

Agenda and Documents
Legislative Committee
February 23, 2018

Legislation Requiring Further Review, Staff “Watch List” and Legislation Provided for Information

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

Miscellaneous

HB 734 (LaRock) (Passed House; SFIN) provides for a referendum at the November 6, 2018, general election to approve or reject an amendment to the Constitution that would require the General Assembly to maintain permanent and separate Transportation Funds. The amendment directs that revenues dedicated to Transportation Funds on January 1, 2018, by general law, other than a general appropriation law, shall be deposited to the Transportation Funds, unless the General Assembly by general law, other than a general appropriation law, alters the revenues dedicated to the Funds. The amendment limits the use of Funds moneys to transportation and related purposes. The amendment specifies that the General Assembly may borrow from the Funds for other purposes only by an affirmative vote of two-thirds of the members elected to each house and that the loan must be repaid with reasonable interest within four years. (18101005D)

SB 108 (Lucas) (Passed Senate; HCT) provides that an order of publication for the enforcement of a lien for taxes owed on real property that has a value of \$50,000 or less need be published only once. Under current law, such order is required to be published at least once a week for two successive weeks. (18103017D-E)

Courts

HB 277 (Collins) (Passed House; SCT) requires guardians ad litem appointed to represent a child in a matter to conduct an investigation in compliance with certain standards. The bill further requires the guardian ad litem to file a copy of any written report directed by the court with the clerk of court. The bill requires the guardian ad litem to furnish a copy of such report to the attorneys representing parties and parties proceeding pro se in the matter prior to any trial or other proceeding or hearing on the matter. The bill provides that, where a written report is not directed, the guardian ad litem shall inform all attorneys representing parties and parties proceeding pro se of any recommendations intended to be made to the court prior to any trial or other proceeding or hearing on the matter. The bill specifies that a guardian ad litem's report shall not be admitted into evidence unless the contents are otherwise established at the trial or other proceeding or hearing on the matter. The bill requires the guardian ad litem to file with the court, with a copy to attorneys representing parties and parties proceeding pro se, a certification form of such guardian's compliance with certain standards, along with a summary of the investigation conducted by such guardian. The bill provides that the court shall grant a continuance as justice requires should such guardian ad litem fail to meet any specified requirements contained in the bill. (18103671D-E)

HB 326 (Campbell) (Passed Both Houses) provides that, for cases in juvenile and domestic relations district court involving an allegedly abused or neglected child, venue may lie in the city

or county where the alleged abuse or neglect occurred in addition to the city or county where the child resides or where the child is present when the proceedings are commenced. (HB326ER)

SB 535 (Obenshain) (Passed Senate; HCT) provides that in a civil action for personal injuries sustained from a motor vehicle accident, regardless of the amount of losses sustained by an injured person, an insurance company shall disclose the policy limits of an alleged tortfeasor who has been convicted of an offense of driving under the influence within 30 days of a request for such disclosure. (18102085D)

SB 994 (Obenshain) (Passed Senate) establishes procedures to be used by courts to monitor the payment of restitution by defendants. The bill requires that a probation agency ordered to monitor the restitution payments of a defendant placed on supervised probation notify the court and the attorney for the Commonwealth of the amount of unsatisfied restitution (i) 60 days prior to the defendant's release from supervision or (ii) if the agency requests that the defendant be released from supervision, at the time the agency submits its request for the defendant's release. The bill requires that the court conduct a hearing prior to the defendant's release from supervision to review the defendant's compliance with the restitution order. The bill also requires that in the case of a defendant who was not placed on supervised probation, the court must schedule a hearing within two years of the date of the restitution order or release from incarceration to review the defendant's compliance with the restitution order. The bill requires that the court continue to conduct hearings to monitor a defendant's compliance with the restitution order for a period of 10 years from the date of the first review hearing or the period of probation, whichever is longer. The bill provides that a court may discontinue hearings to review a defendant's compliance with the restitution order if the court determines that the defendant is unable to pay and will remain unable to pay restitution for the duration of the review period. The bill also sets forth the remedies available to the court, including contempt, in the case of a defendant who fails to comply with a restitution order. (18107023D)

Elections

HB 1405 (Ransone) (Passed House; Senate Floor) increases the membership of the State Board of Elections (Board) from three members to five members and increases the terms of Board members from four years to five years. Representation shall be given to each of the political parties having the highest and next highest number of votes in the Commonwealth at the last preceding gubernatorial election, with three Board members being of the party of the Governor. Terms are initially staggered. The bill also grants to the Board the authority to appoint and remove the Commissioner of Elections, subject to confirmation by the General Assembly, to head the Department of Elections and to act as the principal administrative officer. The appointment or removal of the Commissioner shall require an affirmative vote of four of the five Board members. The bill requires the Board to submit an annual report to the Governor and the General Assembly. The bill has a delayed effective date of January 1, 2019. (18107265D-S1)

SB 825 (Edwards) (Passed Senate; HPE) increases the membership of the State Board of Elections (Board) from three members to five members, with representation given to each of the political parties having the highest and next highest number of votes in the Commonwealth at the last preceding gubernatorial election. Three Board members are to be of the party of the Governor.

Terms of Board members are initially staggered. The Governor shall designate one member of the Board as the Commissioner of Elections, to head the Department of Elections and to act as the principal administrative officer. The Commissioner shall also serve as the chair of the Board. The bill requires the Board to submit an annual report to the Governor and the General Assembly. The bill has a delayed effective date of January 1, 2019. (18106652D-S1)

SB 144 (Spruill) (Passed Senate; HPE) provides that any candidate for a constitutional office who is nominated by a political party or in a primary election shall be identified on the ballot by the name of his political party. The constitutional offices are clerk of the circuit court, attorney for the Commonwealth, sheriff, commissioner of the revenue, and treasurer. Currently, only candidates for federal, statewide, and General Assembly offices are so identified. The bill contains a technical amendment. (HPE subcommittee substitute)

SB 150 (Edwards) (Passed Senate; HPE) changes one of the criteria for determining when an electoral board is required to ascertain the total votes for each write-in candidate for an office from when less than five percent of the total number of votes cast for that office are write-in votes to when less than 10 percent of the total number of votes cast for that office are write-in votes. (18102921D-E)

Absentee Voting

HB 397 (Keam) (Passed House; Senate Floor) provides that a person completing an application for an absentee ballot in person is not required to provide the last four digits of his social security number on the application. (18101830D)

Split Precincts & Redistricting

HB 158 (Cole) (Passed House; Senate Floor) authorizes the General Assembly to make technical adjustments to legislative district boundaries subsequent to the decennial redistricting solely for the purpose of causing legislative district boundaries to coincide with local voting precinct boundaries. Any adjustment shall change districts only to the extent necessary to accomplish this purpose and shall be consistent with the criteria for districts established for the preceding decennial redistricting. (18101899D)

HB 767 (Jones) (Passed House; Senate Floor) prohibits counties, cities, and towns from creating, dividing, abolishing, or consolidating any precincts or otherwise changing the boundaries of any precinct between February 1, 2019, and May 15, 2021, except in certain specified circumstances. Precinct ordinances may be adopted after January 1, 2021, but may not be implemented before May 15, 2021. (18102007D)

SB 106 (Suetterlein) (Passed Senate; HPE) provides criteria by which congressional and state legislative districts are to be drawn, including equal population, racial and ethnic fairness, respect for existing political boundaries, contiguity, compactness, and communities of interest. The criteria set out would apply to those districts drawn following the 2020 United States Census and thereafter. This bill incorporates SB 718, SB 740, and SB 752. (18105938D-S2)

SB 983 (Obenshain) (Passed Senate; HPE) requires counties and cities to adjust local election district lines to congressional and state legislative district lines established by the General Assembly and requires that precincts be contained wholly within congressional or state legislative districts when a county, city, or town is divided between two or more such districts. The bill provides that a locality that is unable to comply with this requirement may apply to the State Board of Elections for a waiver to administer a split precinct. The State Board shall have the authority to grant the request or direct the locality to create a precinct with fewer than the required number of registered voters. The measure also prohibits counties, cities, and towns from creating, dividing, abolishing, or consolidating any precincts or otherwise changing the boundaries of any precinct between February 1, 2019, and May 15, 2021, except in certain specified circumstances. Precinct ordinances may be adopted after January 1, 2021, but may not be implemented before May 15, 2021. (18106429D-S1)

Voter Registration

HB 28 (Cole) (Passed House; SPE) clarifies that the annual report made by the Department of Elections on its activities undertaken to maintain the Virginia voter registration system is due by October 1. The bill further clarifies that information regarding the Department's list maintenance activities arising out of list comparisons with other states is to be included in this annual report. (18101109D-E)

SB 521 (Obenshain) (Passed Senate; HPE) requires local electoral boards to direct general registrars to investigate the list of registered voters whenever the number of registered voters in a county or city exceeds the population of persons age 18 or older, based on the most recent population estimate of the Weldon Cooper Center for Public Service of the University of Virginia. The bill also requires the local electoral boards to direct the general registrars to investigate the list of persons voting at an election whenever the number of persons voting at any election in a county or city exceeds the number of persons registered to vote in that county or city. The Department of Elections is required to provide certain data to any general registrar conducting such an investigation for the registrar's use during the investigation. The bill requires local electoral boards to make reports of the findings to the State Board and requires such reports to be made public. (18103155D)

SB 834 (Chafin) (Passed Senate; HPE) requires the Department of Elections to provide to the general registrars a list of registered voters who have been found through list comparisons and data-matching exchanges with other states to be registered in another state. (18105049D)

Environment

SB 211 (Stuart) (Passed Senate; Passed House with amendment) authorizes a locality to show in the locality's comprehensive plan the locality's long-range recommendations for groundwater and surface water availability, quality, and sustainability. The bill requires the local planning commission to survey and study groundwater and surface water availability, quality, and sustainability in the preparation of a comprehensive plan. (18100926D)

HB 1608 (Poindexter) (Passed House; SACNR) authorizes the Director of the Department of Environmental Quality (the Department) to issue grants from the Virginia Water Quality Improvement Fund for water quality improvements, including cost effective technologies to reduce loads of total phosphorus, total nitrogen, or nitrogen-containing ammonia, in order to meet certain requirements of ammonia-related regulations that are more stringent than those adopted by the State Water Control Board (the Board). The bill also requires the Department to prepare a preliminary estimate of the amount and timing of Water Quality Improvement Grants required to fund projects to reduce loads of nitrogen-containing ammonia at certain levels based on an estimate of the anticipated range of costs for all publicly owned treatment works if the Board were to adopt the 2013 Aquatic Life Ambient Water Quality Criteria for Ammonia published by the U.S. Environmental Protection Agency. (18106340D-H1)

SB 344 (Peake) (Passed Senate; HAG) directs the State Water Control Board not to adopt certain U.S. Environmental Protection Agency (EPA) freshwater ammonia water quality criteria (the Criteria) unless the Board includes in such adoption a phased implementation program consistent with the federal Clean Water Act with certain funding and timing considerations. The bill also directs the Department of Environmental Quality to (i) identify any other states that have adopted the Criteria as of July 1, 2018; (ii) identify those procedures for the implementation of the Criteria that will minimize the impact of such implementation on Virginia sewerage systems while complying with the Clean Water Act; and (iii) report its findings to the Chairmen of the Senate Committee on Agriculture, Conservation and Natural Resources, the House Committee on Agriculture, Chesapeake and Natural Resources, the Senate Finance Committee, and the House Appropriations Committee by November 1, 2018. (18105302D-S2)

SB 576 (Hanger) (Passed Senate; Reported from HAG) allows a person engaging in more than one jurisdiction in the creation and operation of a stream restoration project for purposes of reducing nutrients or sediment entering state waters the same opportunity to submit standards and specifications for Department of Environmental Quality approval that describe how land-disturbing activities shall be conducted as an alternative to submitting soil erosion control and stormwater management plans as allowed in current law to a person engaging in more than one jurisdiction in the creation and operation of a wetland mitigation or stream restoration bank pursuant to a mitigation banking instrument signed by the Department, the Marine Resources Commission, or the U.S. Army Corps of Engineers. The bill also authorizes such person to file general erosion and sediment control standards and specifications for review and approval consistent with guidelines established by the Board. (18104993D-S1)

Freedom of Information Act

HB 228 (Cole) (Passed Both Houses) provides that notwithstanding any provision of law requiring a public record to be retained in a tangible medium, an agency may retain any public record in an electronic medium, provided that the record remains accessible for the duration of its retention schedule and meets all other requirements of the Virginia Public Records Act (§ 42.1-76 et seq.). The bill provides that this provision shall not be deemed to affect any law governing the retention of exhibits received into evidence in a criminal case in any court. (18102370D)

Health and Human Services

HB 511 (Bell, Robert B.) (Passed Both Houses) adds the complaint that a child has been left alone in the same dwelling with a person to whom the child is not related by blood or marriage and who has been convicted of a sexually violent offense against a minor to the list of complaints of suspected child abuse or neglect upon receipt of which a local department of social services is required to notify the local attorney for the Commonwealth and the local law-enforcement agency. The bill also adds such a complaint to the list of complaints that a local department that has been designated as a child-protective services differential response agency by the Department of Social Services must investigate. (18100374D)

HB 885 (Orrock) (Passed House; Reported from SEH) clarifies that the Board of Health shall have supervision and control over the maintenance, inspection, and reuse of conventional onsite sewage systems as well as alternative onsite sewage systems. (18101589D-E)

HB 1198 (Garrett) (Passed Both Houses)/**SB 868** (McPike) (Passed Both Houses) expand the list of certified stroke center designations for hospitals included in regional stroke triage plans to include comprehensive stroke centers, primary stroke centers with supplementary levels of stroke care distinction, and acute stroke-ready hospitals and adds the American Heart Association to the list of entities authorized to provide certification of such hospitals. (HB1198ER, SB868ER)

HB 1375 (Tyler) (Passed Both Houses) broadens the definition of "qualified mental health professional" to include employees and independent contractors of the Department of Corrections who by education and experience are professionally qualified and registered by the Board of Counseling to provide collaborative mental health services. (HB1375ER)

HB 1604 (Bell, Robert B.) (Passed House; Reported from SEH) requires health instruction to incorporate standards that recognize the multiple dimensions of health by including mental health and the relationship of physical and mental health so as to enhance student understanding, attitudes, and behavior that promote health, well-being, and human dignity. The bill also directs the Board of Education to review and update the health Standards of Learning for students in grades nine and 10 to include mental health. (18105767D)

SJ 53 (Deeds) (Passed Senate; HRUL) directs the Virginia Housing Commission to study accessory dwelling structures, defined as additional living quarters on single-family dwelling structures that are independent of the primary dwelling unit. In conducting the study, the Commission is to review (i) the prevalence and necessity for accessory dwelling structures, (ii) relevant provisions of the Uniform Statewide Building Code, and (iii) the feasibility of changing land use and zoning practices in order to facilitate their expanded use. The bill also directs the Commission to make recommendations concerning the use and placement of accessory dwelling structures. (18103105D)

SJ 74 (Ebbin) (Passed Senate; HRUL) encourages the Secretary of Health and Human Resources, the Secretary of Education, and their associated state agencies to analyze the feasibility of developing and implementing a consolidated application for state and federal services

administered by the Commonwealth and to explore opportunities to share data among state agencies regarding applicants for and recipients of such services. (18104371D)

Lake Barcroft

HB 1533 (Kory) (Passed House; SGL) provides that the Virginia Property Owners' Association Act (§ 55-508 et seq.) shall be applicable to any development established prior to the former Subdivided Land Sales Act (§ 55-336 et seq.) (i) located in a county with an urban county executive form of government, (ii) containing 500 or more lots, (iii) each lot of which is located within the boundaries of a watershed improvement district established pursuant to Article 3 (§ 10.1-614 et seq.) of Chapter 6 of Title 10.1, and (iv) each lot of which is subject to substantially similar deed restrictions. (18106612D-H1)

Land Use

HB 796 (Hope) (Passed House; SLG) requires a locality to give consideration to the need for reasonable modifications to requirements that are necessary to accommodate persons with disabilities when preparing a zoning ordinance. The bill also alters the standard by which a variance shall be granted by adding the phrases "including the safe and easy use thereof" in regard to property and "or would accommodate persons with disabilities as required under the Americans with Disabilities Act." (18104544D-E)

HJ 77 (Boysko) (Passed House; SRUL) directs the Secretary of the Commerce and Trade to request the Center for Innovative Technology (CIT) to study the feasibility of a statewide dig once policy, including the installation of conduits with bridge construction projects. In conducting its study, CIT shall examine the feasibility of a blanket policy for all nine of the Virginia Department of Transportation (VDOT) districts and shall consult various stakeholders, such as the Virginia Broadband Advisory Council, VDOT, telecommunication and cable providers, and utility providers. (18106533D-H1)

Medicaid

HB 338 (Miyares) (Passed House; SEH) directs the Department of Medical Assistance Services (the Department) to apply for a waiver to implement a work requirement for able-bodied adult recipients of medical assistance services. The bill requires the Department to administer the Training, Education, Employment, and Opportunity Program (the Program) to enable Medicaid enrollees to improve their health and well-being through training, education, employment and other community engagement opportunities leading to self-sufficiency. The bill requires Medicaid recipients to participate in the program but provides exceptions for children, individuals age 65 or older, individuals with certain disabilities, and individuals who are the primary caregiver for a dependent. The bill requires enrollees to meet gradually escalating participation requirements, culminating in 20 hours per week of required participation after 12 months of enrollment. The bill provides that the Program shall work with Virginia Workforce Centers or One-Stops to provide services to enrollees. (18107013D-H2)

SB 915 (Dunnavant) (Passed Senate; HAPP) directs the Department of Medical Assistance Services to amend the Medicaid demonstration project (Project Number 11-W-00297/3) to create the Priority Needs Access Program to (i) increase the income eligibility for adults with serious mental illness from 100 to 138 percent of the federal poverty level; (ii) expand program eligibility to individuals with a diagnosis of mental illness, substance use disorder, or a life-threatening or complex chronic medical condition; (iii) include in the benefit package inpatient hospital and emergency room services; (iv) and include the demonstration project in the Commonwealth Coordinated Care Plus managed care program. The bill also directs the Department of Medical Assistance Services to add 144 new Community Living waiver slots, 1,847 new Family and Individual Support waiver slots, and 305 new Building Independent waiver slots; the Department of Behavioral Health and Developmental Services to establish and operate a statewide alternative transportation system for adults and children who are subject to temporary detention orders; the Department of Medical Assistance Services to ensure that children in the Medicaid and FAMIS programs are screened for adverse childhood experiences; and the Department for Aging and Rehabilitative Services to expand neurobehavioral services used to assist persons with brain injuries in returning to work and community living and avoid inappropriate institutionalization of persons with brain injuries. The bill will not become effective unless an appropriation effectuating its purposes is included in the general appropriations act passed in 2018 by the General Assembly that becomes law. (18107129D-S2)

Opioids

SB 735 (Dunnavant) (Passed Both Houses) allows the Director of the Department of Health Professions to disclose information about a specific recipient of covered substances who is a recipient of medical assistance services to a physician or pharmacist licensed in the Commonwealth or his designee who holds a multistate licensure privilege to practice nursing or a license issued by a health regulatory board within the Department of Health Professions and is employed by the Department of Medical Assistance Services, for the purpose of determining eligibility for and managing the care of the recipient in a Patient Utilization Management Safety or similar program. (SB735ER)

Public Safety

HB 1367 (Jones) (Passed Both Houses) requires localities to provide the State Coordinator of Emergency Management with certain data related to emergency sheltering capabilities on or before May 1 of each year. (18102704D)

SB 181 (Stanley) (Passed Senate; HAPP) repeals the requirement that the driver's license of a person convicted of any violation of the law who fails or refuses to provide for immediate payment of fines or costs be suspended. The bill provides that the Commissioner of the Department of Motor Vehicles shall return or reinstate any person's driver's license that was suspended prior to July 1, 2018, solely for nonpayment of fines or costs, provided that such person has paid the applicable reinstatement fee. The provisions of the bill are contingent on funding in a general appropriation act. This bill incorporates SB 148. (18105986D-ES1)

Distracted Driving

HB 181 (Collins) (Passed House; SCT) provides that any person who drives a motor vehicle on any highway while using a handheld personal communications device where such use substantially diverts the driver's attention from the operation of the motor vehicle is guilty of distracted driving. Current law prohibits only the reading of an email or text message on the device and manually entering letters or text in the device as a means of communication. The bill provides that distracted driving is punishable as a traffic infraction with a fine of not more than \$500 and a mandatory minimum fine of \$250 if the violation occurs in a highway work zone. (18107022D-H2)

HB 1525 (Yancey) (Passed House; SCT) imposes a mandatory fine of \$250 for using a handheld personal communications device for reading emails or texting while operating a motor vehicle in a highway work zone, defined in the bill, when workers are present. (18106659D-H1)

SB 308 (Stuart) (Passed Senate; HCT) provides an exemption to the prohibition of driving or operating a motor vehicle while under the influence to any person driving or operating a motor vehicle on his own residential property or the curtilage thereof. Current law prohibits the driving or operating of a motor vehicle while under the influence, without such exemption. (18106747D-S1)

Unmanned Aircraft Systems

HB 1482 (Thomas) (Passed House; Passed Senate with substitute) allows an unmanned aircraft to be deployed without a warrant to survey the scene of an accident for the purpose of crash reconstruction where a law-enforcement officer is required to make a report because of personal injury, death or property damage of \$1500 or more. (18107240D-S1)

SB 186 (Black) (Passed Senate; HCT) authorizes a state or local government department, agency, or instrumentality having jurisdiction over criminal law-enforcement or regulatory violations to utilize an unmanned aircraft system without a search warrant when such system is utilized to support any locality for a purpose other than law enforcement. (18101447D)

VI. Legislation Provided for Information

HB 494 (Hodges) (Passed House; Senate Floor) authorizes any locality within the Chesapeake Bay watershed to adopt an ordinance providing for the planting and replacement of trees during the development process. Currently, only a locality with a population density of 75 persons per square mile may adopt such an ordinance. The bill also makes technical changes. (18100432D-E)

HB 591 (Carr) (Passed House; Senate Floor) exempts from real property taxation leasehold interests in property acquired or used by a land bank entity. (18100279D)

HB 592 (Carr) (Passed House; SLG) makes a technical change by correcting from an authority to a land bank entity the entity to which a locality may grant or convey real property. (18100280D)

HB 883 (Webert) (Passed House; Senate Floor)/**SB 20** (Chase) (Passed Senate; Reported from HAPP) directs the Department of Planning and Budget (the Department), under the supervision of the Secretary of Finance (the Secretary), to administer a three-year regulatory reduction pilot program aimed at reducing by 25 percent the regulations and regulatory requirements, as defined in the bill, of the Department of Professional and Occupational Regulation and the Department of Criminal Justice Services by July 1, 2021. The bill requires the Secretary to report annually to the Speaker of the House and the Chairman of the Senate Rules Committee no later than October 1, 2019, and October 1, 2020, on the progress of the regulatory reduction pilot program. The bill also requires the Secretary to report by August 15, 2021, to the Speaker of the House and the Chairman of the Senate Rules Committee (i) the progress towards identifying the 25 percent reduction goal, (ii) recommendations for expanding the program to other agencies, and (iii) any additional information the Secretary determines may be helpful to support the General Assembly's regulatory reduction and reform efforts. The bill provides that if, by October 1, 2021, the program has achieved less than a 25 percent total reduction in regulations and regulatory requirements across both pilot agencies, the Secretary shall report on the feasibility and effectiveness of implementing a 2-for-1 regulatory budget providing that for every one new regulatory requirement, two existing regulatory requirements of equivalent or greater burden must be streamlined, repealed, or replaced for a period not to exceed three years. Lastly, the bill directs all executive branch agencies subject to the Administrative Process Act (§ 2.2-4000 et seq.) to develop a baseline regulatory catalog and report such catalog data to the Department, which shall then track and report on the extent to which agencies comply with existing requirements to periodically review all regulations every four years. The provisions of the bill are contingent on funding in a general appropriation act. (18107428D-S1; 18106556D-S1)

SB 567 (Obenshain) (Passed Senate; HAG) requires agricultural operations to be in substantial compliance, defined in the bill, with applicable laws, regulations, and best management practices in order to be exempt from becoming a public or private nuisance. The bill prohibits a person from bringing a nuisance action against any agricultural operation the existence of which was known or reasonably knowable when that person's use or occupancy of his property began. The bill also prohibits anyone other than a person with an ownership interest in the affected property from bringing an action for private nuisance and sets out certain limitations on recovery for compensatory damages. (18102062D-E)

Administration of Government

HB 135 (Bell, John J.) (Passed Both Houses) provides that juvenile record information maintained in the Central Criminal Records Exchange may be disseminated (i) to the State Health Commissioner or his designee for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency and (ii) to the chief law-enforcement officer of a locality, or his designee who shall be an individual employed as a public safety official of the locality, that has adopted an ordinance to conduct investigations of employment applicants for the purpose of screening any person who applies to be a volunteer with or an employee of an emergency medical services agency. This bill is identical to SB 109. (HB135ER)

HB 233 (Hope) (Passed House; SLG) relocates an existing section in Title 15.2 (Counties, Cities and Towns) related to creation of arts and cultural districts. The existing section, once applicable only to certain municipalities but currently applicable to all localities, is logically relocated from Chapter 11 (Powers of Cities and Towns) to Chapter 9 (General Powers of Local Governments). (18100191D)

Campaign Finance

HB 122 (Cole) (Passed House; SRUL) adds a definition of "personal use" and prohibits the use of contributions, or conversions of items acquired using contributions, to a candidate or campaign committee for a strictly personal purpose with no intended, reasonable, or foreseeable benefit to the candidate's campaign or public office. Complaints of alleged violations may be made to the State Board of Elections (State Board) by any person who contributed to the candidate or candidate's campaign committee. The subject of the complaint has 30 days to either (i) reimburse the campaign committee the complained-of amount or (ii) provide to the State Board documentation or other evidence that the use of the campaign funds had an intended, reasonable, or foreseeable benefit to the campaign or the candidate's public office. If the subject of the complaint provides such documentation or other evidence, the State Board shall review the response made by the subject of the complaint, and determine whether the use of campaign funds had any intended, reasonable, or foreseeable benefit to the campaign or the candidate's public office. The bill amends the Freedom of Information Act to allow closed meetings for the State Board to review such complaints. If the State Board determines that there were no intended, reasonable, or foreseeable benefits and the complained-of amount has not been reimbursed, it shall call a public hearing. If the complaining party declines to participate in the hearing, the complaint shall be dismissed. A person found by a unanimous vote of the State Board to have willfully and knowingly violated the prohibition on personal use of campaign contributions must repay to the campaign committee the amount unlawfully converted to the personal use of the candidate or a member of the candidate's immediate family and must return to the complaining party the full amount of the complaining party's contribution to the campaign. The State Board may also assess an additional civil penalty, in an amount not to exceed \$ 250. The person found to be in violation may seek review under the Administrative Process Act. The bill authorizes the Virginia Conflict of Interest and Ethics Advisory Council (Council) to issue formal advisory opinions regarding the provisions governing the personal use of campaign funds pursuant to the Campaign Finance Disclosure Act of 2006 (§ 24.2-945 et seq.). A person who has relied on such an opinion in good faith after he provides full disclosure of the facts will not be subject to the penalties outlined in the bill. In addition, the Council will be required to develop and publish guidance on the provisions of the Campaign Finance Disclosure Act that prohibit the personal use of campaign funds. The bill has an effective date of July 1, 2019. (18106779D-H1)

Conflict of Interests Act

HB 992 (Gilbert) (Passed House; SRUL) provides that only one disclosure statement per calendar year is required under the State and Local Government Conflict of Interest Act for an individual who, subsequent to filing the required disclosure statement for the individual's current position or office, holds or seeks a different position or office that also requires the filing of a disclosure statement. An individual who has filed the required statement and is reappointed to the same

position or office is not required to file a second statement if the reappointment occurs within 12 months of the earlier filing. (18106500D-H1)

SB 124 (Black) (Passed Senate; HGL) allows any school district to invoke the current exemption from the prohibition against hiring, under certain circumstances, a school district employee who is related to a member of the school board. Current law limits use of the exemption to only those school districts located in Planning Districts 3, 4, 11, 12, 13, and 17. The bill incorporates SB 301, SB 345, SB 763, and SB764. (18107038D-S1)

SJ 75 (Norment) (Passed Senate; HRUL) establishes a two-year joint subcommittee consisting of six legislative members and two nonlegislative citizen members to study the current ethics laws in the Commonwealth. In conducting its study, the joint subcommittee shall study the disclosure requirements of the members of the General Assembly and lobbyists and identify those portions of the ethics laws that should be repealed, substantially amended, rewritten for clarity, or retained in their present form. In its review, the joint subcommittee shall examine the effectiveness and efficiency of the ethics laws in promoting public trust and confidence in the service of public officials. (18104691D)

Courts

HB 202 (Mullin) (Passed Both Houses) requires a court assessing fines and costs against a person for conviction of a crime to inform such person of the availability of earning credit toward discharge of the fine or costs through the performance of community service and provide such person with written notice of terms and conditions of the community service program. (HB202ER)

HB 378 (Habeeb) (Passed Both Houses)/**SB 524** (Obenshain) (Passed Both Houses) makes applicable to juvenile and domestic relations district courts current provisions related to electronic case papers and transmission of such papers between the general district courts and the circuit courts by relocating such provisions from a statute specifically addressing general district courts to a statute applicable to all district courts. The bill also allows the appellate court clerk to request the forwarding of paper trial records. As introduced, this bill was a recommendation of the Committee on District Courts and the Judicial Council. (HB378ER; SB524ER)

HB 482 (Bell, Robert B.) (Senate requested Conference Committee) provides that in certain criminal proceedings the attorney for the Commonwealth or the defendant may request and the court may enter an order authorizing the use of a certified facility dog to aid a testifying witness, provided that the use of a certified facility dog will aid the witness in providing testimony and the presence and use of the certified facility dog will not interfere with or distract from the testimony or proceedings. The bill provides that the court may make any orders necessary to preserve the fairness of the proceeding, including imposing restrictions on and instructing the jury regarding the presence of the certified facility dog. The bill defines "certified facility dog" as a dog that (i) has completed training and been certified by a program accredited by Assistance Dogs International or another organization whose main purpose is to improve training, placement, and utilization of assistance dogs and (ii) is accompanied by a duly trained handler. (18107096D-S1)

HB 483 (Bell, Robert B.) (Passed House; SFIN) adds to the duties of the Workers' Compensation Commission (the Commission) in its role as administrator of the Criminal Injuries Compensation Fund (Fund) the obligation to (i) identify and locate victims for whom restitution owed to such victims has been deposited into the Fund and (ii) collect and disburse such unclaimed restitution to such victims. The bill directs the Commission to include in its annual report information on all unclaimed restitution that it disburses. The bill provides that clerks shall deposit into the Fund by November 1 of each year restitution collected for victims who can no longer be identified or located, or state that there is no such restitution to be deposited. The bill requires that clerks record the receipt of restitution payments in the automated information system operated by the Supreme Court or a system established and maintained by a circuit court. The bill also provides that the restitution form used by the court shall include the victim's contact information, including address, telephone number, and email address. (18106193D-H1)

HB 780 (Habeeb) (Passed Both Houses) provides that a clerk of court or the Executive Secretary of the Supreme Court shall make nonconfidential court records or reports of aggregated, nonconfidential case data available to the public upon request. The bill specifies that such records or reports shall be provided no later than 30 days after the request. The bill further provides that the clerk may charge a fee for responding to such request that shall not exceed the actual cost incurred in accessing, duplicating, reviewing, supplying, or searching for the requested records. Finally, the bill requires the Executive Secretary of the Supreme Court to make available to the public an online case information system of nonconfidential information for criminal cases by July 1, 2019. (HB780ER)

SB 564 (Obenshain) (Passed Senate; HCT) provides that a clerk of court or the Executive Secretary of the Supreme Court shall make nonconfidential court records or reports of aggregated, nonconfidential case data available to the public upon request. The bill specifies that such records or reports shall be provided no later than 30 days after the request. The bill further provides that the clerk may charge a fee for responding to such request that shall not exceed the actual cost incurred in accessing, duplicating, reviewing, supplying, or searching for the requested records. Finally, the bill requires the Executive Secretary of the Supreme Court to make available to the public an online case information system of nonconfidential information for criminal cases by July 1, 2019. The provisions of the bill are contingent upon funding in a general appropriation act. This bill incorporates SB 519. (18106007D-ES1)

SB 895 (Petersen) (Passed Senate; HCT) raises the punitive damages cap from \$350,000 to \$500,000 for any action accruing on or after July 1, 2018. (18105038D-E)

SB 980 (Obenshain) (Passed Senate; HCT) provides that, except as otherwise provided by law, beginning July 1, 2019, no petition, pleading, motion, order, or decree filed in a civil case in a circuit court, including any agreement of the parties or transcripts, shall contain the social security number of any party, or of any minor child of any party, or any identifying financial information of any party. The bill further provides that, where such information is required by law, such information shall be contained in a separate addendum file by the attorney or party in such civil case. The bill further requires each circuit clerk to establish and operate a system for electronic filing. Current law provides that any such clerk may establish and operate such a system. The bill provides that, in any civil case filed on or after July 1, 2019, clerks of the circuit courts shall

maintain all nonconfidential documents in electronic form and make such documents available through secure remote access and searchable by name and case number across all circuit courts that use the Office of the Executive Secretary's electronic imaging system. The bill directs the Executive Secretary of the Supreme Court to administer a paid subscription service that provides access to all electronic records maintained by the clerks who use such electronic imaging system for civil cases filed on or after July 1, 2019. The bill specifies that such subscription shall be on an annual basis, with an annual fee to be established by the Judicial Council of Virginia. The bill provides that any sums collected pursuant to such subscription shall be deposited into the state treasury to the credit of the Courts Technology Fund. The bill directs the Virginia Information Technologies Agency to update its document entitled "Security Standard for Restricted Remote Access to Documents on Court-Controlled Websites" consistent with the provisions of the bill by July 1, 2019. The requirement that the Virginia Information Technologies Agency update such document becomes effective in due course; the remaining provisions of the bill become effective on July 1, 2019. The provisions of the bill are contingent upon funding in a general appropriation act. (18105604D-E)

Larceny Threshold

HB 1550 (Adams, L.R.) (Passed House; SCT) increases from \$200 to \$500 the threshold amount of money taken or value of goods or chattel taken at which the crime rises from petit larceny to grand larceny. The bill increases the threshold by the same amount for the classification of certain property crimes. (18106976D-H1)

SB 105 (Suetterlein) (Passed Senate; HRUL) increases from \$200 to \$500 the threshold amount of money taken or value of goods or chattel taken at which the crime rises from petit larceny to grand larceny. The bill increases the threshold by the same amount for the classification of certain property crimes. This bill incorporates SB 21, SB 102, SB 138, SB 157, SB 220, SB 221, and SB 472. (18105195D-S1)

Data and Information Technology

HB 1221 (Thomas) (Passed House; SFIN) requires the Chief Information Officer of the Virginia Information Technologies Agency to (i) conduct an annual comprehensive review of cybersecurity policies of every executive branch agency, with a particular focus on breaches in information technology that occurred in the reviewable year and any steps taken by agencies to strengthen cybersecurity measures, and (ii) issue a report of his findings to the Chairmen of the House Committee on Appropriations and the Senate Committee on Finance, which shall not contain technical information deemed security sensitive or information that would expose security vulnerabilities. (18103358D-E)

Education

HB 81 (Krizek) (Passed Both Houses) requires the Superintendent of Public Instruction, upon the request of a school board, to grant such school board up to an additional 180 days to appoint a new division superintendent. (HB81ER)

HB 438 (Bulova) (Passed House; Reported from SEH) requires the Board of Education to adopt regulations that prohibit any school board or any individual who is an employee, contractor, or agent of such school board from assisting another employee, contractor, or agent in obtaining a new job if such school board or individual knows or has probable cause to believe that such other employee, contractor, or agent engaged in sexual misconduct regarding a minor or student. (18106932D-H1)

SB 343 (Peake) (Passed Senate; HED) prohibits any school board from employing any individual who has been convicted of any felony offense against a child; a certain act of violence or violent felony; any offense involving the sexual molestation, physical or sexual abuse, or rape of a child; or any offense requiring registration with the Sex Offender and Crimes Against Minors Register Act. The bill provides that for any other felony offense, the school board, in its discretion, may hire an individual who has had his civil rights restored by the Governor and at least five years have passed since such conviction. (18106437D-S2)

Textbooks

SB 785 (Surovell) (Passed Senate; HED) prohibits local school boards from requiring the use of any electronic textbook in any course in grades six through 12 unless the school board adopts a plan to ensure that on or before July 1, 2020, (i) each student enrolled in such course will have actual access at school and, if any assignment requires the use of such electronic textbook outside of school hours, in his residence to at least one personal computing device not shared with another student that contains an operating system and the hardware necessary to support the format of each electronic textbook expected to be used in such course and (ii) the relevant school has adequate connectivity, which the bill defines as bandwidth of at least one megabit per second per enrolled student. (18106300D-S1)

Elections

HB 1144 (Wilt) (Passed House; Senate Floor) requires any person who assists an applicant with the completion of a voter registration application or collects a completed voter registration application directly from an applicant to sign and print his name, provide his telephone number, and indicate the group or organization he is affiliated with, if any, on the registration application. The provisions of the bill do not apply to any state or local government employee acting in his official capacity. (18101822D-E)

HB 1210 (Hugo) (Passed House; SPE)/**SB 591** (Vogel) (Passed Senate; HPE) defines "post-election audit" to mean a process conducted after an election to confirm the accurate reporting of the results of the election and directs the State Board of Elections to establish a work group tasked with developing standards and procedures for conducting post-election audits in the Commonwealth. The work group is required, at a minimum, to (i) consider the types of post-election audits available and being implemented in other states, (ii) recommend the type of post-election audit to be used in the Commonwealth, (iii) establish the process and procedures for conducting the recommended post-election audit, including the timeline, (iv) recommend actions to be taken if the post-election audit results indicate that the voting systems did not accurately count the ballots cast in the election, and (v) propose legislation for implementing the work group's

recommendations. The work group is directed to submit an interim progress report by January 7, 2019, and a final report by December 1, 2019, to the Governor and the General Assembly. The bill repeals the current law regarding post-election risk-limiting audits. (18106841D-H1, 18106830D-S1)

SB 153 (Edwards) (Passed Senate; HPE) defines "time of filing for the office" for purposes of determining the order on the ballot of independent candidates as the time at which the candidate has filed his petition signature pages with a number of signatures at least equal to the number required by law for the office for which he is seeking election. (18102930D-E2)

SB 474 (Reeves) (Passed Senate; HPE) clarifies that localities may employ officers of election on a contractual basis. (18101335D)

Health and Human Services

HB 278 (Collins) (In Conference Committee) provides that a court may adjust the costs of a guardian ad litem's services for good cause shown or upon the failure of the guardian ad litem to substantially comply with the standards adopted for attorneys appointed as guardians ad litem. (18103667D)

HB 778 (Ransone) (Passed Both Houses) requires each hospital to establish a protocol requiring that, before a health care provider arranges for air medical transportation services for a patient who does not have an emergency medical condition, the hospital provide the patient or his authorized representative with written or electronic notice that the patient (i) may have a choice of transportation by an air medical transportation provider or medically appropriate ground transportation by an emergency medical services provider and (ii) will be responsible for charges incurred for such transportation in the event that the provider is not a contracted network provider of the patient's health insurance carrier or such charges are not otherwise covered in full or in part by the patient's health insurance plan (18105449D-H1)

HB 813 (Hope) (Passed House; Reported from SEH) directs the Department of Behavioral Health and Developmental Services, in conjunction with the Department for Aging and Rehabilitative Services, the Department of Medical Assistance Services, the Department of Social Services, the Virginia Association of Community Services Boards, the Virginia Network of Private Providers, and other relevant provider organizations and stakeholders, to convene a work group in support of the Joint Commission on Health Care's efforts to improve the quality of the Commonwealth's direct support professional workforce and, if necessary, develop recommendations for policy changes to increase the transparency of the employment history of direct support professional job candidates. Recommendations are to be reported to the Joint Commission on Health Care by October 1, 2018. (18106937D-H2)

SB 121 (Wexton) (Passed Both Houses) repeals the expiration date on the requirement that the following individuals undergo fingerprint-based national criminal history background checks: (i) applicants for employment by, employees of, applicants to serve as volunteers with, and volunteers with any licensed family day system, child day center exempt from licensure pursuant to § 63.2-1716, registered family day home, or family day home approved by a family day system; (ii)

applicants for licensure as a family day system, registration as a family day home, or approval as a family day home by a family day system, as well as their agents and any adult living in such family day home; and (iii) individuals who apply for or enter into a contract with the Department of Social Services under which a child day center, family day home, or child day program will provide child care services funded by the Child Care and Development Block Grant of 2014, as well as the applicant's current or prospective employees and volunteers, agents, and any adult living in the child day center or family day home. (18107247D-H1)

SB 305 (Dance) (Passed Senate; Reported from HHWI) directs the Department of Health, in partnership with the Alzheimer's Disease and Related Disorders Commission, the Department for Aging and Rehabilitative Services, and the Alzheimer's Association, to incorporate in its existing, relevant public health outreach programs information (i) to educate health care providers on the importance of early detection and timely diagnosis of cognitive impairment, validated cognitive assessment tools, the value of a Medicare Annual Wellness visit for cognitive health, and the new Medicare care planning billing code for individuals with cognitive impairment and (ii) to increase understanding and awareness of early warning signs of Alzheimer's disease and other types of dementia, the value of early detection and diagnosis, and how to reduce the risk of cognitive decline, particularly among persons in diverse communities who are at greater risk of developing Alzheimer's disease and other types of dementia. This bill incorporates SB 327. (18105493D-S1)

SB 347 (Peake) (Passed Senate; HHWI) requires that the information physicians report on a patient diagnosed with cancer to the statewide cancer registry include information, with the patient's consent, regarding the patient's work history as a firefighter, if any, including (i) his status as a volunteer, paid on-call, or career firefighter; (ii) the number of years on the job; and (iii) a measure or estimate of the number and type of fire incidents attended. The bill also provides that one purpose of the statewide cancer registry is to collect data to evaluate potential links between exposure to fire incidents and cancer incidence. (18102851D)

SB 875 (Mason) (Passed Senate; Reported from HHWI) directs the State Board of Social Services to amend regulations governing staffing of assisted living facilities that provide care for adults with serious cognitive impairments to allow an exception to certain requirements for assisted living facilities that are licensed for 10 or fewer residents if no more than three of the residents have serious cognitive impairments. The bill also directs the Board of Social Services to promulgate regulations to implement the provisions of the bill within 280 days and prohibits the Board of Social Services from enforcing the provisions of 22VAC40-73-1020, as it shall become effective, in cases involving assisted living facilities that are licensed for 10 or fewer residents if no more than three of the residents have serious cognitive impairments. The bill contains an emergency clause. (18104729D-E)

SB 893 (Wexton) (Passed Senate; HAPP) provides that, when determining the income of a recipient of medical assistance services who is receiving long-term care in a medical institution or intermediate care facility, the Department shall disregard a personal needs allowance in an amount that is at least \$100 and that the amount of the personal needs allowance shall be adjusted annually to reflect changes in the Consumer Price Index, all urban consumers (CPI-U). The provisions of the bill are contingent on funding in a general appropriation act. (18104528D-E)

Mental Health

SB 953 (Deeds) (Passed Senate; Reported from HED) requires health instruction to incorporate standards that recognize the multiple dimensions of health by including mental health and the relationship of physical and mental health so as to enhance student understanding, attitudes, and behavior that promote health, well-being, and human dignity. The bill also directs the Board of Education to review and update the health Standards of Learning for students in grades nine and 10 to include mental health. (18104953D)

Opioids

HB 1173 (Pillion) (Passed Both Houses)/**SB 632** (Dunnavant) (Passed Both Houses) eliminate the surgical or invasive procedure treatment exception to the requirement that a prescriber request certain information from the Prescription Monitoring Program (PMP) when initiating a new course of treatment that includes prescribing opioids for a human patient to last more than seven days. Under current law, a prescriber is not required to request certain information from the PMP for opioid prescriptions of up to 14 days to a patient as part of treatment for a surgical or invasive procedure. The provisions of the bill will expire on July 1, 2022. (HB1173ER; SB632ER)

HB 1194 (Garrett) (Passed House; Reported from SEH) adds drugs to the list of Schedule I controlled substances. (18101626D)

SB 120 (Favola) (Passed Both Houses) directs the Board of Directors of the Virginia Alcoholic Beverage Control Authority (Board) to establish and appoint members to the Virginia Institutions of Higher Education Substance Use Advisory Committee (Advisory Committee). The bill provides that the goal of the Advisory Committee shall be to advise the Board regarding the Higher Education Alcohol and Drug Strategic Unified Prevention (HEADS UP) program implemented by the Board. The bill provides that the Advisory Committee shall consist of representatives from Virginia's public and private institutions of higher education, including students and directors of student health, and such other members as the Board may deem appropriate. (18107155D-H1)

Public Safety/Criminal Justice

HB 840 (Bell, Robert B.) (Passed Both Houses)/**SB 457** (Howell) (Passed Both Houses) provides that upon request of a crime victim or a witness in a criminal prosecution of a violent felony, law enforcement, the attorney for the Commonwealth, counsel for a defendant, and the Department of Corrections are prohibited from disclosing any telephone number or email address of such victim or witness except to the extent that such disclosure is required by law, necessary for law-enforcement purposes, or permitted by the court. The bill also provides that during any criminal proceeding, upon motion of the defendant or the attorney for the Commonwealth, a judge may prohibit testimony as to any telephone number or email address of a victim or witness if the judge determines that this information is not material under the circumstances of the case. This bill is a recommendation of the Virginia State Crime Commission. (HB840ER; SB457ER)

SB 508 (Carrico) (Passed Senate; HCT) allows the Allows the Department of State Police and the Department of Transportation when assisting the Department of State Police to utilize unmanned

aircraft systems in surveying the scene of an accident that occurred on a highway and recording images and video following such accident for the purpose of crash reconstruction. (18105739D-S1)

SB 813 (Peake) (Passed Senate; HCT) provides that a state or local agency that receives a forfeited asset or an equitable share of the net proceeds of a forfeited asset from the Department of Criminal Justice Services (Department) or from a federal asset forfeiture proceeding shall inform the Department (i) whether such forfeited asset or equitable share was associated with a criminal charge and (ii) if such charge led to a conviction. The bill also provides that the Department shall include such information in the annual report that it provides to the Governor and the General Assembly concerning the sharing of forfeited assets. (18104283D)

SB 833 (Carrico) (Passed Senate; HCT) provides that when disclosure of real time location data is not prohibited by federal law, an investigative or law-enforcement officer may obtain a pen register or trap and trace device installation without a court order in certain emergency circumstances. The bill provides that in when a pen register or trap and trace device is installed without a court order under such circumstances, the investigative or law-enforcement officer shall file with the appropriate court, within three days of seeking such installation, a written statement setting forth the facts giving rise to the emergency and the reasons why the installation of the pen register or trap and trace device was believed to be important in addressing the emergency. (18104381D)

SB 954 (Norment) (Passed Senate; HAPP) reduces the penalties for possession of marijuana to a fine of not more than \$500 and makes a first offense violation that has been deferred and dismissed under § 18.2-251 eligible for expungement. Under current law, possession of marijuana is punishable by confinement in jail for not more than 30 days and a fine of not more than \$500, either or both. The bill provides that any person seeking expungement of such first offense violation shall be assessed a \$300 fee, of which \$150 shall be paid into the Heroin and Prescription Opioid Epidemic Fund, created by the bill, and \$150 shall be paid into the state treasury and credited to the Department of State Police. The bill has a delayed effective date of January 1, 2019, except for the provisions related to the reduction of penalties for possession of marijuana, which shall become effective July 1, 2018. The provisions of the bill are contingent upon funding in a general appropriation act. The bill contains technical amendments. (18107006D-S3)

Firearms

HB 366 (Rush) (Passed House; SFIN) provides a mechanism for reporting to the Department of State Police when a circuit court restores a felon's right to possess, transport, and carry a firearm, ammunition for a firearm, or a stun weapon. The bill provides that if a court enters an order restoring a felon's right, the order shall contain the felon's name and date of birth and the clerk of the court shall certify and forward the restoration order to the Central Criminal Records Exchange (CCRE). The bill provides that the Department of State Police, upon receipt of the restoration order, shall enter the felon's name and description in the CCRE so that law-enforcement personnel accessing the CCRE will be aware of the order's existence. The bill has a delayed effective date of July 1, 2019. (18103753D-E)

HB 995 (Byron) (Passed House; SACNR) allows a licensed hunter to use tracking dogs to find a wounded or dead bear, deer, or turkey. The bill authorizes the hunter to have a weapon in his possession and to use it to humanely kill the tracked animal, including after legal shooting hours. Current law prohibits a hunter from having a weapon in his possession while tracking. (18106509D-H1)

SB 372 (Chafin) (Passed Senate; HRUL) repeals the statutory prohibition on carrying a gun, pistol, bowie knife, dagger, or other dangerous weapon, without good and sufficient reason, to a place of worship while a meeting for religious purposes is being held at such place. (18101251D)

SB 375 (Chafin) (Passed Senate; HAG) authorizes hunting raccoons on Sunday; current law permits the hunting or killing of raccoons on Sunday only until 2:00 a.m. (18105034D-S1)

SB 669 (Deeds) (Passed Senate; HCT) provides that a person who, while a minor 14 years of age or older, was ordered to involuntary inpatient or outpatient treatment or was subject to a temporary detention order and agreed to voluntary admission (i) is subject to the same restrictions on possessing, purchasing, or transporting a firearm as an adult who was similarly ordered to involuntary treatment or was subject to a temporary detention order and agreed to voluntary admission and (ii) may utilize the same procedure as such adult for petitioning for the restoration of such person's firearm rights. The bill also sets out procedures for the submission of any involuntary treatment order or certification of voluntary admission subsequent to a temporary detention order involving a minor 14 years of age or older to the Central Criminal Records Exchange for purposes of determining a person's eligibility to possess, purchase, or transport a firearm that mirror the current procedures for the submission of such orders or certifications for adults. (18100320D)

SB 715 (Chase) (Passed Senate; HMP) provides that any firefighter or person employed as emergency medical services personnel may carry a concealed handgun while engaged in the performance of his official duties, provided that such firefighter or person employed as emergency medical services personnel has been approved to carry a concealed handgun by his fire chief or emergency medical services chief. The bill requires the Department of Criminal Justice Services, in consultation with the Office of Emergency Medical Services of the Department of Health and the Department of Fire Programs, to develop a model policy regarding carrying a concealed handgun for firefighters and emergency medical services personnel. (18105180D-S1)

SB 912 (Chase) (Passed Senate; HMP) clarifies that a retired law-enforcement officer shall surrender his proof of consultation to carry a concealed handgun when he returns to work as a law-enforcement officer. Current law does not specify that his return to work be as a law-enforcement officer. (18104525D)

Emergency Shelters

HB 757 (Leftwich) (Passed House; SCT) provides that a registered sex offender who enters an emergency shelter designated by the Commonwealth or any political subdivision thereof and operated in response to a declared state or local emergency shall, as soon as practicable after entry, notify a member of the shelter's staff who is responsible for providing security of such person's

status as a registered sex offender. The bill provides that any person who fails to notify the shelter's staff of his status as a registered sex offender is guilty of a Class 1 misdemeanor. The bill provides that the shelter's staff may access the publicly available information on the Sex Offender and Crimes Against Minors Registry regarding such person and use such information to ensure the safety of all persons in the shelter. The bill requires that the Department of State Police provide to any registered sex offender at the time of his initial registration a summary of his obligation to inform the staff of an emergency shelter of his status as a registered sex offender. (18107012D-H1)

SB 49 (Cosgrove) (Passed Senate; HCT) provides that a registered sex offender who enters an emergency shelter designated by the Commonwealth or any political subdivision thereof and operated in response to a declared state or local emergency shall, as soon as practicable after entry, notify a member of the shelter's staff who is responsible for providing security of such person's status as a registered sex offender. This bill provides that no person shall be denied entry solely on the basis of his status as a sex offender unless such entry is otherwise prohibited by law. This bill incorporates SB 24. (18105732D-S1)

Transportation

HB 505 (Bell, Robert B.) (Passed House; STRAN) allows any person who is deaf, blind, or deaf-blind, any person with autism or an intellectual or developmental disability, or the agent of any such person to request that the Department of Transportation (Department) post and maintain signs informing drivers that a person with a disability may be present in or around the roadway and directs the Department to post and maintain such signs in accordance with regulations developed by the Department. (18102148D)

HB 708 (Filler-Corn) (Passed House; Reported from STRAN) requires child restraint devices to be rear-facing until the child reaches two years of age or until the child reaches the weight or height limit of the rear-facing child restraint device, whichever occurs later. The bill expands the reasons that a physician may determine that it is impractical for a child to use a child restraint system to include the child's height. The bill has a delayed effective date of July 1, 2019. (18104941D-H1)

HB 901 (Freitas) (Passed House; SRUL) directs the Department of Transportation (Department) to develop and submit for approval to the Federal Highway Administration an expedited land use permit process by which public or private utility companies that offer communication services via microtrenching can apply to use any right-of-way of the Department. (18105386D-H1)

HB 1285 (LaRock) (Passed House; STRAN) requires the Northern Virginia Transportation Authority, the Northern Virginia Transportation Commission, the Virginia Railway Express, and the Commonwealth Transportation Board to annually conduct a joint public meeting for the purposes of presenting to the public, and receiving public comments on, the transportation projects proposed by each entity in Planning District 8. (18104576D)

SB 586 (DeSteph) (Passed Senate; HTRAN) excludes antique motor vehicles, defined as motor vehicles 25 years old or older, from the requirement that such vehicle be equipped with an exhaust system in good working order and in constant operation to prevent excessive or unusual levels of

noise. Current law excludes antique motor vehicles manufactured prior to 1950 from such requirements. (18103722D)

Towing

HB 800 (Yancey) (Passed House; Reported from STRAN) increases the maximum hookup and towing fee for passenger vehicles from \$135 to \$150. The bill contains a technical amendment. (18101452D-E)

SB 492 (Carrico) (Passed Senate; House Floor) increases the maximum hookup and towing fee for passenger vehicles from \$135 to \$150. The bill contains a technical amendment. (18107234D-H1)