. Newman (23)	Vital records; DMV authorized to access records and issue certified copies, fees, penalty.
SB 1140 Sen. Petersen (34)	Mass Transit; removes all current allocations made by CTB and implements performance-based funding.
SB 1256 Sen. Obenshain (26)	Voter identification requirements; photo ID required at polls, application for absentee ballot.
<i>Fairfax County Positions (Support):</i>	
HB 1333 Del. Farrell (56)	Service district boundaries; allows localities to amend after notice and public hearing.
HB 1423 Del. O'Bannon, III (73)	Mandatory outpatient treatment; who may file petition.
HB 1468 Del. Greason (32)	Public schools; possession & administration of epinephrine by employees of local governing bodies.
HB 1524 Del. Villanueva (21)	Virginia Freedom of Information Act; records of minors participating in park and recreation program.
HB 1646 Del. Bell (20)	Comprehensive services for at-risk youth and families; eligibility for state pool of funds.
HB 1649 Del. BaCote (95)	Pawnbrokers and precious metals dealers; records required to be maintained, etc.
HB 1682 Del. Bell (58)	Mentally incapacitated persons; financial exploitation, penalty.

HB 1683 Del. Bell (20)	Comprehensive Services, Office of; reporting expenditures for children receiving services.
HB 1718 Del. Anderson (51)	Transportation projects and planning; reimbursement of VDOT by localities, etc.
HB 1886 Del. LeMunyon (67)	Vehicle tire weight limitations; prohibits over-the-road operation of certain vehicles.
HB 1907 Del. Anderson (51)	Handheld personal communications devices; primary offense for texting while driving, mandatory fine.
HB 1982 Del. May (33)	Local tax bills; permits treasurers to convey access online from database on treasurer's website.
HB 1990 Del. Sickles (43)	License taxes; allows localities to impose on certain motor vehicles, temporary exemption.
HB 2026 Del. Dudenhefer (2)	Virginia FOIA; remote participation in meeting by member of public body.
HB 2052 Del. Rust (86)	HOT lanes; allows state or local law-enforcement vehicles, etc. to enter.
HB 2089 Del. Wilt (26)	Permits and other information; DEQ to transmit electronically air pollution control, etc.
HB 2158 Del. Lopez (49)	Officers of election; officers may be assigned to work in multiple precincts on election day.
HB 2265 Del. Knight (81)	Cash proffers; locality may waive certain written notice requirements to reduce outstanding payment.
HB 2316 Del. Byron (22)	Virginia Public Procurement Act; multiple project contracts for engineering services.
HB 2341 Del. Ramadan (87)	Voter registration; electronic transmission of information.
HJ 551 Del. Ramadan (87)	Constitutional amendment; General Assembly may exempt real property of spouses of soldiers killed.
SB 706 Sen. Stuart (28)	Mentally incapacitated persons; financial exploitation, penalty.
SB 798 Sen. Garrett (22)	Service districts; any locality may amend boundaries of an established district, etc.
SB 888 Sen. Deeds (25)	Advertising; payment of penalties & costs associated with enforcement of prohibition on certain.
SB 893 Sen. Howell (32)	Public schools; possession & administration of epinephrine by employees of local governing bodies.
SB 894 Sen. Petersen (34)	Uniform Statewide Building Code; who may be cited for violations.
SB 959 Sen. Favola (31)	Pedestrians, etc; local government to adopt ordinances requiring to stop at marked crosswalks.
SB 963 Sen. Ebbin (30)	Officers of election; officers may be assigned to work in multiple precincts on election day.
SB 1075 Sen. Barker (39)	Transportation projects and planning; reimbursement of VDOT by localities, etc.
SB 1165 Sen. Newman (23)	Driver's licenses, provisional; person under age 18 certain restrictions.

SB 1204 Sen. McDougle (4)	HOT lanes; allows state or local law-enforcement vehicles, etc. to enter.
SB 1222 Sen. Norment, Jr. (3)	Handheld personal communications devices; primary offense for texting while driving, mandatory fine.
SB 1226 Sen. Stuart (28)	Cash proffers; extends from 7 to 12 years time by which locality must begin utilization.
SB 1246 Sen. Colgan (29)	Virginia Public Procurement Act; multiple project contracts for airports.

***Fairfax County
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HB 1507 Del. Lewis, Jr. (100)	Recording deeds; statement of preparation, exception.
HB 1598 Del. Anderson (51)	Real property tax; boards of equalization.
HB 1692 Del. Jones (76)	Public-Private Transportation Act; receipt of competing proposals, disclosure of business points.
HB 1717 Del. Anderson (51)	Comprehensive plan; transportation component shall be consistent with Statewide Transportation Plan.
HB 2072 Del. Peace (97)	Condemnation; local application process.
HB 2175 Del. Cox (66)	Veterans care center; construction in Northern Virginia.
HB 2239 Del. Marshall, III (14)	Cash proffers; shall not be used for any capital improvement to an existing facility.
SB 1293 Sen. Barker (39)	Comprehensive plan; transportation component to be consistent with Statewide Transportation Plan.

Fairfax County Positions

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

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HB 1302 Del. Loupassi (68)	Tolling fees; prevents VDOT from charging monthly fees for payment program and its transponders.
HB 1329 Del. Head (17)	Local taxes; interest on refunds and delinquent taxes.
HB 1340 Del. Ware, Jr. (65)	Electoral boards and general registrars; reimbursement of costs of compensation and expenses.
HB 1341 Del. Ware, Jr. (65)	Presidential primaries; localities shall be reimbursed by State for all costs incurred.
HB 1357 Del. Rust (86)	Handheld personal communications devices; texting while driving a primary offense.
HB 1360 Del. Cline (24)	Reckless driving; using a handheld personal communications device, penalty.

HB 1412 Del. Crockett-Stark (6)	VIEW Program; substance abuse screening and assessment of public assistance recipients.
HB 1429 Del. Morris (64)	Zoning; attorney fees.
HB 1430 Del. Lingamfelter (31)	Right to Farm Act; expands definition of agricultural operations, etc.
HB 1437 Del. Purkey (82)	Intangible personal property tax; classification of certain machinery and tools.
HB 1455 Del. Watts (39)	Elderly or incapacitated persons; financial exploitation, penalty is a Class 3 felony.
HB 1458 Del. Watts (39)	TANF; assistance when convicted of drug-related felony.
HB 1535 Del. Rust (86)	Town and county; joint powers.
HB 1555 Del. Bell (20)	Virginia State Virtual School; established as statewide school division, report.
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.
HB 1578 Del. Wilt (26)	Local taxes; interest on refunds and delinquent taxes.
HB 1611 Del. Hugo (40)	Onsite sewage systems; inspections shall be required only once every two years rather than annually.
HB 1662 Del. BaCote (95)	Libraries; locality to adopt an ordinance that prohibits firearms, ammunition, etc. in.
HB 1687 Del. Iaquinto (84)	Real property tax; increases in assessed value for prior years.
HB 1712 Del. Plum (36)	Local commission on human rights.
HB 1722 Del. Head (17)	Facilities; assistance and documentation to person seeking business license, etc.
HB 1779 Del. Filler-Corn (41)	Tolling transponder fees; prohibits imposition of monthly fee for any month.
HB 1781 Del. Filler-Corn (41)	Elderly or incapacitated adults; financial exploitation, penalties.
HB 1787 Del. Bell (58)	Polling places; identification required to vote.
HB 1788 Del. Bell (58)	Elections; identification to register to vote and present at polls.
HB 1789 Del. Bell (58)	VIEW; substance abuse screening & assessment of public assistance applicants and recipients.
HB 1823 Del. Villanueva (21)	Public procurement; posting by local public bodies of procurement opportunities.
HB 1831 Del. Lingamfelter (31)	Businesses, beginning; tax incentives.
HB 1835	Firefighters and emergency medical technicians; cap on

Del. Poindexter (9)	damages.
HB 1848	Reckless driving; using a handheld personal communications device, penalty.
Del. Loupassi (68)	Handheld personal communications devices; texting while driving, reckless driving.
HB 1883	Rail-to-Dulles Project; places limitations and conditions on expenditure of revenues of State.
Del. Bulova (37)	Commonwealth Transportation Board; changes composition.
HB 1887	Special elections; Commonwealth shall pay costs of conducting to fill vacancy in General Assembly.
Del. LeMunyon (67)	VIEW; substance abuse screening and assessment of public assistance applicants and recipients.
HB 1908	Urban county executive form of government; abandoned personal property.
Del. Surovell (44)	Tolls; use of revenues.
HB 1956	Virginia FOIA; allows regional public bodies to conduct electronic meetings.
Del. Brink (48)	Commonwealth Transportation Board; increases total membership from 17 to 21 members.
HB 2009	Uniform Power of Attorney Act; violation, penalty.
Del. Cline (24)	Mass Transit; removes all current allocations made by CTB and implements performance-based funding.
HB 2011	Public procurement; increases public notice of requests for proposals, technical amendments.
Del. Surovell (44)	Opportunity Educational Institution; established, report.
HB 2020	VIEW; substance abuse screening and assessment of public assistance applicants and recipients.
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HB 2049	Signs or advertising; civil penalties for placing within highway rights-of-way.
Del. Rust (86)	Tolls; Interstate Highway System components.
HB 2053	Polling places; location shall not be in public or private school building.
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HB 2070	Bail; minimum financial conditions.
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HB 2297 Del. Filler-Corn (41)	Railroad right-of-way access; allocation of funds.
HB 2323 Del. Surovell (44)	Motor vehicles; locality may reasonably limit number of title loan businesses, payday lenders, etc.
HJ 573 Del. Hope (47)	Constitutional amendment; property tax exemption for nonprofit medical clinics serving indigent.
HJ 594 Del. Loupassi (68)	Constitutional amendment; limit on appropriations (first reference).
HJ 667 Del. Surovell (44)	United States Constitution; General Assembly hereby ratifies and affirms Equal Rights Amendment.
HJ 693 Del. Habeeb (8)	Constitutional amendment; state school division for schools denied accreditation (first reference).
HJ 732 Del. Sickles (43)	Federal Bureau of Investigation; consideration of site for new headquarters.
HJ 755 Del. Howell (28)	Tax restructuring; elimination of BPOL, Machinery and Tool, etc., Taxes.
SB 701 Sen. McEachin (9)	State government employment; nondiscrimination.
SB 710 Sen. Hanger, Jr. (24)	Local taxes; interest on refunds and delinquent taxes, report.
SB 719 Sen. Black (13)	Polling place procedures; voter identification requirements, application for absentee ballot, etc.
SB 721 Sen. Carrico, Sr. (40)	VIEW; substance abuse screening and assessment of public assistance applicants and recipients.
SB 724 Sen. Miller (1)	Absentee voting; persons age 65 and older on day of an election are entitled to vote absentee.
SB 732 Sen. Petersen (34)	Commonwealth Transportation Board; increases number of membership, changes areas of representation.
SB 767 Sen. Wagner (7)	Retail sales and transient occupancy taxes; taxes on room rentals based upon charges for use, etc.
SB 803 Sen. Garrett (22)	Hunting; lawful to hunt or kill coyotes on Sunday.
SB 805 Sen. Garrett (22)	Elections; costs of primaries.
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 865 Sen. McEachin (9)	Tolls; General Assembly to approve prior to imposition and collection for use of Interstate System.
SB 875 Sen. Barker (39)	Provisional driver's license holders; changes from secondary offense to primary use of cell phones.

SB 884 Sen. Deeds (25)	Impoundment structures; notice of increase in the flow of water, civil penalties.
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 1253 Sen. Northam (6)	Smoking; localities to ban in designated public parks, etc.
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 1313 Sen. Stosch (12)	Income tax, local; City of Portsmouth authorized to levy to generate revenue for transportation.
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. McDougale (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 2/12/2013 Senate: Reported from Privileges and Elections (8-Y 6-N) 2/15/2013 Senate: Passed Senate with amendment (20-Y 20-N; Lt. Gov. votes Yes) 2/19/2013 House: Senate amendment agreed to by House (64-Y 36-N) 2/22/2013 House: Enrolled</p>	<p>1/29/2013</p>
<p>Oppose (13100862D) - Historical position of the Board. See also SB 719 (Black). Summary: 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. 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 2/12/2013 Senate: Reported from Finance (15-Y 0-N) 2/14/2013 Senate: Passed Senate (37-Y 2-N) 2/20/2013 House: Enrolled 2/20/2013 House: Signed by Speaker 2/20/2013 Senate: Signed by President</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>		

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

Bills	General Assembly Actions	Date of BOS Position
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<p>HB 1528 - 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) 2/11/2013 House: Enrolled 2/11/2013 House: Signed by Speaker 2/12/2013 Senate: Signed by President 2/20/2013 Governor: Approved by Governor</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 named insured listed in the policy's declarations page.

<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 2/15/2013 Senate: Reported from Rehabilitation and Social Services (13-Y 0-N) 2/19/2013 Senate: Passed Senate (40-Y 0-N) 2/22/2013 House: Enrolled</p>	<p>2/12/2013</p>
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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.

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Bills	General Assembly Actions	Date of BOS Position
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<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 2/18/2013 Senate: Reported from General Laws and Technology with amendments (14-Y 0-N) 2/20/2013 Senate: Passed Senate with amendments (40-Y 0-N) 2/21/2013 House: Senate amendments rejected by House (2-Y 93-N) 2/23/2013 Conference report agreed to by Senate (35-Y 4-N) and House (100-Y 0-N)</p>	<p>2/12/2013 1/29/2013</p>
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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>HB 2152 - Anderson (51) Transportation district commissions; 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 2/13/2013 Senate: Reported from Transportation with amendment (12-Y 2-N 1-A) 2/19/13 Senate: Passed Senate with amendment (32-Y 7-N) 2/21/2013 House: Senate amendment agreed to by House (82-Y 13-N) 2/23/2013 House: Enrolled</p>	<p>1/29/2013</p>
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Oppose (13103708D) - See also SB 1210 (Stuart).
Summary: Transportation commission membership. 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. This bill has a delayed effective date of July 1, 2014.

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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 2/14/2013 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (12-Y 3-N) 2/19/13 Senate: Passed Senate with substitute (39-Y 1-N) 2/21/2013 House: Senate substitute agreed to by House (91-Y 7-N) 2/23/2013 House: Enrolled</p>	<p>1/29/2013</p>
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Oppose (13103377D)
Summary: 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 2/12/2013 Senate: Reported from Local Government with amendment (15-Y 0-N) 2/15/13 Senate: Passed Senate with amendment (40-Y 0-N) 2/19/2013 House: Senate amendment agreed to by House (97-Y 0-N) 2/22/2013 House: Enrolled</p>	<p>2/12/2013 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: Provides that a site plan shall be deemed final once it has been reviewed and approved by the locality if the only requirements remaining to be satisfied in order to obtain a building permit are the submission

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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.

<p>SB 1039 - 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 2/11/2013 House: Subcommittee recommends reporting with amendment(s) (7-Y 0-N) 2/12/2013 House: Reported from Transportation with amendments (20-Y 0-N) 2/13/2013 House: VOTE: PASSAGE (99-Y 1-N) 2/13/2013 Senate: House amendments agreed to by Senate (38-Y 0-N) 2/19/2013 Senate: Enrolled 2/19/2013 House: Signed by Speaker 2/20/2013 Senate: Signed by President</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: 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, 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 and provides that DMV will keep a processing fee.

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<p>SB 1140 - 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) 2/11/13 House: Referred to Committee on Appropriations 2/15/2013 House: Reported from Appropriations with amendments (16-Y 6-N) 2/21/2013 House: VOTE: PASSAGE (76-Y 19-N) 2/21/2013 Senate: House amendments agreed to by Senate (38-Y 1-N)</p>	<p>1/29/2013</p>
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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>SB 1256 - 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) 2/11/13 House: Referred to Committee on Appropriations 2/15/13 House: Reported from Appropriations (15-Y 7-N) 2/20/2013 House: VOTE: PASSAGE (65-Y 34-N) 2/23/2013 Senate: Enrolled</p>	<p>1/29/2013</p>
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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.

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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 2/12/2013 Senate: Reported from Local Government (15-Y 0-N) 2/15/2013 Senate: Passed Senate (40-Y 0-N) 2/21/2013 House: Enrolled 2/21/2013 House: Signed by Speaker 2/21/2013 Senate: Signed by President</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: Passed House (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) 2/11/2013 Senate: Passed Senate (40-Y 0-N) 2/13/2013 House: Enrolled 2/13/2013 House: Signed by Speaker 2/14/2013 Senate: Signed by President</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>		

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Bills	General Assembly Actions	Date of BOS Position
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<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 2/14/2013 Senate: Reported from Education and Health (10-Y 0-N) 2/21/2013 House: Enrolled 2/21/2013 House: Signed by Speaker 2/22/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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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. This bill is identical to SB 893.

<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 1/22/13 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 2/11/2013 Senate: Reported from General Laws and Technology (11-Y 2-N) 2/14/2013 Senate: Passed Senate (35-Y 5-N) 2/20/2013 House: Enrolled 2/20/2013 House: Signed by Speaker 2/20/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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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: Virginia Freedom of Information Act; records of minors participating in park and recreation programs. 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.

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<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) 1/18/2013 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 2/14/2013 House: House concurred in Governor's recommendation (99-Y 0-N) 2/19/2013 Governor: Approved by Governor</p>	<p>1/29/2013</p>
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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>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 2/11/2013 Senate: Reported from General Laws and Technology (14-Y 0-N) 2/14/2013 Senate: Passed Senate (40-Y 0-N) 2/20/2013 House: Enrolled 2/20/2013 House: Signed by Speaker 2/20/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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Support (13100874D) - Historical position of the Board.

Summary: Pawnbrokers and precious metals dealers; records required to be maintained; certain digital images. Requires pawnbrokers and precious metals dealers to take a digital image of the form of 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.

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<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) 1/25/13 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 2/13/2013 Senate: Reported from Courts of Justice (15-Y 0-N) 2/21/2013 House: Enrolled 2/21/2013 House: Signed by Speaker 2/22/2013 Senate: Signed by President</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: 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 and is identical to SB 706.

<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 2/13/2013 Governor: Approved by Governor</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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<p>HB 1718 - Anderson (51) Transportation projects and planning; reimbursement of VDOT by localities, etc.</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) 2/5/2013 Senate: Referred to Committee on Transportation 2/13/13 Senate: Reported from Transportation (10-Y 0-N) 2/18/2013 Senate: Passed Senate (40-Y 0-N) 2/21/2013 House: Enrolled 2/21/2013 House: Signed by Speaker 2/22/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
<p>Support (13102259D) - See also SB 1075 (Barker). 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>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) 2/5/2013 Senate: Referred to Committee on Transportation 2/13/2013 Senate: Reported from Transportation with amendments (15-Y 0-N) 2/18/2013 Senate: Passed Senate with amendments (40-Y 0-N) 2/19/2013 House: Senate amendments agreed to by House (91-Y 3-N) 2/22/2013 House: Enrolled</p>	<p>1/29/2013</p>
<p>Support (13101076D) - County police department strongly supports. Summary: Vehicle tire weight limitations. Prohibits operation, for a commercial purpose, of certain vehicles whose tire weight exceeds 125 percent of the tire weight limit guidelines.</p>		

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<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 2/13/2013 Senate: Rereferred to Courts of Justice 2/15/13 Senate: Reported from Courts of Justice (8-Y 6-N) 2/19/2013 Senate: Passed Senate (28-Y 12-N) 2/22/2013 House: Enrolled</p>	<p>1/29/2013</p>
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Support (13103495D) - Historical position of the Board. See also SB 1160 (Barker).
Summary: 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>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 2/13/2013 Senate: Reported from Finance (15-Y 0-N) 2/15/2013 Senate: Passed Senate (40-Y 0-N) 2/21/2013 House: Enrolled 2/21/2013 House: Signed by Speaker 2/21/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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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.

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<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 2/13/13 Senate: Reported from Transportation (15-Y 0-N) 2/18/2013 Senate: Passed Senate (40-Y 0-N) 2/21/2013 House: Enrolled 2/21/2013 House: Signed by Speaker 2/22/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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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>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) 1/25/13 House: Passed House (98-Y 0-N) 1/28/2013 Senate: Referred to Committee on General Laws and Technology 2/11/2013 Senate: Reported from General Laws and Technology (14-Y 0-N) 2/14/2013 Senate: Passed Senate (40-Y 0-N) 2/20/2013 House: Enrolled 2/20/2013 House: Signed by Speaker 2/20/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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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.

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<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) 1/29/13 Senate: Referred to Committee on Transportation 2/6/2013 Senate: Reported from Transportation (14-Y 0-N) 2/11/2013 Senate: Passed Senate (40-Y 0-N) 2/14/2013 House: Enrolled 2/14/2013 House: Signed by Speaker 2/14/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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Support (13101875D) - See also SB 1204 (McDougle).
Summary: HOT Lanes. Allows state and local 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. This bill contains an emergency clause and is identical to SB 1204.

<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) 2/12/2013 Senate: Passed Senate (40-Y 0-N) 2/18/2013 House: Enrolled 2/18/2013 House: Signed by Speaker 2/19/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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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.

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

Bills	General Assembly Actions	Date of BOS Position
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<p><u>HB 2158</u> - 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 2/12/2013 Senate: Reported from Privileges and Elections (13-Y 0-N) 2/15/2013 Senate: Passed Senate (40-Y 0-N) 2/21/2013 House: Enrolled 2/21/2013 House: Signed by Speaker 2/21/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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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. This bill is identical to SB 963.

<p><u>HB 2265</u> - 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 2/12/2013 Senate: Reported from Local Government (14-Y 1-N) 2/15/2013 Senate: Passed Senate (37-Y 3-N) 2/21/2013 House: Enrolled 2/21/2013 House: Signed by Speaker 2/21/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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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.

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

Bills	General Assembly Actions	Date of BOS Position
<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 2/11/2013 Senate: Reported from General Laws and Technology with substitute (12-Y 0-N) 2/14/13 Senate: Passed Senate with substitute (40-Y 0-N) 2/18/2013 House: Senate substitute rejected by House (0-Y 97-N) 2/22/2013 Conference report agreed to by Senate (40-Y 0-N) and House (96-Y 0-N)</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>		
<p>HB 2341 - Ramadan (87) Voter registration; electronic transmission of information.</p>	<p>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 2/12/2013 Senate: Reported from Privileges and Elections (15-Y 0-N) 2/15/2013 Senate: Passed Senate (40-Y 0-N) 2/21/2013 House: Enrolled 2/21/2013 House: Signed by Speaker 2/21/2013 Senate: Signed by President</p>	<p>2/12/2013</p>
<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>		

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

Bills	General Assembly Actions	Date of BOS Position
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<p>HJ 551 - Ramadan (87) Constitutional amendment; General Assembly may exempt real property of spouses of soldiers killed.</p>	<p>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 2/12/2013 Senate: Reported from Privileges and Elections with amendment (15-Y 0-N) 2/15/2013 Senate: Agreed to by Senate with amendment (40-Y 0-N) 2/19/2013 House: Senate amendment agreed to by House (100-Y 0-N)</p>	<p>1/29/2013</p>
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(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>SB 706 - Stuart (28) Mentally incapacitated persons; financial exploitation, penalty.</p>	<p>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 2/6/13 House: Reported from Courts of Justice (16-Y 0-N) 2/6/2013 House: Referred to Committee on Appropriations 2/13/13 House: Reported from Appropriations (22-Y 0-N) 2/15/2013 House: Passed House (100-Y 0-N) 2/20/2013 Senate: Enrolled 2/20/2013 House: Signed by Speaker 2/21/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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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: 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. The bill incorporates SB 1258 and is identical to HB 1682.

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

Bills	General Assembly Actions	Date of BOS Position
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<p>SB 798 - Garrett (22) Service districts; any locality may amend boundaries of an established district, etc.</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) 2/13/2013 House: VOTE: PASSAGE (99-Y 1-N) 2/15/2013 Senate: House substitute agreed to by Senate (40-Y 0-N) 2/20/2013 Senate: Enrolled 2/20/2013 House: Signed by Speaker 2/21/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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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>SB 888 - 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 1/16/13 Senate: Reported from Transportation (13-Y 0-N) 1/22/2013 Passed Senate (40-Y 0-N) 1/25/13 House: Referred to Committee on Transportation 2/11/2013 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/14/2013 House: Reported from Transportation with amendments (22-Y 0-N) 2/18/2013 House: Passed House with amendments (100-Y 0-N) 2/19/2013 Senate: House amendments agreed to by Senate (40-Y 0-N) 2/22/2013 Senate: Enrolled</p>	<p>1/29/2013</p>
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Support (13101751D)
Summary: 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 may be paid to the locality as provided in an agreement between the locality and VDOT.

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Bills	General Assembly Actions	Date of BOS Position
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<p>SB 893 - 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) 2/8/13 House: Passed House with amendment (97-Y 0-N) 2/12/2013 Senate: House amendment agreed to by Senate (39-Y 0-N) 2/15/2013 Senate: Enrolled 2/15/2013 House: Signed by Speaker 2/18/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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Support (13102627D) - County staff coordinated with FCPS staff to initiate. See also HB 1468 (Greason).
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. This bill is identical to HB 1468.

<p>SB 894 - 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 2/14/13 House: Reported from General Laws (21-Y 1-N) 2/19/2013 House: VOTE: PASSAGE (87-Y 12-N) 2/22/2013 Senate: Enrolled</p>	<p>1/29/2013</p>
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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.

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Bills	General Assembly Actions	Date of BOS Position
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<p>SB 959 - 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) 1/25/13 House: Referred to Committee on Transportation 2/6/2013 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/12/2013 House: Reported from Transportation with substitute (20-Y 0-N) 2/14/2013 House: VOTE: PASSAGE (90-Y 6-N) 2/18/2013 Senate: House substitute agreed to by Senate (40-Y 0-N) 2/21/2013 Senate: Enrolled 2/21/2013 Senate: Signed by President 2/21/2013 House: Signed by Speaker</p>	<p>1/29/2013</p>
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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. This bill is identical to HB 2217.

<p>SB 963 - 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 2/15/2013 House: Reported from Privileges and Elections (21-Y 0-N) 2/19/2013 House: Passed House (100-Y 0-N) 2/22/2013 Senate: Enrolled</p>	<p>1/29/2013</p>
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Support (13101017D) - Provides for efficiencies in the assignment of officers of election. See also HB 2158 (Lopez).
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. This bill is identical to HB 2158.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1075</u> - Barker (39) Transportation projects and planning; reimbursement of VDOT by localities, etc.</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 2/7/2013 House: Reported from Transportation (22-Y 0-N) 2/11/2013 House: Passed House (99-Y 0-N) 2/13/2013 Senate: Enrolled 2/13/2013 Senate: Signed by President 2/13/2013 House: Signed by Speaker</p>	<p>1/29/2013</p>
<p>Support (13103476D) - See also HB 1718 (Anderson). 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><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 2/12/2013 House: Subcommittee recommends reporting with amendment(s) (6-Y 0-N) 2/14/2013 House: Reported from Transportation with substitute (22-Y 0-N) 2/19/2013 House: Passed House with substitute with amendment (67-Y 28-N) 2/20/2013 Senate: House substitute with amendment agreed to by Senate (40-Y 0-N) 2/23/2013 Senate: Enrolled</p>	<p>1/29/2013</p>
<p>Support (13102649D) Summary: 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>		

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Bills	General Assembly Actions	Date of BOS Position
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<p>SB 1204 - 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) 2/11/13 House: Passed House with amendment (99-Y 0-N) 2/13/2013 Senate: House amendment agreed to by Senate (38-Y 1-N) 2/19/2013 Senate: Enrolled 2/19/2013 House: Signed by Speaker 2/20/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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Support (13101874D) - See also HB 2052 (Rust).
Summary: HOT Lanes. Allows state and local 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. This bill contains an emergency clause and is identical to HB 2052.

<p>SB 1222 - 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 2/15/2013 House: Reported from Courts of Justice with substitute (16-Y 1-N) 2/20/2013 House: Passed House with substitute (91-Y 6-N 2-A) 2/21/2013 Senate: House substitute agreed to by Senate (27-Y 12-N)</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.

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Bills	General Assembly Actions	Date of BOS Position
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<p>SB 1226 - 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 2/15/2013 House: Reported from Counties, Cities and Towns (21-Y 0-N) 2/19/2013 House: Passed House (100-Y 0-N) 2/22/2013 Senate: Enrolled</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>SB 1246 - 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 2/12/2013 House: Reported from General Laws with amendments (22-Y 0-N) 2/14/2013 House: VOTE: PASSAGE (100-Y 0-N) 2/18/2013 Senate: House amendments rejected by Senate (5-Y 35-N) 2/22/2013 Conference report agreed to by Senate (39-Y 0-N) and House (98-Y 0-N)</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 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.

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[] Indicates BOS Legislative Committee Action

Fairfax County Positions
(Monitor)

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Bills	General Assembly Actions	Date of BOS Position
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<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) 2/11/13 Senate: Passed Senate with substitute (40-Y 0-N) 2/15/2013 House: Senate substitute rejected by House (1-Y 96-N) 2/22/2013 Conference report agreed to by Senate (40-Y 0-N) and House (97-Y 0-N)</p>	<p>2/12/2013 1/29/2013</p>
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Monitor (13100915D-E) ~~**Oppose** (13100915D)~~
Summary: Clarifies that the circuit court clerk may reject for filing or recording only deeds conveying not more than four residential dwelling units, 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>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 2/13/2013 Senate: Reported from Finance (15-Y 0-N) 2/15/2013 Senate: Passed Senate (40-Y 0-N) 2/21/2013 House: Enrolled 2/21/2013 House: Signed by Speaker 2/21/2013 Senate: Signed by President</p>	<p>2/12/2013 1/29/2013</p>
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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.

Bills	General Assembly Actions	Date of BOS Position
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<p>HB 1692 - Jones (76) Public-Private Transportation Act; receipt of competing proposals, disclosure of business points.</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) 2/6/2013 Senate: Referred to Committee on Transportation 2/13/2013 Senate: Reported from Transportation (10-Y 0-N) 2/18/2013 Senate: Passed Senate (40-Y 0-N) 2/21/2013 House: Enrolled 2/21/2013 House: Signed by Speaker 2/22/2013 Senate: Signed by President</p>	<p>1/29/2013</p>
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Monitor (13102965D) - Clarify posting requirements.
Summary: Public-Private Transportation Act of 1995; review of proposals. Requires public entities to post a notice, when they receive a proposal under the PPTA, and allow a 120-day submission period for competing proposals. The bill requires the notice to include information on the proposal and the public comment opportunities. The bill further requires, after negotiations are complete and a decision to award is made, that the public entity post the major business points of the agreement and outline how the public can submit comments. This bill is identical to SB 977.

<p>HB 1717 - Anderson (51) Comprehensive plan; transportation component shall be consistent with Statewide Transportation Plan.</p>	<p>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 2/12/2013 Senate: Reported from Local Government with amendment (15-Y 0-N) 2/15/2013 Senate: Passed Senate with amendment (40-Y 0-N) 2/19/2013 House: Senate amendment agreed to by House (85-Y 13-N) 2/22/2013 House: Enrolled</p>	<p>2/12/2013 1/29/2013</p>
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Monitor (13102257D-E) ~~**Support** (13102257D) - See also SB 1293 (Barker).~~
Summary: Comprehensive plan; transportation. Provides that the Department of Transportation shall provide written comments on the locality's transportation plan within 45 days or such shorter period of time as agreed to by the parties.

Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2072 - Peace (97) Condemnation; local application process.</p>	<p>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 2/12/2013 Senate: Reported from Local Government (15-Y 0-N) 2/15/2013 Senate: Passed Senate (40-Y 0-N) 2/21/2013 House: Enrolled 2/21/2013 House: Signed by Speaker 2/21/2013 Senate: Signed by President</p>	<p>2/12/2013 1/29/2013</p>
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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.

<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) 2/11/2013 House: Enrolled 2/11/2013 House: Signed by Speaker 2/12/2013 Senate: Signed by President 2/20/2013 Governor: Approved by Governor</p>	<p>1/29/2013</p>
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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.

Bills	General Assembly Actions	Date of BOS Position
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<p>HB 2239 - Marshall, III (14) Cash proffers; shall not be used for any capital improvement to an existing 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 2/12/2013 Senate: Reported from Local Government with substitute (12-Y 2-N 1-A) 2/15/13 Senate: Passed Senate with substitute (37-Y 3-N) 2/19/2013 House: Senate substitute agreed to by House (99-Y 0-N) 2/22/2013 House: Enrolled</p>	<p>2/12/2013 1/29/2013</p>
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<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>		
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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) 2/12/2013 House: VOTE: PASSAGE (79-Y 20-N) 2/14/2013 Senate: House amendment rejected by Senate (5-Y 35-N) 2/22/2013 Conference report agreed to by House (85-Y 9-N) and Senate (40-Y 0-N)</p>	<p>2/12/2013 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.

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: 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) 1/18/13 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: 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
HB 1357 - Rust (86) Handheld personal communications devices; texting while driving a primary offense.	12/3/2012 House: Referred to Committee for Courts of Justice 1/21/2013 House: Subcommittee recommends incorporating (HB1907-Anderson) by voice vote	1/29/2013
<p>Support (13100970D) - Historical position of the Board. See also SB 875 (Barker). Summary: Makes texting while driving a primary offense. This bill was incorporated into HB 1907.</p>		
HB 1360 - Cline (24) Reckless driving; using a handheld personal communications device, penalty.	12/4/2012 House: Referred to Committee for Courts of Justice 1/21/2013 House: Subcommittee recommends incorporating (HB1907-Anderson) by voice vote	1/29/2013
<p>Support (13101224D) - Historical position of the Board. See also HB 1848 (Loupassi), SB 1222 (Norment). Summary: 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>		
HB 1412 - Crockett-Stark (6) VIEW Program; substance abuse screening and assessment of public assistance recipients.	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)	1/29/2013
<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 1430 - Lingamfelter (31) Right to Farm Act; expands definition of agricultural operations, etc.	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 2/14/2013 Senate: Passed by indefinitely in Agriculture, Conservation and Natural Resources (11-Y 4-N)	1/29/2013
<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 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>		
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>		

Bills	General Assembly Actions	Date of BOS Position
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).</p> <p>Summary: 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>		
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).</p> <p>Summary: 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)</p> <p>Summary: 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</p>		

Bills	General Assembly Actions	Date of BOS Position
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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.</p>	<p>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</p>	<p>1/29/2013</p>
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Oppose (13102616D) - Implications of a statewide virtual school should be carefully examined before enactment; could impact local school division funding.

Summary: 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>HB 1574 - 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 2/11/2013 Senate: Passed by indefinitely in General Laws and Technology with letter (9-Y 5-N)</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>HB 1575 - 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 2/12/2013 Senate: Stricken at request of Patron in Local Government (14-Y 0-N)</p>	<p>2/12/2013</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

Bills	General Assembly Actions	Date of BOS Position
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.		
HB 1578 - Wilt (26) Local taxes; interest on refunds and delinquent taxes.	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	1/29/2013
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.		
HB 1611 - Hugo (40) Onsite sewage systems; inspections shall be required only once every two years rather than annually.	1/6/2013 House: Referred to Committee on Health, Welfare and Institutions 2/5/2013 House: Left in Health, Welfare and Institutions	1/29/2013
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.		
HB 1662 - BaCote (95) Libraries; locality to adopt an ordinance that prohibits firearms, ammunition, etc. in.	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	1/29/2013
Support (13102665D) - Historical position of the Board. Summary: 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.		
HB 1687 - Iaquinto (84) Real property tax; increases in assessed value for prior years.	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 2/12/2013 Senate: Passed by indefinitely in Finance (15-Y 0-N)	1/29/2013
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.		

Bills	General Assembly Actions	Date of BOS Position
<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>		
<p>HB 1722 - 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>HB 1779 - 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>HB 1781 - 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: 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</p>		

Bills	General Assembly Actions	Date of BOS Position
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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.

HB 1787 - Bell (58)
Polling places;
identification required to
vote.

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

1/29/2013

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.

HB 1788 - Bell (58)
Elections; identification
to register to vote and
present at polls.

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

1/29/2013

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: 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 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 2/18/2013 Senate: Passed by indefinitely in General Laws and Technology (10-Y 3-N)</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)</p>		

Bills	General Assembly Actions	Date of BOS Position
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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.

HB 1831 - Lingamfelter (31)
Businesses, beginning;tax incentives.

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

1/29/2013

Oppose (13103296D) - Oppose as written; any BPOL exemption should be local option. Potential revenue loss estimated at \$9.5 million.

Summary: 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.

HB 1835 - Poindexter (9)
Firefighters and emergency medical technicians; cap on damages.

1/8/2013 House: Referred to Committee for Courts of Justice
2/5/2013 House: Left in Courts of Justice

1/29/2013

Support (13102675D)

Summary: 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.

HB 1848 - Loupassi (68)
Reckless driving; using a handheld personal communications device, penalty.

1/8/2013 House: Referred to Committee for Courts of Justice
1/21/2013 House: Subcommittee recommends incorporating (HB1907-Anderson) by voice vote

1/29/2013

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.

Bills	General Assembly Actions	Date of BOS Position
HB 1883 - Bulova (37) Handheld personal communications devices; texting while driving, reckless driving.	1/8/2013 House: Referred to Committee for Courts of Justice 1/21/2013 House: Subcommittee recommends incorporating (HB1907-Anderson) by voice vote	1/29/2013
<p>Support (13101527D) - Historical position of the Board. Summary: 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>		
HB 1887 - LeMunyon (67) Rail-to-Dulles Project; places limitations and conditions on expenditure of revenues of State.	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	1/29/2013
<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>		
HB 1908 - Surovell (44) Commonwealth Transportation Board; changes composition.	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	1/29/2013
<p>Support (13100086D) - Historical position of the Board. See similar bills HB 2049 (Rust) and SB 732 (Petersen). Summary: Changes 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>		
HB 1956 - Brink (48) Special elections; Commonwealth shall pay costs of conducting to fill vacancy in General Assembly.	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	1/29/2013
<p>Support (13102256D) Summary: Provides that the Commonwealth shall pay the costs of conducting a special election to fill a</p>		

Bills	General Assembly Actions	Date of BOS Position
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vacancy in the General Assembly if such election is held on a day other than the day of a general election.

[HB 2009](#) - Cline (24)
VIEW; substance abuse screening and assessment of public assistance applicants and recipients.

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)

1/29/2013

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 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.

Bills	General Assembly Actions	Date of BOS Position
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
<p>Oppose (13101077D) Summary: 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 Â§ 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.</p>		
HB 2032 - May (33) Virginia FOIA; allows regional public bodies to conduct electronic meetings.	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	1/29/2013
<p>Support (13100580D) - Recommendation of Efficiency and Consolidation Task Force. Summary: 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>		
HB 2049 - Rust (86) Commonwealth Transportation Board; increases total membership from 17 to 21 members.	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)	1/29/2013
<p>Support (13102214D) - Historical position of the Board. See also similar bills HB 2049 (Rust) and SB 732 (Petersen). Summary: Composition of Commonwealth Transportation Board. 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>		

Bills	General Assembly Actions	Date of BOS Position
HB 2053 - Ware (11) Uniform Power of Attorney Act; violation, penalty.	1/9/2013 House: Referred to Committee for Courts of Justice 2/5/2013 House: Left in Courts of Justice	1/29/2013
<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>		
HB 2070 - Comstock (34) Mass Transit; removes all current allocations made by CTB and implements performance-based funding.	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	1/29/2013
<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>		
HB 2078 - Peace (97) Public procurement; increases public notice of requests for proposals, technical amendments.	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
<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>		

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) 1/30/13 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 2/14/2013 Senate: Reported from Education and Health with amendment (8-Y 7-N) 2/21/2013 Senate: Defeated by Senate (19-Y 21-N)</p>	<p>1/29/2013</p>
<p>Oppose (13102767D) - Changes the governance of education; implications could be far-reaching and should be understood. Summary: 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 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 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.</p>		

Bills	General Assembly Actions	Date of BOS Position
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
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
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
Support (13102351D)		
Summary: 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.		
HB 2165 - Dudenhefer (2) Signs or advertising; civil penalties for placing within highway rights-of-way.	1/9/2013 House: Referred to Committee on Transportation 2/5/2013 House: Left in Transportation	1/29/2013
Support (13103562D)		
Summary: Imposes a civil penalty of \$100 for first violations and \$250 for second or subsequent violations for placing advertising within highway rights-of-way.		

Bills	General Assembly Actions	Date of BOS Position
HB 2196 - Peace (97) Tolls; Interstate Highway System components.	1/10/2013 House: Referred to Committee on Transportation 2/5/2013 House: Left in Transportation	1/29/2013
<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>		
HB 2204 - Marshall, III (14) Polling places; location shall not be in public or private school building.	1/10/2013 House: Referred to Committee on Privileges and Elections 1/23/2013 House: Subcommittee recommends striking from docket by voice vote	1/29/2013
<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>		
HB 2282 - Plum (36) Income tax, state and corporate; tax credit for removing barriers at places of public accommodation.	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	1/29/2013
<p>Support (13103142D) - Consistent with Board's position on accessibility in the Legislative Program. Summary: 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>		
HB 2293 - Wilt (26) Bail; minimum financial conditions.	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	1/29/2013
<p>Oppose (13103929D) - Board has historically opposed. Summary: 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</p>		

Bills	General Assembly Actions	Date of BOS Position
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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.

HB 2297 - Filler-Corn (41)
Railroad right-of-way access; allocation of funds.

1/17/13 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)

1/29/2013

Support (13103818D)

Summary: 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.

HB 2323 - Surovell (44)
Motor vehicles; locality may reasonably limit number of title loan businesses, payday lenders, etc.

1/18/2013 House: Referred to Committee on Commerce and Labor
2/5/2013 House: Left in Commerce and Labor

1/29/2013

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.

HJ 573 - Hope (47)
Constitutional amendment; property tax exemption for nonprofit medical clinics serving indigent.

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

1/29/2013

(13100892D) - Support only as an initiative funded by the state.

Summary: Exempts property owned by nonprofit medical clinics organized to provide health care services without charge to the indigent.

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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 2/12/2013 Senate: Passed by indefinitely in Privileges and Elections (12-Y 3-N)</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 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>
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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.

Bills	General Assembly Actions	Date of BOS Position
<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 2/12/2013 Senate: Reported from Privileges and Elections with amendment (8-Y 7-N) 2/18/2013 Senate: Recommitted to Privileges and Elections 2/19/2013 Senate: Left in Privileges and Elections</p>	<p>1/29/2013</p>
<p>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.</p>		
<p>HJ 732 - Sickles (43) Federal Bureau of Investigation; consideration of site for new headquarters.</p>	<p>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 2/14/2013 Senate: Passed by indefinitely in Rules by voice vote</p>	<p>1/29/2013</p>
<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>		

Bills	General Assembly Actions	Date of BOS Position
<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 (95-Y 0-N) 1/28/2013 Senate: Referred to Committee on Rules 2/14/2013 Senate: Passed by indefinitely in Rules with letter by voice vote</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>		
<p>SB 701 - McEachin (9) State government employment; nondiscrimination.</p>	<p>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 2/12/2013 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/29/2013</p>
<p>Support (13100446D) - Historical position of the Board. Summary: Nondiscrimination in state employment. 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 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.</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 719 - 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) 2/11/13 House: Referred to Committee on Appropriations 2/15/2013 House: Left in Appropriations (22-Y 0-N) 02/05/13 Senate: Passed Senate (20-Y 20-N; Lt. Gov votes Y)</p>	<p>1/29/2013</p>
<p>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>		
<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). Summary: 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>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 724 - Miller (1) Absentee voting; persons age 65 and older on day of an election are entitled to vote absentee.</p>	<p>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 2/12/2013 House: Subcommittee recommends laying on the table by voice vote</p>	<p>1/29/2013</p>
<p>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.</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). 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>		
<p>SB 767 - 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>		

Bills	General Assembly Actions	Date of BOS Position
<p>SB 803 - 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: 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>SB 805 - 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>		
<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: 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: 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>		

Bills	General Assembly Actions	Date of BOS Position
<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>		
<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>		

Bills	General Assembly Actions	Date of BOS Position
SB 865 - McEachin (9) Tolls; General Assembly to approve prior to imposition and collection for use of Interstate System.	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) 2/11/13 House: Referred to Committee on Transportation 2/18/2013 House: Left in Transportation	2/12/2013 1/29/2013
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.		
SB 875 - Barker (39) Provisional driver's license holders; changes from secondary offense to primary use of cell phones.	1/4/2013 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) 1/25/2013 House: Referred to Committee on General Laws 2/7/2013 House: Referred to Committee for Courts of Justice 2/13/2013 House: Subcommittee recommends laying on the table by voice vote	1/29/2013
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.		
SB 884 - Deeds (25) Impoundment structures; notice of increase in the flow of water, civil penalties.	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 2/13/2013 House: Tabled in Agriculture, Chesapeake and Natural Resources by voice vote	2/12/2013 1/29/2013
Monitor (13104830D-S3) - Bill has been amended to address concerns. Amend (13101257D) — Amend to exempt localities. Summary: Prohibits an owner of a high hazard potential impounding structure from increasing the flow of		

Bills	General Assembly Actions	Date of BOS Position
<p>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.</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 1/16/13 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>		
<p>SB 1072 - 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: 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>SB 1073 - 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: 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>		

Bills	General Assembly Actions	Date of BOS Position
<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: 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>		
<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>		

Bills	General Assembly Actions	Date of BOS Position
<u>SB 1210</u> - Stuart (28) Transportation commission membership.	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)	1/29/2013
<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>		
<u>SB 1238</u> - Barker (39) Handheld personal communications devices; texting while driving is punishable as reckless driving.	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)	1/29/2013
<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>		
<u>SB 1239</u> - Herring (33) Uniform Statewide Building Code; enforcement by towns.	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)	1/29/2013
<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>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 1253</u> - 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 2/18/2013 House: Left in General Laws</p>	<p>1/29/2013</p>
<p>Support (13102254D) Summary: Allows localities to ban smoking in designated public parks, public beaches, and similar outdoor public areas.</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: 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>		
<p><u>SB 1312</u> - Martin (11) Conditions of release; release of accused to pretrial services only when indigent.</p>	<p>1/17/2013 Senate: Referred to Committee for Courts of Justice 2/6/2013 Senate: Left in Courts of Justice</p>	<p>1/29/2013</p>
<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>		

Bills	General Assembly Actions	Date of BOS Position
SB 1313 - Stosch (12) Income tax, local; City of Portsmouth authorized to levy to generate revenue for transportation.	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 2/13/2013 House: Subcommittee recommends laying on the table (7-Y 3-N)	1/29/2013
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.		
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
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.		
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
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.		
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
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		

Bills	General Assembly Actions	Date of BOS Position
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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.

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.

SJ 272 - Black (13)
Constitutional amendment; real property tax exemption for spouses of soldiers killed in action.

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)

1/29/2013

(13102717D) - Support only as an initiative funded by the state. See also HJ 551 (Ramadan).

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.

SJ 327 - McDougale (4)
Constitutional amendment; state school division for schools denied accreditation (first reference).

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

1/29/2013

Oppose (13103634D) - Changes the sole constitutional authority of the Board of Education. See also HJ 693 (Habeeb).

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.