

**Agenda and Documents
Legislative Committee Meeting
January 18, 2019**

I. Priority Principles for Reviewing Legislation

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

II. Specific Issues

III. Specific Legislation

- County Initiatives
- Historical Positions of the Board
- New Bills—2019 General Assembly

IV. Legislation Provided for Discussion

V. Legislation Requiring Further Review

VI. “Watch List”/May Have State Revenue/Policy Implications

VII. Legislation Provided for Information

VIII. Other Items

- Update on Governor’s Budget

III. Specific Legislation

County Initiatives

HB 1913 (Bulova) (HCCT)/**SB 1663** (Barker) (SLG) allows any locality to include provisions in its subdivision ordinance requiring that where a lot being subdivided or developed fronts on an existing street and the provision of a sidewalk is in accordance with the locality's adopted comprehensive plan, the locality may require the dedication of land for, and construction of, a sidewalk on the property being subdivided or developed. (19103330D, 19104255D)

HB 2578 (Plum) (HTRAN)/**SB 1684** (Petersen) (STRAN) limits the requirement that a governing body with a six-year plan for improving the secondary highway system advertise for and hold a public meeting regarding such plan to only those years in which the county has a proposed new funding allocation greater than \$100,000. (19103260D, 19104464D)

Historical Positions of the Board

SUPPORT

Education

SJ 307 (Lewis) (SRUL) directs the Joint Legislative Audit and Review Commission to study the true cost of education in the Commonwealth and provide an accurate assessment of the costs to implement the Standards of Quality. Recommend support; Board has historically supported. Fairfax County's Legislative Program includes support for adequate K-12 education funding. (19103131D)

Elections

HB 1977 (Sullivan) (HPE) adds to the list of acceptable forms of voter identification a valid student photo identification card issued by any institution of higher education located in any other state or territory of the United States. Current law allows students from any institution of higher education located in the Commonwealth to use their student photo identification cards for purposes of voting. Recommend support; Board has historically supported. (19100529D)

Absentee Voting

HB 1641 (Herring) (HPE)/**SB 1026** (Spruill) (SPE)/**SB 1035** (Locke) (SPE)/**SB 1672** (Locke) (SPE) permits any registered voter to vote by absentee ballot in any election in which he is qualified to vote. The bill removes the current list of statutory reasons under which a person may be entitled to vote by absentee ballot and removes references to those reasons from other sections of the Code. Recommend support; Board has historically supported. (19100922D, 19100137D, 19100414D, 19102230D)

HB 1628 (Hayes) (HPE) entitles a person who will be age 65 or older on the day of an election to vote by absentee ballot in that election. Recommend support; Board has historically supported. (19100383D)

HB 1959 (Toscano) (HPE) allows for any registered voter to vote by absentee ballot in person beginning on the twenty-first day prior to any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the twenty-first day before the election, including the application requirement and the list of statutory reasons for absentee voting. Recommend support with amendments to facilitate implementation. Board has historically supported with amendments. (19102642D)

SB 1075 (Howell) (SPE) allows for any registered voter to vote by absentee ballot in person beginning on the twenty-first day prior to any election in which he is qualified to vote without providing a reason or making prior application for an absentee ballot. The bill makes absentee voting in person available beginning on the forty-fifth day prior to the election and ending at 5:00 p.m. on the Saturday immediately preceding the election. The bill retains the current provisions for voting an absentee ballot by mail or in person prior to the twenty-first day before the election, including the application requirement and the list of statutory reasons for absentee voting. Recommend support with amendments to facilitate implementation. Board has historically supported with amendments. (19100722D)

SB 1198 (Dance) (SPE) provides that any registered voter may vote by absentee ballot in person in any election in which he is qualified to vote without providing a reason for being unable to vote in person on election day. The bill retains the statutory list of reasons allowing a voter to cast an absentee ballot by mail. Recommend support; Board has historically supported. (19101559D)

Equal Rights Amendment

HJ 577 (Rasoul) (HPE)/**HJ 583** (Ward) (HPE) ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress. Recommend support; Board has historically supported. (19100132D, 19100546D)

HJ 579 (Carroll Foy) (HPE) ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the 1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress. Recommend support; Board has historically supported. (19100231D)

SJ 284 (Sturtevant) (HPE) ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972. The joint resolution advocates the position that the

1972 Equal Rights Amendment remains viable and may be ratified notwithstanding the expiration of the 10-year ratification period set out in the resolving clause, as amended, in the proposal adopted by Congress. Recommend support; Board has historically supported. (19104385D-S1)

Fair Housing Law

HB 1645 (Bourne) (HRUL) adds discrimination on the basis of a person's source of income to the list of unlawful discriminatory housing practices. The bill defines "source of income" as any source that lawfully provides funds to or on behalf of a renter or buyer of housing, including any assistance, benefit, or subsidy program, whether such program is administered by a governmental or nongovernmental entity. Recommend support; Board has historically supported. (19100302D)

HB 1823 (Convirs-Fowler) (HRUL) adds discrimination on the basis of an individual's sexual orientation or gender identity as an unlawful housing practice. The bill defines "sexual orientation" and "gender identity." Recommend support; Board has historically supported. (19102102D)

Health and Human Services

HB 1891 (James) (HHWI)/**SB 1129** (Locke) (SRSS) provides that a person who is otherwise eligible to receive food stamp benefits shall not be denied such assistance solely because he has been convicted of a drug-related felony. Under current law, such individuals may not be denied food stamp benefits based on a felony conviction of possession of a controlled substance, provided that such person is complying with, or has already complied with, all obligations imposed by the criminal court, is actively engaged in or has completed a substance abuse treatment program, participates in periodic drug screenings, and fulfills any other obligations as determined by the Department of Social Services. Recommend support; Board has historically supported. (19101723D, 19102418D)

Sexual Orientation/Gender Identity

HB 2421 (Levine) (HRUL) prohibits discrimination in employment, public accommodation, public contracting, apprenticeship programs, housing, banking, and insurance on the basis of sexual orientation or gender identity. The bill codifies existing prohibited discrimination in public employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran and adds discrimination based on sexual orientation or gender identity to the list of unlawful discriminatory housing practices. The bill contains technical amendments. Recommend support; Board has historically supported. (19100256D)

HB 2067 (Bell, John J.) (HRUL) prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. Recommend support; Board has historically supported. (19102588D)

SB 998 (Ebbin) (Senate Floor) prohibits discrimination in public employment on the basis of sexual orientation or gender identity, as defined in the bill. The bill also codifies for state and local government employment the current prohibitions on discrimination in employment on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, age, marital status, disability, or status as a veteran. Recommend support; Board has historically supported. (19100117D)

Taxation

HB 2189 (Kilgore) (HCCT)/**SB 1127** (Favola) (SFIN) equalizes municipal taxing authority and county taxing authority by granting a county the same authority available to a municipality through the uniform charter powers. The bill has a delayed effective date of July 1, 2020, prior to which the Division of Legislative Services is directed to convene a working group to develop recommendations as to what additional legislative changes are needed to effectuate the provisions of the bill. Recommend support; Board has historically supported. (19101905D, 19103307D)

Transportation

HB 2033 (Murphy) (HCCT) allows counties that operate under the urban county executive form of government (Fairfax County) by ordinance to develop a program to issue permits or stickers to residents of a designated area that will allow such residents to make turns into or out of the designated area during certain times of day where such turns would otherwise be restricted. Recommend support; Board has historically supported. (19101114D)

OPPOSE

HB 2736 (Hugo) (HCCT) provides that qualifying grievances by local government employees shall advance to a final step as agreed upon by the aggrieved and the local government; however, if an agreement cannot be reached on whether to use a panel hearing or hearing officer, a three-person panel shall be used. The bill contains technical amendments. Recommend oppose; Board has historically opposed. (19104660D)

Elections

SB 1038 (Peake) (SFIN) requires the general registrars to verify that the name, date of birth, and social security number provided by an applicant on the voter registration application match the information on file in the Social Security Administration database or other database approved by the State Board of Elections (State Board) before registering such applicant. If the information provided by the applicant does not match the information in such a database, the applicant (i) is provisionally registered to vote and notified as to what steps are needed to be fully registered to vote and (ii) is permitted to vote by provisional ballot, but such ballot shall not be counted until the voter presents certain information. The bill also requires the general registrars to verify annually no later than August 1 that the name, date of birth, and social security number in the registration record of each registered voter in the registrar's jurisdiction match the information on file with the Social Security Administration or other database approved by the State Board and, in accordance with current law, to initiate the cancellation of the registration of any voter whose

registration record information does not match the database information. The State Board is authorized to approve the use of any government database to the extent required to enable each general registrar to carry out the provisions of this measure and to promulgate rules for the use of such database. The Department of Elections is required to provide to the general registrars access to the Social Security Administration database and any other database approved by the State Board. The Department of Elections is further required to enter into any agreement with any federal or state agency to facilitate such access. Recommend oppose; Board has historically opposed. (19100267D)

School Funding

HJ 643 (Webert) (HRUL) requests the Department of Education to (i) determine, for each of the 95 localities that have adopted ordinances to provide for the use value assessment and taxation of certain real estate, the use value of all applicable real estate devoted to (a) agricultural use, (b) horticultural use, (c) forest use, and (d) open-space use, as those terms are defined in the Code of Virginia, and (ii) recalculate the composite index of local ability to pay for each such locality after taking into consideration such use values. Recommend oppose; Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living. (19100976D)

SB 1471 (Hanger) (SFIN) requires the General Assembly to modify the current standards of quality funding formula and the calculation of composite index of local ability to pay to incorporate within the real estate indicator of local wealth the land-use assessment value for those properties located within a land-use plan. Recommend oppose; Board has historically opposed. Rather than modifying individual components of the LCI formula, a comprehensive approach should be taken, including addressing factors relating to cost of living. (19102935D)

Transportation

HB 1872 (Webert) (HTRAN) exempts any operator of and passenger on a motorcycle or autocycle who is 21 years of age or older and a registered organ donor from the requirement to wear a protective helmet when on a motorcycle or autocycle. The bill reduces operating or riding on a motorcycle or autocycle without a protective helmet from a primary offense to a secondary offense, which can be charged only when the offender is stopped for another, separate offense. Recommend oppose; Board has historically opposed. (19100466D)

SB 1578 (Suetterlein) (STRAN) raises from 80 to 85 miles per hour the speed above which a person who drives a motor vehicle on the highways in the Commonwealth is guilty of reckless driving regardless of the applicable maximum speed limit. Recommend oppose; Board has historically opposed. (19101770D)

AMEND

Administration of Government

HB 1907 (VanValkenburg) (HCCT)/**SB 1262** (Sturtevant) (SLG) requires every locality with a population greater than 25,000 and each school division with greater than 5,000 students to post quarterly on the public government website of such locality or school division a register of all funds expended, showing vendor name, date of payment, amount, and a description of the type of expense, including credit card purchases with the same information. The bill allows any locality or school division to exclude from such posting any information that is exempt from mandatory disclosure under the Virginia Freedom of Information Act, any personal identifying information related to a court-ordered payment, and any information related to undercover law-enforcement officers. The bill has a delayed effective date of July 1, 2020. Recommend amend to allow flexibility to exclude personally identifiable information of constituents and employees; Board has historically recommended amendment. (19103212D, 19103271D)

Taxation

HB 1655 (Miyares) (House Floor)/**SB 1270** (Stuart) (Senate Floor) enacts as statutory law an amendment to subdivision (a) of Section 6-A of Article X of the Constitution of Virginia that was adopted by the voters on November 6, 2018, which applies the real property tax exemption for the surviving spouse of a disabled veteran to such spouse's principal place of residence regardless of whether such spouse moves to a different residence. Recommend amend to support as a state tax credit; Board has historically recommended amendment. (19103726D-H1, 19101186D)

MONITOR

HB 2084 (Watts) (HCCT) grants counties with a population greater than 100,000 certain powers of cities and towns, including taxation, borrowing, and eligibility for highway maintenance funds. Currently, such powers are generally granted only to cities and towns. Recommend monitor; Board has historically monitored. (19101523D)

New Bills – 2019 GA

HB 1966 (Yancey) (HGL) requires local building departments, when denying an application for the issuance of a building permit, to provide to the applicant a written explanation detailing the reasons for which the application was denied. The bill provides that the applicant may submit a revised application addressing the reasons for which the application was previously denied and that, if the applicant does so, the local building department shall limit its review of the revised application to only those portions of the application that were previously deemed inadequate and that the applicant has revised. Recommend oppose. (19101136D)

HB 2359 (Jones, S.C.) (HAPP) updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. Recommend support; The County supports funding for a Northern Virginia regional science center which is included in the capital outlay plan. (19103644D)

SB 1323 (Hanger) (Senate Floor) updates the six-year capital outlay plan for projects to be funded entirely or partially from general fund-supported resources. Recommend support; The County supports funding for a Northern Virginia regional science center which is included in the capital outlay plan. (19103643D-E)

Administration of Government

HB 1698 (Fariss) (HCCT) authorizes a locality to send a zoning administrator's appeal order using certified mail. Current law allows such an order to be sent only by registered mail. Recommend support. (19102389D)

SB 1553 (Surovell) (SLG) 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 an 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. Recommend support with amendment to narrow scope of legislation to improve implementation. (19104083D)

Courts

HB 2510 (Hugo) (HCT)/**SB 1121** (Petersen) (Passed Senate) increases from 11 to 12 the maximum number of authorized general district court judgeships in the nineteenth judicial district. This bill is a recommendation of the Committee on District Courts. Recommend support. (19101667D, 19102862D)

Protective Orders

SB 1078 (Howell) (SCT) provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect, which is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person. Recommend support. (19100829D)

HB 2504 (Murphy) (HCT) provides that it is a Class 6 felony for a person who is subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) for subjecting another person to an act of violence, force, or threat to possess a firearm while the order is in effect. This penalty is equivalent to the existing penalty for possession of a firearm by a person subject to a permanent protective order for family abuse. The bill also provides that such person may continue to possess and transport a firearm for 24 hours after being served with the order for the purposes of selling or transferring the firearm to another person. The bill requires that any person who is prohibited from possessing a firearm because he is subject to a permanent protective order certify in writing to the clerk of the court that issued the order within 48 hours after being served with the order that any firearm in his possession has been sold or transferred. The bill provides that failure to file such certification is a Class 1 misdemeanor. Recommend support. (19103833D)

SB 1467 (Saslaw) (SCT) provides that a court shall order a person subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) to (i) within 24 hours, surrender any firearm possessed by such person to a designated local law-enforcement agency, sell or transfer any firearm possessed by such person to a dealer, or sell or transfer any firearm possessed by such person to any person who is not otherwise prohibited by law from possessing such firearm, provided that such person will not allow the person subject to a protective order to exert any influence or control over the sold or transferred firearm, or (ii) certify in writing that such person does not possess any firearms and file such certification with the clerk of the court that entered the protective order within 48 hours after being served with a protective order. The bill provides that within 48 hours after surrendering or selling or transferring all firearms, such person must certify in writing that all firearms possessed by such person have either been surrendered or sold or transferred and file such certification with the clerk of the court that entered the protective order. The bill also provides that any person subject to a protective order who fails to certify in writing that all firearms possessed by such person have either been surrendered or sold or transferred or that such person does not possess any firearms is guilty of a Class 1 misdemeanor.

The bill provides procedures for designating a local law-enforcement agency to receive and store firearms as well as a process to return such surrendered firearms. The bill also provides that any person who buys or has a firearm transferred to him from a person subject to a permanent protective order and allows the person subject to a protective order to exert any influence or control over the sold or transferred firearm is guilty of a Class 1 misdemeanor. Recommend support. (19103735D)

Specialty Dockets

HB 2665 (Stolle) (HCT)/**SB 1655** (Cosgrove) (SCT) requires the Office of the Executive Secretary of the Supreme Court to develop a statewide evaluation model and conduct ongoing evaluations of the effectiveness and efficiency of all local specialty dockets established in accordance with the Rules of Supreme Court of Virginia and submit a report of these evaluations to the General Assembly by December 1 of each year. Recommend monitor. (19103681D, 19101131D)

Education

SB 1575 (Ebbin) (SEH) permits any school board to employ any individual, who is employed by an accredited institution of higher education as an instructor, to teach career and technical education courses or dual enrollment courses in the local school division, regardless of whether such individual holds a license issued by the Board of Education. Recommend support. (19102839D)

SB 1545 (Sturtevant) (SEH) allows a school board to adopt an alternative accountability process to provide a principal and parties involved in an incident involving assault or assault and battery without bodily injury that occurs on a school bus, on school property, or at a school-sponsored event an option to enter into a mutually agreed upon mediation process between the involved parties as an alternative to reporting such incident to law enforcement. The bill requires a principal in a school division with such a process to attempt to engage the parties involved in such an incident in the alternative accountability process prior to reporting such incident to the local law-enforcement agency. The bill prohibits a principal from reporting such an incident when the parties successfully complete the alternative accountability process. Recommend amend to ensure the bill does not impact the County's existing Alternative Accountability Program. (19103322D)

Elections

June Primary Date

HB 1615 (Landes) (HPE) changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date. Recommend support. (19100239D)

SB 1243 (Reeves) (Senate Floor) changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date. Recommend support. (19104969D-S1)

June Primary Date and May General Election

HB 2048 (McGuire) (HPE) changes the date of the primary election held in June from the second Tuesday in June to the third Tuesday in June. The bill also changes candidate filing deadlines to reflect the change of date to the June primary. The bill changes the date of the general election held in May from the first Tuesday in May to the second Tuesday in May. The bill does not change candidate filing deadlines associated with the May general. Recommend support. (19100320D)

Freedom of Information Act

HB 1772 (Mullin) (HCT) provides that any officer, employee, or member of a public body alleged to have willfully and knowingly violated the Virginia Freedom of Information Act who acted in good faith reliance upon an advisory opinion issued by the Virginia Freedom of Information Advisory Council may introduce such advisory opinion as evidence that the alleged violation was not made willfully and knowingly. The bill contains technical amendments. This bill is a recommendation of the Virginia Freedom of Information Advisory Council. Recommend support. (19100432D)

Health

HB 1870 (Sickles) (HHWI)/**HB 2451** (Bell, Richard P.) (HHWI)/**SB 1277** (Barker) (SEH) provides for a 30-day exemption from the requirement to obtain a certificate of public need for an increase in the total number of beds in nursing homes or hospitals if the State Health Commissioner has determined that a natural or man-made disaster has caused the evacuation of nursing homes or hospitals and that a public health emergency exists due to a shortage of nursing home or hospital beds. Recommend support. (19101516D, 19101416D, 19101545D)

HB 1914 (Herring) (HHWI) authorizes practitioners contracted by the Department of Health and practitioners employed or contracted by a local health department to prescribe antibiotic therapy to the sexual partner of a patient diagnosed with a sexually transmitted disease without the physical examination normally required. Under current law, only employees of the Department of Health are so authorized. Additionally, the bill authorizes a practitioner, who is an employee of or contracted by the Department of Health or a local health department, to prescribe Schedule VI antibiotics and antiviral agents to other persons in close contact with a diagnosed patient without a bona-fide practitioner-patient relationship with the diagnosed patient when emergency treatment is necessary to prevent imminent risk of death, life-threatening illness, or serious disability. Recommend support. (19101794D)

Human Services

HB 1871 (Jones, J.C.) (HHWI) allows VIEW participants whose Temporary Assistance for Needy Families financial assistance is terminated to receive child care assistance for up to 12 months after termination if the individual is enrolled in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia and is taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or

license. Under current law, such child care assistance is only available if it enables the individual to work. Recommend support. (19101902D)

HB 2458 (Landes) (HED)/**SB 1095** (Howell) (SFIN) requires the Board of Education to establish a statewide unified public-private system for early childhood care and education in the Commonwealth to be administered by the Board of Education, the Superintendent of Public Instruction, and the Department of Education. The bill transfers the authority to license and regulate child day programs and other early child care agencies from the Board of Social Services and Department of Social Services to the Board of Education and the Department of Education. The bill maintains current licensure, background check, and other requirements of such programs. The bill establishes the Early Childhood Innovation Fund for the purpose of facilitating regional public-private collaboration and to field test innovative strategies and evidence-based practices that support a robust system of comprehensive early childhood care and education services to deliver measurable school readiness outcomes and meet regional workforce support needs. Such provisions of the bill have a delayed effective date of July 1, 2021. The bill requires the Superintendent of Public Instruction to establish a plan for implementing the statewide unified early childhood care and education system and requires the Department of Social Services and the Department of Education to enter into a cooperative agreement to coordinate the transition. The bill provides that, beginning July 1, 2021, the Department of Education will be the lead agency for the administration of the Child Care and Development Block Grant and the Head Start Collaboration Office. Finally, the bill requires the Board of Education and the Board of Social Services to promulgate regulations to implement the provisions of the bill to become effective on July 1, 2021. Recommend monitor. (19102705D, 19102558D)

SB 1135 (Favola) (SRSS) directs the Department of Behavioral Health and Developmental Services to amend the criteria for determining the priority status of individuals on the waiting list for services under the Community Living Waiver to include individuals with developmental disabilities who will exit foster care and require waiver services within one year in the Priority One status. Recommend support. (19102930D)

SB 1145 (Favola) (SRSS) allows VIEW participants whose Temporary Assistance for Needy Families financial assistance is terminated to receive child care assistance for up to 12 months after termination if the individual is enrolled in an accredited public institution of higher education or other postsecondary school licensed or certified by the Board of Education or the State Council of Higher Education for Virginia and is taking courses as part of a curriculum that leads to a postsecondary credential, such as a degree or an industry-recognized credential, certification, or license. Under current law, such child care assistance is only available if it enables the individual to work. Recommend support. (19101901D)

SB 1576 (Suetterlein) (SEH) requires the Department of Education and relevant local school boards to develop and implement a pilot program for up to four years in two to eight local school divisions in the Commonwealth. In developing the pilot, the Department is required to partner with the appropriate school board employees in each such local school division to (i) identify the resources, services, and supports required by each student who resides in each such local school division and who is educated in a private school setting pursuant to his Individualized Education Program; (ii) study the feasibility of transitioning each such student from his private school setting

to an appropriate public school setting in the local school division and providing the identified resources, services, and supports in such public school setting; and (iii) recommend a process for redirecting federal, state, and local funds, including funds provided pursuant to the Children's Services Act, provided for the education of each such student to the local school division for the purpose of providing the identified resources, services, and supports in the appropriate public school setting. The bill requires the Department of Education to make a report to the Governor, the Senate Committees on Education and Health and Finance, and the House Committees on Education and Appropriations on the findings of each pilot program after two and four years. Recommend support. (19100917D)

SB 1608 (Dunnavant) (SFIN) requires the Virginia Fusion Intelligence Center (the Center) to develop or obtain a school safety mobile application to (i) facilitate the provision of real-time, 24 hours a day, seven days a week crisis intervention services by licensed clinicians, including support or crisis counseling, suicide prevention, and referral services to students and youth in the Commonwealth through calls, texts, and online chats and (ii) provide to students and youth in the Commonwealth a platform that is capable of receiving text, audio, images, or video to furnish information concerning a suspected, anticipated, or completed criminal violation. The Center shall coordinate with the Department of Medical Assistance Services to contract with a third-party to provide such crisis intervention services. Recommend support. (19103999D)

Adult Protective Services

SB 1224 (Chafin) (SRSS) allows the attorney for the Commonwealth in each political subdivision to coordinate the establishment of a multidisciplinary response to elder abuse, neglect, and financial exploitation of incapacitated adults to (i) conduct regular reviews of new and ongoing reports of elder abuse, neglect, and financial exploitation of incapacitated adults and, at the request of any member of the team, conduct reviews of any other reports of elder abuse, neglect, or financial exploitation in the jurisdiction involving an incapacitated or older adult and (ii) establish and review guidelines for the community's response to elder abuse, neglect, and financial exploitation of incapacitated adults. Recommend support. (19103368D)

Child Care

HB 1994 (Price) (HAPP)/**SB 1407** (Mason) (SRSS) allows local law-enforcement agencies to process and submit requests for national fingerprint background checks required for (i) applicants for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system; (ii) agents of an applicant for licensure as a child day center, family day home, or family day system, registration as a family day home, or approval as a family day home by a family day system at the time of application who is or will be involved in the day-to-day operations of the child day center, family day home, or family day system, or who is or will be alone with, in control of, or supervising one or more of the children; (iii) adults living in such child day center or family day home; and (iv) employees and volunteers of any child day center, family day home, or family day system licensed in accordance with the provisions of this chapter, child day center exempt from licensure, registered family day home, family day home approved by a family day system, or child day center, family day home, or child day program that enters into a contract with the Department or a local department to

provide child care services funded by the Child Care and Development Block Grant. Recommend support. (19102000D, 19101950D)

Supportive Housing

HB 2017 (Peace) (Reported from HHWI) allows individuals receiving auxiliary grants to select supportive housing without any requirement that such individuals wait until their first or any subsequent annual reassessment to make such a selection. The bill directs the Commissioner for Aging and Rehabilitative Services to (i) promulgate regulations to implement the provisions of the bill within 180 days of its enactment and (ii) develop guidance documents for implementation of the provisions of the bill no later than February 1, 2020. Recommend support. (19102319D)

SB 1286 (Barker) (SRSS) clarifies language surrounding receipt of auxiliary grants by individuals living in supportive housing and increases the maximum number of auxiliary grant recipients in supportive housing from 60 to 120. Recommend support. (19102021D)

Land Use

HB 2051 (McQuinn) (HCCT) provides that local subdivision ordinances may include certain requirements to govern the private development of land containing an existing cemetery. The bill also authorizes localities to adopt ordinances requiring that certain research in local property records be conducted prior to development to identify any cemeteries on the property. Recommend monitor. (19102310D)

HB 2146 (Turpin) (HCCT) authorizes any locality to adopt an ordinance providing for either the conservation of or the planting and replacement of trees during the land development process. Currently, only a locality within Planning District 8 with a population density of 75 persons per square mile and which is classified as an eight-hour nonattainment area for ozone under the federal Clean Air Act and Amendments of 1990, in effect as of July 1, 2008, may adopt such an ordinance for the conservation of trees and only a locality with a population density of 75 persons per square mile or within the Chesapeake Bay watershed may adopt such an ordinance for the planting and replacement of trees during the land development process. Recommend monitor. (19101980D)

SB 1701 (Ebbin) (SLG) requires any ordinance adopted by the governing body of any county that operates under the urban county executive form of government (Fairfax County) relating to regulation of short-term rentals to comply with various provisions related to the short-term rental of property, including limits on (i) the total number of nights permitted for short-term rental on the short-term rental operator's property and (ii) the number of short-term rental properties owned by any one person or entity. The bill also requires such ordinance to comply with various Code of Virginia provisions related to zoning enforcement, the Virginia Uniform Statewide Building Code, real estate licensing, common interest communities, and covered entities otherwise regulated by localities. Recommend oppose. (19104398D)

Eminent Domain

SB 1404 (Petersen) (Passed Senate) provides that the costs of filing a petition with the court for the distribution of the funds due pursuant to an eminent domain proceeding shall be taxed against the condemnor. The bill also provides that the interest rate on the funds represented by a certificate of deposit from the date of filing of the certificate until the funds are paid into the court shall not be less than the judgment rate of interest. Finally, the bill reorganizes for clarity the provisions governing what happens upon recordation of a certificate by the Commissioner of Highways in a condemnation proceeding. Recommend monitor. (19102876D-E)

SB 1421 (Obenshain) (Passed Senate) makes various changes to provisions related to entry upon private property in an eminent domain proceeding, including (i) requiring that the number of persons for whom permission to inspect the premises is sought be included in a request for permission to inspect private property for the purposes of a project wherein the power of eminent domain may be exercised; (ii) requiring the notice of intent to enter the property to include all of the information contained in the request for permission to inspect the property; (iii) requiring the court to award fees for at least three expert witnesses if the petitioner damages the property during its entry; (iv) removing the requirement that the damage must be done maliciously, willfully, or recklessly for the owner to be reimbursed for his costs; and (v) removing the option that the owner may be reimbursed for his costs if the court awards the owner actual damages in an amount 30 percent or more greater than the petitioner's final written offer made no later than 30 days after the filing of an answer in circuit court or the return date in general district court. The bill also provides the method by which just compensation for the taking of property in an eminent domain proceeding is calculated. The bill provides that the body determining just compensation shall ascertain the value of the property to be taken and the damages, if any, that may accrue to the residue beyond the specific enhancement in value, if any. The bill further outlines the considerations that may be used to determine the market value of the property before the taking and the residue after the taking. Finally, the bill allows a person to recover damages resulting from reformation, alteration, revision, amendment, or invalidation of a certificate in an eminent domain proceeding. The bill provides that an owner may recover costs incurred if the taking of land in an eminent domain proceeding is abandoned, in full or in part. Recommend oppose. (19103612D)

Taxation

HB 1937 (Krizek) (House Floor) provides that, if a locality has established a real estate tax exemption for the elderly and handicapped and enacted an income limitation related to the exemption, the locality may exclude, for purposes of the limitation, any income received by a family member or nonrelative who lives in the dwelling and who is permanently and totally disabled. Recommend monitor. (19100954D-E)

HJ 657 (Pogge) (HPE) provides that, as of January 1, 2021, the real property tax exemption for the surviving spouse of a 100 percent disabled veteran shall apply regardless of whether the disabled veteran died prior to January 1, 2011. Under the current constitutional real property tax exemption, if a veteran received a 100 percent disability rating and died prior to January 1, 2011, his surviving spouse is not eligible for the exemption pursuant to state statutory law. Recommend

amend to support as a state tax credit. For similar constitutional amendments, the Board has historically sought to amend to support as a state tax credit. (19101855D)

Transportation

HB 2155 (Plum) (HTRAN) prohibits the driver of a vehicle from overtaking and passing a vehicle stopped at a marked crosswalk to permit a pedestrian to cross the highway. Recommend support. (19101728D)

HB 2553 (Thomas) (HAPP)/**SB 1680** (Mason) (STRAN) provides that any mass transit provider that incurs a loss in operating funds as a direct result of the performance-based allocation process set forth in Chapter 854 of the Acts of Assembly of 2018 shall be eligible for supplemental funds commensurate with operating funds in 2019. The total amount of supplemental funds available shall not exceed \$5 million. Recommend support. (19104021D, 19104336D)

SB 1073 (Marsden) (Reported from STRAN) requires the driver of a motor vehicle involved in an accident on a high occupancy toll (HOT) lane that is under construction on Interstate 66 to move such motor vehicle to the nearest pull-off area if the driver can safely do so, the vehicle is movable, and there are no injuries or deaths resulting from the accident. The bill provides that such requirement will expire upon the certification by the Secretary of Transportation that the HOT lane construction on I-66 is complete. Recommend support. (19101626D)

SB 1468 (Black) (Reported from STRAN) shifts responsibility from the Department of Transportation to the Northern Virginia Transportation Authority for the evaluation and rating of significant transportation projects in and near the Northern Virginia Transportation District. The bill also adds administrative and operating expenses to those expenses that can be paid by the Northern Virginia Transportation Authority Fund. Current law provides that administrative expenses be allocated to the component counties and cities of the Authority. Recommend support. (19104213D)

I-66 Tolling

HB 2643 (Delaney) (HTRAN) limits to \$15 the tolls collected on the tolled portion of Interstate 66 east of mile marker 67. The bill expands the limitation to the tolled portion of Interstate 66 east of mile marker 43 upon completion of the Transform 66 Outside the Beltway project. Recommend oppose. Including a maximum fee would impact the traffic flow on I-66 Inside the Beltway and may impact the Concessionaire contract on I-66 Outside the Beltway. (19103674D)

School Bus Cameras

HB 1695 (Fariss) (HCT) increases from \$250 to \$500 the civil penalty for passing a stopped school bus. Recommend support. (19101584D)

HB 2273 (Webert) (HCT) increases the civil penalty for passing a stopped school bus from \$250 to \$300. The bill creates an increased penalty of \$600 for any driver who passes a stopped school

bus while holding or manually manipulating a handheld personal communications device. Recommend support. (19100523D)

HB 2344 (Bell, Robert B.) (HCT) requires the Department of Motor Vehicles to release certain vehicle owner data, upon request, to a private vendor operating a video-monitoring system on or in a school bus. The bill limits how such data can be used and stored and provides that it is a Class 1 misdemeanor to violate such limitations. Recommend support. (19102619D)

SB 1476 (Deeds) (STRAN) authorizes the Department of Motor Vehicles to release vehicle owner data of a vehicle that failed to stop for a stopped school bus upon request of a video-monitoring system operator or upon request of the authorized agent or employee of a video-monitoring system operator. Recommend support; Board has historically supported. (19101967D)

SB 1520 (Carrico) (STRAN) authorizes the Department of Motor Vehicles (the Department) to release vehicle owner data of a vehicle that failed to stop for a stopped school bus upon request of a video-monitoring system operator or upon request of the authorized agent or employee of a video-monitoring system operator. The bill expands the length of time for which a driver of a motor vehicle must remain stopped for a stopped school bus from when all persons are clear of the roadway to when the bus is back in motion. The bill provides that any conviction for passing a stopped school bus imposed by mailing a summons will not be reported to the Department or made part of the operator's driving record. However, the bill provides that if the conviction is imposed as a result of a law-enforcement officer personally issuing a summons at the time of violation the conviction shall be reported to the Department and shall result in the assessment of four demerit points to that person's driving record. The bill provides that an ordinance enacted by a county regarding a video-monitoring system applies to infractions that occur within any town located within the county for which the county provides the public school system. Recommend monitor. (19103029D)

Towing

HB 1865 (Fowler) (HTRAN) sets maximum towing hookup and initial towing fees at \$150 for all localities. Current law authorizes local governing bodies to set towing fee limits different from the maximums retained by the bill. Recommend oppose unless amended to limit fee increases. (19104945D)

SB 1567 (Marsden) (STRAN) sets maximum towing hookup and initial towing fees at \$150 for all localities. Current law authorizes local governing bodies to set towing fee limits different from the maximums retained by the bill. Recommend oppose unless amended to limit fee increases. (19101339D)

Transportation Studies

HB 2466 (Roem) (HRUL) directs the Department of Transportation to study the feasibility of implementing improvements to State Route 28 in Prince William County between the City of Manassas Park and Fairfax County. Recommend monitor. (19102854D)

HB 2467 (Roem) (HRUL) directs the Department of Transportation to study the feasibility of implementing improvements to State Route 28 between the City of Manassas Park and State Route 29 in Fairfax County. Recommend amend limits of study to remove segments in Fairfax County. (19102882D)

HB 2468 (Roem) (HRUL) directs the Department of Transportation to study the feasibility of implementing improvements to State Route 28 between U.S. Route 15 in Fauquier County and State Route 29 in Fairfax County. Recommend amend limits of study to remove segments of Fairfax County. (19102971D)

Environment

HB 2070 (Bell, John J.) (HFIN) establishes a tax deduction for the amount a taxpayer pays for energy saving products, not to exceed \$10,000. Energy saving products are defined as being either (i) solar panels or (ii) products that meet the requirements of the Energy Star program established by the U.S. Environmental Protection Agency and the U.S. Department of Energy. To qualify for the deduction, the taxpayer must spend at least \$1,000 on energy saving products. The bill also provides that a person may not claim both this deduction and the existing deduction for certain energy efficient products during the same taxable year. Recommend support. (19102583D)

HB 2495 (Tran) (HCCT) prohibits localities from spraying pesticides intended to suppress an infestation of the fall cankerworm during the period between March 1 and August 1. Recommend oppose. (19104098D)

Solar Freedom

HB 2329 (Kearney) (HLC) promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) removes the one percent cap on the total amount of renewable energy that can be net metered in a utility's service territory, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local governments and certain other public bodies to install solar or wind facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multi-family residential building or the common areas of a condominium to install a renewable energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to two megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of renewable energy. Recommend support. (19103955D)

SB 1456 (McClellan) (SCL) promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) removes the one percent cap on the total amount of renewable energy that can be net metered in a utility's service territory, (ii) authorizes third-party power purchase agreements for all customer classes throughout the Commonwealth, (iii) allows local

governments and certain other public bodies to install solar or wind facilities of up to five megawatts on government-owned property and use the electricity for government-owned buildings, (iv) allows all net metering customers to attribute output from a single solar array to multiple meters, (v) allows the owner of a multi-family residential building or the common areas of a condominium to install a renewable energy generation facility and sell the electricity to tenants or condominium unit owners, (vi) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (vii) raises the cap for net-metered nonresidential generation facilities from one megawatt to two megawatts, and (viii) removes the ability of utilities to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of renewable energy. Recommend support. (19103827D)

Stormwater

HB 1879 (Convirs-Fowler) (HGL) directs the State Water Control Board to adopt regulations requiring any local stormwater management authority that requires a residential landowner to maintain a stormwater management facility on his property to record with the deed for the property a statement of the specifications and requirements and a schedule of audits of the facility. The bill requires the seller of any property with such a facility to disclose the specifications, requirements, and schedule of audits to a purchaser of the property. Recommend support. (19101519D)

HB 2019 (Murphy) (HGL) requires (i) residential real property owners to disclose the presence of any stormwater management facilities located on the owner's property and any maintenance agreement for such facilities and (ii) residential real property owners subject to the declaration of a property owners' association to disclose the presence of any stormwater management facilities that the association has the obligation to repair, replace, or restore and any maintenance agreements for such facilities. The bill requires property owners' associations to disclose in the required association disclosure packet the presence of any stormwater management facilities that the association has the obligation to repair, replace, or restore and any maintenance agreement for such facilities. Recommend support. (19101112D)

Water Quality

HB 1822 (Bulova) (HAPP) authorizes the Director of the Department of Environmental Quality (the Department) to authorize grants from the Virginia Water Quality Improvement Fund (the Fund) for the installation of certain wastewater conveyance infrastructure. Any such infrastructure shall divert wastewater from one publicly owned treatment works that is eligible for grant funding to another such eligible treatment works and shall result in no more expense to the Fund than would otherwise be incurred to install eligible nutrient removal technology or other treatment technology at the treatment works from which the wastewater will be diverted. The bill also directs the Department to consult with stakeholders annually to estimate the amount of grant funding that local governments will request during the upcoming year from (i) the Fund and (ii) the Stormwater Local Assistance Fund and to submit those estimates to the Governor as part of a biennial funding report and an annual progress report that are required by current law. The bill contains technical amendments. Recommend support. (19103598D)

Procurement

HB 1667 (Kilgore) (HCT)/**SB 1369** (Norment) (SGL) provides that no action may be brought by a public body on any construction contract, including construction management and design-build contracts, unless such action is brought within five years after substantial completion of the work on the project and that no action may be brought by a public body on a warranty or guarantee in such construction contract more than one year from the breach of that warranty, but in no event more than one year after the expiration of such warranty or guarantee. The bill also limits the time frame during which a public body, other than the Department of Transportation, may bring an action against a surety on a performance bond to within one year after substantial completion of the work on the project. Current law allows a public body, other than the Department of Transportation, to bring such an action within one year after (i) completion of the contract, including the expiration of all warranties and guarantees, or (ii) discovery of the defect or breach of warranty that gave rise to the action. Recommend oppose. (19101460D, 19101482D)

Public Safety/Criminal Justice

HB 1903 (Head) (HCT) limits the criminal history information that the Central Criminal Records Exchange, or the criminal justice agency in cases of offenses not required to be reported to the Exchange, may provide to a requesting employer or prospective employer to convictions occurring within seven years prior to the request, except for any information related to a felony act of violence or a barrier crime. Recommend amend to allow public employers to receive criminal history information older than seven years from the date of the request. (19100543D)

School Resource Officers

HB 1733 (Gilbert) (Reported from HED) requires the school board in each school division in which the local law-enforcement agency employs school resource officers to enter into a memorandum of understanding with such local law-enforcement agency that sets forth the powers and duties of the school resource officers. The bill requires each such school board and local law-enforcement agency to review and amend or affirm the memorandum at least once every five years. Recommend monitor. (19100602D)

HB 2291 (VanValkenburg) (HED) requires the school board in each school division in which the local law-enforcement agency employs school resource officers to enter into a memorandum of understanding with such local law-enforcement agency that sets forth the respective roles and responsibilities of the school board and the law-enforcement agency and the roles and responsibilities of such school resource officers. The bill requires each such school board and local law-enforcement agency to (i) review the memorandum of understanding every two years or at any time upon the request of either party and may revise such memorandum at any time as agreed by the parties and (ii) ensure that all relevant personnel employed by either party are informed of and review the provisions of the memorandum of understanding, including any revisions to the memorandum of understanding. The bill also requires the Virginia Center for School and Campus Safety to develop a model memorandum of understanding that may be used by local school boards and local law-enforcement agencies to satisfy the new requirements put forth in the bill. Recommend monitor. (19104117D)

IV. Legislation Provided for Discussion

Animals

HB 1625 (Orrock) (Reported from HAG) provides that the definition of "adequate shelter" includes the provision of shelter that protects the animal from exposure to heat or cold. Current law requires such shelter to protect the animal from the adverse effects of heat or cold. (19100436D)

SB 1058 (Favola) (SACNR) authorizes any locality to adopt an ordinance that parallels and makes more stringent the state law regarding the care of companion animals. (19100755D)

Proffers

HB 2342 (Thomas) (Reported from HCCT)/**SB 1373** (Favola) (Senate Floor) makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include the addition of provisions stating that no local governing body shall require any unreasonable proffer. Under current law, no locality may request or accept any unreasonable proffer. Other changes (i) allow an applicant to submit any proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers, (ii) rewrite provisions related to certain revitalization areas and floor area density standards that are excluded from the statute's requirements, and (iii) state that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and the locality or to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities. The provisions of the bill are effective as to any application for a rezoning or proffer condition amendment filed on or after July 1, 2019, or to certain other pending applications. The bill also provides that an applicant with a pending application for a rezoning or proffer condition amendment that was filed prior to July 1, 2016, may elect to proceed under the law as it existed prior to that date, and an applicant with a pending rezoning or proffer condition amendment application filed after July 1, 2016, but before July 1, 2019, may elect to proceed under the law as it existed during that period. (HCCT substitute, 19104977D-S1)

HB 1801 (Ware) (HCCT) makes extensive changes to conditional zoning provisions first enacted in 2016. Specific amendments include provisions stating that no locality shall "require" any unreasonable proffer. Under current law, no locality may "request or accept" any unreasonable proffer. Other changes include (i) an expansion of the definitions of "public safety facility improvement" and "public school facility improvement"; (ii) allowing an applicant to submit any offsite proffer that the applicant deems reasonable and appropriate, as conclusively evidenced by the signed proffers; and (iii) provisions stating that nothing in the bill shall be deemed or interpreted to prohibit communications between an applicant or owner and the locality or shall be deemed or interpreted to prohibit presentation, analysis, or discussion of the potential impacts of new residential development or other new residential use on the locality's public facilities either onsite or offsite that are specifically attributable to such development. Final enactments state that (a) the bill shall be effective as to any application for a rezoning or proffer condition amendment filed on or after July 1, 2019, or to certain other pending applications, and (b) an applicant with a

pending application for a rezoning or proffer condition amendment that was filed prior to July 1, 2016, may elect to proceed under the law as it existed prior to that date, and an applicant with a pending application for a rezoning or proffer condition amendment filed on or after July 1, 2016, but before July 1, 2019, may elect to proceed under the law as it existed during that period. (19101725D)

School Resource Officers

SB 1130 (Locke) (SEH)/**SB 1299** (Barker) (SEH) requires each school resource officer to be trained and certified by the Virginia Center for School and Campus Safety. The bill expands the topics on which school security officers are required to be trained. The bill also requires any school board that agrees to place school resource officers in any school in the school division and the relevant local law-enforcement agency to establish and annually review and update a memorandum of understanding (MOU) governing the use and duties of school resource officers, and ensure that all relevant parties receive initial and ongoing training on the contents of such MOU. (19102420D, 19102735D)

Transportation

HB 1703 (Guzman) (HFIN) imposes a tax at a rate of five cents per gallon on aviation jet fuel purchased or used by an airline licensed by the Federal Aviation Administration with more than eight billion passenger-miles originating at Virginia airports during the calendar year and any regional air carrier contracting with such airline. The bill disburses revenue from the tax to the Metropolitan Washington Airports Authority (the Authority), provided that the Authority enters into an agreement to use the proceeds to finance Phase 2 of the Dulles Corridor Metrorail project and to reduce toll rates on users of the Dulles Toll Road. If the Authority does not enter into such an agreement, the bill prohibits the Department of Aviation from disbursing any revenue from taxes on aviation fuel to the Authority. (19101086D)

Driver Privilege Cards

HB 1843 (Bloxom) (HTRAN) authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months; (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle; and (iii) provides an unexpired passport as proof of identity. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes

the Tax Commissioner to provide to the Commissioner of the Department of Motor Vehicles information sufficient to verify that an applicant for a driver privilege card or permit reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill has a delayed effective date of January 1, 2020. (19101370D)

HB 2025 (Tran) (HTRAN) authorizes the issuance of new driver privilege cards by the Department of Motor Vehicles to an applicant who (i) has reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months and (ii) is not in violation of the insurance requirements for the registration of an uninsured motor vehicle. The bill provides that driver privilege cards shall confer the same privileges and shall be subject to the same provisions as driver's licenses and permits; however, driver privilege cards shall not (a) confer voting privileges, (b) permit an individual to waive any part of the driver examination, or (c) have their issuance be contingent upon the applicant's ability to produce proof of legal presence in the United States. The bill provides for the term "driver's license" to consistently refer to all driver's licenses, permits, driver privilege cards, and special identification cards issued by the Commonwealth or the comparable law of another jurisdiction. The bill allows the issuance of a limited-duration driver's license and special identification card to an applicant presenting valid documentary evidence that a federal court or federal agency having jurisdiction over immigration has authorized the applicant to be in the United States for a period of at least 30 days from the date of application. The bill authorizes the Tax Commissioner to provide to the Commissioner of the Department of Motor Vehicles information sufficient to verify that an applicant for a driver privilege card or permit reported income from Virginia sources on an individual tax return filed with the Commonwealth in the preceding 12 months. The bill has a delayed effective date of January 1, 2020. (19103137D)