



**FAIRFAX COUNTY BOARD OF SUPERVISORS
2020 GENERAL ASSEMBLY
FINAL LEGISLATIVE REPORT
March 10, 2020**

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This report will be available on the Board of Supervisors Webpage at <https://www.fairfaxcounty.gov/boardofsupervisors/> listed under “2020 Board Legislative Reports.”

For a more detailed summary, action, and wording of an individual bill please visit the Virginia Legislative Information System Website at <https://lis.virginia.gov/lis.htm>

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Fairfax County Vision Elements

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

Maintaining Safe and Caring Communities

Building Livable Spaces

Connecting People and Places

Maintaining Healthy Economies

Practicing Environmental Stewardship

Creating a Culture of Engagement

Exercising Corporate Stewardship

Staff Contact:
Claudia H. Arko, Legislative Director

Section I

Final Report to Board of Supervisors 2020 General Assembly

OVERVIEW

The 2019 General Assembly (GA) election was nothing short of a watershed moment in Virginia politics, with Democrats winning the House (55-45) and Senate (21-19) to control both chambers of the legislature, as well as all three statewide offices, presenting once-in-a-generation opportunities for Democratic priorities after years of predictable policy outcomes controlled by Republican legislative leaders. The historic election ushered in more historic firsts: Fairfax Delegate Eileen Filler-Corn was elected Speaker of the House, the first woman and Jewish person to hold the office in the body's 400-year history; Charniele Herring of Alexandria was chosen by House Democrats to be the Majority Leader, the first woman of color to hold the job; and, Suzette Denslow, who had previously worked as Governor Northam's deputy chief of staff, was elected as the first female Clerk of the House. In the Senate, Louise Lucas was elected as president pro tempore, the first woman and first African American lawmaker to hold the title (Senator Dick Saslaw, previously the Minority Leader and also a member of the Fairfax County delegation, was elected Majority Leader). The shift in party control of the GA also brought all new GA committee chairs, with many having no prior experience in that role, including several women of color and members of the Fairfax delegation. In fact, Fairfax delegation members chaired or vice-chaired 11 out of 14 House committees and chaired 6 out of 11 Senate committees, presenting once-in-a-generation opportunities for Fairfax County and Northern Virginia as well.

New leadership brought new hope for many Democratic priorities, including gun control (which was viewed by many as a key issue in the 2019 elections), the Equal Rights Amendment (ERA), environmental legislation, voting reform, and protections for the LGBTQ community, which translated into a huge volume of introduced legislation, with some members rumored to have requested nearly 80 bill drafts. In a representation of the unlimited opportunities for collaboration, Governor Northam took the unprecedented action of setting aside \$100 million in each year of his introduced 2020-2022 budget for priorities to be identified by the GA.

With so many firsts, the opening day of the 2020 GA felt truly extraordinary, drawing crowds to the Capitol to witness history in the making. However, not all observers of the legislative process viewed these changes favorably, and the start of the session also saw unprecedented security concerns, with specific threats leading to an increased presence of Capitol Police in the Pocahontas Building (where legislators have their offices) and cautions to avoid the Capitol on certain days. The start of the session also saw the implementation of a new House policy prohibiting weapons, including firearms, in the Pocahontas Building and Capitol, leading to a new security protocol initially requiring all legislative and administration staff, lobbyists, and visitors to be screened, resulting in very lengthy lines to enter the building. Adjustments were made, but lobbyists and visitors remained subject to screening at every entrance, which posed logistical challenges, particularly on heavily-attended lobby days.

Amid these security issues, the GA got to work on a dizzying volume of legislation, albeit more slowly than some Republicans would have liked, with concerns raised early on that the legislature's work would not get done on time. Complicating the challenge of legislating were staff shortages in the Division of Legislative Services, the state entity responsible for drafting legislative requests and staffing legislative committees.

Yet, the new Democratic majorities sent an early signal that their election victories would translate into sweeping political changes. After repeatedly being blocked by House Republicans in previous years, on the seventh day of the session, each chamber passed the ERA (**HJ 1** (Carroll Foy)/**SJ 1** (McClellan)), making Virginia the 38th state to ratify the measure after **HJ 1/SJ 1** crossed over and were approved by the opposite chamber, setting the stage for a national legal fight over whether too much time had passed to add the amendment to the U.S. Constitution. Furthermore, on the gun rights lobby days that typically bring large crowds to the Capitol, an historic 20,000 individuals attended to make their views known. Their presence did not deter the Senate Judiciary Committee from reporting gun control measures that

had repeatedly failed under Republican leadership, starting the bills on a path that ultimately led to the enactment of a significant package of gun control legislation.

As the session chugged along, the number of Capitol Police in the Pocahontas Building slowly receded until the security presence was in line with that of previous sessions, and the GA chipped away at the numerous, significant policy decisions before the body, leading to late night meetings, long floor sessions, an unusual Sunday Senate Commerce and Labor hearing to clear the agenda before crossover (the deadline by which legislation must pass its chamber of origin if it is to be considered by the other chamber), and significant discussion among legislators on modifications needed (such as bill limits) to make next session more manageable.

Clear, significant divisions between each chamber's approach to policy issues like collective bargaining, raising the minimum wage, and redistricting were evident throughout the session. But as the last week of the session approached, how differences on key issues (and other more mundane issues like shopping carts) would be resolved remained to be seen, leading observers to wonder if agreement simply would not be reached on some bills this session and if the GA would ultimately adjourn on time. Lengthy floor debates translated into less time for budget conferees to spend resolving differences on the 2020-2022 biennium budget, and the deadline requiring the budget conference report to be available 48 hours before being voted on was missed. So too was the deadline to get bills into conference by the last Thursday of the session, leading the GA to employ a procedural maneuver to extend the legislative day by taking a prolonged recess Thursday evening rather than adjourning for the night, sparking questions and jokes about when Friday would officially begin and the legislature's ability to tell time. The GA ultimately went into overtime, convening to finish legislation on Sunday (which was, coincidentally, International Women's Day, a fitting bookend to a session that began with Virginia's passage of the ERA), with plans to reconvene a few days after that to vote on the budget.

LOCAL GOVERNMENT OVERVIEW

The 2020 GA session was a watershed moment for local governments, with the success of a wide variety of legislation granting local authority after similar legislation had failed repeatedly in previous sessions. Additionally, there was not the quantity of significantly adverse legislation that has often dominated previous sessions. The November 2019 elections and the change in party control of the GA led to an increased willingness to allow localities to respond to the needs of their own communities more directly, rather than the one-size-fits-all approach of the past. Also, the elevation of a number of legislators from Northern Virginia into leadership positions and committee chairmanships helped advance the priorities of a part of the state that, though economically vital to the Commonwealth, has often been taken for granted at the GA.

The overall volume of bills was high; 3,910 bills and resolutions (up from 3,128 last year) were introduced. County legislative staff reviewed the majority of this legislation in order to separate those bills of importance to the County from the hundreds of other measures not pertinent to local government, and referred 2,578 bills for review by County operational and legal staff. The Board took formal positions on 241 bills this year, and originally opposed or sought to amend 40 bills; at the end of the session, no bills remained in that category.

Though there were bills that created significant concerns for localities, most failed to survive the session. On a positive note, legislation equalizing taxing authority between counties and cities, long a Fairfax County priority, was finally enacted by the GA (see also page 11).

Looking toward the 2021 GA session, the underfunding of core services will continue to be an issue for localities, particularly in the area of K-12. State revenues have substantially increased due to federal tax law changes enacted in 2017 and the impact of a U.S. Supreme Court decision allowing the collection of online sales taxes. However, the 2019 GA opted to spend much of that funding on tax cuts, rather than using it to restore the numerous budget cuts impacting core services in recent years. Though the 2020 GA appears to have crafted a 2020-2022 biennium budget that makes progress in the area of funding core services, significant work in restoring structural budget cuts remains and will continue to be a major area of focus in the years ahead.

COUNTY LEGISLATIVE INITIATIVES

The County had three legislative initiatives this session. One related to the perennial issue of discrimination based on sexual orientation, and two related to the County's police retirement system and. Fortunately, all three were successful.

After many years of unsuccessful attempts to address the issue of discrimination based on sexual orientation, the 2020 GA passed **SB 868** (Ebbin), which creates causes of action for unlawful discrimination in public accommodations and employment in the Virginia Human Rights Act. The final legislation was the result of a broad coalition that worked to address a variety of discrimination in the Commonwealth. As passed the GA, the bill prohibits discrimination in public and private employment on the basis of sexual orientation and gender identity. It 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.

The Fairfax County Police Officers Retirement System (PORS) provides defined benefit pension plan coverage for sworn full-time law-enforcement officers of the Fairfax County Police Department. PORS was created pursuant to specific authority granted by the GA in 1944, and is governed by requirements in state law. The cost of providing system benefits is paid from three sources: employee contributions; employer contributions (determined each year by the Fairfax County Board of Supervisors); and, earnings from investments made with PORS funds. Employer and employee contributions are invested to provide additional income to PORS. Assets are invested as directed by the PORS Board of Trustees, which is responsible for monitoring and selecting investments for PORS, approving asset allocation, administering the retirement plan, and making disability retirement determinations, among other duties. Board of Trustees members have a fiduciary duty to the participants and beneficiaries of the plan. **SB 651** (Boysko) increases from seven to eight the number of members on the PORS Board of Trustees and increases from two to three the number of members of such board who shall be members of such retirement system, employed by the county police department as sworn police officers, and who have been elected by the members of the retirement system who are employed by the police department as sworn police officers. **SB 652** (Boysko) authorizes any person who has been a member of another Fairfax County retirement system and who later becomes a member of PORS to purchase membership service credit for service rendered while a member of the other Fairfax County retirement system. Currently, members of the other Fairfax County retirement systems who move between systems are entitled to purchase membership service credit for service rendered while a member of another system. However, employees who move from the other systems to PORS are prohibited from purchasing service credit for their service in the other County systems. **SB 652** will ensure similar benefits exist across the systems.

COUNTY PRINCIPLES/PRIORITIES

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

Principle: Public education funding in the Commonwealth is enshrined in the Virginia Constitution as a joint responsibility of both state and local governments, so it is essential that the state fully meet its Constitutional responsibility to adequately fund K-12 education. Unfortunately, the Commonwealth continues to allow critical gaps to persist between state funding and the actual costs of providing a high-quality education, placing more of the fiscal burden on localities while substantially limiting local revenue sources, creating a discrepancy that has become increasingly untenable.

State funding for K-12 education is always a top priority issue in Fairfax County's Legislative Program. Funding for public schools in Virginia is a partnership between the state and localities, and should reflect that shared financial responsibility. However, it is the state that determines what costs it recognizes in its funding formulas, through the Standards of Quality (SOQ) and other means. The resulting state funding framework often substantially differs from the actual costs to school divisions of providing a high-quality education, leaving localities to fill critical funding gaps. At present, the state is failing to provide the funding necessary to implement its own standards and requirements, while Fairfax County and other

Northern Virginia localities more than meet their responsibilities for K-12 education through large contributions to the state General Fund (GF), strong local effort, and the effect of high local composite indices.

Though there have been some recent helpful infusions of state funding, the current funding formulas do not adequately address the challenges facing high cost of living localities like Fairfax County. Those challenges are exacerbated by structural features in the formulas that systematically underestimate actual local costs and continue to leave statewide funding far behind the inflation-adjusted FY 2009 level. As the Joint Legislative Audit and Review Commission (JLARC) noted in its 2015 review of K-12 spending, localities provided a majority of total funding for school divisions in FY 2014, contributing an additional \$3.6 billion beyond the minimum funding required. JLARC also noted that in FY 2013, Virginia ranked 23rd nationwide in total per-student spending primarily because education spending effort from Virginia's localities ranked 11th overall. More recent data from JLARC (from FY 2016) showed that Virginia's state per pupil funding effort was among the lowest in the U.S., ranking 42nd nationwide. This reflects Virginia's overreliance on local effort and a continued imbalance in what should be a state and local partnership.

Virginia businesses emphatically assert that strong public schools and an educated workforce are essential elements in their decision to locate and remain in Virginia. Investments in early childhood and K-12 education provide a foundation for learning and achievement, often reducing or eliminating the need for more costly interventions and spurring economic development. Failure to adequately meet the needs of the youngest Virginians can create repercussions for individual families, the larger community, and the Commonwealth. Moving Virginia's economy forward requires substantially increasing state investments in K-12 education.

In a significant step forward for K-12 funding in Northern Virginia, the House budget proposal included partial restoration of Cost of Competing Adjustment (COCA), which is an additional factor in the state K-12 funding formula that recognizes the higher salaries required in certain high-cost areas of the Commonwealth to attract and retain highly qualified staff. Years ago, COCA was eliminated from the state budget, and then partially restored by the 2016 GA. The 2020-2022 budget conference report provides additional funding for another partial restoration of COCA. It will be important for localities to continue to press for full restoration of COCA and additional funding for K-12 in the years to come, to ensure state funding continues to improve and that the state and local partnership needed to provide a high-quality public education system is restored.

(2.) Funding Core Services – Regional Transportation Funding

Principle: The Commonwealth must restore funding to the Northern Virginia Transportation Authority (NVTA) in an amount equal to what was diverted, to ensure that transportation projects continue to move forward in Northern Virginia after decades of state underfunding.

Legislation related to funding for the Washington Metropolitan Area Transit Authority (WMATA) was enacted by the GA in 2018 – **HB 1539** (Hugo)/**SB 856** (Saslaw). The implications of that legislation continue to be felt in a variety of ways, and as a result, several bills were considered by the 2020 GA to address the effects of that legislation. Efforts were made during the session to restore funds to NVTA that were diverted to the WMATA Capital Fund in 2018. As introduced, the omnibus transportation bill – **HB 1414** (Filler-Corn)/**SB 890** (Saslaw) – included language providing \$30 million to NVTA annually, partially restoring the \$102 million per year that was diverted in 2018. The \$30 million would be generated by:

- Reducing the existing grantor's tax that is levied in both Northern Virginia Transportation Commission (NVTC) jurisdictions and the Northern Virginia non-NVTC jurisdictions (from \$.15 per \$100 valuation to \$.10 per \$100 valuation). This would decrease the portion of grantor's tax provided to the WMATA Capital Fund by \$15 million.
- Increasing the transient occupancy tax for NVTC jurisdictions (from two percent to three percent) that is provided to the WMATA Fund, providing \$15 million to the WMATA Capital Fund to replace the amount reduced in grantor's tax revenue.
- Separately increasing \$.10 per \$100 valuation on the regional grantor's tax, providing \$30 million to NVTA.

While **HB 1414/SB 890** included regional provisions within a much larger piece of legislation (see below), stand-alone bills on regional funding restoration were also introduced. **HB 729** (Watts) and **SB 899** (Saslaw) would also have provided \$30 million to NVTA in a similar manner to what was originally included in **HB 1414/SB 890**. **SB 899** was struck at the request of its patron by the Senate Finance and Appropriations Committee. However, **HB 729** was amended in House Finance to allocate any revenues collected in Northern Virginia pursuant to a new Highway Use Fee and Mileage-Based User Fee Program to the NVTA Fund. It was then further amended on the House floor to provide \$40 million in state recordation taxes to the NVTA Fund, rather than a portion of the new User Fee Program funds, in addition to the \$30 million provided through new regional revenues. In this form, **HB 729** passed the House 55-44. That action proved the catalyst to move the issue of substantial new funding for NVTA forward, leading to renewed conversations about additional funding sources for NVTA in the omnibus transportation bills. Having served its important role, **HB 729** was ultimately continued to 2021 by the Senate Finance and Appropriations Committee. In the end, the House added an additional \$20 million per year from statewide revenue sources to the omnibus bill, and the bills were sent to a conference committee. The conference report, which passed the House and Senate, includes a partial restoration of the regional funding, providing \$50 million annually to NVTA – a major step forward for the region, but it is important to note that it is only a partial restoration of that critical funding and efforts on that front will need to continue in preparation for the 2021 GA session.

Other legislation related to regional funding in Northern Virginia was also considered this session. **SB 230** (Petersen) provides that, for purposes of the grantor's tax and regional transportation improvement fee (the regional WMATA capital fee), the grantor and grantee may arrange that the grantee pay all or a portion of the tax or fee – current law requires the grantor to pay the tax or fee. **SB 230** passed the Senate and the House unanimously. **HB 1389** (LaRock) would have required affirmative authorization by the GA for any funds in the Commonwealth, including local and regional funds and toll revenues, to be used for a transportation project physically located outside of the Commonwealth. **SB 417** (Petersen), would have specifically allowed new sidewalk projects to be funded by NVTA – sidewalk projects meeting certain criteria are already allowed to be funded using regional revenues. **HB 1389** was struck in the House Transportation Committee, while **SB 417** was passed by indefinitely by the Senate Transportation Committee.

In addition to funding for Northern Virginia, efforts related to funding for other regions also moved through the GA this year. As passed, **HB 1541** (McQuinn) creates the Central Virginia Transportation Authority, comprised of the counties and cities located in Planning District 15. The Authority will administer transportation funding generated through the imposition of an additional regional 0.7 percent sales and use tax and a wholesale gas tax of 7.6 cents per gallon of gasoline and 7.7 cents per gallon of diesel fuel. The gas tax rates would be indexed for inflation. For Hampton Roads, **HB 1726** (Askew)/**SB 1038** (Lucas) include funding from a .06 cents per \$100 valuation grantor's tax, a one percent transient occupancy tax, and an annual allocation of \$20 million from the statewide recordation tax, to be used to operate a regional system of inter-jurisdictional, high-frequency bus service in the region.

Other legislation, **SB 452** (Edwards) and **SB 596** (Hanger), would have imposed a regional gas tax on those regions of the Commonwealth where a regional gas tax is not currently imposed. The new revenues will be returned to the transportation district in which the revenues are generated via the construction district grant program. **SB 596** was incorporated into **SB 452**, which passed the Senate, but was left in the House Appropriations Committee. Similar language was included in **SB 890**, as it left the Senate, as well as the conference reports for **HB 1414/SB 890**. Taking the regional gas tax in another direction, **SB 692** (Obenshain) would have limited the regional gas tax imposed on the I-81 corridor to only those counties or cities in which a portion of I-81 is located. **SB 692** was passed by indefinitely by the Senate Finance and Appropriations Committee.

(3.) Funding Core Services – Transportation Funding

Principle: The Commonwealth should build upon the successful enactment of significant transportation revenues by the 2013 GA to ensure sufficient funding for transportation needs.

Statewide Transportation Funding

As in numerous previous sessions, the 2020 GA included consideration of an omnibus transportation bill – **HB 1414** (Filler-Corn)/**SB 890** (Saslaw). As introduced, this legislation proposed by the Northam

Administration contained a number of modifications to transportation funding and operations programs, including:

- Transportation Revenues and Funds:
 - Statewide Gas Tax – Changes the statewide gas tax from a percentage per gallon to cents per gallon. Increases the gas tax by \$.12 per gallon over the next three years, and indexes the gas tax to the consumer price index.
 - Regional Gas Tax – Changes the existing regional gas tax imposed on various regions across Virginia for specific transportation purposes from a percentage per gallon to cents per gallon and indexes this gas tax to the consumer price index (the regional gas tax in WMATA jurisdictions supports WMATA expenses).
 - Annual Vehicle Registration – Reduces the annual registration fee from \$40.75 to \$20.75 (for a standard vehicle).
 - Highway Use Fee on Fuel-Efficient Vehicles – Imposes a new highway use fee, which is tiered based on fuel economy.
 - State Recordation Tax Revenues – A portion of the state recordation tax that is attributable to Northern Virginia (approximately \$20 million) is currently allocated to the Northern Virginia Transportation District Fund and used to support debt for various projects (portions of the state recordation tax are also used for other specific areas: Route 58 and Oak Grove). **HB 1414/SB 890** would instead pay the debt service on these bonds with the new transportation revenues noted above, while the existing set-aside recordation tax revenues would be transferred to the state GF.
- Transportation Funding Model – Currently various types of revenues are directed to specific transportation funding programs. This legislation directs the majority of revenues to a new unified Commonwealth Transportation Fund. Funds are then distributed to the various programs, including new programs created through this bill:
 - Highway Safety Improvement Program – Utilized for infrastructure and behavioral safety initiatives. The funds would be invested based on a five-year investment strategy adopted by the Commonwealth Transportation Board (CTB) that gives priority to projects, strategies, and activities based on the expected reduction in fatalities and severe injuries relative to cost.
 - Robert O. Norris Bridge and Statewide Special Structure Program – Implements the fund enacted during the 2019 GA session to address statewide special structures.
 - Transit Incentive Program – Utilized for regional routes for certain transit connections by offsetting capital and operating needs specific to services in major urbanized areas (Northern Virginia, Richmond, Hampton Roads, Roanoke). These funds can be used for:
 - Routes of regional significance;
 - Development and implementation of regional subsidy models;
 - Establishment of bus-only lanes on routes of regional significance; and,
 - Implementation of integrated fare collection.
- Bond Authorizations – Authorizes bonds backed by a portion of the toll revenues on I-66 Inside the Beltway, with the proceeds to be used for the Long Bridge and improvements to the Rosslyn Metrorail Station. Also authorizes bonds to support the I-81 Corridor Improvement Program, which would be backed by the regional fuels tax along the I-81 corridor.
- Rail Authority – Creates a new Rail Authority to promote, sustain, and expand passenger and commuter rail service. The structure is similar to the existing Port Authority. The Rail Authority would have various powers, including the ability to:
 - Grant others the privilege to design, build, finance, operate, and maintain rail facilities;
 - Grant others the privilege to operate concessions, leases, and franchises, including but not limited to the accommodation and comfort of persons using rail facilities and the provision of ground transportation services and parking facilities;
 - Borrow money and issue bonds to finance and refinance rail facilities and pledge or otherwise encumber all or any of the revenues or receipts of the Authority as security for all or any of the obligations of the Authority;
 - Fix, alter, charge, and collect fees, rates, rentals, and other charges for the use of rail facilities, the sale of products, or services rendered by the Authority;
 - Lease or sell and convey the airspace super-adjacent or sub-adjacent to any rail facility owned by the Authority;
 - Acquire by purchase, lease, or grant rail facilities and other lands, structures, property, both real and personal, tangible and intangible, rights, rights-of-way, franchises,

- easements, and other interests therein, whether located within or not within the geographic boundaries of the Commonwealth, for the construction, operation, maintenance, and use of rail facilities; and,
 - Acquire through eminent domain any lands, property rights, rights-of-way, franchises, easements, and other property deemed necessary or convenient for the construction or the efficient operation of rail facilities.
- Transportation Safety Initiatives – Adopts numerous changes to transportation safety policy. Separate bills with the same provisions were also introduced. More information on these proposals can be found on page 74.

The bills then took different turns, with each chamber making changes to their bills. The House kept **HB 1414** substantially similar to what was introduced. The Senate, however, made numerous changes to **SB 890**. As passed the Senate, **SB 890**:

- Increases the gas tax \$.08 per gallon over the next two years (rather than \$.12 per gallon over the next three years), and indexes it to the consumer price index.
- Retains the annual vehicle registration fee (rather than reducing it by \$20).
- Removes the safety initiatives (which were included in a separate proposal).
- Adjusts some of the allocations provided to various transportation funds.
- Imposes a regional gas tax on regions of the Commonwealth where a regional gas tax is not currently imposed. The new revenues will be returned to the transportation district in which the revenues are generated via the construction district grant program. (Similar provisions were introduced separately as **SB 452** and **SB 596**).

As amended, **HB 1414** passed the House and **SB 890** passed the Senate, and the bills were ultimately sent to conference where a compromise was achieved, which passed the GA. The conference report includes:

- Increasing the state gas tax by \$.10 per gallon over the next two years, and indexing it to the consumer price index.
- Reducing the annual vehicle registration fee by \$10 (for a standard vehicle).
- Removing the safety initiatives (which were considered in a separate proposal).
- Adjusting some of the allocations provided to various transportation funds.
- Imposing a regional gas tax on regions of the Commonwealth where a regional gas tax is not currently imposed. The new revenues will be returned to the transportation district in which the revenues are generated via the construction district grant program.

In addition to the omnibus bills, various proposals affecting state transportation funding were considered. Several proposals make modifications to allocation formulas or processes. **HB 561** (Brewer), which passed the House and Senate overwhelmingly, requires the Office of Intermodal Planning to include in the results of screening candidate projects in the Six-Year Improvement Program whether such projects are located on a primary evacuation route. **HB 1518** (McQuinn), which also passed unanimously, allows the Virginia Department of Transportation (VDOT) to pay a locality up-front for eligible expenses related to certain transportation projects administered by the locality, instead of being reimbursed after completion of the project.

Other bills were unsuccessful, including several that would have impacted Smart Scale, the Commonwealth's process for allocating statewide transportation funds: **HB 364** (Cole, M) and **HB 620** (Cole, J) would have required Smart Scale to evaluate congestion mitigation on the basis of total traffic volumes, not just traffic volumes during weekdays, and accessibility on the basis of the area of influence of a project for a radius of 55 miles; **SB 1016** (Stanley) would have increased the weight of the Smart Scale economic development factor (to at least twice as much as the congestion mitigation factor) in highway construction districts with higher-than-average unemployment or in localities with high fiscal stress; and, **HB 642** (LaRock) would have required Smart Scale evaluations to ensure that projects are evaluated for district grant program funds and high-priority funds separately, and that congestion mitigation be weighted at at least 55 percent in Northern Virginia and Hampton Roads. Other bills included **HB 774** (LaRock), which would have increased the annual maximum matching allocation for the Revenue Sharing program from \$5 million to \$10 million per locality; **HB 1729** (LaRock), which would have added two members of the CTB to represent suburban areas; and, **SB 332** (Stuart) which would have allocated internet sales tax revenues collected and provided to the Transportation Trust Fund to be used for the maintenance and repair of existing highways.

Other bills, that also proved to be unsuccessful, would have required, allowed, or prohibited state funds for specific projects, including:

- **HB 1293** (Helmer) would have prohibited the use of state funds for the extension of Shirley Gate Road in Fairfax County until the intersection at Popes Head Road and Fairfax County Parkway has been redesigned and the traffic light removed.
- **HB 619** (Cole, J) would have required that a minimum of \$1 million annually be allocated to Fredericksburg Regional Transit from the Commonwealth Mass Transit Fund, contingent on localities served by Fredericksburg Regional Transit continuing to support the system by at least the amount of funding provided in FY 2019.
- **HB 1216** (Tran) would have made bridges that are subject to repeated flooding eligible for state of good repair funding. Under current law, structurally deficient bridges and highways with deficient pavement conditions are eligible for state of good repair funds.

WMATA

Another element of the WMATA funding bills passed in 2018, **HB 1539** (Hugo)/**SB 856** (Saslaw), is that those bills required the CTB to withhold 35 percent of state transit funds allocated to WMATA if Virginia's portion of WMATA's operating assistance were to increase by more than three percent. That legislation did include some exemptions to that requirement, including: any service, equipment, or facility required by any applicable law, rule, or regulation; any capital project approved by the WMATA Board before or after the effective date of the provision; and, any payments or obligations arising from, or related to, legal disputes or proceedings between or among WMATA and any other person or entity. In the 2020 session, **HB 1586** (Watts) was enacted by the GA to create an additional exemption for any service increases approved by the WMATA Board. Though the bill passed comfortably in the House (74-23), it was a very close vote in the Senate (21-19). **HB 1539/SB 856** (2018) also included language stating that bidders, offerors, contractors, or subcontractors could not be required to enter into, or be discriminated against for not entering into, project labor agreements for any WMATA projects located solely within the Commonwealth. **HB 1635** (Lopez)/**SB 995** (Surovell) repealed this prohibition on project labor agreements for WMATA projects.

Additionally, **HB 845** (Krizek) would have added special agents employed by the WMATA Office of the Inspector General to the definition of law-enforcement officer, granting them the same authority and power as sheriffs to enforce the laws of the Commonwealth. **HB 845** passed the House (87-11) but was continued to 2021 by the Senate Transportation Committee, after questions were raised about the implications of conferring such powers without more detailed discussions.

Tolling/Interstate 66 (I-66)

There were several bills related to tolling considered this session, but unlike other years, there were not a large number specifically related to toll facilities in Fairfax County. **HB 677** (LaRock), which was passed by indefinitely in the House Transportation Committee, would have required VDOT, upon completion of the I-66 widening project, to activate reverse tolling on I-66. It would also have required all I-66 Inside the Beltway and I-395 tolls allocated to regional projects to be directed to NVTA rather than to NVTC. **HJ 73** (Delaney), which directed the CTB to study safety, congestion, and tolling concerns on I-66, and to develop and adopt an I-66 Corridor Improvement Plan, was tabled by the House Rules Committee.

Various bills related to the Dulles Greenway in Loudoun County were also unsuccessful, including **HB 523** (Subramanyam), **HB 771** (LaRock), **HB 772** (LaRock), and **HB 971** (LaRock). Other bills related to statewide tolling policy were introduced but were also unsuccessful. These included: **HB 429** (Scott), which would have authorized any teacher employed by a public school district, firefighter, or emergency medical services personnel to use all toll bridges/ferries/tunnels/roads in the Commonwealth without paying a toll when traveling between their residence and work; **HB 631** (LaRock), which would have established an income tax deduction starting in 2020 for tolls paid for travel on Virginia roads; **HB 1243** (Heretick), which would have required Public-Private Transportation Act (PPTA) projects to include an economic impact analysis identifying any potentially adverse economic or revenue impacts that a potential comprehensive agreement may have on all affected local jurisdictions, giving the affected local jurisdictions a reasonable opportunity to consult with the parties concerning the impacts and mitigation measures; **HB 1455** (Heretick), which would have authorized toll facility operators to mail invoices for two or more unpaid tolls by first-class mail, in addition to certified mail; and, **SB 468** (Reeves), which would have allowed the use of autocycles in HOV lanes.

(4.) Governance – Local Authority

Principle: Existing local government authority should be preserved, particularly in such key areas as taxation and land use, and the protection of public health, safety, and welfare, where local governments must have sufficient authority to govern effectively. Further, local authority should be enhanced to provide localities more flexibility in the administration of local government, as appropriate community solutions differ significantly from one area of the state to another. Finally, local government representatives should be included on all commissions or other bodies established by the state for the purpose of changing or reviewing local revenue authority or governance.

Taxation

Equal Taxing Authority

The major taxing issue of the 2020 GA for counties was equal taxing authority. Equal taxing authority for counties and cities has long been a priority of counties, and for this session the Virginia Association of Counties (VACo) adopted it as the association's overarching priority. As funding partners with the state in the provision of core government services such as K-12, public safety, human services, and transportation, among others, counties need tools to raise the revenues required to meet their responsibilities. Unfortunately, counties have also been limited by an outdated tax structure, leaving them heavily reliant on real estate taxes. Additional funding options, which are currently available to cities, would assist counties in responding to the challenges of meeting the increasingly complex needs of their communities.

HB 785 (Watts), **SB 484** (Favola), and **SB 588** (Hanger) were introduced to provide for general equalization of taxing authority. As introduced, **HB 785** would authorize counties to impose admissions and cigarette taxes in the same manner as those revenue sources are available to cities. The bill would also authorize counties to impose transient occupancy taxes above two percent, with any revenue generated by taxes up to a five percent rate being used either for purposes already authorized (so as to preserve existing arrangements made by localities) or for tourism promotion. Revenues generated above a five percent rate could be used for general purposes. The bill, which would also allow counties to impose a meals tax without a referendum, was amended in House Finance to restrict counties where a meals tax referendum had failed before July 1, 2020, as was the case in Fairfax County, from imposing a meals tax less than six years after that referendum date. **SB 484** was rolled into **SB 588** in Senate Finance, with the amended bill authorizing counties to impose meals, transient occupancy, cigarette, and admissions taxes, subject to caps and subject to a delayed enactment date of July 1, 2021. The bill would permit counties to collect admissions taxes not to exceed 10 percent (with the exception of James City County and York County, which were carved out in a Senate floor amendment). Counties would also be permitted to: impose transient occupancy taxes at a rate not to exceed five percent (revenues from rates above two percent would either be used for previously-authorized purposes or for tourism promotion); impose cigarette taxes at a rate up to 40 cents per pack (capping rates for cities and towns at that level, although current rates would be grandfathered); impose a meals taxes at a rate of up to six percent without a referendum (although any county in which a meals tax referendum failed between July 1, 2018, and July 1, 2020, could not levy a meals tax until July 1, 2022 – likely a drafting error, as the intent was to capture localities where a referendum had failed in 2016 or later). Enactment clauses would direct a stakeholder workgroup to streamline the process of cigarette tax collection and direct the Division of Legislative Services to undertake a review of the differences in authorities and responsibilities between counties and cities.

After many years of county efforts on this issue of fundamental fairness, it was finally on the last day of action on regular bills that both the House and Senate passed the conference reports equalizing taxing authority for counties and cities. The final conference reports for **HB 785** and **SB 588** include the following provisions:

- Permit counties to collect admissions taxes not to exceed 10 percent (with the exception of James City County and York County);
- Permit counties to impose transient occupancy taxes – any transient occupancy tax rate up to five percent must be used for previously-authorized purposes or for tourism promotion, but anything above five percent may be used for general purposes;

- Permit counties to impose cigarette taxes at a rate up to 40 cents per pack, though the increase in cigarette tax is not effective until July 1, 2021 (the bills also cap rates for cities and towns at that level, although current rates would be grandfathered);
- Permit counties to impose a meals tax at a rate of up to six percent without a referendum (any county in which a meals tax referendum failed prior to 2020 could not impose a meals tax without a referendum less than six years after the failed referendum);
- Directs a stakeholder workgroup to streamline the process of cigarette tax collection and directs the Division of Legislative Services to undertake a review of the differences in authorities and responsibilities between counties and cities.

In addition to these general equalization bills, several other bills were introduced that address specific facets of county taxing authority. **HB 977** (Krizek), **SB 682** (Mason), and **SB 799** (Lewis) would eliminate the referendum requirement for the imposition of a meals tax and the four percent rate cap in counties. **SB 921** (Locke) would extend the authority to impose local cigarette taxes to all counties. Those bills were incorporated into the main equal taxing authority bills during the legislative process.

Local Taxing Authority

The 2020 GA did not see the usual number of bills targeting local Business, Professional, and Occupational License (BPOL) taxes, though one bill in particular was considered. **HB 948** (Webert) would have prohibited a locality from increasing the rate of any BPOL license beyond the rate the local government imposed as of January 1, 2020. In addition, the bill would have prevented any locality that did not already have a BPOL program as of January 1, 2020, from levying any business license taxes. However, the bill failed in a House Finance subcommittee.

Land Use

Stormwater

Once again, several stormwater bills were considered by the GA this session, and a number of those bills were successful. **HB 859** (Convirs-Fowler) directs the State Water Control Board to adopt regulations requiring the owner of residential property to record the long-term maintenance and inspection requirements for a privately-owned stormwater management facility with the deed for the property. In addition, the bill requires an owner of residential property who has actual knowledge of a privately owned stormwater management facility located on the property to disclose the long-term maintenance and inspection requirements for the facility to the purchaser. **HB 882** (Bulova) directs the State Water Control Board to adopt regulations providing for the use of a proprietary best management practice (BMP) only if another state, regional, or national certification program has verified and certified its nutrient or sediment removal effectiveness. **SB 843** (Petersen) authorizes the State Water Control Board or Department of Environmental Quality (DEQ), in its administration of a Virginia Stormwater Management Program, Virginia Erosion and Stormwater Management Program, or Virginia Erosion and Sediment Control Program, to choose to accept a set of plans and supporting calculations for any land-disturbing activity determined to be de minimus.

Additionally, several stormwater bills were defeated this session. **SB 1007** (Reeves) would have directed the State Water Control Board to adopt regulations requiring that a long-term maintenance agreement for a wet pond provide for inspections no more than every five years. Although the bill was later amended to provide for inspections no more than every three years, it would have prevented the County from requiring yearly inspections, which hasten the discovery of problems before they become significant issues. **SB 648** (Boysko) and **HB 297** (Gooditis) would have allowed localities utilizing goats for the temporary grazing of stream buffers to remain in compliance with a resource management plan for pasture land, and to qualify the locality for matching grants for agricultural BMPs provided through the Virginia Agricultural BMPs Cost-Share Program. **HB 1454** (Heretick) would have required DEQ to study the statutory and regulatory changes necessary to fully integrate and consolidate the Erosion and Sediment Control Law, the Stormwater Management Act, and the Chesapeake Bay Preservation Act. **HB 1308** (Walker) would have extended the grandfathered period to July 1, 2024, for any land-disturbing activity eligible to take place pursuant to technical criteria adopted by the State Water Control Board prior to July 1, 2014.

Eminent Domain

The GA continues to take an interest in issues surrounding eminent domain. As was the case in the 2019 session, there were only a few eminent domain bills in 2020, and the bills met with varying degrees of success, though three were ultimately successful. **SB 28** (Petersen), a bill that failed in 2019, eliminated specific provisions for the assessment of costs in an eminent domain proceeding where the condemnor is a public service company, public service corporation, railroad, or government utility corporation. The bill requires that all costs be assessed in the same manner, regardless of the identity of the condemnor. The bill also excludes the assessment of costs where the eminent domain proceeding involves an easement valued at less than \$10,000. **SB 31** (Petersen), another bill that failed in 2019, requires that the costs of filing a petition for the distribution of funds pursuant to an eminent domain proceeding be taxed against the condemnor. Current law requires the landowner to pay the costs associated with filing a petition for the distribution of funds. The bill also requires that interest payable on funds represented by a certificate of deposit accrue at no less than the judgment interest rate until the funds are paid into the court. Because the County uses the quick take process and deposits funds along with the certificate of take, this change did not raise concerns for the County. **SB 951** (Obenshain) requires a condemnor's written offer to purchase property prior to instituting a condemnation proceeding to be on the condemnor's letterhead and signed by an authorized employee of the condemnor.

Two bills were unsuccessful this session. **SB 485** (DeSteph) repealed the provision in the Code of Virginia declaring that the acquisition of residual parcels when acquiring land for highway rights-of-way is in the public interest and is a public use. In addition, as introduced, the bill would have allowed a landowner to determine whether an acquisition of land would create an uneconomic remnant or whether the damage to the remainder of a piece of acquired property would equal or exceed the fair market value of the remaining land, thus requiring the condemnor to also acquire the remnant or remainder. Current law allows the condemning authority to make that determination. The bill was amended in the Senate Judiciary Committee to allow that, upon petition of either party, the court could determine whether the property remaining after a partial taking is an uneconomic remnant prior to the trial on just compensation. This bill would have added additional court hearings to the condemnation proceedings and would have greatly increased the costs and timing for such actions, delaying transportation projects throughout the Commonwealth. **SB 967** (Cosgrove) would have required that the notice sent to a landowner prior to recording a certificate of take or certificate of deposit inform the landowner that: it would be recorded between 30 and 45 days from the date of the notice; that the property would be transferred to the condemnor upon recordation; and, that the landowner has the right to petition the court for distribution of the funds represented in the certificate.

Additional Land Use and Local Government Authority Bills

Among other land use and local government authority bills that passed the GA this year, **SB 24** (Petersen) amends the definition of agritourism to include horseback riding. **SB 977** (Suetterlein) requires a local governing body to provide members of the general public with the opportunity for public comment during a regular meeting at least quarterly. **HB 370** (Bell)/**SB 292** (Deeds) authorize a member of the Board of Zoning Appeals to also serve as an officer of elections. **HB 150** (Samirah) allows localities to impose a civil penalty up to \$500 per month on owners of derelict residential property that have not submitted a required plan to renovate or demolish the structure. **HB 726** (Reid)/**SB 746** (Bell) extend the time by which a governing body is required to approve or disapprove a locality-initiated comprehensive plan for more than 25 parcels from 90 days to 150 days. **HB 585** (Guzman) requires that each city with a population greater than 20,000, and each county with a population greater than 100,000, consider incorporating into the next scheduled and all subsequent reviews of its comprehensive plan strategies to promote transit-oriented development for the purpose of reducing greenhouse gas emissions through coordinated transportation, housing, and land use planning. **HB 696** (Roem) provides that localities may prohibit discrimination in housing, employment, public accommodations, credit, and education on the basis of sexual orientation and gender identity. The GA also passed several bills related to solar photovoltaic projects. **HB 655** (Heretick)/**SB 870** (Marsden) authorize localities to include reasonable regulations and provisions in zoning ordinances for special exceptions for solar photovoltaic projects. The bills also allow local governing bodies to grant conditions that include the dedication of property, substantial cash payments, or construction of substantial public improvements, even if the need is not generated solely by the granting of a conditional use permit, as long as the conditions are reasonably related to the project. **HB 656** (Heretick)/**SB 875** (Marsden) authorize a locality to include in its zoning ordinance provisions to incorporate generally accepted national standards for the use of solar panels and battery technologies for solar photovoltaic projects. Finally, **HB 657** (Heretick) gives localities the option

to waive the requirement that solar facilities be reviewed for substantial accord with the comprehensive plan.

A more emotional issue dealing with local government authority involved the removal of war memorials, sparked by the debate over Confederate monuments. With the tragic events that occurred in Charlottesville in 2017 as a backdrop, the GA took an interest in giving local governments the authority to remove all war memorials, not solely those related to the Civil War. Advocates on both sides passionately argued the merit of the issue. **SB 183** (Locke), as introduced, would have given localities broad authority over war memorials. The bill was amended in Senate Local Government to place “guard rails” on local governments before they could remove, relocate, contextualize, or cover a war memorial. Those requirements included: obtaining and paying for a report from the Virginia Department of Historic Resources; conducting a public hearing after completion of the report; and, a vote of two-thirds of the local governing body to remove, relocate, contextualize, or cover the war memorial. The process would take at least 120 days to complete. The bill provided an alternative “guard rail” that would allow the locality to petition a court for an advisory referendum prior to approving the removal of a war memorial. Conversely, **HB 1537** (McQuinn) would have required only that the locality offer the war memorial to any museums, historical societies, governments, or military battlefields for a period of 30 days before removing it. The bills were placed into conference, where a number of the more onerous requirements from **SB 183** were removed. The conference reports require a locality to publish a notice in a newspaper of its intent to remove, relocate, contextualize, or cover a war memorial, including the time and place of a public hearing to be held at least 30 days after such publication. After the public hearing, the local governing body can vote to take action on the memorial, but must offer it to any museum, historical society, government, or military battlefield before final disposition. The locality would continue to have the option to petition the court for an advisory referendum concerning the disposition of the monument.

A variety of other land use and local government authority bills that were of note this year were defeated. **HB 1204** (Tran) would have prohibited localities from spraying pesticides intended to suppress an infestation of the fall cankerworm on any property, unless the owner of the property were to “opt-in” to such spraying by the locality. **HB 662** (Mullin) would have incorporated into the County’s local grievance procedure provisions in the state grievance procedure allowing an appeal of final decisions to the circuit court. Under current law, the question of whether the relief granted by a panel or hearing officer is consistent with written policy is determined by the chief administrative officer of the local government. **HB 672** (Willett) would have required local and regional planning commissions to consider the impacts from, and causes of, climate change on adopting a comprehensive plan, regional strategic plan, or zoning ordinance.

Finally, two bills that sought to address the challenge of affordable housing raised substantial concerns among localities by mandating dramatic changes to local zoning and land use authority. **HB 151** (Samirah) would have required all localities to allow for the development and use of one accessory dwelling unit per single-family dwelling. The bill gave localities some ability to regulate the size, design, and other requirements if the restrictions did not unreasonably restrict the ability of property owners to utilize and create accessory dwelling units. **HB 152** (Samirah) required all localities to allow the development or redevelopment of middle housing residential units upon each lot zoned for single-family residential use. The bill defined middle housing as two-family residential units, including duplexes, townhouses, cottages, and other similar structures. Localities could regulate the siting, design, and environmental standards of middle housing residential units, including setback requirements, provided that the regulations do not discourage the development of middle housing. Though finding solutions to the issue of affordable housing is a top County priority, it is essential that localities maintain the flexibility to address the needs of their communities, as such solutions may differ from one part of the Commonwealth to another.

Animals

This session the GA demonstrated an increased appetite for bills relating to animal care and protection; however, there was not always consensus on how to achieve that goal. Three bills of note passed the GA. **SB 303** (Stanley) prohibits any dealer or commercial dog breeder from importing for sale any dog bred by a person who has received citations pursuant to enforcement of the federal Animal Welfare Act. **SB 742** (McPike) prohibits the rental or lease of a dog or cat to a consumer, and prohibits the sale of a dog or cat in which the animal is subject to repossession upon default of the agreement. **SB 114** (Marsden) subjects animal care statutes relating to the posting of consumer information about dogs, and written notice of consumer remedies, to enforcement under the Virginia Consumer Protection Act.

The GA once again took up the issues of tethering, debating the wisdom of giving localities the authority to enact more stringent ordinances for the care of companion animals with the introduction of **HB 1552** (Levine)/**SB 272** (Bell). Just like last session, these bills, as introduced, expanded local authority over the care of companion animals and expanded tethering provisions. As the bills worked their way through the process, the tethering provisions continued to evolve and the provision concerning expanded local authority over the care of companion animals was removed from **HB 1552**. Those provisions remained in **SB 272** and the bills headed to conference. The conference committee added language to the tethering section of each bill that would allow animal control officers to exercise some discretion in determining whether the tethering of an animal is appropriate given the animal's ability to tolerate its environment. Further, the expanded local authority over the care of companion animals was in both bills. Although the House accepted the conference reports for **HB 1552** and **SB 272**, the Senate rejected them and requested a second conference committee because of concerns over the expanded local authority. The conference committee resumed its work and eliminated the expanded local authority, instead passing bills only dealing with tethering.

A bill that would have given the County much needed increased local authority to regulate pet shops, **HB 1480** (Gooditis), failed to make it out of House Agriculture, Chesapeake and Natural Resources. **HB 1727** (Reid) would have helped localities manage the population of feral cats by authorizing public or private animal shelters to operate a trap, neuter, and return program, but the bill was continued to the 2021 session. Several bills which would have impacted the animal shelter also failed. **HB 508** (Willett) would have required a law-enforcement officer or animal control officer who has reason to believe that a dog within the jurisdiction is a dangerous dog to apply for a district court summons. Current law gives the officer discretion to apply for a summons. Eliminating an officer's discretion is problematic because an officer would be required to apply for a summons against the animal shelter if it came into possession of a dangerous dog. The patron agreed to strike **HB 508** with a promise to work on the bill with stakeholders after the session. **HB 1279** (O'Quinn) would have doubled the length of time that an animal shelter would have been required to keep an animal unless it was claimed by its rightful owner. In the County, this would have significantly increased the cost for the animal shelter and needlessly delayed the time in which these animals could be placed for adoption. The bill was continued to the 2021 session. **SB 304** (Stanley) would have required an animal shelter to annually file with the state veterinarian a copy of its intake policy, the number of animals which were euthanized, the number of animals surrendered with the intent to euthanize, and the number of animals presented by the public animal shelter to a licensed veterinarian prior to euthanasia. Although this bill passed the Senate, it was continued to the 2021 session in the House Agriculture, Chesapeake and Natural Resources Committee. Finally, **SB 310** (Stanley), as introduced, would have required a public animal shelter to wait three days before euthanizing a dog or cat when a person has notified the shelter of his intent to adopt or take custody of the animal. This would have increased the cost to the animal shelter and could have been abused by repeat notifications. The bill was amended to require the animal shelter to adopt a policy under which it would wait a certain number of days before euthanizing a dog or cat when a person has notified the shelter of his intent to adopt or take custody of the animal. Although this amended version would give the animal shelter more flexibility to adopt its own regulations, the bill failed in the House committee.

Collective Bargaining

The issue of collective bargaining for public sector employees received a great deal of attention during the 2020 GA. Collective bargaining is the negotiation process between an employer and a union or association comprised of workers to govern the terms and conditions of the workers' employment. The Code of Virginia currently prohibits collective bargaining for public employees in Virginia but does allow them to form associations to promote their interests. Virginia is one of several states that prohibits collective bargaining.

As introduced, **HB 582** (Guzman) and **SB 1022** (Boysko) would repeal the existing prohibition on collective bargaining by public employees and create a Public Employee Relations Board. This three-member body, appointed by the Governor and approved by the GA, would be responsible for determining eligible bargaining units and certifications for the elections of employee bargaining representatives. Those representatives would then be tasked with negotiating the terms of employment for their members with their public employers. In the case of impasses between employers and employee representatives, the disputes would be subject to arbitration by representatives of the Board. Interestingly, the legislation would exempt employees of the GA from the provisions of the bills.

Two other bills, **HB 327** (Levine) and **SB 939** (Saslaw), would allow state and local governments the option of engaging in collective bargaining, but would not have mandated that they do so. Also, **HB 67** (Carter) would have authorized non-law-enforcement public employees to engage in strikes without having been deemed to have terminated their employment; however, that bill was struck at the request of the patron in the House Labor and Commerce Committee.

When **SB 1022** and **SB 939** were heard in the Senate Commerce and Labor Committee, **SB 1022** (Boysko) was incorporated into **SB 939**. As amended, **SB 939** would provide a local option on collective bargaining for local governing bodies. Other changes included the addition of language removing the ability of public employees to strike, and the inclusion of an exemption from collective bargaining for Constitutional officers. **SB 939** passed the Senate on a party-line vote of 21-19. **HB 582**, which would require local governments to engage in collective bargaining if 30 percent of employees petition to form a collective bargaining unit and a majority of votes cast elect to designate a union or labor association as their exclusive representative to negotiate terms and conditions of employment, passed the House 54-45, also a party-line vote.

Ultimately, **HB 582** and **SB 939** were sent to a conference committee, and the bills that passed the GA preserve local choice. They also allow school boards to determine whether or not their employees may participate in collective bargaining, rather than authorizing the local governing body to pass an ordinance allowing collective bargaining for school employees. However, the bills make it clear that decisions by school boards to implement collective bargaining do not impact the budget process for local governing bodies, which are still responsible for allocating overall funding to school divisions. School boards are then responsible for determining how to allocate that funding to specific programmatic items, including instruction, facilities, transportation, salaries, and benefits, among others. It is important to note that the conference reports do not include state employees or Constitutional officers in collective bargaining, and provide no governance structure for local governments that plan to implement this authority, leaving those decisions to the localities. **HB 582/SB 939** also require a local governing body to vote against enacting collective bargaining if they do not adopt an ordinance and its employees express support for such an ordinance. Overall, allowing sufficient local flexibility in any state legislation was a key local government priority for this new local authority, as enactment of collective bargaining for public employees constitutes a sea change in Virginia, where there is not significant expertise in how such a structure would be implemented. As a result, it will be essential for local governments to work closely with their employees and communities to determine a path forward for their workforce.

Firearms (Local Authority)

After years of unsuccessful bills, the 2020 GA passed legislation allowing localities to pass an ordinance regulating firearms in government buildings, parks, recreation centers, and at permitted events. Numerous measures on this topic were introduced, including **HB 421** (Price)/**SB 506** (Edwards), which was one of the eight components of the Governor's legislative package addressing gun violence (see also page 63). Like the other firearm measures considered this session, the policy question of whether to allow localities any additional authority to regulate firearms was the subject of significant debate, with many advocates on both sides of the issue strongly voicing their point of view.

As introduced, **HB 421/SB 506** would have granted localities authority to adopt or enforce an ordinance, resolution, or motion governing the possession, carrying, storage, or transport of firearms, ammunition, or the components or combination thereof in the locality, among other provisions. This broad measure would have allowed localities to regulate the possession, carrying, storage, or transport of firearms and ammunition anywhere in its jurisdiction, including on private property. The Senate was the first to act on this measure, with the Senate Judiciary Committee choosing to incorporate **SB 506** and other bills on the topic into **SB 35** (Surovell). As passed the Senate, **SB 35** would authorize any locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components in: any building owned or used by the locality for governmental purposes; any public park owned by the locality; or, any public street, road, alley, sidewalk or public right-of-way or any other place that is open to the public and is being used by, or is adjacent to, a permitted event or an event that would otherwise require a permit. Additionally, the bill would repeal provisions in state code limiting localities and state governmental entities from bringing lawsuits against certain firearm manufacturers, and would require that localities with gun buy-back programs destroy any firearms they receive unless the person surrendering the firearm requests in writing that such firearms be sold.

The County sought a technical amendment to **SB 35** to ensure it would apply to parks under the purview of the Fairfax County Park Authority, which is a political subdivision, unlike other parks operated by localities throughout the state. After crossover, that issue was addressed in **SB 35**, which also was amended to allow localities to pass an ordinance prohibiting firearms in recreation and community centers operated by the locality or by an entity created or controlled by the locality. **HB 421** was then conformed to **SB 35**, and with the addition of a floor amendment pertaining to institutions of higher education, the bills passed in identical form, allowing the bills to avoid going to conference.

Plastic Bags

Both the House and Senate struggled throughout the session to develop consensus proposals to impose taxes on plastic bags provided by retailers. Areas of dispute included whether the tax should be levied statewide or on a regional basis, whether taxes should be imposed by the state or by localities, and the use of the revenues generated. At crossover, three different bills survived – two had passed the House and one had passed the Senate. **HB 534** (Carr) would have imposed a five-cent fee on disposable plastic bags, collected by the state Tax Commissioner, beginning July 1, 2021. Certain bags, such as those provided to transport newspapers, dry cleaning, or certain meat or dairy products, would be exempt from the fee. Retailers would be allowed to retain one cent of the five-cent fee, and the remaining revenues would be divided between the Water Quality Improvement Fund and the Litter Control and Recycling Fund. **HB 534** narrowly passed the House (52-46) after initially failing on the House floor by one vote. **HB 1151** (Lopez) would authorize localities to impose a five-cent tax on each disposable plastic bag (the same exemptions as in **HB 534** would apply), beginning July 1, 2020. The Tax Commissioner would collect the tax. Retailers would be authorized to retain one cent of the tax, and the remaining revenues, after the Department of Taxation recouped its expenses for administering the tax, would be divided between the Water Quality Improvement Fund and the Natural Resources Commitment Fund. **HB 1151** also passed narrowly (50-46), but failed in the Senate by one vote.

SB 11 (Ebbin), as amended on the Senate floor, would establish a bifurcated system: in Planning District 8 (Northern Virginia), the state would impose a five-cent tax on each plastic bag, which would be collected by each locality, and in the rest of the state, the tax would be imposed by local ordinance and collected locally. All revenues collected by localities would be directed to environmental purposes, such as education programs or litter mitigation. The same exemptions for certain plastic bags used for certain purposes, as in the other bills, would apply. Beginning July 1, 2021, and ending July 1, 2023, retailers would be allowed to retain two cents per bag, but would be required to use half of this amount to promote the use of reusable bags; after that time, retailers would be allowed to retain one cent, but without restriction on the use of those funds. The bill would take effect July 1, 2021. A floor version passed 26-14 after the Senate Finance and Appropriations version (which imposed the tax statewide) failed, with the Lieutenant Governor casting the tie-breaking vote against that version of the bill.

The final conference report for **SB 11** and **HB 534** that passed the GA establishes a local option system, allowing localities to impose a five-cent tax on each plastic bag to be used by the locality for environmental cleanup, environmental education or providing reusable bags to recipients of Supplemental Nutrition Assistance Program (SNAP) or Women, Infants, and Children Program (WIC) benefits. Localities are authorized to begin imposing the tax on January 1, 2021. The same exemptions for certain plastic bags used for certain purposes would apply. Beginning July 1, 2021, and ending July 1, 2023, retailers would be allowed to retain two cents per bag, but would be required to use half of this amount to promote the use of reusable bags; after that time, retailers would be allowed to retain one cent. The tax would be collected by the state and remitted to localities.

Shopping Carts

As introduced, **SB 631** (Surovell) would have allowed any county with the urban county executive form of government (only Fairfax County) to enact an ordinance to remove and dispose of abandoned shopping carts with notice to the owner, allowing the County to recover from the owner the costs of the removal and disposal of the abandoned cart. Any charges not paid within 30 days would constitute a lien on the shopping cart and could be charged against the owner of the shopping cart. Unlike in previous years, the bill also included a new section giving the locality the authority to fine the person illegally possessing a shopping cart up to \$500. Though the County supported the increased local authority to deal with a difficult issue, the County also raised concerns about implementation challenges and the likelihood that the fines for illegal possession would significantly impact low-income and homeless residents. At the

request of Arlington County and the City of Alexandria, **SB 631** was amended to expand the authority in the bill to any locality in Planning District 8. After originally failing to pass the Senate, the bill was reconsidered and ultimately passed. After crossover, the bill was further amended in House Counties, Cities, and Towns to preclude the use of civil penalties in cases where a person was convicted of stealing the shopping cart, so someone could not be charged both criminally and civilly. The bill was further amended on the floor of the House to include a provision giving retailers at least 15 days to retrieve the shopping cart after receiving a notice of violation from the locality. In a true test of resilience, the bill met the same fate in the House as it had in the Senate – it failed to pass but was again reconsidered. Two additional floor amendments were added. The first limits the bill to only Arlington and Fairfax Counties, and the second limits the amount that can be recovered from a retailer for removing and disposing of a cart to \$300 per cart. With the amendments added, the bill passed the House and the Senate agreed to the House amendments, sending the bill on to the Governor with a promise from the bill's patron that he would never again speak of shopping carts at the GA.

Trees

Trees, particularly trees as a stormwater management tool, generated significant interest in the GA this session. This interest germinated into a study contemplated by **HB 520** (Bulova) which directs DEQ to convene a stakeholder advisory group for the purpose of studying the planting or preservation of trees as an urban land cover and as a stormwater BMP. The bill provides that the stakeholder group be composed of development and construction industry representatives, environmental technical experts, local government representatives, and others. The bill directs DEQ to report its findings by November 1, 2020, and to include a recommendation as to whether the planting or preservation of trees should be deemed a creditable land cover type or BMP and, if so, how much credit should be given for its optimal use. Another bill, **HB 504** (Hope), passed the GA and adds the preservation of mature trees or the planting of trees (both as water quality protection tools and as a means of providing other natural resource benefits) to the list of activities that the State Water Resources Board is directed to encourage and promote as it adopts criteria for local governments to use as they consider development in Chesapeake Bay Preservation Areas.

Because of the GA's decision to have DEQ study trees in **HB 520**, other tree-related bills failed to take root. **HB 221** (Mugler) and **SB 184** (Locke) would have added "flood mitigation tree" to the types of trees that a locality with a tree conservation ordinance (that has also adopted strategies to combat projected relative sea-level rise and recurrent flooding) is authorized to designate for preservation. **HB 1624** (Cole, J) would have authorized any locality to adopt an ordinance providing for either the conservation of, or the planting and replacement of, trees during the land development process. **HB 707** (Keam) would have allowed the Town of Vienna to require that a subdivision or development provide for the preservation or replacement of trees on a development site so that the minimum tree canopy 10 years after development is projected to meet the coverage criteria (the criteria apply to coverage 20 years after development). Finally, **HB 1329** (Kory) would have directed the State Water Control Board, when developing criteria for use by localities in addressing Resource Protection Areas (RPAs) under the Chesapeake Bay Preservation Act, to require that any local ordinance addressing permitted modifications of the buffer area include specific penalties for the removal of trees from an RPA without the prior approval of the locality.

Unmanned Aircraft Systems

The 2020 GA again took up the issue of whether localities should have authority to regulate the take-off and landings of unmanned aircraft systems (or drones). This followed the 2018 GA's enactment of a law making the prohibition on local regulation permanent, and expanding it to include political subdivisions, impacting the Fairfax County Park Authority (FCPA). Early in the session, **HB 742** (Bulova) was identified as the primary vehicle to address this topic, and a compromise substitute that the patron had developed with industry stakeholders was reported from House Communications, Technology, and Innovation. That substitute authorizes a political subdivision, by ordinance or regulation, to regulate the take-off or landing of certain drones on property owned by the political subdivision, in accordance with rules and regulations that the Department of Aviation is required to develop and adopt by January 1, 2021, in collaboration with stakeholders. The bill provides that such an ordinance cannot prohibit the take-off or landing of commercially operated drones, drones being used for emergency or maintenance support services, drones needing to land in the event of a technical malfunction, or drones operated by a sworn public safety officer in performance of his duties. After unanimously passing the House, Senate Local Government made an amendment adding drones operated by the U.S. government to the list of drones that are not subject to such an ordinance, and the bill flew through the rest of the legislative process

without opposition. The provisions of the bill allowing a locality to adopt an ordinance take effect on January 1, 2021.

(5.) State Budget

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

Highlights of Fairfax County Priorities in 2020-2022 Budget

The state budget, particularly in a long GA session when a new biennium budget is crafted, is always the single most important piece of legislation considered by the GA. At the start of the 2020 GA session, there was optimism about the budget and a sense that it presented unique opportunities. Part of that was due to state revenues improving dramatically, though state revenues have fluctuated considerably in recent years, with the state completing FY 2019 with a revenue surplus of over \$797 million. Additionally, after several years and substantial effort, the GA included expansion of Medicaid as envisioned in the Patient Protection and Affordable Care Act in the 2018-2020 biennium budget, providing enhanced federal revenues and freeing up state dollars to be redirected to other critical needs for years to come. In a sign of collaboration, Governor Northam also set aside \$100 million in each year of the 2020-2022 biennium in his introduced budget for priorities to be identified by the GA.

Further bolstering that optimism was the Governor's mid-session announcement that an additional \$292.5 million for FY 2020 would be available from a revenue reforecast, with \$112.3 million required to be deposited into Virginia's Revenue Stabilization Fund (also known as the Rainy Day Fund), leaving \$180.2 million in unobligated funds. With that announcement coming less than 48 hours before the House and Senate unveiled their proposed budgets, much of the \$180.2 million was initially directed to reserves, though there was speculation that some of that funding might be redirected to other initiatives in the conference report, after budget conferees had more time to decide how to allocate it. In general, both the House and Senate's proposed budgets included good news for localities, with the House proposing a partial restoration of the Cost of Competing Adjustment (COCA) for K-12 support positions, and the Senate proposing increased aid to localities with police departments ("HB 599" funding, which is required to increase with state revenues but consistently has not been funded at that level, particularly in recent years).

As the final days of the session drew near, it became clear that a budget would not be agreed to prior to the scheduled adjournment date, though budget conferees indicated they were close to reaching a deal. Funding for higher education and state employee pay increases seemed to be the areas most significantly in dispute. In fact, those issues were so close to being resolved that just a little more time was needed; after extending the session through Sunday to finish legislation, the GA reconvened on Thursday, March 12, 2020, to vote on the budget and judicial nominations. Though some GA members advocated for delaying the budget vote one week due to the rapidly evolving coronavirus public health emergency and related economic impacts, the GA ultimately voted as planned on the budget conference report, which passed the House and Senate by wide margins. The budget conference report includes good news for Fairfax County, but it follows years of state underfunding to localities in general, so it is essential that the state continue to increase investments in K-12 and other essential local programs and services in future years. Additionally, the challenges created by the coronavirus increase the likelihood that the Governor will recommend more substantial budget amendments for consideration by the GA at the Reconvened Session in April than would normally be expected.

Priority Budget Items for Fairfax County in Conference Report (HB 30)

K-12 Funding

Provides \$9.6 million GF in FY 2021 and \$10 million GF in FY 2022 to partially restore COCA funds for K-12 support positions to eligible school divisions (nine school divisions in Planning District 8 and nine adjacent school divisions), resulting in an additional \$3.3 million for FCPS as compared to the Governor's

budget. Also updates the sales tax estimate for FCPS for FY 2021, resulting in an additional \$100,000 for FCPS as compared to the Governor's budget.

Provides \$95.2 million GF in FY 2021 and \$49.9 million GF in FY 2022, in addition to the compensation adjustment proposed in the Governor's budget, for two percent salary increases in each year for the state share of funded SOQ instructional and support positions, subject to revenue contingency language providing that no downward revision of the biennium revenue forecast is made after the close of FY 2020. The state share of the salary increases would be given to school divisions that certify that increases of at least an average of two percent have been, or will have been, provided during each year of the 2020-2022 biennium, either in the first year or in the second year, or through a combination over both years. The total cost of this salary increase in FY 2021 for FCPS is \$50.6 million, with the conference report providing \$9.4 million as compared to the Governor's budget. The total cost of the salary increase in FY 2022 for FCPS is \$53.1 million, with the conference report providing an additional \$4.9 million (in addition to the \$14.1 million that was included in the Governor's introduced budget, which proposed a three percent salary increase in FY 2022).

Modifies Lottery proceeds funding to establish the Infrastructure and Operations Per Pupil Fund, which would provide \$263 million in FY 2021 and \$266.2 million in FY 2022 from the Lottery proceeds fund to provide the state share of per pupil payments of \$375.27 in FY 2021 and \$378.52 in FY 2022. Unlike current Lottery proceeds funding, there are requirements imposed on how this funding can be used – it must be dedicated to non-recurring expenditures and intended to address a wide range of capital needs, such as roof repairs, general renovations and upgrades, design and planning of new schools, purchase of school buses, et cetera. Also unlike current Lottery proceeds funding, beginning in FY 2022, this language requires local matching funds (there is no local match requirement in FY 2021). This would result in an additional \$3.6 million for FCPS in FY 2021, but the impact on the School Operating Fund is still being assessed based on the aforementioned new requirements.

Virginia Retirement System (VRS)

Adopts the higher employee contribution rates for retirement benefits that were included in the Governor's budget, resulting in additional funding of \$8.2 million (including \$8 million for VRS and \$200,000 for group life insurance) in FY 2021 as compared to FCPS' FY 2021 budget forecast presented on November 26, 2019 (FCPS expenditures for the projected rate increases were included in the FY 2021 budget forecast presented on November 26, 2019). The impact of the VRS contribution rate changes will cost FCPS an additional \$15.6 million, as was included in the November forecast.

Also provides retiree health care credit for support staff funding to implement legislation passed by the 2020 GA; this action is anticipated to have a minimal impact on FCPS.

Does not provide a one-time payment to the VRS teacher plan in FY 2020 to expedite repayment of deferred contributions, as had been included in the Senate budget.

State-Supported Constitutional Officers and Local Employees Salary Increase

Provides funding for a two percent one-time bonus on December 1, 2020, and a three percent salary increase effective July 1, 2021, for state-supported local employees. This would be contingent upon actual GF revenues for FY 2020 not being one percent or more below the official budget estimate, necessitating a statutorily required revenue reforecast. It appears that the County will not be able to draw down state funding in FY 2021, unless the County provides a bonus for state-supported local employees (the FY 2021 Advertised Budget does not include a bonus). In FY 2022, results in an increase of approximately \$1 million, should the County implement salary increases of at least three percent.

Aid to Localities with Police Departments ("HB 599")

Provides an increase of \$8.6 million in FY 2021 and level funding for FY 2022 in funding for state aid to localities with police departments. The amount is consistent with the 4.5 percent increase in GF revenues in the first year. This results in an increase of approximately \$1.2 million for Fairfax County.

Body-Worn Cameras

Directs the Secretary of Public Safety and Homeland Security to continue the workgroup examining workload issues, as well as other fiscal and policy impacts, as a result of the use of body-worn cameras. Local government representatives are included among the required workgroup participants. Also requires the Commonwealth's Attorney's office in each locality that employs body-worn cameras to submit information on the program to the Compensation Board and the workgroup on a quarterly basis. A report is due to the money committees by November 15, 2020.

Community Services Board (CSB) Funding

As part of Medicaid expansion, the Department of Behavioral Health and Developmental Services (DBHDS) planned to reduce state funding to all CSBs; the reduction for the Fairfax-Falls Church CSB was \$1.69 million (\$11 million statewide) in FY 2019 and \$4.36 million (\$25 million statewide) in FY 2020, based on the assumption that the CSB would receive increased revenue as a result of newly eligible Medicaid participants. Though the Fairfax-Falls Church CSB signed up more than 1,060 newly eligible individuals for Medicaid, the reduction still exceeded the amount of revenue generated, resulting in DBHDS in FY 2020 providing a one-time payment of \$1 million for the FY 2019 reduction to the Fairfax-Falls Church CSB (pursuant to language that had been included in the budget passed by the 2019 GA). FY 2020 data for the Fairfax-Falls Church CSB indicates that revenue generated will also be less than the \$4.36 million reduction. Unfortunately, the 2020-2022 biennium budget does not address this issue.

General District Court (GDC) Judgeship

Provides approximately \$300,000 to support a 12th judge and one clerk support staff in the Fairfax County GDC (the 19th Judicial District). The GA also passed legislation authorizing this judgeship (see also page 72).

Stormwater

Provides \$50 million in bond proceeds in FY 2021 for Stormwater Local Assistance Fund (SLAF) capital projects. The County's Legislative Program includes support for SLAF, and the County has received SLAF funding for a number of projects.

Water Quality Improvement Fund (WQIF)

Directs \$46.3 million for the mandatory deposit to the WQIF associated with the FY 2019 year-end surplus, and provides an additional supplemental deposit of \$20.3 million for WQIF in FY 2022.

Temporary Assistance for Needy Families (TANF)

Provides funding to increase TANF benefits by 15 percent, and adjusts the income eligibility for TANF to allow more families to qualify. Also eliminates the TANF Family Cap restriction, allowing eligible families to receive additional assistance as their household sizes and needs grow (TANF benefit amounts are based on household size, and currently children born to parents receiving TANF for 10 consecutive months are not included in the household size).

Virginia Housing Trust Fund

Provides an additional \$7 million (for a total of \$14 million) in FY 2020 (in the Caboose), \$30 million in FY 2021 and \$30 million in FY 2022 for the Virginia Housing Trust Fund.

Virginia Mental Health Access Program

Provides \$4.2 million GF and 14 positions in each year for the Virginia Mental Health Access Program, an integrated care program that increases access for children and adolescents to behavioral health services. It is unclear how the 14 positions will be dispersed throughout the state. The County has been supportive of this concept in the past.

Virginia Preschool Initiative (VPI)

Makes some adjustments to the Governor's \$94.7 million proposed early childhood education package. For the Virginia Early Childhood Foundation (VECF) Mixed-Delivery Grant program, the budget passed by the GA provides a total of \$5 million GF each year (instead of \$17 million over the biennium as proposed by the Governor) to support mixed-delivery pre-kindergarten pilot programs for at least 500 at-risk three- and four-year olds (these slots do not require a local match). Fairfax County has received funding from the VECF grant in previous years.

Also eliminates the VPI+ program (state payments for this program were established in FY 2018 after federal funding ended) and provides \$2 million GF in FY 2021 and \$2.2 million GF in FY 2022 to hold eight school divisions harmless for the 609 VPI+ spots used in the 2019-2020 school year. Transfers \$4.4 million GF in FY 2021 and \$4.9 million GF in FY 2022 to the early childhood reform package to provide additional flexible funding. Fairfax County is one of the eight school divisions with VPI+, but the proposed funding and slots will not have a significant impact, as currently the County has slots available to offset the elimination of the VPI+ program.

Additionally, a language-only amendment provides that the mixed-delivery add-on grants vary by region. In FY 2021, the add-on grants will provide (i) \$3,500 per child for divisions in Planning District 8, (ii) \$2,500 per child for divisions in Planning District 15, Planning District 23, and for the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, and (iii) \$1,500 per child in any other division. The Virginia Department of Education (VDOE) is required to establish a schedule designating the amount of the add-on grants for each school division for FY 2022. This amendment is positive for Fairfax County, as it reflects the higher cost of serving children in the Northern Virginia region. The \$3,500 per child mixed-delivery add-on grant in Planning District 8 would be provided for VPI slots in community/provider settings and would be in addition to the VPI per pupil amount.

Also requires VDOE to report on the utilization of funds and slots for VPI and the Mixed-Delivery Preschool Initiative.

Blue Line Study

Requires the Department of Rail and Public Transportation (DRPT), in cooperation with Fairfax and Prince William Counties, to conduct an evaluation of enhanced public transportation services, including the cost and feasibility of extending the Blue Line and other multimodal options along I-95 and U.S. Route 1 from the Franconia-Springfield Metro Station to Marine Corps Base Quantico in Prince William County.

WMATA Subsidy Cap

Requires NVTC to convene a workgroup, which includes the DRPT Director, a local government representative, and private sector stakeholders, to review the impact of the three percent cap on operating assistance in the approved WMATA budget. The workgroup will report to the House Appropriations and Senate Finance Committees by November 10, 2020, on the usefulness of the cap and whether additional items should be excluded.

State Transit Funding for Urban Areas

Directs the Secretary of Transportation to ensure that at least \$5 million of the annual allocation to the new Transit Ridership Incentive Fund (established in **HB 1414/SB 890**) is used to provide operating assistance to transit programs that reduce congestion in urban areas. The Secretary is directed to report on the methodology that will be implemented by June 30, 2021.

Virginia Veterans Parade Field at the National Museum of the U.S. Army in Fairfax County

Provides \$3 million in FY 2021 for the construction of the Virginia Veteran's Parade Field at the National Museum of the U.S. Army in Fairfax County. The County provides annual support for the Museum through the County's Contributory Fund.

Mason Neck State Park

Provides funding of \$160,800 in each year of the biennium to support two additional staff at Mason Neck State Park. In addition, directs the Department of Conservation and Recreation to compare the costs of either repairing or upgrading the current well water system at the Park to those required to connect the Park to a municipal water system and report the findings no later than October 15, 2020.

Regional Science Center

Includes bond proceeds for the Regional Science Center in Northern Virginia (formerly known as the Children's Science Center). Fairfax County has supported funding for the Children's Science Center in previous years (in 2018, the Board of Supervisors sent a budget letter to the Governor which included a funding request for this initiative).

Turning Point Suffragist Memorial

Provides \$250,000 toward the construction of the Turning Point Suffragist Memorial in Lorton, Virginia. The funding will flow from the state through Fairfax County as a one-time grant to NOVA Parks (formerly known as the Northern Virginia Regional Park Authority).

United Community

Provides \$700,000 NGF in each year to United Community, a non-profit with which Fairfax County partners to serve low-income families in the Lee and Mount Vernon Districts. United Community programs and services include community centers; early learning centers; community school programs; programs geared toward food, rental, employment and medical assistance; and, a thrift store that reinvests all proceeds back into the community.

**BUDGET PROPOSALS FOR FY 2020 - FY 2022
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Estimated Impact to Fairfax County - Increase/Decrease Over Prior Fiscal Year (\$ Million)

	Governor's Budget		House		Senate		Conference	
Direct County Impact	FY 2021	FY 2022	FY 2021	FY 2022	FY 2021	FY 2022	FY 2021	FY 2022
Provides targeted salary adjustments for specific positions reimbursed by the Compensation Board.	TBD	TBD	TBD	TBD	TBD	TBD	TBD	TBD
House: Provides 1% salary increase effective July 1, 2020, and 1% bonus on September 1, 2020, and 2% salary increase effective July 1, 2021, for state-supported local employees.	\$0.00	\$0.00	\$0.62	\$0.68	\$0.00	\$0.00	\$0.00	\$0.00
Senate: Provides 3% salary increase effective July 1, 2021, for state-supported local employees.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1.00	\$0.00	\$0.00
Conference: Provides 2% bonus on December 1, 2020, and 3% salary increase effective July 1, 2021, for state-supported local employees, contingent on state revenues.	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$0.00	\$1.00
Increases HB 599 Funding	\$0.00	\$0.00	\$0.00	\$0.00	\$1.20	\$0.00	\$1.20	\$0.00
TOTAL DIRECT COUNTY IMPACT	\$0.00	\$0.00	\$0.62	\$0.68	\$1.20	\$1.00	\$1.20	\$1.00
TOTAL OVER THE BIENNIUM	\$0.00		\$1.29		\$2.20		\$2.20	

Impact to the Fairfax County Public Schools' (FCPS) FY 2021 Operating Fund Budget

Governor Northam's Budget:

Compared to the FCPS' FY 2020 Approved Budget, Governor Northam's budget includes \$61.7 million more in state aid and \$7.5 million more in sales tax revenue for FY 2021.

The impact of Governor Northam's Budget is reflected in the FCPS FY 2021 Proposed Budget released on January 9, 2020.

House: Compared to the FCPS' FY 2020 Approved Budget, the House budget amendments include \$71.4 million more in state aid and \$7.5 million more in sales tax revenue for FY 2021.

Compared to the FCPS' FY 2021 Advertised Budget, the House budget amendments include \$9.7 million more in state aid and no change in sales tax revenue.

Senate: Sufficient detail is not yet available to provide information on the full impact of the proposed Senate budget.

Conference: Compared to the FCPS' FY 2020 Approved Budget, the Conference budget amendments include \$68.4 million more in state aid and \$7.7 million more in sales tax revenue for FY 2021.

Compared to the FCPS' FY 2021 Advertised Budget, the Conference budget amendments include \$6.7 million more in state aid and \$0.1 million more in sales tax revenue. This total does not include \$3.6 million Infrastructure and Operational per pupil funding made available in the Conference amendments, as FCPS is still assessing its impact on the School Operating Fund. The funding requires dedication to non-recurring expenditures and is intended to address the wide variety of capital needs ranging from roof repairs, general renovations and upgrades, design and planning of new schools, purchase of school buses, etc.

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Budget Bill Item #	Issue	Fairfax County Impact
Compensation		
<u>State-Supported Employee Compensation</u>		
477	Governor Northam's Budget: No across-the-board salary adjustment is included for Constitutional officers and state-supported local employees. Targeted salary increases for specific positions are included.	No increase for Fairfax County.
477 #1h	House: Provides 1% salary increase effective July 1, 2020, and 1% bonus on September 1, 2020, and 2% salary increase effective July 1, 2021, for state-supported local employees.	Results in an increase of approximately \$615,000 in FY 2021 and \$677,000 in FY 2022.
477 #4s	Senate: Provides 3% salary increase effective July 1, 2021, for state-supported local employees contingent upon actual General Fund (GF) revenues for FY 2020 not being 1% or more below the official budget estimate.	Results in an increase of approximately \$1 million in FY 2022.
477 #5c	Conference: Provides funding for a 2% one-time bonus on December 1, 2020, and a 3% salary increase effective July 1, 2021, for state-supported local employees contingent upon actual GF revenues for FY 2020 not being 1% or more below the official budget estimate, necessitating a statutorily required revenue reforecast.	Appears that the County will not be able to draw down state funding in FY 2021, unless the County provides a bonus for state-supported local employees (the FY 2021 Advertised Budget does not include a bonus). In FY 2022, results in an increase of approximately \$1 million, should the County implement salary increases of at least 3 percent.
68	Governor Northam's Budget: Provides \$5.6 million to fund salary increases for regional jail officers consistent with those received by deputy sheriffs to equalize the pay grade for all entry-level correctional officers in local and regional jails. House/Senate/Conference: No change.	The Sheriff's Office believes there is no fiscal impact as they are not a regional jail.
71, 74	Governor Northam's Budget: Provides \$2.0 million to fund targeted salary increases for Commissioners of Revenue and \$2.6 million for local Treasurers. House/Senate/Conference: No change.	The County would realize a potential increase for the Compensation Board reimbursement. TBD.
73	Governor Northam's Budget: Provides \$3.8 million to adjust salaries of circuit court clerks to address pay equity with those of the district court clerk positions. House/Senate/Conference: No change.	Applies to entry-level positions. As a result, the County would realize a potential increase for the Compensation Board reimbursement. TBD.
87	Governor Northam's Budget: Provides \$5.0 million to fund the reimbursement of general registrar and electoral board salaries to localities. House/Senate/Conference: No change.	Currently the state reimburses the County approximately 65% of the electoral board stipend and the general registrar's state mandated salary, but not the County supplement. This proposal would require 100% reimbursement of the mandated salary/stipends. Results in estimated additional funding of \$41,000.
Public Safety		
408	<u>State Aid to Localities with Police Departments (HB 599)</u>	
	Governor Northam's Budget: No increase is included over the biennium for state support for local police departments. Statutory policy requires that HB 599 funding increase at the rate of GF revenue growth. House: No change.	No increase for Fairfax County for the new biennium. In FY 2020, the County received \$26.4 million. No increase.
408 #1s	Senate: Provides an increase of \$8.6 million in FY 2021 and level funding for FY 2022 to increase state aid to localities with police departments. The amount is consistent with the 4.5 percent increase in GF revenues in the first year.	Results in an increase of approximately \$1.2 million.
408 #1c	Conference: Same as the Senate.	Results in an increase of approximately \$1.2 million.

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as of March 17, 2020**

Budget Bill Item #	Issue	Fairfax County Impact
<u>Gun Violence Intervention and Prevention</u>		
406.M.	Governor Northam's Budget: Includes \$2.6 million in FY 2021 and \$0.2 million in FY 2022 and two positions in each year to make competitive grants to five localities to support evidence-based gun violence intervention and prevention initiatives. House: No change.	TBD.
406 #3s	Senate: Removes a portion of funding that was proposed in the introduced budget to fund the Violence Intervention and Prevention Fund and administrative positions. The remaining funding leaves \$1 million in the first year to be transferred to the Fund. Conference: No change.	
<u>Firearms</u>		
402, 425	Governor Northam's Budget: Includes \$8 million to implement the Governor's proposed firearm legislation, which includes: allowing the removal of firearms from persons who pose a substantial risk to themselves or others; prohibiting the sale, possession, and transport of assault firearms, trigger activators, and silencers; increasing the penalty for allowing a child to access unsecured firearms; prohibiting possession of firearms for persons subject to final orders of protection; and, requiring background checks for all firearms sales.	TBD. The County's Legislative Program includes support for many of these proposals.
425 #2h	House: Removes funding and 18 positions proposed in the introduced budget resulting from legislation considered during the 2020 GA which would have banned the purchase, sale, transfer, or transportation of assault weapons. The associated legislation was amended to eliminate the fiscal impact.	
425 #1s	Senate: Removes \$2.4 million the first year and \$1.6 million the second year and 18 positions provided in the introduced budget to address the fiscal impact of legislation to ban assault weapons. The House had amended the legislation which eliminated the fiscal impact; subsequently, the measure was continued to 2021 by Senate Judiciary on Monday, February 17, after the money committees released their budgets.	
425 #2c	Conference: Same as Senate.	
<u>Victims of Crime Act (VOCA) Grant Funding</u>		
406	Governor Northam's Budget: Provides \$17.3 million NGF in FY 2021 and \$21.3 million NGF in FY 2022 for the VOCA program, which funds support grants to local programs that provide services to victims of domestic abuse, sexual assault, victim witness program, and child abuse. House/Senate/Conference: No change.	The County currently receives grant funding for this program and could apply and potentially get more from the increase included in the Governor's budget.
Revenue		
<u>Cigarette Tax</u>		
3-5.21	Governor Northam's Budget: Increases the state Cigarette Tax rate from \$0.30 to \$0.60 per pack and a tax on other tobacco products of 20% of the manufacturer's sales price, effective July 1, 2020. House/Senate/Conference: No change.	Fairfax and Arlington Counties are the only two counties in Virginia authorized to levy a Cigarette Tax, capped at the state rate. This proposal to increase the state rate would allow Fairfax County to increase its rate, which would generate \$5.4 million for Fairfax County's General Fund. This budget proposal to double the cigarette tax rate will only apply to the state tax rate. In separate legislation, the General Assembly (GA) authorized localities in Virginia to levy a cigarette tax at a rate of \$0.02 per cigarette (or \$0.40 per pack), effective July 1, 2021. Currently, Fairfax County's Cigarette Tax rate is \$0.30 per pack.

**BUDGET PROPOSALS FOR FY 2020 - FY 2022
DURING THE 2020 GENERAL ASSEMBLY SESSION
as of March 17, 2020**

Budget Bill Item #	Issue	Fairfax County Impact
Judicial		
48	Governor Northam's Budget: Provides \$9.5 million to support 59 additional public defenders to address high caseload demands in offices across the Commonwealth.	The Chief Public Defender believes they may receive two Public Defender I and two Public Defender II positions. The County funds the salary supplement, which totals approximately \$38,000 for the four positions.
48 #1h	House: Clarifies that the new funding included in the introduced budget for the Indigent Defense Commission offices may be used to hire new staff or make salary adjustments to address high turnover rates in the offices. Senate: No change.	
48 #1c	Conference: Same as the House.	
42	Governor Northam's Budget: Provides \$5.6 million to support 60 additional district court clerk positions to address workload demands in courts.	It is not clear how these positions will be allocated throughout the state. According to the District Court Staffing Model developed by the Office of the Executive Secretary of the Supreme Court, the Fairfax County General District Court needs more than 21 additional positions and the Fairfax County Juvenile and Domestic Relations Court needs more than 9 additional positions.
42 #1h	House: Provides an additional \$1.9 million GF the first year and \$3.8 million GF the second year to allow the hiring of a total of 60 additional deputy district court clerks each year.	
42 #1s	Senate: Provides an additional appropriation in the amount of \$3.9 million for either additional clerk positions, salary increases for general district court clerks, or a combination of both. The funding for this appropriation is derived from a companion amendment in Part 4-14.00 that increases general district court civil filing fees from \$30 to \$36 (revenue from this fee goes to the state, not to localities).	
42 #2c	Conference: Provides an additional \$3.9 million for either additional clerk positions, salary increases for general district court clerks, or a combination of both. Sufficient funding is provided for the courts to hire a total of 90 new deputy district court clerks the first year, with an additional 30 the second year, totaling 120 new positions in the biennium. The funding for this appropriation is derived from a companion amendment in Part 4-14.00 that adjusts general district court civil filing fees from \$30 to \$36 (revenue from this fee goes to the state, not to localities).	
42	Governor Northam's Budget: Provides \$0.3 million to support one new general district court judgeship and one clerk support staff for the 19th Judicial District (Fairfax County). House/Senate/Conference: No change.	Positive. The County's Legislative Program includes support for authorizing and funding this 12th judgeship. The GA would also need to authorize this 12th judgeship in separate legislation.
42	Governor Northam's Budget: Provides \$4.5 million for the Criminal Fund to fund the anticipated cost increases associated with providing constitutionally mandated legal defense for indigent persons accused of crimes in General District Courts. House/Senate/Conference: No change.	No direct impact on the County's budget.
43	Governor Northam's Budget: Provides \$4.5 million for the Criminal Fund to fund the anticipated cost increases associated with providing constitutionally mandated legal defense for indigent persons accused of crimes in Juvenile and Domestic Relations District Courts. House/Senate/Conference: No change.	No direct impact on the County's budget.
72	Governor Northam's Budget: Provides \$2.8 million to fund additional Assistant Commonwealth's Attorneys and support staff positions. This amendment provides 29 positions to address workload demands across various offices in the Commonwealth. House/Senate/Conference: No change.	TBD.

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Budget Bill Item #	Issue	Fairfax County Impact
Other Items of Interest		
Water Quality Improvement Fund (WQIF)		
373.B&C	Governor Northam's Budget: Directs \$47.0 million for the mandatory deposit to the WQIF associated with the FY 2019 year-end surplus; provides an additional supplemental deposit of \$41.8 million for WQIF in FY 2022. House: No change.	Likely positive. Fairfax County has used WQIF for projects in the past, and likely will have future projects that qualify for WQIF funding.
373 #1s	Senate: Dedicates an additional \$29.3 million to the WQIF in FY 2021, bringing the total one-year deposit to \$76.3 million. Additionally, removes a proposed discretionary deposit to the Fund for FY 2022 in the amount of \$41.8 million.	
373 #1c	Conference: Directs \$46.3 million for the mandatory deposit to the WQIF associated with the FY 2019 year-end surplus; provides an additional supplemental deposit of \$20.3 million for WQIF in FY 2022.	
Stormwater Local Assistance Fund (SLAF)		
C-70	Governor Northam's Budget: Provides \$182 million in bond proceeds in FY 2021 for SLAF capital projects.	The County's Legislative Program includes support for SLAF, and the County has received SLAF funding for a number of projects.
C-70 #1h	House: Provides \$92 million in bond proceeds in FY 2021 for SLAF capital projects, a decrease of \$90 million from the introduced budget.	
C-70 #1s	Senate: Provides \$50 million in bond proceeds in FY 2021 for SLAF capital projects, a decrease of \$132 million from the introduced budget.	
C-70 #1c	Conference: Same as the Senate.	
Virginia Telecommunication Initiative (VTI)		
114.L	Governor Northam's Budget: Provides \$35 million in each year of the biennium for the VTI. House/Senate: No change. Conference: Provides \$34.7 million in each year of the biennium for the VTI.	TBD.
Virginia Housing Trust Fund (HTF)		
113	Governor Northam's Budget: Provides an additional \$7 million (for a total of \$14 million) in FY 2020 (in the Caboose), a total of \$30 million in FY 2021 and \$40 million in FY 2022 to support the HTF. House: No change.	The County's Legislative Program includes support for additional appropriations to the HTF.
113 #1s	Senate: Reduces the deposit to the HTF by \$10 million in FY 2022, providing \$30 million in each year of the biennium.	
113 #4c	Conference: Same as the Senate.	

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Budget Bill Item #	Issue	Fairfax County Impact
<u>Elections</u>		
86	<p>Governor Northam's Budget: Provides \$0.4 million to enhance the election official training certification program for local election officials across the Commonwealth.</p> <p>House/Senate/Conference: No change.</p>	Likely positive, as the County's Legislative Program includes support for state funding for election administration (including training for local electoral board members, registrars, and elections officials), although it is unclear how funds will be distributed to localities throughout the state.
475.T	<p>Governor Northam's Budget: Provides \$5.9 million in FY 2020 to cover costs associated with the 2020 presidential primary (Caboose Bill). Of this amount, up to \$5.7 million may be used to reimburse localities for their presidential primary expenditures.</p> <p>House/Senate/Conference: No change.</p>	Likely positive, as the County's Legislative Program includes support for state funding for election administration.
<u>Other Items of Interest</u>		
465	<p>Governor Northam's Budget: Provides \$5 million in FY 2021 for the construction of the Virginia Veteran's Parade Field at the National Museum of the United States Army in Fairfax County.</p> <p>House: No change.</p>	The County provides annual support for the Museum through the County's Contributory Fund.
465 #1s, 467 #1 in Caboose	Senate: Removes the proposed funding for FY 2021; provides one-time grant funding of \$1 million in FY 2020 for the construction of the Virginia Veteran's Parade Field at the National Museum of the United States Army in Fairfax County.	
465 #1c	Conference: Provides \$3 million in FY 2021 for the construction of the Virginia Veteran's Parade Field at the National Museum of the United States Army in Fairfax County.	
C-67	<p>Governor Northam's Budget: Includes bond proceeds for the Regional Science Center in Northern Virginia (formerly known as the Children's Science Center).</p> <p>House/Senate/Conference: No change.</p>	Fairfax County has supported funding for the Children's Science Center in previous years (in 2018, the Board of Supervisors sent a budget letter to the Governor which included a request for funding for this initiative).
79 #2h	House: Provides \$100,000 in FY 2021 toward the construction of the Turning Point Suffragist Memorial in Lorton, Virginia.	The County provided one-time funding to support the construction of the memorial through the County's Contributory Fund.
385 #10c	Conference: Provides \$250,000 toward the construction of the Turning Point Suffragist Memorial in Lorton, Virginia.	The funding will flow from the state through Fairfax County as a one-time grant to NOVA Parks.
374 #1h and #4h	House: Provides funding of \$0.4 million each year to support five additional staff at Mason Neck State Park, as well as \$1.8 million in FY 2021 to connect the park to public water.	
374 #6c and #7c	Conference: Provides funding of \$160,800 each year to support two additional staff at Mason Neck State Park. In addition, directs the Department of Conservation and Recreation to compare the costs of either repairing or upgrading the current well water system at the park to those required to connect the park to a municipal water system and report the findings no later than October 15, 2020.	

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Budget Bill Item #	Issue	Fairfax County Impact
Human Services		
Medicaid Expansion		
313, 359	<p>Governor Northam's Budget: Removes \$21.4 million NGF in each year and adjusts language to restructure the Medicaid expansion waiver (COMPASS 1115) to remove the previously envisioned work requirement (which was part of the compromise that led to the passage of Medicaid expansion by the 2018 GA) and include only a targeted supportive employment and housing benefit.</p> <p>House: No change.</p>	<p>Likely positive, as there was significant uncertainty regarding how the COMPASS 1115 waiver would impact Medicaid customers and how the work requirement would be administered.</p> <p>Additional details on the supportive employment and housing benefits are needed.</p>
317 #8s, 313 #43s	<p>Senate: Eliminates the remaining \$7.2 million NGF in each year and eight positions for implementing the COMPASS waiver. This funding is not needed because the introduced budget eliminated most of the waiver's requirements. Also provides \$5 million in federal Temporary Assistance for Needy Families (TANF) funding in each year for the Department of Medical Assistance Services (DMAS) to develop a system to connect current and newly eligible Medicaid enrollees to employment, training and education assistance and other support services.</p>	
313 #49c, 317 #10c	<p>Conference: Reduces funding for implementing the COMPASS waiver because the introduced budget eliminated most of the waiver's requirements, leaving approximately \$1.7 million NGF in each year for 2 FTE positions and vendor costs associated with implementation of the remaining portions of the waiver. Also, directs DMAS to develop a referral system designed to connect current and newly eligible Medicaid enrollees to employment, training, and education assistance and other support services.</p>	
320	<p>Governor Northam's Budget: Removes language that had been included in the 2018-2020 biennium budget to address the impact of Medicaid expansion on the community services boards (CSBs), resulting from projected savings in the budget being greater than the new revenue that was generated, creating a revenue shortfall for CSBs.</p> <p>House/Senate/Conference: No change.</p>	<p>As part of Medicaid expansion, the Department of Behavioral Health and Developmental Services (DBHDS) planned to reduce state funding to all CSBs; the reduction for the Fairfax-Falls Church CSB was \$1.69 million (\$11 million statewide) in FY 2019 and \$4.36 million (\$25 million statewide) in FY 2020, based on the assumption that the CSB would receive increased revenue as a result of newly eligible Medicaid participants. Though the Fairfax-Falls Church CSB signed up more than 1,060 newly eligible individuals for Medicaid, the reduction still exceeded the amount of revenue generated, resulting in DBHDS in FY 2020 providing a one-time payment of \$1 million for the FY 2019 reduction to the Fairfax-Falls Church CSB. FY 2020 data for the Fairfax-Falls Church CSB indicates that revenue generated will also be less than the \$4.36 million reduction.</p> <p>The 2020-2022 biennium budget does not address this issue.</p>

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Budget Bill Item #	Issue	Fairfax County Impact
	Medicaid Waivers	
313	Governor Northam's Budget: Provides \$17 million GF and matching NGF in FY 2021 and \$24.8 million GF and matching NGF in FY 2022 to add a total of 1,135 new waiver slots to the Community Living (CL) and Family and Individual Supports (FIS) waivers over the course of the biennium. These slots include: 835 slots to address the FIS waiver waitlist (635 in the first year and 200 in the second year); 200 slots to address the CL waiver waitlist (125 in the first year and 75 in the second year); 50 slots for individuals transitioning out of facilities (25 in each year); and, 50 emergency slots (25 in each year).	This is a significant step to address the statewide waiver waitlist (12,739 individuals as of November 2019, including 2,457 individuals served by the Fairfax-Falls Church CSB (19 percent of the statewide waitlist)), but it is not clear how these waivers will be allocated throughout the state.
	House: No change.	
313 #3s	Senate: Provides \$8.3 million GF in FY 2022 and matching NGF to increase the number of FIS waiver slots by 500 in FY 2022, bringing the total number of FIS slots funded to 715.	
313 #15c	Conference: Provides \$4.1 million GF and matching NGF in FY 2022 to increase the number of FIS waiver slots by 250 in FY 2022, bringing the total number of FIS slots funded to 465.	Additional funding for waivers is helpful, but it is unclear how these waivers will be allocated throughout the state.
313	Governor Northam's Budget: Provides \$3.6 million GF and matching NGF in FY 2021 and \$3.7 million GF and matching NGF in FY 2022 to increase provider payment rates for services delivered through Developmental Disability (DD) waivers. The rate increase will apply to the following services: Independent Living Supports Supported Living, In-home Support Services, Group Supported Employment, Workplace Assistance, Community Engagement, Community Coaching, and Therapeutic Consultation. Also requires DMAS to report on the rate increases for each service and whether the cost of each service is consistent with the additional funding provided.	While this is a step in the right direction, this funding is lower than the amount needed according to analysis done by a consultant hired by DBHDS, and does not include funding to increase reimbursement rates for all services. Additionally, it appears that this does not include a Northern Virginia differential, which is critical for ensuring rates are sufficient to pay for services in Northern Virginia.
313 #2h, 313 #1s, 313 #3c	House/Senate/Conference: Provides \$21.4 million GF and matching NGF in FY 2021 and \$22 million GF and matching NGF in FY 2022 to increase provider rates for the current Medicaid Developmental Disability Waiver (DD) programs for Group Homes, Sponsored Residential and Group Day Support to 100 percent of the rate model benchmark.	This amendment funds reimbursement rates at the level proposed by the DBHDS consultant. It appears that a Northern Virginia differential is not included.
313 #11s	Senate: Adds \$1.6 million GF and matching NGF in each year to increase adult day health care (provided through Medicaid home- and community-based waiver programs) rates by 20 percent, effective July 1, 2020. This change increases the current rates of \$57.04 per day for the rest-of-state and \$61.10 per day in Northern Virginia to \$68.46 and \$73.32 per day respectively, to move the rate closer to the amount needed to care for an adult participant, which is approximately \$97 per day.	
313 #17c	Conference: Adds approximately \$800,000 GF and matching NGF in FY 2021 and \$830,000 GF and matching NGF in FY 2022 to increase adult day health care (provided through Medicaid home- and community-based waiver programs) rates by 10 percent, effective July 1, 2020.	Likely no direct impact on Fairfax County, though this will have a positive impact on providers and the individuals they serve.
313 #3h, 18h	House: Provides \$15.1 million GF and \$15.7 million NGF in FY 2021 and \$48.5 million GF and \$50.8 million NGF in FY 2022 to cover the fiscal impact on the Medicaid program of increasing the minimum wage (pursuant to HB 395) for providers of community-based personal, respite and companion care services, which are provided to individuals in Medicaid waiver programs. Also provides \$5 million GF and matching NGF in FY 2021 and \$8.7 million GF and \$8.8 million NGF in FY 2022 to increase provider rates for personal care, respite care, and companionship services in Medicaid waiver programs that are subject to the Northern Virginia rate differential by four percent in FY 2021 and two percent in FY 2022. This is associated with the minimum wage increase and intended to ensure that these providers in all regions of the state have rate increases. Because there are higher rates for these services in Northern Virginia, providers in the region will not have a rate increase pursuant to HB 395 (which increases the minimum wage) until FY 2024. However, rates for these services in the rest of the state will increase in FY 2021.	

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Budget Bill Item #	Issue	Fairfax County Impact
313 #7s	Senate: Provides \$24.9 million GF and matching NGF in FY 2021 and \$39.9 million GF and matching NGF in FY 2022 to increase provider rates for personal care, respite, care and companionship services provided in Medicaid waiver programs by five percent in FY 2021 and two percent in FY 2022. These rate increases will help to address the impact of the state minimum wage increase (pursuant to SB 7).	
313 #16c	Conference: Same as Senate.	Likely no direct impact on Fairfax County, though this will have a positive impact on providers and the individuals they serve.
313 #9s	Senate: Provides \$9.6 million GF and matching NGF in each year for DMAS, beginning July 1, 2020, to pay overtime compensation to attendants who are providing care under the consumer-directed service option in Medicaid waivers. The amendment allows Medicaid to pay time and a half for up to 16 hours for a single attendant who works more than 40 hours per week.	
313 #27c	Conference: Same as Senate.	Likely no direct impact on Fairfax County, though this will have a positive impact on providers and the individuals they serve.
313 #39s	Senate: Directs DMAS to conduct a review of other state methods and strategies to provide sick leave to personal care attendants, and evaluate all options to determine the most cost-effective option for the Commonwealth to consider in implementing such a policy. The report is due to the money committees by November 1, 2020.	
313 #48c	Conference: Same as Senate.	Likely no direct impact on Fairfax County, though this will have a positive impact on providers and the individuals they serve.
Medicaid		
312	Governor Northam's Budget: Adjusts funding for the Family Access to Medical Insurance Security (FAMIS) program (Virginia's health insurance program for children) by removing approximately \$9.4 million NGF and adding approximately \$34 million GF in FY 2021, and removing \$6.8 million NGF and adding \$46.2 million GF in FY 2022. Also adjusts funding for the Commonwealth's Medicaid Children's Health Insurance Program (also known as FAMIS Plus) by removing approximately \$13.5 million NGF and adding \$27.6 million GF in FY 2021, and removing approximately \$7.4 million NGF and adding \$40.8 million GF in FY 2022. This includes the loss of enhanced federal matching dollars, as the match rate for CHIP programs decreased from 76.5 percent to 65 percent in federal FY 2021. In addition to replacing lost federal revenue, costs are being driven by continued enrollment growth and higher managed care rates. House/Senate/Conference: No change.	These are required increases due to higher costs and utilization.
313	Governor Northam's Budget: Increases funding for Medicaid utilization and inflation (as estimated in the most recent expenditure forecast) by \$174.4 million GF and \$744.3 million NGF in FY 2021 and \$500.5 million GF and \$1.4 billion NGF in FY 2022. House/Senate/Conference: No change.	These are required increases due to higher costs and utilization, though it is important to note that the actual Medicaid costs for FY 2020 came in lower than projected, resulting in a savings of \$212 million GF reflected in the Caboose budget for FY 2018-2020.
313	Governor Northam's Budget: Provides \$1.7 million GF and \$6.5 million NGF in FY 2021 and \$3.3 million GF and \$9.5 million NGF in FY 2022 to eliminate the 40 quarter work requirement for lawful permanent residents who have resided in the United States for five years. Virginia is one of only six states that requires lawful permanent residents to meet the 40 quarter (10 year) work requirement in order to be eligible for Medicaid. House/Senate/Conference: No change.	This will expand Medicaid eligibility to lawful permanent residents who have resided in the U.S. for five years (currently these individuals are only eligible for emergency services coverage). This will also align Medicaid policy with Supplemental Nutrition Assistance Program (SNAP) and TANF, making it easier to determine eligibility. It is unclear at present if the funding provided would cover the administrative impact of this newly eligible population.

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Budget Bill Item #	Issue	Fairfax County Impact
313	<p>Governor Northam's Budget: Provides \$347,803 GF in FY 2021 and \$465,440 GF in FY 2022 (matched with \$11.4 million and \$16.4 million NGF in FY 2021 and FY 2022, respectively) for care coordination for Medicaid-eligible individuals 30 days prior to release from incarceration.</p> <p>House/Senate/Conference: No change.</p>	<p>This funding would be directed to managed care organizations and DMAS, which would use a portion of the funding for computer system upgrades.</p> <p>It appears at present that none of this funding would be allocated to local jails for the staff required to assist with the provision of care coordination services, raising resource concerns for the Fairfax County Adult Detention Center.</p>
313 #15s	<p>Senate: Provides \$8.7 million GF and \$23.4 million NGF in FY 2021 and \$25.3 million GF and \$67.7 million NGF in FY 2022 to provide a comprehensive dental benefit, beginning on January 1, 2021, to adults enrolled in the Virginia Medicaid program. The adult dental benefit will not include any cosmetic, aesthetic or orthodontic services</p>	
313 #46c	<p>Conference: Same as Senate.</p>	<p>Through the Consolidated Community Funding Pool, Fairfax County funds nonprofits which provide dental care for low-income, uninsured residents, some of whom may qualify for Medicaid and this new dental benefit.</p>
<u>Children's Services Act (CSA)</u>		
292	<p>Governor Northam's Budget: Provides \$18.1 million GF in FY 2021 and \$25.9 million NGF in FY 2022 to fund projected growth of approximately 2 percent in each year, assuming 7.4 percent growth expected in FY 2020 as a result of significant growth in private day expenditures. Other areas of growth are Therapeutic Foster Care and Community-based Services.</p> <p>House/Senate/Conference: No change.</p>	<p>Because CSA is a sum sufficient program, this projected increase in program growth will require additional local funding.</p> <p>The Fairfax County Department of Family Services (DFS) projects that there will be room within the current Board appropriated expenditures to cover the local funding required for the projected increase in the Governor's budget in FY 2021 and FY 2022, assuming there are no new initiatives that would significantly expand the population served.</p>
292	<p>Governor Northam's Budget: Provides an additional \$175,000 GF in FY 2021 and \$75,000 GF in FY 2022 for a contracted rate study for private day services provided through CSA. Language is also included that requires providers to make available any information necessary for the completion of the study.</p> <p>House: No change.</p>	<p>The initial results from the study were inconclusive due to the low participation of providers, who had concerns about how the study was conducted. This proposal appears to require providers to participate in the next phase of the study, which may lead to continued tension between the state and the provider community.</p>
292 #3s, 293 #1s	<p>Senate: Adds additional evaluation requirements to the rate study and moves all funding to FY 2021. Also directs the Office of Children's Services to implement statewide rate setting on July, 1 2021, and removes the two percent rate cap in FY 2022.</p>	<p>This will provide a state-wide mechanism to control and regulate special education costs in private settings (which have been rising around 7 percent annually) C51 - this may be helpful to the County.</p>
292 #2c, 293 #1c	<p>Conference: Same as Senate.</p>	
313 #26s	<p>Senate: This language-only amendment directs DMAS to consider options to allow local education agencies to bill for services provided outside of an Individualized Education Plan and expand the services that are reimbursable. A report is due to the money committees by October 1, 2020.</p>	<p>Likely positive, as this study could lead to additional services being reimbursed by Medicaid for eligible students.</p>
313 #38c	<p>Conference: Same as Senate, except the report is due December 15, 2020.</p>	

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Budget Bill Item #	Issue	Fairfax County Impact
	<u>Early Childhood Services</u>	
351	Governor Northam's Budget: Transfers administration of the federal Child Care Development Fund (CCDF) grant from the Virginia Department of Social Services (VDSS) to the Virginia Department of Education (VDOE) as part of Governor Northam's proposal to consolidate early childhood services in the VDOE.	Likely positive, as this would provide a more integrated, effective and streamlined early childhood system in the Commonwealth.
1 #1h	House: Renames the Joint Subcommittee for the Virginia Preschool Initiative (VPI) to the Joint Subcommittee for Early Childhood and Education, and directs the subcommittee to oversee the implementation of reforms to Virginia's early childhood education and child care licensure system and consider further changes throughout the implementation process.	
349 #3s	Senate: Reduces funding by \$2 million GF in FY 2022 to backfill the transfer of CCDF, as the transfer of this program reduces the amount of federal funding for administrative and support costs, pursuant to legislation under consideration by the GA.	
1 #4c	Conference: Same as House.	
145	Governor Northam's Budget: Includes \$94.7 million to maximize pre-kindergarten access for at-risk three- and four-year-old children, to attract and retain early childhood educators in hard-to-serve preschool classrooms, and to increase pre-kindergarten classroom observations and teacher professional development.	This proposed funding includes \$28.7 million to increase the VPI per pupil amount by 10% each year (FY 2021 and 2022). Based upon current County VPI service levels, the County would draw down an additional \$1.2 million in state funding over two years. The proposed funding also includes: \$10 million to incentivize mixed delivery and public private partnerships in VPI for which the County could apply; \$13.5 million to increase class sizes in VPI classrooms, for which the County/FCPS could apply; \$9 million to pilot expansion of VPI to serve three-year-olds for which the County/FCPS could apply; and, \$17 million to expand the Virginia Early Childhood Foundation (VECF) Mixed-Delivery Grant program to expand services to three-year-olds, for which the County could apply. The proposed funding also includes \$7.3 million to reduce VPI waiting lists, \$1.3 million to implement a Uniform Rating System, and \$8 million to support the early childhood workforce.
144 #10h, 145 #11h, 15h, 18h	House: Reduces the funding provided for the VECF Mixed-Delivery Grant program to \$3 million GF in each year (instead of \$10 million GF in each year as proposed in the introduced budget). Also eliminates the VPI+ program (state payments for this program were established in FY 2018 after federal funding ended) and provides \$2 million GF in FY 2021 and \$2.2 million GF in FY 2022 to hold eight school divisions harmless for the 609 VPI+ spots used in the 2019-2020 school year. Also transfers \$4.4 million GF in FY 2021 and \$4.9 million GF in FY 2022 to the early childhood reform package to provide additional flexible funding. Additionally, a language-only amendment requires that the amount of the \$2,500 mixed-delivery gap incentive, proposed in the early childhood reform package for VPI community/private slots, vary by region, to allow incentives greater than \$2,500 in areas where the gap between the VPI per pupil amount and preschool market rates is wider.	Fairfax County has received funding from the VECF grant in previous years, so the reduced funding level proposed in the House budget raises concerns. Fairfax County is one of the eight school divisions with VPI+, but the proposed funding and slots will not have a significant impact, as currently the County has slots available to offset the elimination of the VPI+ program. Fairfax County would likely benefit from the language requiring that the mixed-delivery incentive be greater in regions where the gap between the VPI per pupil amount and preschool market rates is wider. This incentive would be provided for VPI slots in community/provider settings.
145 #7s	Senate: Reduces the funding provided for the VECF Mixed-Delivery Grant program to \$8 million GF in each year.	Fairfax County has received funding from the VECF grant in previous years. The Senate's proposed reduction in funding for VECF is smaller than that proposed by the House.

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Budget Bill Item #	Issue	Fairfax County Impact
144 #9c, 145 #11c, 145 #3c, #7c	<p>Conference: Adjusts funding for the VECF Mixed-Delivery Grant program, providing a total of \$5 million GF each year to support mixed-delivery pre-kindergarten pilot programs for at least 500 at-risk three- and four-year olds (these slots do not require a local match). Also eliminates the VPI+ program (state payments for this program were established in FY 2018 after federal funding ended) and provides \$2 million GF in FY 2021 and \$2.2 million GF in FY 2022 to hold eight school divisions harmless for the 609 VPI+ spots used in the 2019-2020 school year. Also transfers \$4.4 million GF in FY 2021 and \$4.9 million GF in FY 2022 to the early childhood reform package to provide additional flexible funding.</p> <p>Additionally, a language-only amendment provides that the mixed-delivery add-on grants vary by region. In FY 2021, the add-on grants will provide (i) \$3,500 per child for divisions in Planning District 8, (ii) \$2,500 per child for divisions in Planning District 15, Planning District 23, and for the counties of Stafford, Fauquier, Spotsylvania, Clarke, Warren, Frederick, and Culpeper and the Cities of Fredericksburg and Winchester, and (iii) \$1,500 per child in any other division. VDOE is required to establish a schedule designating the amount of the add-on grants for each school division for FY 2022.</p> <p>Also requires VDOE to report on the utilization of funds and slots for VPI and the Mixed-Delivery Preschool Initiative.</p>	<p>Fairfax County has received funding from the VECF grant in previous years.</p> <p>Fairfax County is one of the eight school divisions with VPI+, but the proposed funding and slots will not have a significant impact, as currently the County has slots available to offset the elimination of the VPI+ program.</p> <p>The language requiring that mixed-delivery add-on grants vary by region, with the grants in Planning District 8 being \$3,500 per child, is positive for Fairfax County. This reflects the higher cost of serving children in the Northern Virginia region. The \$3,500 per child mixed-delivery add-on grant in Planning District 8 would be provided for VPI slots in community/provider settings and would be in addition to the VPI per pupil amount.</p>
Child Welfare		
354	<p>Governor Northam's Budget: Provides \$722,000 GF and \$4.1 million NGF in each year to fund the child welfare forecast.</p> <p>House/Senate/Conference: No change.</p>	This adjustment is based on recent expenditure trends and policy changes.
354	<p>Governor Northam's Budget: Provides approximately \$2.3 million GF and \$1.8 million NGF in each year to fund a five percent cost of living adjustment for foster care and adoption payments. Current budget language requires an automatic adjustment for inflation to be applied to the maximum room and board rates paid to foster parents in the fiscal year following a state employee pay raise. Because state employees received up to a five percent raise in July 2019, this addendum provides a similar percentage increase to foster care rates. This increase is also assumed for adoption subsidy funding, to ensure that adoption subsidies keep pace with foster family rates and to avoid any disincentives for adoption.</p> <p>House/Senate/Conference: No change.</p>	Likely positive for foster and adoptive parents.
354	<p>Governor Northam's Budget: Provides \$8.6 million NGF in each year to fund an increase in relative support payments for relatives caring for children outside the foster care system.</p> <p>House/Senate/Conference: No change.</p>	Likely positive for kinship caregivers.
354	<p>Governor Northam's Budget: Provides \$8.4 million GF and matching NGF in each year for evidence-based and trauma-informed mental health, substance use disorder, and in-home parent skill based training services for children at imminent risk of entering foster care (and their families). The reimbursable services are included in the federal title IV-E Prevention Services Clearinghouse.</p> <p>House/Senate/Conference: No change.</p>	TBD. It is unclear how this funding will be distributed throughout the state.

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Budget Bill Item #	Issue	Fairfax County Impact
351, 349	Governor Northam's Budget: Provides \$24.9 million GF and \$7.9 million NGF in each year for local departments of social services (LDSS) to begin hiring staff and creating prevention services departments in response to the federal Family First Prevention Services Act (FFPSA). Also provides \$1.1 million GF and matching NGF and two positions in each year to implement evidence-based programming, and \$801,000 GF and matching NGF in FY 2021 and \$765,000 GF and matching NGF in FY 2022 to create an evidence-based practices evaluation team as required by FFPSA.	TBD. It is unclear how this funding will be distributed throughout the state. To implement the Families First requirements, it may be necessary to shift workforce resources within Fairfax County DFS.
351 #2h 354 #3h	House: Reduces funding by \$12.4 million GF and \$4 million NGF in FY 2021 and \$6.2 million GF and \$2 million NGF in FY 2022. Also supplants \$6.9 million GF with a like amount of federal Family First Transition Act funding.	
349 #1s, 2s 351 #1s	Senate: Reduces funding by \$12.4 million GF and \$4 million NGF in FY 2021 and \$7.5 million GF and \$2.4 million NGF in FY 2022. Also supplants approximately \$1.8 million in each year with a like amount of federal FFPSA funding.	
351 #2c 354 #5c	Conference: Reduces funding by \$12.4 million GF and \$4 million NGF in FY 2021 and \$7.5 million GF and \$2.4 million NGF in FY 2022. Also supplants \$5 million GF with a like amount of federal Family First Transition Act funding.	This funding adjustment reflects a more gradual implementation of FFPSA.
354 #1h	House: Adds \$75,000 GF each year to VDSS to implement an emergency approval process for kinship caregivers and the development of foster home certification standards for kinship caregivers. This will help Virginia align its foster care approval process to the FFPSA legislation that directs states to use prevention dollars and keep children with kin rather than enter non-relative foster care.	
354 #3c	Conference: Same as House.	Likely positive, as Fairfax County's Human Services Issue Paper includes support for resources to encourage the increased use of kinship care.
354 #2s	Senate: Adds language directing VDSS to develop a plan to provide access statewide to a Kinship Navigator Program, which would likely operate and maintain an informational and referral "warm-line," a website providing information on how to apply for benefits, including legal aid and fact sheets, and maintain a referral network in which to refer kinship caregivers to local programs in their respective localities. Currently, there are six regional kinship navigator programs that serve 33 percent of LDSS.	
354 #1c	Conference: Same as Senate.	Likely positive, as Fairfax County's Human Services Issue Paper includes support resources to encourage the increased use of kinship care.
354 #5h	House: Adds language requiring the Commissioner of Social Services to develop a 5-year plan to prevent child abuse and neglect, working with stakeholders. It requires a report to the Governor, the money committees and the Commission on Youth by July 1, 2021.	
354 #7c	Conference: Same as House.	TBD.

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Budget Bill Item #	Issue	Fairfax County Impact
<u>Substance Use Disorder (SUD)</u>		
299	Governor Northam's Budget: Provides \$1.6 million GF in each year to expand the distribution of NARCAN and personal protection equipment to Virginia's most at-risk populations, related to the opioid epidemic, through local health departments and CSBs.	Likely positive, though it is unclear how this funding will be distributed throughout the state. It will be important to ensure that the Fairfax County Health Department receives some of this funding, as it is one of two locally administered health departments in the state. The County's Legislative Program includes support for additional funding to address the opioid crisis, and distributing NARCAN in the Fairfax County community is a critical component of the County's efforts to combat the opioid crisis.
299 #2h	House: Supplants \$1.6 million GF in each year with the same amount of NGF from the State Opioid Response Grant that Virginia is expected to receive over the biennium.	
299 #1s	Senate: Removes \$1.6 million GF in FY 2022, noting that \$1.6 million GF remains in FY 2021 to bridge the gap until federal funding can be secured for this purpose.	
299 #2c	Conference: Same as House.	Likely no impact.
315	Governor Northam's Budget: Provides \$421,000 GF and \$620,000 NGF in FY 2021 and \$1.3 million GF and \$1.9 million NGF in FY 2022 to expand the Preferred Office-Based Opioid Treatment (OBOT) model to allow for all SUDs to be covered in the Addiction and Recovery Treatment Services (ARTS) benefit. The Preferred OBOT is a community-based, high-touch, evidence-based model of care for individuals with addiction. Virginia Medicaid currently limits service reimbursement in the Preferred OBOT to individuals with Opioid Use Disorder (OUD). Those with a primary diagnosis of SUD for non-opioids (such as alcohol, cocaine, or methamphetamine) are not currently covered in the Preferred OBOT model. House/Senate/Conference: No change.	Likely positive, though it is unclear how this funding will be distributed throughout the state. Expanding eligibility to other SUDs will help address the rise in fatal non-opioid overdoses in recent years.
301	Governor Northam's Budget: Provides an additional \$3.1 million GF in each year to support nicotine cessation counseling through an evidence-based "quitline" program known as Quit Now Virginia (QNV). The emphasis will be on supporting nicotine cessation for Virginia Medicaid clients with a goal of helping to reduce Medicaid costs from smoking and tobacco related illnesses for both children and adults.	Likely positive, though it is unclear at present if this program aims to address vaping as well as traditional tobacco cessation.
301 #1h	House: Eliminates funding.	
301 #3s	Senate: Reduces funding by \$1 million GF in FY 2021, leaving \$2.1 million GF in FY 2021 and \$3.1 million GF in FY 2022 for the expansion of the QNV program, which is currently funded from a small federal grant.	
301 #3c	Conference: Same as House.	
<u>Health Departments</u>		
302	Governor Northam's Budget: Provides \$7 million GF in FY 2021 and \$8.3 million GF in FY 2022 to develop an electronic health records system.	TBD.
307 #3h	House: Eliminates funding and delays development of the electronic health records system to allow more time for the agency to assess its business processes and funding needed to create an electronic system for such processes.	
302 #3s	Senate: Eliminates all funding except for \$250,000 GF in FY 2021 to hire a contractor to assist in the development of an electronic health records system.	
307 #5c	Conference: Same as House.	

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Budget Bill Item #	Issue	Fairfax County Impact
	<u>Mental and Behavioral Health</u>	
307 G1	<p>Governor Northam's Budget: This language-only amendment mandates that inpatient hospitals report the admission source of any individuals meeting the criteria for voluntary or involuntary psychiatric commitment to the Board of Health, which is required to share this data with DBHDS.</p> <p>House/Senate/Conference: No change.</p>	This will not have a direct impact on CSBs, but this information could be helpful in addressing the state hospital bed crisis.
313, 317	<p>Governor Northam's Budget: Provides \$32.5 million NGF in each year to increase the provider rate assessment charged to private acute care hospitals to support increased temporary detention order (TDO) utilization in private acute care hospitals. In addition, DMAS and DBHDS are each provided funding to support a position that will administer this initiative.</p> <p>House: No change.</p>	TBD. It is unclear if this funding will encourage private hospitals to accept more CSB clients - if it does, that could be very helpful in addressing the state hospital bed crisis.
313 #25s, 320 #3s	<p>Senate: Eliminates the proposed supplemental payment program to incentivize private hospitals to increase their TDO admissions and provides \$10 million GF in FY 2021 for DBHDS to partner with private hospitals on pilot projects to address the state hospital bed crisis. The amendment requires that projects in Planning Districts 5 and 15 are given priority.</p>	The prioritization of projects in Planning Districts 5 and 15 raises concerns that projects in Planning District 8 may not receive funding.
313 #34c, 317 #4c, 320 ---	<p>Conference: Eliminates the proposed supplemental payment program, and provides \$7.5 million GF in each year for DBHDS to partner with private hospitals on pilot projects to address the state hospital bed crisis. Does not include language prioritizing projects in certain regions.</p>	This item does not include language prioritizing projects in other regions.
321	<p>Governor Northam's Budget: Provides \$7.5 million GF in FY 2021 and \$12.5 million NGF in FY 2022 to address census issues at state facilities by increasing the availability of community-based services for individuals deemed clinically ready for discharge. Of the amount provided, \$2.5 million each year is available for the acquisition or development of clinically appropriate housing options.</p> <p>House: No change.</p>	TBD. It is not clear how this funding will be distributed throughout the state.
321 #7s	<p>Senate: Shifts \$3.75 million GF in FY 2021 and \$6.25 million GF in FY 2022 of the Discharge Assistance Plan (DAP) funding provided in the introduced budget from DBHDS to the CSB budget, to reflect how this funding has historically been appropriated.</p>	
321 #2c	<p>Conference: Adopts the Governor's proposal and adds language to clarify that DBHDS may partner with private providers to address the Extraordinary Barriers List at state hospitals.</p>	
321 #3h 321 #4s 321 #5c	<p>Governor Northam's Budget: Provides \$6.3 million GF in FY 2021 and \$8.4 million GF in FY 2022 for acute inpatient behavioral health services for children and adults.</p> <p>House/Senate/Conference: This language-only amendment eliminates language in the introduced budget authorizing DBHDS to establish up to 20 new child and adolescent beds at an existing state facility if options to provide children's acute inpatient care in the community are not identified by September 1, 2020.</p>	TBD. Additional services throughout the state are needed for youth, as there is only one state psychiatric hospital for children. It is not clear how this funding will be allocated throughout the state.

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Budget Bill Item #	Issue	Fairfax County Impact
313	Governor Northam's Budget: Provides \$3 million GF and \$4.1 million NGF in FY 2021 and \$10.2 million GF and \$14.1 million NGF in FY 2022 and authority to enhance behavioral health services by changing service definitions, prior authorization and utilization review criteria, provider qualifications, and reimbursement rates for select Medicaid services.	TBD. This is part of the state's behavioral health system transformation.
320 #2s	Senate: Reduces funding by \$900,000 GF in FY 2021 and \$1.1 million GF in FY 2022 and 2.5 FTE positions provided in the introduced budget for training related to behavioral health redesign. Funding for a training coordinator position remains to coordinate training activities.	
313 #6h, 313 #29s	House/Senate: This language-only amendment requires that DMAS convene an advisory panel of representatives from stakeholder organizations to review and advise on agency efforts to redesign behavioral health services, including specifics of implementation and a review of operational processes that affect sustainable business models. Language requires DMAS to report on its findings from this review by November 1, 2020.	
320 #4c 313 #10c	Conference: Reduces funding by \$900,000 GF and 2.5 FTE positions in FY 2021 and \$1.1 million GF and 2 FTE positions in FY 2022 for training related to behavioral health redesign (funding remains for a training coordinator position). Also requires that DMAS convene an advisory panel of representatives from stakeholder organizations to review and advise on agency efforts to redesign behavioral health services, including specifics of implementation and a review of operational processes that affect sustainable business models. Language requires DMAS to report on its findings from this review by December 31, 2020.	TBD. It will be important to closely monitor the advisory panel to ensure that the recommendations do not negatively impact localities that provide significant local funding for community services boards and behavioral health services.
313, 320, 322	Governor Northam's Budget: Provides \$19.7 million GF in FY 2021 and \$30.2 million GF in FY 2022 in funding for outpatient services, veterans services, peer support services, and mobile crisis teams as part of STEP-VA. The budget also states that the targeted case management, care coordination, and psychiatric rehabilitation services previously required to be implemented by July 1, 2021, may be provided subject to available funding. Provides \$1.7 million GF and \$5 million NGF in FY 2021 and \$2.2 million GF in FY 2022 for 12 positions to aid in the implementation and management of STEP-VA, training and certification of peer support services, and the development and maintenance of a statewide crisis hotline. Also provides \$487,000 GF and matching NGF in FY 2021 and \$2.3 million GF and matching NGF in FY 2022 for Medicaid costs associated with the implementation of STEP-VA. House: No change.	This likely will not be sufficient for statewide implementation of STEP-VA, even with the proposed change in services required by July 1, 2021. Also, it is unclear how this funding will be allocated throughout the state. The Fairfax-Falls Church CSB estimates that it will cost \$20.5 million to implement the services required by July 1, 2021, (including the services that were required to be implemented by July 1, 2019). Additionally, it is unclear why DBHDS needs 12 FTE for STEP-VA implementation and management.
320 #1s	Senate: Removes funding and seven positions for the administration of STEP-VA, leaving five positions.	
320 #3c	Conference: Same as Senate.	

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Budget Bill Item #	Issue	Fairfax County Impact
322	<p>Governor Northam's Budget: Provides \$2.9 million GF in FY 2021 and \$5.6 million GF in FY 2022 to increase permanent supportive housing capacity for individuals being discharged from state behavioral health facilities.</p> <p>House: No change.</p>	The County's Legislative Program supports increased funding for permanent supportive housing, allocated based on the size of the population served. It is not clear how this funding will be distributed throughout the state, or if the funding takes into account the Fair Market Rent values (typically higher in Fairfax than other parts of the state). It also is not clear if this item provides funding for necessary intensive community support services for newly housed individuals.
322 #1s	<p>Senate: Provides an additional \$5.6 million GF in FY 2021 and \$11.4 million GF in FY 2022 to increase the number of individuals with serious mental illness who can access permanent supportive housing services. This funding will support more than 1,000 additional individuals in stable housing.</p>	
322 #1c	<p>Conference: Same as Senate.</p>	The County's Legislative Program supports increased funding for permanent supportive housing, allocated based on the size of the population served. It is not clear how this funding will be distributed throughout the state, or if the funding takes into account the Fair Market Rent values (typically higher in Fairfax than other parts of the state). It also is not clear if this item provides funding for necessary intensive community support services for newly housed individuals.
320, 322	<p>Governor Northam's Budget: Provides an additional \$3.8 million NGF in FY 2021 and \$5 million GF in FY 2022 for 350 new State Rental Assistance Program slots for individuals with intellectual and developmental disabilities. In the first year, the costs of the subsidies are paid using balances from the sale of training centers in the Behavioral Health and Developmental Services Trust Fund. Also provides funding for a housing coordinator position to manage this program.</p> <p>House/Senate/Conference: No change.</p>	<p>The County's Legislative Program supports enhancing the State Rental Assistance Program, but it is unclear how these slots will be distributed throughout the state. Also, funding for necessary intensive community support services for newly housed individuals will be critical.</p> <p>The allocation of GF dollars in FY 2022 alleviates concerns about the use of one-time dollars to fund recurring costs in FY 2021.</p>
321	<p>Governor Northam's Budget: Provides \$4.2 million GF and 14 positions in each year for the Virginia Mental Health Access Program, an integrated care program that increases access for children and adolescents to behavioral health services.</p> <p>House/Senate/Conference: No change.</p>	Likely positive, though it is unclear how the 14 positions will be dispersed throughout the state. The County has been supportive of this concept in the past.
313	<p>Governor Northam's Budget: Provides \$2.4 million GF and \$4.4 million NGF in FY 2021 and \$2.6 million GF and \$4.5 million NGF in FY 2022 to increase mental health provider rates for psychiatric services by 14.7 percent.</p> <p>House/Senate/Conference: No change.</p>	While this increase is a step in the right direction, the provider rate for psychiatric services needs to be increased by 21 percent to cover the cost of care in Northern Virginia.
322	<p>Governor Northam's Budget: Provides an additional \$1.4 million GF in FY 2021 and \$2.1 million GF in FY 2022 to provide forensic discharge planning for individuals with serious mental illness at three additional jails, bringing the total number to five.</p> <p>House/Senate/Conference: No change.</p>	TBD. The three additional jails that will receive this funding have not been identified yet.
320 #9s	<p>Senate: Requires DBHDS to annually report on state, Medicaid and local funding for each CSB and behavioral health authority.</p> <p>Conference: No language included.</p>	

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Budget Bill Item #	Issue	Fairfax County Impact
<u>Part C/Early Intervention</u>		
322	<p>Governor Northam's Budget: Provides \$42.5 million GF in FY 2021 and \$3.9 million GF in FY 2022 to address continued growth in the number of children served in the state's Part C/Early Intervention programs.</p> <p>House/Senate/Conference: No change.</p>	These are required increases due to higher costs and utilization (Part C is a mandated service). The additional funding will increase program capacity.
<u>Maternal Health</u>		
312	<p>Governor Northam's Budget: Provides approximately \$1 million GF and \$2 million NGF in FY 2021 and \$2 million GF and \$3.9 million NGF in FY 2022 to extend postpartum coverage for FAMIS MOMS from 60 days to 12 months. Currently, women up to 205 percent of the federal poverty level are eligible for coverage during their pregnancy and up to 60 days postpartum from the delivery date on file.</p> <p>House/Senate/Conference: No change.</p>	Positive. The expanded health coverage for mothers would help them receive treatment for postpartum depression, other health issues, and family planning services. Fairfax County DFS anticipates minimal administrative impact, as the agency already manages/maintains ongoing coverage for newborns born to a FAMIS MOMS program participant for a minimum of 12 months.
312	<p>Governor Northam's Budget: Provides \$1 million GF and \$3.5 million NGF in FY 2021 and \$11.8 million GF and \$34 million NGF in FY 2022 to implement a home visiting benefit for pregnant and postpartum women at risk of poor health outcomes effective July 1, 2021.</p> <p>House/Senate: No change.</p> <p>Conference: Eliminates \$1.1 million GF and \$3.5 million NGF in FY 2021, as the benefit does not begin until FY 2022 so funding in FY 2021 is unnecessary.</p>	TBD. It is unclear if there will be Medicaid reimbursement for a home visiting service like Fairfax County's Healthy Families program.
<u>Department of Justice (DOJ) Settlement/DBHDS Trust Fund</u>		
320	<p>Governor Northam's Budget: Provides \$4.1 million GF and \$3.6 million NGF in FY 2021 and \$4.2 million GF and \$1.6 million NGF in FY 2022 for additional administrative costs of complying with the DOJ Settlement Agreement, including funds for an additional 28 licensing and quality assurance staff and assessments for individuals receiving DD waivers.</p> <p>House/Senate/Conference: No change.</p>	DBHDS will use this funding to hire staff to monitor private providers' and CSBs' compliance with the DOJ Settlement, though redirecting this funding to waivers could be more effective in providing quality care for individuals receiving DD waivers and on the DD waiver waiting list.
321	<p>Governor Northam's Budget: Appropriates \$3 million NGF, anticipated to be deposited by the end of FY 2020 into the Behavioral Health and Developmental Services Trust Fund, in FY 2021 for renovations to Hiram Davis Medical Center (in Dinwiddie), mobile dentistry, and one-time crisis services.</p> <p>House: No change.</p>	TBD. This money is from the sale of the Northern Virginia Training Center (NVTC), raising concerns that proceeds from the sale are not being kept in Northern Virginia to serve the population that would have been served at NVTC.
321 #3s	<p>Senate: Removes \$2 million NGF in FY 2021 for renovations of Hiram Davis Medical Center because capital funding was provided for this project and trust fund dollars are not necessary.</p> <p>Conference: Same as House.</p>	

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Budget Bill Item #	Issue	Fairfax County Impact
<u>Department of Social Services</u>		
351	Governor Northam's Budget: Provides \$9 million GF and \$9.1 million NGF in each year to increase local salary minimums to address turnover rates in LDSS and adds a three percent compression increase.	Because the salary minimums for Fairfax County DFS state-supported local employees are above the state's pay plan levels, the County would not receive additional funding to increase local salary minimums. For the three percent compression increase, VDSS anticipates that it would take place in 2020, if approved, and has advised that Fairfax County DFS would receive \$2.24 million in state funding in FY 2021. A local match of \$410,000 would be required. If a performance and market rate adjustment is approved by the Board of Supervisors in FY 2021, this state funding could help offset the increase.
351 #1h	House: Reduces \$3.4 million GF and \$3.5 million NGF each year for LDSS compensation adjustments. Out of the remaining funds, \$2.2 million GF and matching NGF are provided each year to increase local salary minimums, and \$3.4 million GF and \$3.5 million NGF are provided in FY 2021 for a 1.5 percent salary adjustment to address salary compression issues. Senate: No change.	
351 #1c	Conference: Same as House. In addition, a companion amendment in another item sets out funding for a salary increase in FY 2022 for LDSS staff who are state-supported local employees.	Fairfax County would not benefit from the funding for local salary minimums, as the salary minimums for Fairfax County DFS state-supported local employees are above the state's pay plan levels. The impact of the 1.5 percent compression increase on Fairfax County DFS is to be determined, pending guidance from the VDSS.
<u>Safety Net Programs</u>		
350	Governor Northam's Budget: Reduces funding for TANF benefits by \$5.8 million NGF in both years to account for a reduction in the cost of providing mandated TANF benefits. Also reduces funding for the TANF Unemployed Parents (UP) program by \$3.5 million GF in each year based on a revised projection of costs. House/Senate/Conference: No change.	Likely no impact. The state currently has a TANF surplus, but it will be important to monitor TANF expenditures if other budget items are passed to ensure appropriate funding levels. The TANF caseload in Fairfax County has decreased over the last several years.

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Budget Bill Item #	Issue	Fairfax County Impact
349	Governor Northam's Budget: Provides \$7.7 million NGF in FY 2021 and \$5 million NGF in FY 2022 to create a summer food program pilot using TANF funding. The pilot will provide \$50 on a family's EBT card each month during the summer for meals purchases. House/Senate: No change.	Positive. This would provide additional benefits during the summer for existing customers.
350 #4c	Conference: Reduces funding by \$2.5 million NGF in FY 2021 and eliminates funding in FY 2022, leaving \$7 million NGF to pilot the program in summer 2020. This action is intended to allow the program to be reviewed after the first summer it is in operation.	
350	Governor Northam's Budget: Provides \$30,742 GF and \$668,000 NGF in each year to eliminate the TANF family cap restriction. House/Senate/Conference: No change.	Positive. TANF benefit amounts are based on household size, and currently children born to parents receiving TANF for 10 consecutive months are not included in the household size. Removing the Family Cap provision would provide additional assistance to eligible families as their household sizes and needs grow.
350	Governor Northam's Budget: Provides \$367,876 GF and \$3.3 million NGF in each year to increase TANF benefits by five percent, effective July 1, 2020. This also funds the same increase for TANF UP recipients.	Positive. Fairfax County's Human Services Issue Paper includes support for increasing TANF rates, which remain at or below 27 percent of the Federal Poverty Level for all family household sizes.
350 #2h	House: Adds \$400,000 GF and \$12 million NGF (TANF block grant) in each year to increase the TANF monthly benefit by 18 percent.	
350 #2s, 3s	Senate: Adds \$1.9 million GF and \$16 million NGF (TANF block grant) in each year to increase the TANF monthly benefit by 20 percent (including the five percent increase included in the introduced budget). Also adjusts the income eligibility for TANF to allow more families to qualify.	
350 #1c	Conference: Adds approximately \$800,000 GF and \$12 million NGF in each year to increase the TANF monthly benefit by 15 percent (including the five percent increase included in the introduced budget). Also adjusts the income eligibility for TANF to allow more families to qualify.	Positive. Fairfax County's Human Services Issue Paper includes support for increasing TANF rates, which remain at or below 27 percent of the Federal Poverty Level for all family household sizes.
353	Governor Northam's Budget: Uses existing program balances to increase the auxiliary grants (AG) by \$80 beginning July 1, 2020. This action, when coupled with the required \$12 SSI increase that will occur January 1, 2019, will raise the current grant rate by \$92 or approximately seven percent. House/Senate/Conference: No change.	Fairfax County currently serves 180 individuals who receive AG. This budget adjustment allows AG to keep pace with the Assisted Living Facilities' annual rate increase, therefore keeping clients throughout the state eligible for the program. The federal government provides 80 percent of the funding for the program, and the state provides the remaining 20 percent.
356	Governor Northam's Budget: Provides \$700,000 NGF in each year to United Community to provide wrap-around services for low-income families. House/Senate/Conference: No change.	This funding would be provided directly to United Community, a non-profit with which the County partners to serve low-income families in the Lee and Mount Vernon Districts of Fairfax County. United Community programs and services include community centers; early learning centers; community school program; programs geared toward food, rental, employment and medical assistance; and, a thrift store that reinvests all proceeds back into the community.
350	Governor Northam's Budget: Adds language directing VDSS to study the resource cliff faced by families receiving public assistance when income increases enough to reduce or terminate the family's eligibility for public assistance. House/Senate/Conference: No change.	Likely positive, though more information is needed on how the study would be conducted and potential administrative impacts on localities.
313	Other	
476 #1s	Governor Northam's Budget: Restores approximately \$1.7 million GF each year for the Virginia Foundation for Healthy Youth, which provides grants for obesity and tobacco prevention. House: No change.	TBD. Fairfax County has received grants from the Virginia Foundation for Healthy Youth in previous years. It is unclear at present how the Foundation would utilize this increased funding.
476 #1c	Senate: Adds language requiring that the Foundation prioritize in its marketing and education efforts information regarding the health effects of vaping by teens and young adults. Conference: Same as Senate.	

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Budget Item #	Issue	Fairfax County Impact
	Public Education	Fairfax County Public Schools (FCPS) Impact (School Operating Fund)
145 A.4	Direct Aid to Public Education Recalculation of Local Composite Index (LCI) for 2020-2022 Governor Northam's Budget: The LCI is calculated every two years for the state's biennium budget. Counties and cities with a lower LCI receive more state funding, while those with a higher LCI receive less funding. House/Senate: No change. Conference: No change.	FCPS' LCI decreased from 0.6754 to 0.6541 for the new biennium. The impact for FCPS cannot be delineated at this time. However, total net impact has been included, primarily in Standards of Quality (SOQ) accounts.
145 C.25 for Sales Tax	Update Costs of the SOQ, Sales Tax and Basic Aid Governor Northam's Budget: Provides a total of \$808.5 million over the biennium to fully fund the biennial rebenchmarking of K-12 SOQ costs. These increases do not reflect changes in policy but adjust the cost of continuing current programs with the required data revisions. House: Partially restores support position funding for Cost of Competing Adjustment (COCA). Senate: No change. Conference: Provides partial restoration of support position funding for COCA. In addition, updates sales tax estimate for FY 2021.	The impact of rebenchmarking cannot be delineated at this time. The funding is included in overall SOQ accounts. Sales tax results in additional funding of \$0.3 million as compared to the FY 2021 budget forecast presented on November 26, 2019, and \$7.5 million as compared to the FY 2020 Approved Budget. Results in additional funding of \$3.3 million as compared to the Governor's Budget. Results in additional funding of \$3.4 million, including \$0.1 million for sales tax, as compared to the Governor's Budget.
145, 477 H	Update Employer Contribution Rates for the Virginia Retirement System (VRS) Governor Northam's Budget: Proposes higher employer contribution rates for retirement benefits. House: Increases the contribution rate for the teacher retiree health credit (RHCC) from 1.21% to 1.36%, and provides retiree health care credit for support staff funding to implement HB 1513. Senate: No change. Conference: Provides retiree health care credit for support staff funding to implement HB 1513.	Results in additional funding of \$8.2 million in FY 2021 as compared to the FY 2021 budget forecast presented on November 26, 2019. The \$8.2 million includes \$8.0 million for VRS and \$0.2 million for group life. FCPS expenditures for the projected rate increases were included in the FY 2021 budget forecast presented on November 26, 2019. The impact of the VRS contribution rate changes will require an additional \$15.6 million as was included in the November forecast. Results in additional funding of \$0.6 million as compared to the Governor's Budget. However, the increase in the RHCC rate would require an additional \$2.5 million in expenditures for FCPS that are currently not included in the FY 2021 Advertised Budget. Minimal impact on FCPS.

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Budget Item #	Issue	Fairfax County Impact
145 B.22, 145 C.36	<p><u>Update Lottery Proceeds</u></p> <p>Governor Northam's Budget: Provides updated lower estimates for lottery revenue over the biennium. This revenue stream is being used to fund the state share of the cost of various programs, including the Supplemental Lottery Per Pupil Allocation (PPA).</p> <p>House: Increases the Supplemental Lottery PPA payments.</p> <p>Senate: No change.</p> <p>Conference: No change.</p>	<p>Results in a decrease of \$1.8 million in FY 2021 as compared to the FY 2021 budget forecast presented on November 26, 2019.</p> <p>Results in additional funding of \$0.1 million after accounting for a revenue loss from the Games of Skill and a revenue increase from the general fund Supplemental PPA, as compared to the Governor's budget.</p>
145C	<p><u>Salary Increase in FY 2022</u></p> <p>Governor Northam's Budget: Provides \$145.1 million in FY 2022 for the state's share of a 3% salary increase for instructional and support positions, effective July 1, 2021.</p> <p>House: Provides an additional \$95.5 million in FY 2021 and \$50 million in FY 2022 for the state's share of payment equivalent to 2% each year or up to 4% over the biennium for instructional and support positions.</p> <p>Senate: Provides an additional \$122.8 million in FY 2021 for a one-time bonus payment equal to 3% of base pay on December 1, 2020, for instructional and support positions, and \$48.2 million in FY 2022 for the state share of a payment equivalent to a 4% salary increase, effective July 1, 2021. Local match funding is required for both years.</p> <p>Conference: Provides an additional \$95.4 million in FY 2021 and \$50 million in FY 2022 for the state's share of payment equivalent to 2% each year for instructional and support positions.</p>	<p>No compensation supplement provided in FY 2021, as compared to \$18.7 million in salary incentive funding provided to Fairfax in the state's FY 2020 budget.</p> <p>For FY 2022, funding of \$14.1 million is included for the state share to FCPS.</p> <p>Results in an increase of \$9.4 million in FY 2021 as compared to the Governor's Budget. It is the intent that the instructional and support position salaries are increased by at least an average of 2%. Salary increases included in the FY 2021 Advertised Budget meet this requirement.</p> <p>For FY 2022, additional funding of \$4.9 million is included for the state share to FCPS.</p> <p>Results in an increase of \$12.0 million in FY 2021 as compared to the Governor's Budget. Sufficient detail is not yet available to provide information on the full impact of the proposed Senate bonus on FCPS. Preliminary indications from Senate Finance staff are that funding for the proposed bonus would not be able to be used toward locally-proposed salary increases and could only be used for a separate bonus payment, which could have an impact on local salary actions already proposed in the FCPS FY 2021 Advertised Budget.</p> <p>For FY 2022, an increase of \$4.7 million is included for the state share to FCPS.</p> <p>Results in an increase of \$9.4 million in FY 2021 as compared to the Governor's Budget. It is the intent that the instructional and support position salaries are increased by at least an average of 2%. Salary increases included in the FY 2021 Advertised Budget meet this requirement.</p> <p>For FY 2022, additional funding of \$4.9 million is included for the state share to FCPS.</p>

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Budget Item #	Issue	Fairfax County Impact
145 B.7.g	<p><u>School Safety</u></p> <p>Governor Northam's Budget: Includes \$99.3 million for additional school counselors. The first amendment provides \$42.6 million for the school counselor staffing ratios authorized in the SOQs by the 2019 GA and a second amendment provides \$56.7 million to lower the standard to 1 school counselor per 250 students in K-12 in FY 2022.</p>	<p>For FY 2021, the funded staffing standards for school counselors in FY 2020 are 455-to-1 in elementary schools, 370-to-1 in middle schools, and 325-to-1 in high schools. This action reduces the staffing ratios to 375-to-1 in elementary schools, 325-to-1 in middle schools, and 300-to-1 in high schools in FY 2021, consistent with Section 22.1-253.13:2, H.4.a., Code of Virginia. FCPS meets the new ratio requirement systemwide without adding counselors. In FY 2022, there will be additional reductions of all funded staffing ratios to 250-to-1.</p> <p>This amendment provides an additional \$21.2 million in state funding to school divisions in FY 2021 and \$78.1 million in FY 2022. The funding for school counselors can not be delineated for FCPS.</p> <p>For FY 2021, FCPS anticipates \$2 million in additional funding from the state.</p> <p>For FY 2022, in order to meet the school counselor staffing ratio at 250:1, it is estimated that a total of 175 new counselor positions at \$17.5 million will be required.</p>
	<p>House: Reduces \$53.2 million in FY 2022 by amending the school counselor ratio to 1 per 325, contingent on passage of HB 1508.</p> <p>Senate: Reduces \$16.7 million by amending the school counselor ratio to 1 per 300 in all schools in FY 2022.</p> <p>Conference: Reduces \$53.2 million in FY 2022 by amending the school counselor ratio to 1 per 325, contingent on passage of HB 1508.</p>	<p>No changes in FY 2021 as compared to the Governor's Budget.</p> <p>For FY 2022, FCPS anticipates a decrease of \$4.9 million as compared to the Governor's Budget. It is estimated that the additional cost is negligible to meet the staffing ratio requirement in HB 1508.</p> <p>No changes in FY 2021 as compared to the Governor's Budget.</p> <p>For FY 2022, FCPS anticipates a decrease of \$3.5 million as compared to the Governor's Budget. In order to meet the staffing ratio at 300:1, it is estimated that between 44-50 school counselors at cost of \$4.4-\$5.0 million will be required.</p> <p>No changes in FY 2021 as compared to the Governor's Budget.</p> <p>For FY 2022, FCPS anticipates a decrease of \$4.9 million as compared to the Governor's Budget. It is estimated that the additional cost is negligible to meet the staffing ratio requirement divisionwide, if FCPS can shift current staffing from secondary to elementary level. However, if FCPS is not able to shift staffing from other levels, roughly 70 elementary school counselors would be required, at a cost of approximately \$7.0 million based on the FY 2021 projected enrollment and staffing levels.</p>

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Budget Item #	Issue	Fairfax County Impact
145 C.40	<p><u>New "Games of Skill" Per Pupil Funding</u></p> <p>Governor Northam's Budget: Provides \$50 million in FY 2021 and \$75 million in FY 2022 for the Games of Skill Per Pupil funding. This funding is intended to backfill the decrease for the Supplemental Lottery Per Pupil Allocation (PPA). The funding source is contingent upon passage of legislation by the 2020 GA. These funds do not require local match.</p> <p>House: Removes Games of Skill PPA. Replaces the funding with additional supplemental per pupil payments.</p> <p>Senate: Removes Games of Skill PPA.</p> <p>Conference: Removes Games of Skill PPA, pursuant to the passage of HB 881 and SB 971.</p>	<p>Results in additional funding of \$4.5 million as compared to the FY 2021 budget forecast presented on November 26, 2019.</p> <p>A funding decrease in Games of Skill is offset by increases in general fund Supplemental PPA and Supplemental Lottery PPA. The net impact is included in the Supplemental Lottery PPA.</p> <p>Results in a decrease of \$4.5 million as compared to the Governor's Budget.</p> <p>Results in a decrease of \$4.5 million as compared to the Governor's Budget.</p>
145 C.9.e	<p><u>At-Risk Add-On Program</u></p> <p>Governor Northam's Budget: Reallocates \$87.8 million of Lottery Per Pupil payments to the At-Risk Add-On program. The per pupil allocation is backfilled with \$125.0 million from the new "Games of Skill" revenue. In addition, increases by \$52.6 million over the biennium the support for educationally at-risk students.</p> <p>House: Increases the maximum add-on percentages by redirecting funding from the School Meals Expansion.</p> <p>Senate: No change.</p> <p>Conference: Does not use "Games of Skill" revenue to backfill the per pupil allocation. Provides an additional \$8.7 million GF in FY 2022 to increase the At-Risk Add-On from 25 to 26 percent (this is in addition to the Governor's investment of \$50.1 million in FY 2021 and \$90 million in FY 2022).</p>	<p>Results in an increase of \$3.3 million as compared to the budget forecast presented on November 26, 2019.</p> <p>Results in an increase of \$0.3 million as compared to the Governor's Budget.</p> <p>Results in no changes as compared to the Governor's Budget for FY 2021.</p>
145 C.18	<p><u>Other Items of Interest</u></p> <p>Governor Northam's Budget: Includes \$27.6 million to increase the number of instructional support positions for English Language (EL) learners.</p> <p>House: Provides phase-in of new EL staffing standards over a two-year period.</p> <p>Senate: No change.</p> <p>Conference: Provides phase-in of new EL staffing standards over a two-year period.</p>	<p>This action increases the number of funded positions from 17 per 1,000 students in FY 2020 to 20 per 1,000 students in FY 2021 and 2022. Results in additional funding of \$5.6 million for the ESOL program as compared to the budget forecast presentation on November 26, 2019. FCPS meets the new ratio requirement systemwide without adding ESOL teachers.</p> <p>This results in a decrease of \$1.5 million as compared to the Governor's Budget.</p> <p>This results in a decrease of \$1.5 million as compared to the Governor's Budget.</p>

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Budget Item #	Issue	Fairfax County Impact
145 C.41	<p>Governor Northam's Budget: Includes \$10.6 million to help cover the cost of school breakfast and lunch for families who qualify for reduced meal pricing.</p> <p>House: Redirects this School Meals Expansion funding to at-risk add-on payments.</p> <p>Senate: No change.</p> <p>Conference: No change.</p>	<p>No impact on the School Operating Fund. Results in additional funding of \$0.7 million for the Food and Nutrition Services Fund.</p> <p>Results in a decrease of \$0.7 million for the Food and Nutrition Services Fund as compared to the Governor's Budget.</p>
Item 145	<p>Senate: Provides \$27.5 million each year to partially restore the school construction grants program.</p> <p>Conference: Establishes the Infrastructure and Operations Fund as a PPA subfund.</p>	<p>No impact on the School Operating Fund. Results in additional funding of \$1.3 million for the School Construction Fund.</p> <p>Results in additional funding of \$3.6 million. Impact on the School Operating Fund is to be assessed. The funding must be dedicated to non-recurring expenditures and is intended to address the wide variety of capital needs ranging from roof repairs, general renovations and upgrades, design and planning of new schools, purchase of school buses, etc.</p> <p>Beginning in FY 2022, among other requirements, there is a requirement for a local match based on a school division's LCI.</p>
145 C.10, 145 C. 15	<p>Governor Northam's Budget: Makes technical updates based on program participation, including \$13.7 million for K-3 Primary Class Size Reduction and \$5.3 million for Early Reading Intervention.</p> <p>House: Technical updates to K-3 Class Size Reduction.</p> <p>Senate: Technical updates to State Operated Programs.</p> <p>Conference: Technical updates to State Operated Programs and VPI+ consolidation.</p>	<p>Other increases total \$2.1 million as compared to the FY 2021 budget forecast presented on November 26, 2019. The increases are primarily due to increases of \$1.3 million in K-3 Primary Class Size Reduction and \$0.7 million in Early Reading Intervention.</p> <p>Minimal impact on FCPS.</p> <p>No impact on the School Operating Fund. Results in additional funding of \$0.3 million for the Grants and Self-Supporting Programs Fund.</p> <p>No impact on the School Operating Fund. Results in additional funding of \$0.5 million, including the Grants and Self-Supporting Programs Fund and the County VPI program.</p>

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Budget Item #	Issue	Fairfax County Impact
Transportation		
REGIONAL ITEMS		
<u>Northern Virginia Transportation Authority (NVTa) Funding</u>		
453 (FY 2020) 451 (FY 2021-2022)	<p>Governor Northam's Budget: Includes the regional funds provided for in HB 2313 (2013), including \$563.8 million for distribution of NVTa Fund revenues over the 2018-2020 biennium (\$10.8 million above what was previously projected for the biennium).</p> <p>The Governor's proposed 2020-2022 biennium budget includes \$614.7 million for distribution of NVTa Fund Revenues over the biennium, \$50.9 million above the revised projection for the 2018-2020 biennium budget.</p> <p>House/Senate/Conference: No change.</p>	<p>The amount received by the County is dependent on actual collections of the revenue sources. Through its Six Year Program, NVTa allocates 70 percent (approximately \$394.7 million for FY 2019-2020 and \$430.3 million for FY 2021-2022) to regional projects. This funding has already been approved for projects through adoption of NVTa's FY 2018-2023 Six Year Program.</p> <p>Fairfax County should receive approximately \$76.1 million over the 2018-2020 biennium and \$82.98 million over the 2020-2022 biennium to allocate for local projects approved by the Board of Supervisors (30 percent funding returned to localities), minus the respective shares provided to Vienna and Herndon. Approximately \$14 million annually of this "30 percent funding" will likely be transferred to the Commonwealth's WMATA Capital Fund for the County's share of local funding for State of Good Repair, as required by HB 1539/SB 856 (2018).</p>
<u>Regional Transportation Entity Appointments</u>		
	<p>Governor Northam's Budget: Removes language from the Caboose budget (FY 2020) permitting the Speaker to appoint non-legislative members to NVTa, Northern Virginia Transportation Commission (NVTC), and Potomac and Rappahannock Transportation Commission (PRTC).</p> <p>House/Senate/Conference: No change.</p>	<p>Speaker Cox appointed three nonlegislative members to NVTC (Jim LeMunyon, Raul "Danny" Vargas, and M. David Skiles), and one nonlegislative member to NVTa (Randy Minchew).</p>
<u>Regional Gas Tax</u>		
440	<p>Governor Northam's Budget: Provides \$307.4 million over the 2020-2022 biennium for regional gas taxes (for NVTC, PRTC, Hampton Roads Transportation Accountability Commission (HRTAC) and the Interstate 81 Corridor Improvement Fund). Estimates \$109.9 million for NVTC over the 2020-2022 biennium, which is \$13.3 million less than projections for the FY 2019-2020 biennium.</p> <p>House/Senate/Conference: No change.</p>	<p>The amount received by NVTC and the County is dependent on actual collections of the revenue sources. If funds come in as low as projected, it could impact the County's balances in its NVTC account, which are utilized to help pay the County's share of WMATA funding.</p>
STATEWIDE PROGRAMS		
<u>Department of Rail and Public Transportation (DRPT)</u>		
430/442	<p>House/Senate/Conference: Removes required state allocation of federal surface transportation block grant program (RSTP) funds for public transportation purposes. HB 1414/SB 890 provide a like amount of state funding for these efforts.</p>	<p>Because the funding amounts should not be adversely impacted and Fairfax Connector does not receive federal funding, this should not have a significant impact on County funding. Additionally, these funds will be available for roadway projects, which could benefit the County.</p>

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Budget Item #	Issue	Fairfax County Impact
442	<p>Governor Northam's Budget: Increases Public Transportation Programs funding for the 2020-2022 biennium to \$987.97 million (\$147.9 million increase), including:</p> <ul style="list-style-type: none"> • \$221.96 million for Operating Assistance (\$40.1 million increase); • \$87.6 million for Capital Assistance (\$14.3 million increase); • \$323.6 million for WMATA operating and capital costs (state share of WMATA assistance) (\$9.7 million increase); • \$4 million for federally mandated state safety oversight of fixed rail guideway transit agencies, i.e. the Metrorail Safety Commission (MSC) (\$1.6 million increase); • \$50 million in first year for transit initiatives identified by the Secretary; • \$50 million in second year as the state match for federal Passenger Rail Investment and Improvement Act (PRIIA) funding; • \$320 million for the WMATA Capital Fund, which includes the local and regional funding redirected as part of HB 1539/SB 856, the bills passed by the 2018 GA diverting funding from NVT to WMATA (\$64.4 million increase); and, • Removes the language that provided a one-year transition for mass transit providers to prepare for the new allocation methodology for state transit operations funding. <p>House: Provides \$987.97 million for Public Transportation Programs (same amount as the Governor's budget), including:</p> <ul style="list-style-type: none"> • \$199.6 million for Operating Assistance (\$22.38 million decrease from the Governor's Budget); • \$114.2 million for Capital Assistance (\$26.6 million increase); • \$342.6 million for WMATA operating and capital costs (state share of WMATA assistance) (\$19.0 million increase); • Allocates \$27.4 million to the Transit Incentive Program (new program created by HB 1414/SB 890); • \$4 million for federally mandated state safety oversight of fixed rail guideway transit agencies, i.e. the Metrorail Safety Commission (MSC) (no change); • \$50 million in each year as the state match for federal PRIIA funding (language in Governor's budget did not specifically set aside PRIIA match in first year); • \$320 million for the WMATA Capital Fund, which includes the local and regional funding redirected as part of HB 1539/SB 856 (2018) (no change); and, • Removes the language that provided a one-year transition for mass transit providers to prepare for the new allocation methodology for state transit operations funding (no change). 	<p>As the actual funding amount should not be adversely impacted, and due to the fact that the Fairfax Connector does not receive federal funding, this should not have a significant impact on County funding.</p> <p>The changes in amounts are due to the new funds and allocation percentages provided in HB 1414.</p> <p>The statewide Operating and Capital funding is subject to the transit prioritization process required by the 2018 GA, entitled Making Efficient and Responsible Investments in Transit (MERIT), as well as the new programs created by HB 1414/SB 890, so the impact to Fairfax Connector and the Virginia Railway Express (VRE) is currently unclear.</p> <p>Provides increased funding for WMATA, though some of this is provided through regional and local sources.</p>
442/430	<p>Senate: Provides \$1.055 billion for Public Transportation Programs (\$67.1 million increase from the Governor's budget) including:</p> <ul style="list-style-type: none"> • \$221.96 million for Operating Assistance (no change); • \$122.6 million for Capital Assistance (\$26.6 million increase from the Governor's budget); • \$341.97 million for WMATA operating and capital costs (state share of WMATA assistance) (\$18.4 million increase); • \$4 million for federally mandated state safety oversight of fixed rail guideway transit agencies, i.e. the Metrorail Safety Commission (MSC) (no change); • \$50 million in each year as the state match for federal PRIIA funding (language in the Governor's budget did not specifically set aside PRIIA match in first year); • \$320 million for the WMATA Capital Fund, which includes the local and regional funding redirected as part of HB 1539/SB 856 (2018) (\$600,000 increase); • Removes the language that provided a one-year transition for mass transit providers to prepare for the new allocation methodology for state transit operations funding (no change); and, • Directs the Secretary of Transportation to ensure that at least \$5 million of the annual allocation to the new Transit Ridership Incentive Fund (established in HB 1414/SB 890) is used to provide operating assistance to transit programs that reduce congestion in urban areas. The Secretary is directed to report on the methodology that will be implemented by June 30, 2021. 	<p>The changes in amounts are due to the new funds and allocation percentages provided in SB 890.</p> <p>The statewide Operating and Capital funding is subject to the transit prioritization process required by the 2018 GA, entitled MERIT, as well as the new programs created in HB 1414/SB 890, so the impact to Fairfax Connector and VRE is currently unclear.</p> <p>Provides increased funding for WMATA, though some of this is provided through regional and local sources.</p> <p>The new Transit Ridership Incentive Program, which provides operations assistance to reduce congestion in urban areas, could also benefit the County.</p>
442/430	<p>Conference: Same as Senate.</p>	

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442	<p>House: Requires DRPT to conduct an evaluation of enhanced public transportation services, including the cost and feasibility of extending the Blue Line and other multimodal options along I-95 and U.S. Route 1 from the Franconia-Springfield Metro Station to Marine Corps Base Quantico in Prince William County, contingent on the affected counties providing matching funds.</p> <p>Senate: Requires DRPT to conduct an evaluation of enhanced public transportation services, including the cost and feasibility of extending the Blue Line and other multimodal options along I-95 and U.S. Route 1 from the Franconia-Springfield Metro Station to Marine Corps Base Quantico in Prince William County.</p> <p>Conference: Requires DRPT, in cooperation with Fairfax and Prince William Counties, to conduct an evaluation of enhanced public transportation services, including the cost and feasibility of extending the Blue Line and other multimodal options along I-95 and U.S. Route 1 from the Franconia-Springfield Metro Station to Marine Corps Base Quantico in Prince William County.</p>	<p>Could provide additional information about viable transit options on the I-95/U.S. Route 1 corridor. As worded, it is unclear what the impact on the study would be if the County does not provide some matching funds to help conduct the study.</p> <p>Could provide additional information about viable transit options on the I-95/U.S. Route 1 corridor.</p> <p>Could provide additional information about viable transit options on the I-95/U.S. Route 1 corridor.</p> <p>Does not include language requiring the County to provide matching funds.</p>
442	<p>House: Includes language to ensure the Commonwealth Transportation Board (CTB) has the flexibility to increase the allocation for WMATA in response to service increases approved by the WMATA Board.</p> <p>Senate: No language.</p> <p>Conference: Requires NVTC to convene a workgroup, which includes the DRPT Director, a local government representative, and private sector stakeholders, to review the impact of the 3 percent cap on operating assistance in the approved WMATA budget. The workgroup will report to the House Appropriations and Senate Finance Committees by November 10, 2020, on the usefulness of the cap and whether additional items should be excluded.</p>	<p>HB 1539/SB 856 (2018) restricted increases in Virginia's share of WMATA's annual subsidy by 3%, with some specific exemptions. HB 1586 (2020) adds increases in service approved by the WMATA Board as another exemption. This language could help provide additional state funds if the WMATA Board votes to provide increased service.</p> <p>This will allow stakeholders to discuss the impacts of the 3 percent cap on the increase of Virginia's subsidy for WMATA operations.</p>
443	<p>House: Requires DRPT to evaluate the cost of extending VRE service to Gainesville.</p> <p>Senate: No language.</p>	<p>A study on this issue was completed by VRE in the past three years.</p>
443	<p>Conference: Same as House.</p>	

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Budget Item #	Issue	Fairfax County Impact
	<u>Rail Programs</u>	
443	<p>Governor Northam's Budget: Provides \$273 million for Financial Assistance for Rail Programs (\$18 million increase from the 2018-2020 budget), including: \$6 million for Rail Industrial Access (no change); \$29 million for Rail Preservation Programs (\$12 million decrease); and, \$237.97 million for Passenger and Freight Rail Financial Assistance Programs (\$18.2 million increase).</p> <p>House: No change.</p> <p>Senate: Provides \$334.2 million for Financial Assistance for Rail Programs (\$61.2 million increase from the Governor's budget), including: \$6 million for Rail Industrial Access (no change); \$29 million for Rail Preservation Programs (no change); and, \$299.2 million for Passenger and Freight Rail Financial Assistance Programs (\$61.2 million increase).</p> <p>Requires the CTB to prioritize the expansion of rail service between the Northern Virginia, Central Virginia, and Hampton Roads regions prior to expanding rail service to North Carolina.</p> <p>Conference: Provides \$334.2 million for Financial Assistance for Rail Programs (\$61.2 million increase from Governor's budget), including: \$6 million for Rail Industrial Access (no change); \$29 million for Rail Preservation Programs (no change); and, \$299.2 million for Passenger and Freight Rail Financial Assistance Programs (\$61.2 million increase).</p>	<p>Funding related to the new Rail Authority; impact for Fairfax County to be determined.</p> <p>Funding related to the new Rail Authority; impact for Fairfax County to be determined.</p> <p>Funding related to the new Rail Authority; impact for Fairfax County to be determined.</p>
430	<p>House: No language.</p> <p>Senate: Requires that the Major Employment and Investment (MEI) Project Approval Commission approve any Memorandum of Understanding between any political subdivision of the Commonwealth, any political subdivision of the United States, federal government agency, Amtrak, VRE, and any private railroad corporation regarding the construction of the Long Bridge or of any issuance of bonds or sale of any land by the new Virginia Passenger Rail Authority.</p> <p>Conference: Same as Senate.</p>	<p>Would require some legislative approval (the MEI Commission includes members of both the House and Senate) prior to moving forward with the Long Bridge project.</p>
	<u>Virginia Department of Transportation (VDOT)</u>	
	<u>Environmental Monitoring and Evaluation</u>	
445	<p>Governor Northam's Budget: For the 2020-2022 biennium, provides \$81.6 million for Environmental Monitoring and Evaluation (\$33.9 million increase from the revised 2018-2020 biennium budget), including \$16.2 million for Environmental Monitoring and Compliance for Highway Projects (\$2.6 million increase) and \$58.4 million for Municipal Separate Storm Sewer System (MS4) Compliance Activities (\$31 million increase).</p> <p>House/Senate/Conference: No change.</p>	<p>The increased funding should help with environmental processes required for transportation projects.</p>
430	<p>House: Requires the Secretaries of Transportation and Natural Resources to evaluate the scope of drainage outfalls originating from VDOT-maintained roads and make recommendations to address the issue. An interim report is due by December 31, 2020, and a final report, if not provided in the December report, is due by September 30, 2021.</p> <p>Senate: Requires the Secretaries of Transportation and Natural Resources to evaluate the scope of drainage outfalls originating from VDOT-maintained roads and make recommendations to address the issue. A report is due by December 11, 2020.</p> <p>Conference: Requires the Secretaries of Transportation and Natural Resources to evaluate the scope of drainage outfalls originating from VDOT-maintained roads and make recommendations to address the issue. An interim report is due by December 31, 2020, and a final report, if not provided in the December report, is due by September 30, 2021.</p>	<p>Could provide additional information on how to address stormwater issues.</p> <p>Could provide additional information on how to address stormwater issues.</p> <p>Could provide additional information on how to address stormwater issues.</p>

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	Highway Construction	
450	<p>Governor Northam's Budget: For the 2018-2020 biennium, provides \$6.11 billion for Highway Construction Programs, an increase of \$759.3 million over previous projections. This includes: \$128.8 million for State of Good Repair (no change); \$291.5 million for the High Priority Projects Program (\$33.3 million increase); \$299.3 million for the Construction District Grant Program (\$33.3 million increase); \$4.29 billion for Specialized State and Federal Programs (\$691.4 million increase); and, \$1.02 billion for Legacy Construction Formula Programs (no change). Of the Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> • \$227.4 million is for the Regional Surface Transportation Program (RSTP); • \$106.2 million is for the Highway Safety Improvement Program (HSIP); • \$159.2 million is for the Congestion Mitigation and Air Quality (CMAQ) Program; • \$200 million is for Revenue Sharing; • \$40.4 million is for the Surface Transportation Block Grant Program Set-Aside; • \$6.9 million is for the Virginia Transportation Infrastructure Bank (VTIB); • \$3.5 million is for the Transportation Partnership Opportunity Fund (TPOF); • \$689.8 million represents the estimated project participation costs from localities and regional entities; and, • \$150.9 million in the second year represents the bond proceeds to be used for the Route 58 Corridor Development Program. 	<p>Many of these funds are subject to the Smart Scale prioritization process, so the impact to Fairfax County is currently unclear.</p> <p>Retains the current funding levels for Revenue Sharing (\$100 million).</p> <p>For the 2018-2020 biennium budget, RSTP, CMAQ, HSIP, and Transportation Alternative funds are similar to what was allocated in previous years.</p>
447	<p>For the 2020-2022 biennium budget, provides \$7.37 billion for Highway Construction Programs, an increase of \$1.25 billion over the revised 2018-2020 biennium budget. This includes: \$707 million for State of Good Repair (\$578.2 million increase); \$658.1 million for the High Priority Projects Program (\$366.6 million increase); \$647.9 million for the Construction District Grant Program (\$348.6 million increase); \$4.78 billion for Specialized State and Federal Programs (\$497.1 million increase); and, \$484.6 million for Legacy Construction Formula Programs (\$538 million decrease). Of the Specialized State and Federal Programs:</p> <ul style="list-style-type: none"> • \$233.4 million is for RSTP; • \$106.2 million is for HSIP; • \$166.2 million is for CMAQ; • \$200 million is for Revenue Sharing; • \$40.4 million is for the Surface Transportation Block Grant Program Set-Aside; • \$4 million is for VTIB; • \$2 million is for TPOF; • \$1.96 billion represents the estimated project participation costs from localities and regional entities; and, • \$218.4 million in the second year represents the bond proceeds to be used for the Route 58 Corridor Development Program. Item 452 also provides \$120 million from the Transportation Trust Fund (TTF) to the U.S. Route 58 Corridor Development Fund in lieu of state recordation taxes that law allocates to the fund - the previous budget provided \$80 million from the general fund and \$29 million from the TTF. <p>House: No changes to the 2018-2020 biennium budget. For the 2020-2022 biennium budget, provides \$7.25 billion for Highway Construction Programs, a decrease of \$119.5 billion from the Governor's budget. This includes: \$707 million for State of Good Repair (no change); \$658.1 million for the High Priority Projects Program (no change); \$647.9 million for the Construction District Grant Program (no change); \$4.78 billion for Specialized State and Federal Programs (no change); and, \$484.6 million for Legacy Construction Formula Programs (no change). There were no changes to the funding amounts for specific Specialized State and Federal Programs.</p>	<p>For the 2020-2022 biennium, an additional \$6 million is projected for RSTP and an additional \$7 million is projected for CMAQ, which could benefit the County. HSIP and Transportation Alternative funds are similar to what was allocated in previous years.</p> <p>No change from Governor's budget for various programs.</p>
	<p>Senate: No changes to the 2018-2020 biennium budget. For the 2020-2022 biennium budget, provides \$7.47 billion for Highway Construction Programs, an increase of \$97.4 million over the Governor's budget. This includes: \$707 million for State of Good Repair (no change); \$624.7 million for the High Priority Projects Program (\$33.4 million decrease); \$802.1 million for the Construction District Grant Program (\$154.2 million increase); \$4.76 billion for Specialized State and Federal Programs (\$23.5 million decrease); and, \$484.6 million for Legacy Construction Formula Programs (no change). There were no changes to the funding amounts for specific Specialized State and Federal Programs.</p>	<p>Due to the significant changes in transportation formulas being considered by the GA, direct impact to Fairfax County is yet to be determined.</p>

**BUDGET PROPOSALS FOR FY 2020 - FY 2022
DURING THE 2020 GENERAL ASSEMBLY SESSION
as of March 17, 2020**

Budget Item #	Issue	Fairfax County Impact
	Conference: Same as Senate.	
431	<p>Governor Northam's Budget: The FY 2020-2022 biennium budget transfers \$2.5 million from the TPOF to the Commonwealth Space Flight Fund to support construction of a hangar for unmanned vehicle operations. Also transfers \$5 million from TPOF to the Commonwealth Space Flight Fund to support the development of an improved launch team maintenance facility complex.</p> <p>House/Senate/Conference: No change.</p>	Will reduce funds being provided for transportation construction projects.
	Highway Maintenance	
451	<p>Governor Northam's Budget: For the 2018-2020 biennium, provides \$4.08 billion for Highway System Maintenance and Operations, a \$104.7 million increase over previous projections. This includes \$956.1 million for interstates (\$74.8 million increase); \$1.27 billion for primaries (\$79.2 million increase); \$1.23 billion for secondaries (\$14.5 million increase); and, \$487.9 million for Transportation Operations Services (\$46.9 million decrease).</p>	Using historical estimates, approximately \$15 million more may be available for maintenance and operations within Northern Virginia.
448	<p>For the 2020-2022 biennium, provides \$3.89 billion for Highway System Maintenance and Operations, a \$182.8 million decrease over the revised 2018-2020 biennium budget. This includes \$937.2 million for interstates (\$18.9 million decrease); \$1.22 billion for primaries (\$52.1 million decrease); \$1.17 billion for secondaries (\$57.1 million decrease); and, \$409.7 million for Transportation Operations Services (\$78.2 million decrease).</p> <p>House: No change to the 2018-2020 biennium. For the 2020-2022 biennium, provides \$3.89 billion for Highway System Maintenance and Operations, a \$3.6 million increase from the Governor's budget. This includes \$937.2 million for interstates (no change); \$1.22 billion for primaries (no change); \$1.17 billion for secondaries (no change); and, \$409.7 million for Transportation Operations Services (no change).</p> <p>Senate: No change to the 2018-2020 biennium. For the 2020-2022 biennium, provides \$3.92 billion for Highway System Maintenance and Operations, a \$25.6 million increase from the Governor's budget. This includes \$956 million for interstates (\$18.8 million increase); \$1.22 billion for primaries (no change); \$1.18 billion for secondaries (\$6.7 million increase); and, \$409.7 million for Transportation Operations Services (no change).</p> <p>Conference: Same as Senate.</p>	<p>Using historical estimates, approximately \$27 million less may be available for maintenance and operations within Northern Virginia.</p> <p>No significant change from Governor's budget.</p> <p>Using historical estimates, approximately \$3.5 million more may be available for maintenance and operations within Northern Virginia.</p>

**BUDGET PROPOSALS FOR FY 2020 - FY 2022
DURING THE 2020 GENERAL ASSEMBLY SESSION
as of March 17, 2020**

Budget Item #	Issue	Fairfax County Impact
<u>Special Structures</u>		
449	<p>Governor Northam's Budget: Provides \$64.4 million in the 2020-2022 biennium budget for this new line item.</p> <p>House/Senate/Conference: Provides \$40 million for this new program (\$24.4 million decrease from the Governor's budget).</p>	<p>This is a new fund. Legislation and budget language during the 2019 session directed the Commonwealth to review and report on the overall condition of special structures and to identify funding to address their needs. Only one of the identified structures is in Northern Virginia.</p> <p>This is a new fund. Legislation and budget language during the 2019 session directed the Commonwealth to review and report on the overall condition of special structures and to identify funding to address their needs. Only one of the identified structures is in Northern Virginia.</p>
<u>Toll Facilities</u>		
452	<p>Governor Northam's Budget: For the 2018-2020 biennium, provides \$166.3 million for toll facilities (\$5.8 million decrease), including \$6.4 million for Debt Service (no change); \$87.3 million for Maintenance and Operations (\$5.8 million decrease); and, \$72.6 million for the Revolving Fund (no change).</p>	<p>The funding appears to reflect the number of facilities in the Commonwealth.</p>
450	<p>For the 2020-2022 biennium, provides \$186.9 million for toll facilities over the updated 2018-2020 budget (\$20.6 million increase), including \$3.2 million for Debt Service (\$3.2 million decrease); \$110.2 million for Maintenance and Operations (\$22.9 million increase); and, \$73.5 million for the Revolving Fund (\$900,000 increase).</p> <p>House/Senate/Conference: No change.</p>	<p>The increase in funding for Maintenance and Operations appears to reflect the increase in the number of facilities in the Commonwealth.</p>
450	<p>House: Prohibits VDOT from charging a fee to customers who have an EZ Pass flex or standard transponder based on the transponder not being used or being infrequently used.</p> <p>Senate: No language.</p> <p>Conference: Same as House.</p>	<p>Should have little to no direct impact to the County.</p>
<u>Other</u>		
441	<p>Governor Northam's Budget: In FY 2020, increases the number of FTEs for the Department of Motor Vehicles (DMV) to 2,180 (from 2,080).</p>	<p>No direct impact. Increase in staff is due to the anticipated increase in customers applying for a REAL ID.</p>
438	<p>For the 2020-2022 biennium budget, retains the number of FTEs at 2,180 (up from 2,080 in FY 2019) in FY 2021 and reduces that number to 2,120 in FY 2022.</p> <p>House/Senate/Conference: No change.</p>	

**BUDGET PROPOSALS FOR FY 2020 - FY 2022
DURING THE 2020 GENERAL ASSEMBLY SESSION
as of March 17, 2020**

Budget Item #	Issue	Fairfax County Impact
436	House: Provides an additional \$2.6 million NGF and 95 FTEs in each year for DMV pursuant to the passage of HB 1211 (removal of citizenship and legal presence requirements for driver's licenses). HB 1211 generates the revenue by increasing the fee for retaking a learner's permit or driving license exam from \$2 to \$5; and establishing a \$5 fee for the retaking of the examination for a motorcycle license and a commercial driver's license. The report notes that the bulk of the administrative cost is expected to be one-time in nature and the impact is expected to be minimal in future years.	Will allow for the implementation of legislation removing citizenship and legal presence requirements for driver's licenses. Will increase costs for some DMV services.
438	Senate: Appropriates \$9.4 million NGF annually, derived from driver privilege card fees generated by SB 34. Also increases FTEs by 84, each year, to address implementation.	Will allow for the implementation of legislation allowing for driver's privilege cards. The revenues will be derived from the fees for obtaining the new driver's privilege cards.
438	Conference: Appropriates \$4.7 million NGF annually, derived from driver privilege card fees generated pursuant to HB 1211/SB 34. Also increases FTEs by 42 in each year to address implementation.	Will allow for the implementation of legislation allowing for driver's privilege cards. The revenues will be derived from the fees for obtaining the new driver privilege cards.
438	<p>House: Allows localities to continue to impose local vehicle registration fees at the current levels, regardless of any changes in the state vehicle registration fee in HB 1414.</p> <p>Senate: No language.</p> <p>Conference: No language.</p>	<p>HB 1414 would reduce state vehicle registration fees (currently \$40.75 for a typical car) by \$20. Localities are also able to impose a registration fee, but only up to the amount the state imposes. The budget amendment and language within HB 1414 allow localities to have rates up to the level currently in place, which will allow the County to retain its existing rate and increase in the future if necessary.</p> <p>SB 890 does not currently change the annual vehicle registration fee.</p> <p>HB 1414/SB 890 reduce state vehicle registration fees (currently \$40.75 for a typical car) by \$10. Localities are also able to impose a registration fee, but only up to the amount the state imposes. Language within HB 1414/SB 890 allows localities to have rates up to the level currently in place, which will allow the County to retain its existing rate and increase in the future if necessary.</p>
453 (FY 2020) 451 (FY 2021) FY 2022)	Governor Northam's Budget: Retains language directing the CTB to prioritize up to \$250,000 of recreational access road funding for projects that improve handicapped access at State Park facilities.	TBD.
	House/Senate/Conference: No change.	

OTHER LEGISLATION OF INTEREST

Constitutional Amendments

Since Constitutional amendments must pass in identical form twice – once before and once after a GA election – before being placed before the voters in a referendum, only three “second resolution” Constitutional amendments that had passed the 2019 GA were before the 2020 GA. A proposal (**HJ 3** (Cole, M)) to allow the GA to make technical adjustments to legislative districts after the decennial redistricting in order to fix split precincts (see also page 62) was tabled by a House Privileges and Elections (HPE) subcommittee. The defeat of this measure was not surprising; this concept had been attempted in previous years in legislation, and concerns about its constitutionality resulted in the Governor vetoing the measure (unlike a bill, House and Senate Joint Resolutions cannot be vetoed, resulting in the measure being before the 2020 GA on second resolution).

The 2020 GA continued passing property tax exemptions – an unfortunate trend begun by the GA many years ago, reducing local revenues with no state fiscal impact – despite actions early in the session signaling an interest in possibly reversing course. As introduced, **HJ 103** (Helmer)/**SJ 58** (Morrissey) would require one motor vehicle (only automobiles or pickup trucks) belonging to a veteran with a 100 percent service-connected, permanent, and total disability to be exempt from state and local taxes. Current law already allows such an exemption as a local option, and some localities do provide the tax exemption, including Fairfax County. Proponents of the measure wanted to ensure that all eligible veterans have access to the tax exemption, regardless of where they live in the Commonwealth. The Senate Finance and Appropriations Committee continued **SJ 58** to 2021 with the notion that it would be studied in the off-session, suggesting that some legislators had concerns about the growing list of property tax exemptions that are mandatory for localities to provide. However, after **HJ 103** passed the House 91-4, it reported unanimously from Senate Finance and Appropriations and unanimously passed the Senate.

Redistricting

The third Constitutional amendment that was before the 2020 GA pertained to redistricting, which was the topic of significant debate – **HJ 34** (Cole, M)/**HJ 71** (VanValkenburg)/**SJ 18** (Barker) would create a 16-member independent redistricting commission (including eight legislators and eight citizens) for establishing congressional and state legislative districts. Of the eight legislators, four would be picked from each chamber with two from each political party. The eight citizen members would be appointed by a selection committee of five retired Circuit Court judges, chosen from a list of sixteen citizens suggested by the Speaker of the House, the President pro tempore of the Senate, and party leaders of the other political party in each chamber. For the selection committee, four of the judges would be appointed by GA party leaders and the fifth would be selected by the other judges. The commission would be chaired by a citizen, and meetings would be open to the public and communications subject to FOIA. The commission would be required to hold public hearings before proposing or voting on redistricting plans. Six of the eight citizen members and six of the eight legislative members would need to approve the maps prior to submitting them to the GA for final approval. If the GA failed to approve the maps, the Supreme Court would draw the districts.

Prior to the start of the 2020 GA, skepticism that the Constitutional amendments would have enough votes to pass began to surface, along with concerns that Democrats would retreat from the Constitutional amendment given their control of the Executive Mansion and GA. Some House members who had objected to the Constitutional amendment during the 2019 GA continued to voice concerns that minority participation in the commission is not guaranteed, as well as concerns about the Supreme Court's role in the process.

Amending the amendment to address those issues was not an option if the amendment was to apply to the 2021 redistricting, since Constitutional amendments must pass in identical form two years in a row. Thus, the Senate advanced **SJ 18** on a 38-2 vote, as well as companion legislation (**SB 203** (Lucas)) which was intended to address concerns about the Constitutional amendment by providing additional detail on the selection and operations of the Virginia Redistricting Commission, including requirements for the Supreme Court's development of district lines, should the Commission proposals fail to be enacted by the GA. **SB 203** passed the Senate with the Lieutenant Governor casting the tie-breaking vote.

With the Senate acting decisively on the Constitutional amendment, its fate was in the hands of the House. Ultimately, HPE never took up **HJ 34/HJ 71**, instead preferring to advance **HB 758** (VanValkenburg) (which as passed the House was very similar to **SB 203**) and **HB 1256** (Price). As passed the House, **HB 1256** would have provided an alternative mechanism for redistricting that would not require passage of the Constitutional amendment and would not include the Supreme Court. When **HB 1256** was heard in Senate Privileges and Elections (SPE), it became clear that the bill could not work in tandem with the Constitutional amendment, but SPE reported the measure with the addition of an enactment clause stating that certain provisions would expire if the Constitutional amendment was ultimately approved by the voters. After clearing Senate Finance and Appropriations, the measure lingered on the Senate floor awaiting the full House's action on **SJ 18**, which cleared HPE 13-8 after a dramatic hearing on the last possible day for committee action on legislation.

Redistricting remained one of the major policy areas of disagreement through the end of the session, with legislators making numerous, passionate floor speeches. In an attempt to address concerns with the Constitutional amendment, a floor substitute for **SJ 18** was offered; that substitute envisioned an alternative redistricting commission without legislators as members and without the Supreme Court having a role. Proponents of the substitute contended that it would allow legislators to vote on what they believed was a superior measure, with opponents arguing that changing the Constitutional amendment effectively would allow gerrymandering in the 2021 redistricting, as there would be no way to enshrine a redistricting commission in the Constitution in time for the 2021 redistricting. The substitute was rejected 47-53, and a handful of Democrats joined Republicans to support **SJ 18** as introduced, which passed 54-46 to the dismay of House Democratic leaders, prompting rumors that there was an effort afoot to reconsider the vote. In the end, however, no such reconsideration occurred. Unsurprisingly, given its conflict with the Constitutional amendment, the Senate never voted on **HB 1256**. In a puzzling turn of events, the bills (**HB 758** and **SB 203**), which would have imposed additional requirements on the Virginia Redistricting Commission to address the concerns raised, were left in conference.

The 2020 GA did pass standalone legislation (**HB 1255** (Price)/**SB 717** (McClellan)) specifying the criteria by which districts would be drawn. These criteria include racial and ethnic fairness, compactness, contiguity, the preservation of communities of interest, and the counting of incarcerated individuals at their pre-incarcerated addresses (if known and if located within the Commonwealth).

Elections

Following years of predictable outcomes for election bills, the 2020 GA passed numerous, significant bills on perennial topics, such as absentee voting, voter registration, and photo identification, as well as more novel topics, like ranked choice voting for local elections (which passed as local option). Making it easier and more efficient to vote was a common theme throughout the session. There was some acknowledgement that doing so would take additional resources, and on some bills that translated to delayed or reenactment clauses (such as a measure requiring localities to provide pre-paid postage on absentee ballots (**HB 220** (Krizek))), but ultimately that sentiment did not result in additional state funding for localities for election administration.

Absentee Voting

Following the passage of a law in 2019 allowing no-excuse in-person absentee voting for any registered voter beginning on the second Saturday immediately preceding any election in which they are qualified to vote (effectively beginning with the November 3, 2020, general election), the 2020 GA expanded no-excuse absentee voting to the entire 45 day period, including both in-person and by-mail voting. **HB 1** (Herring)/**SB 111** (Howell) easily passed the GA with only a handful of technical amendments along the way. This measure, a longstanding Democratic priority, was also one of the recommendations in a State Board of Elections (SBE) report required by the 2019 GA on procedures and recommendations for implementing the aforementioned 2019 law, as was a complementary bill, **SB 617** (Deeds), which pertains to establishing satellite offices for the purposes of absentee voting in person. **SB 617** authorizes the governing body of each county, city, and town to establish satellite offices by ordinance, which is the same process currently in place for establishing polling places, and requires that the governing body provide adequate funds for such satellite offices. Among other provisions, no changes to satellite offices may be enacted within the 60 days preceding a general election, and general registrars are required to post notice of satellite office locations and hours of operation not later than 55 days prior to any election.

The 2020 GA also addressed the issue of absentee ballots that are not counted because they are postmarked by election day but arrive after the polls close, partially due to the time it takes for the U.S. Postal Service to process and deliver mail. **HB 239** (Sickles) seeks to address this issue by providing more time for the ballot to arrive prior to election day. **HB 239** changes the deadline to apply for an absentee ballot by mail from the seventh day to the eleventh day prior to the election (this also applies to absentee ballots requested by uniformed and overseas voters and persons who are incapacitated or hospitalized, as well as emergency applications). Another measure, **HB 238** (Sickles), addresses the same issue by adjusting the deadline for counting late-arriving absentee ballots, providing that any absentee ballot that is returned to the general registrar after the closing of the polls on election day but before noon on the third day after the election and postmarked on or before the date of the election shall be counted if the voter is found entitled to vote. A similar bill, **SB 455** (Reeves) as passed the Senate took a slightly different approach, but ultimately was conformed to **HB 238**.

The 2020 GA also passed legislation pertaining to the application process for absentee ballots. **HB 240** (Sickles) provides that any person who is eligible for an absentee ballot, and who is likely to remain eligible for the remainder of the calendar year, shall be eligible to file a special annual application to receive ballots for all elections in which he is eligible to vote in that calendar year. Under current law, annual applications are only available to persons who are eligible to vote absentee due to a disability or illness, and who are likely to remain eligible to vote absentee due to such disability or illness. **HB 240**, as passed the GA, will take effect on July 1, 2020, and, as explained during committee hearings, would be in place until **HB 207** takes effect on July 1, 2021. **HB 207** (VanValkenburg), among other provisions, provides for a special application by which any registered voter may apply to receive absentee ballots for all elections in which he is eligible to vote. Unlike the process set forth in **HB 240**, under **HB 207**, as passed the GA, a voter would remain on the permanent absentee voter list until the voter requests in writing to be removed from the list, the voter's registration is canceled or placed on inactive status pursuant to law, or the voter moves to a different address not in the same county or city of the voter's registration.

A number of other more moderate changes to absentee voting were also enacted by the 2020 GA, such as **HB 872** (Bourne), which adds to the list of exceptions to the requirement that first-time voters who registered to vote by mail must vote in person those voters who are entitled under current law to vote by absentee ballot because they are confined while awaiting trial or for having been convicted of a misdemeanor.

Voter Registration

The 2020 GA also took a step toward automatic voter registration by passing **HB 235** (Cole, J)/**SB 219** (Marsden). Currently, individuals have the option of submitting their information to the Department of Elections for voter registration purposes when completing certain transactions in person at the Department of Motor Vehicles (DMV) or on the DMV website. **HB 235/SB 219** change that process from one that individuals may opt into to one that individuals may opt out of – proponents contend that this will increase the number of eligible individuals registered to vote. The measure takes effect July 1, 2020. **HB 201** (Ayala), as passed the GA, will take effect October 1, 2022, and provides for same-day voter registration, permitting any person who is qualified to vote to register in person up to and including election day at the office of the general registrar or the polling place for the precinct in which the person resides. Under current law, registration closes 21 days prior to a primary or general election. The 2020 GA also considered allowing eligible 16 year-olds to pre-register to vote, but the Senate measure (**SB 92** (Marsden)) failed on the Senate floor (19-20) and the House bill (**HB 215** (Lopez)) was continued to the 2021 session by HPE.

Voter Identification

The 2020 GA sought to repeal photo identification requirements put in place a few years ago. The House and Senate initially took different approaches, with the House advancing a more narrow measure (**HB 19** (Lindsey)). As passed the House, **HB 19** would have permitted a voter who does not show one of the required forms of identification when offering to vote to sign a statement that he is the named registered voter he claims to be in order to be permitted to cast a ballot. The House also separately advanced **HB 213** (Sullivan), adding any valid student identification card issued by any institution of higher education located in any other state or territory of the United States to the list of acceptable forms of identification. The Senate approach, **SB 65** (Locke) as passed the Senate, was more comprehensive, including the provisions set forth in **HB 19** and **HB 213**, but also repealing the requirement that voters show a form of

identification containing a photograph in order to be allowed to vote. **HB 19** and **SB 65** ultimately were sent to conference, where the Senate approach carried the day. The measure will take effect July 1, 2020.

Election Administration

Numerous bills related to the election schedule were considered. **HB 108** (Lindsey)/**SB 601** (Lucas), as passed the GA, designate Election Day, the Tuesday after the first Monday in November, as a state holiday and remove Lee-Jackson Day as a state holiday. Unlike previous years, a proposal (**SB 316** (Kiggans)) to move the June primary from the second to the third Tuesday of the month passed the GA after a rocky trip through the House. Proponents argued that the measure would allow the primary to be held after the end of the school year in most localities, instead of during the last days of school, thus improving the safety of students by removing the need for voters to access schools (which are common locations for voting precincts) while children are on the premises. The House Select Committee on School Safety included the proposal as one of their recommendations in 2018. Though the House had passed an identical bill (**HB 57** (Fowler)), it ran into trouble on the Senate floor and was defeated 18-19, with some Senators contending that it would suppress voter turnout since voters could be on vacation after the school year ends. **SB 316** passed the Senate more comfortably (24-16), and initially reported from HPE 15-5, but was re-referred to HPE in what some viewed as an attempt to defeat the bill. However, it reported again from HPE (15-7), and subsequently passed the House by a wide margin (72-24). A perennial bill (**HB 1678** (Lindsey)) to extend polling place hours on election night from 7PM to 8PM had more traction this session than in previous years, reporting from an HPE subcommittee 4-2, despite concerns raised by registrars and electoral board members about the already long day for election officers and the likelihood that the measure would exacerbate existing challenges with recruitment. In full HPE, chaired by the bill's patron, it was suggested that those concerns could be addressed by starting the day an hour later, so polling place hours would be 7AM to 8PM instead of 6AM to 7PM. Ultimately, however, as passed the GA, the bill includes a reenactment clause to allow time to assess whether extended hours are still needed with no-excuse absentee voting, requiring the measure to pass again next year before taking effect.

The 2020 GA also considered legislation that sought to ensure equitable voting access for minorities. Similar to the federal preclearance requirements that were in the Voting Rights Act before being struck down by the Supreme Court in 2013, **HB 761** (VanValkenburg), as passed the House, would require certain localities to essentially obtain approval before changing voting rules, either by instituting an action in the jurisdiction's circuit court for a declaratory judgment or asking the Office of the Attorney General (OAG) to issue a certification that no objection exists to the proposed change. A locality would be subject to the provisions in the bill if the voting age population contains two or more racial or ethnic groups, each constituting at least 20 percent of its voting age population. The House included funding in its budget for OAG staff to implement the bill, which passed the House 59-40. SPE amended the bill to include a delayed enactment of January 1, 2022, and a provision specifying that a declaratory judgement could be sought only in the Richmond City Circuit Court. Subsequently, the Senate Finance and Appropriations clause was added to the bill, requiring that funding be provided in the budget for the bill to take effect. When **HB 761** reached the Senate floor, it was amended yet again to exempt jurisdictions that had received declaratory judgements pursuant to federal preclearance. The House accepted all the amendments except the requirement that funding be included in the budget for **HB 761** to take effect, sending the bill to conference, where it was left. Though it was unsuccessful this session, the concept will likely be attempted in future years.

Regarding voting materials in languages other than English, Delegate Tran's **HB 1210** passed the GA, putting in place state requirements where there had previously only been federal ones. Currently, under the federal requirements, Fairfax County is the only locality in Virginia required to provide materials in languages other than English, and therefore was the only locality directly impacted by this bill. Under **HB 1210**, localities that are determined to be a covered locality, as designated by the SBE in consultation with the Director of the Census, are required to provide voting and election materials in the language of the applicable minority group, effective July 1, 2021. The bill requires that the SBE prescribe certain voting and election materials in languages other than English for use by localities, and allows the SBE to utilize materials translated by volunteers, provided the accuracy is verified before finalizing and distributing the materials. The bill is intended to create efficiencies at the state level, as well as state requirements, in anticipation of additional localities meeting the threshold to provide materials in languages other than English in future years. The County sought technical amendments which were incorporated into the bill, but was unsuccessful in obtaining an amendment that would have required the

state voter registration system (VERIS) to include functionality to implement the bill (currently, only English and Spanish materials can be disseminated through VERIS).

A more modest measure, **HB 202** (Tran), pertains to training requirements for officers of elections. Under current law, training is required to take place not later than three days prior to the November general election following the enactment of a change in an election law or regulation. **HB 202** as passed the GA requires the additional training for officers of elections occurring after a change in an election law or regulation to take place not less than three days prior to the first election occurring in the locality after the law or regulation has taken effect.

SBE and Department of Elections

After years of unsuccessful attempts to reform the SBE, the 2020 GA passed **HB 236** (Sickles)/**SB 856** (Ebbin), which increase the membership of the SBE from three to five members, with an initial staggering of terms. Representation is given to each of the political parties having the highest and next highest number of votes in the Commonwealth at the preceding gubernatorial election, with three Board members being of the party of the Governor. The bill provides that the Commissioner of Elections shall be appointed by the Governor, as is the case under current law, but puts in place a new requirement that the GA approve the Governor's appointee and specifies individuals who are not eligible to be appointed (unsuccessful SBE reform proposals in previous years had transferred authority to appoint the Commissioner to the SBE, raising concerns from the Governor). The bill takes effect January 1, 2021.

Campaigns

The 2020 GA passed multiple bills pertaining to campaign advertisements. **HB 1238** (Wilt), as passed the GA, changes the requirement that print media disclosures be displayed in a minimum font size of seven point to a requirement that such disclosures be displayed in a font size proportionate to the size of the advertisement, and tasks the SBE with creating the size standards no later than July 1, 2021, with enforcement delayed until January 1, 2024. **HB 1556** (Watts), as passed the GA, requires that when a disclosure statement for any political campaign advertisement includes the candidate's name for the purpose of meeting the disclosure requirement, the name must be the same as it appears on the ballot. **HB 1062** (Adams, D), as passed the GA, adds text messages to the definition of campaign telephone calls, making text messages subject to the same requirements as campaign telephone calls. **HB 849** (Simon), as passed the GA, subjects any message that is placed or promoted for a fee on an online platform (i.e. social media such as Facebook or Twitter) to the same disclosure requirements to which print media, television, and radio advertisements are subject.

A different measure related to ranked choice voting also was successful. The 2020 GA passed **HB 1103** (Hudson), which provides that elections for local governing bodies may be conducted by ranked choice voting, if the local governing body chooses to do so by majority vote and after consultation with the local electoral board and general registrar. The bill also requires SBE to develop regulations for ranked choice voting. Localities choosing to proceed with ranked choice voting would be responsible for covering the costs of technological changes needed for implementation. The bill has a delayed effective date of July 1, 2021, and sunsets on July 1, 2031.

Misassigned Voters and Split Precincts

The GA continues to struggle with the issue of split precincts. **HB 43** (Cole, M), as passed, provides that any voter who is assigned to a split precinct and who believes he was given a ballot for the district of which he is not a qualified voter may request and shall be permitted to cast a provisional ballot for the district in which he believes he is a qualified voter and for the district in which the pollbook indicates he is registered; the electoral board would subsequently verify the district in which the voter is qualified to vote and count that ballot. In an attempt to minimize the number of split precincts throughout the state, **SB 740** (Obenshain) as passed the Senate would have required localities to adjust precinct lines after the GA completes decennial redistricting and apply to the SBE for a waiver to operate a split precinct if it was unable to avoid splitting the precinct. HPE added deadlines to the bill, effectively providing localities two weeks to adjust precinct boundaries following the GA's redistricting. Local governments raised concerns about this timeline, which would be impossible to meet. The bill ultimately went to conference in an effort to adjust the timeline and make the bill more feasible to implement. However, the large number of bills in conference and limited time to resolve the big policy decisions left inadequate time to fix the bill. In an attempt to keep the concept alive, the bill as passed the House became the conference report, which

passed the GA; proponents have committed to working with the Governor on amendments to address the timeline issue.

Firearms

In the weeks leading up to the start of the session, it was clear that gun control legislation would take center stage in the 2020 GA, following years of predictable defeat for gun control measures. This included activities during the 2019 GA Special Session, which the Governor called specifically to address gun control issues following the tragic shooting at a municipal building in Virginia Beach in May 2019, which was adjourned by the then-Republican controlled GA within 90 minutes. In addition to the usual variety of bills on firearms, the Governor proposed a package of eight specific measures, similar to those he proposed during the 2019 Special Session, which the GA spent considerable time on, drawing huge crowds of gun rights and gun control advocates to the Capitol throughout the session. In general, the Senate staked out policy positions early in the session, passing substitutes for many of the bills and signaling its concern with some topics by defeating some bills. In contrast, the House passed most of the bills as they were introduced by the Governor, setting up an opportunity to negotiate the details with the Senate. In addition to the bills providing local authority to regulate firearms (see also page 16), the Governor's proposed legislation addressing gun violence included the following measures:

- **Emergency Substantial Risk Order (ESRO):** Out of all gun control measures proposed by the Governor, perhaps the ESRO bills (**HB 674** (Sullivan) and **SB 240** (Barker)) were the most debated by the GA, particularly **SB 240**. The Senate debated the due process protections at length, leading to two floor substitutes before the bill finally passed the Senate 21-19. **HB 674** passed the House on a near party-line vote, and after crossover **HB 674** was conformed to **SB 240** and some additional minor amendments were made to the bills, ensuring that the bills would pass in identical form, avoiding conference. As passed the GA, **HB 674/SB 240** create a procedure by which any Commonwealth's Attorney or law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an ESRO to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. Upon service of an ESRO, the person who is subject to the order will be given the opportunity to voluntarily relinquish their firearms. An ESRO expires on the 14th day following issuance of the order, and a court hearing in the circuit court where the order was issued must be held within 14 days to determine whether a substantial risk order (SRO) should be issued. Seized firearms are to be retained by a law-enforcement agency for the duration of an ESRO or SRO (with court approval, for an SRO, the firearms may be transferred to a third party 21 years of age or older). The SRO may be extended up to 180 days if the complainant of the original warrant files a motion. Additionally, until an order has been dissolved by the court, persons subject to an SRO are guilty of a Class 1 misdemeanor if they purchase, possess, or transport a firearm; are disqualified from having a concealed handgun permit; and, may not be employed by a licensed firearms dealer. A person who transfers a firearm to a person he knows has been served with a warrant or who is the subject of an SRO would be guilty of a Class 4 felony. The bill creates a computerized SRO registry for the entry of orders issued pursuant to the bill.
- **Protective Orders (PO):** A less controversial measure, **HB 1004** (Mullin)/**SB 479** (Howell) expands and strengthens a law enacted by the 2016 GA prohibiting family abuse two-year (or permanent) PO respondents from knowingly possessing firearms while the PO is in effect. With some adjustments made to both bills early in the session, they moved through the legislative process in identical fashion, and garnered some bipartisan support along the way. **HB 1004/SB 479** extend the prohibition on knowingly possessing a firearm while the order is in effect to apply to non-family abuse permanent POs (current law applies only to family abuse permanent POs). For a period of 24 hours after being served with a PO, persons subject to both family abuse and non-family abuse permanent POs may continue to possess such firearms for the purposes of selling or transferring them to any person who is not otherwise prohibited by law from possessing a firearm (a violation is a Class 6 felony). **HB 1004/SB 479** aim to strengthen enforcement by requiring that a court order a person subject to a permanent PO to surrender any firearm in their possession to a designated local law-enforcement agency or sell or transfer any firearm to a dealer or to any person who is not otherwise prohibited by law from possessing such firearm within 24 hours and file a form with the clerk of the court that certifies that they do not possess any firearms, or that all firearms possessed have been surrendered, sold, or transferred within 48

hours. Failure to provide such certification is a Class 1 misdemeanor, and knowingly selling, bartering, giving, or furnishing a firearm to a person subject to a permanent PO is a Class 4 felony.

- **Assault Weapons:** A proposal (**HB 961** (Levine) (an identical measure was not introduced in the Senate)) to expand the definition of assault weapons and prohibit the importing, selling, transferring, manufacturing, purchasing, or transporting of such firearms, silencers, and trigger activators was perhaps the most controversial measure, drawing huge crowds of gun rights advocates to committee hearings on the bill. After passing the House 51-48, when **HB 961** was heard by Senate Judiciary, the line of gun rights advocates waiting to get into the committee room wrapped around the halls of the Pocahontas building, stretching to the building entrance. In an interesting turn of events, after a number of motions on the bill, Senate Judiciary continued **HB 961** to the 2021 session, citing the need for the topic to be studied by the Virginia State Crime Commission (VSCC), on a 10-5 vote.
- **Universal Background Checks:** As introduced, **HB 2** (Plum)/**SB 70** (Lucas) would have required background checks for any firearm sale or transfer. When **SB 70** was heard in Senate Judiciary, the committee amended the bill to apply only to firearm sales, removing the requirement for background checks for transfers, over the objection of the patron and advocates who had supported the legislation as introduced. As amended, **SB 70** passed the Senate 23-17. Those disagreements sent the bills to conference, but ultimately the Senate approach was adopted and **HB 2** and **SB 70** passed the GA on near party-line votes.
- **One Handgun A Month:** **HB 812** (Ward)/**SB 69** (Locke) would restore the limit on handgun purchases to one per month, as well as the Class 1 misdemeanor for violation of the purchase limit, which were repealed by the 2012 GA. As introduced, the proposed provisions would exempt licensed firearms dealers, persons approved by the Virginia State Police following an enhanced background check and a special application process, law-enforcement agencies and officers and correctional facilities, private security companies, antique firearm purchases, and persons trading in a handgun at the same time they purchase a handgun. Senate Judiciary expanded the exemptions in **SB 69** to include persons with a valid concealed handgun permit, persons whose handgun has been stolen or irretrievably lost, private sales, and antique firearm purchases, and the bill passed the committee and full Senate on a party-line vote. In contrast, **HB 812** passed the House as introduced, and the bills ultimately were sent to conference to resolve the different exemptions in the bills. The Senate approach was adopted, and **HB 812** and **SB 69** passed the GA on near party-line votes.
- **Child Access Prevention:** Under current law, it is a Class 3 misdemeanor for any person to recklessly leave a loaded, unsecured firearm in such a manner as to endanger the life or limb of any child under the age of 14. As introduced, **HB 1083** (Hayes) and **SB 581** (Howell) would have increased the penalty to a Class 6 felony, and would have raised the age of the child from 14 to 18. Following concerns about the severity of the increased penalty and the possible impact the bill would have on family hunting traditions, **SB 581** failed to report in Senate Judiciary on a 7-8 vote. Though **HB 1083** passed the House as introduced, after crossover it was amended to address the concerns expressed by Senate Judiciary members and the House adopted the Senate amendments. The bill that passed the GA simply raises the penalty from a Class 3 misdemeanor (punishable by \$500) to a Class 1 misdemeanor (punishable by up to 12 months in jail or a fine of not more than \$2,500, either or both).
- **Civil Penalty for Lost and Stolen Firearms:** As introduced, **HB 9** (Bourne) and **SB 67** (McClellan) would have required anyone who lawfully owns a firearm to report the loss or theft of the firearm to any local law-enforcement agency or the Virginia State Police within 24 hours of becoming aware of the loss or theft. Failure to do so would be subject to a civil penalty of up to \$250, paid into the local treasury and enforced by the county, city, or town attorney. After **SB 67** reported from Senate Judiciary 7-6, it was defeated 19-21 on the Senate floor, partially due to concerns about penalizing individuals whose property has been stolen from them. After **HB 9** passed the Senate, it reported from Senate Judiciary 8-7. On the Senate floor, an amendment was added to provide an additional 24 hours (for a total of 48 hours) to report the loss or theft, and the bill then passed the Senate with one Senator voting in favor of the bill who had previously

opposed the Senate measure, leading to the Lieutenant Governor casting the tie-breaking vote in favor of the bill. The House subsequently agreed to the Senate amendment.

The 2020 GA also passed numerous other bills related to firearms. **SB 14** (Saslaw) prohibits the manufacture, importation, sale or offer to sell, possession, transfer, or transportation of a trigger activator, commonly referred to as “bump stocks.” A violation is punishable as a Class 6 felony. As the patron explained, **SB 14** mirrors a federal regulation that took effect in recent years. Incorporating this prohibition into state law enables local and state law-enforcement agencies to enforce it, and also ensures that a prohibition on bump stocks remains in place in Virginia in the event that the federal regulation is repealed in the future. **SB 14** passed both the House and Senate on a party-line vote.

On the topic of qualifications for concealed handgun permits, **HB 264** (Lopez) removed the option for a concealed handgun permit applicant to demonstrate competence with a handgun by completing an electronic, video, or online course by a state-certified or National Rifle Association (NRA)-certified firearms instructor, and removed all references to the NRA from the demonstration of competence provisions. The Senate amended the bill in committee to conform the House bill to **SB 263** (Bell), which did not strike the references to the NRA. The House agreed to the Senate’s substitute and passed the bill. The bill has a delayed effective date of January 1, 2021. After crossover, the House amended **SB 263** and removed all references to the NRA. The Senate rejected the House amendments and the bill went to conference. The conference committee recommended that the House substitute be rejected making the Senate bill identical to **HB 264**, which passed both bodies.

In an effort to address mental health issues and suicide rates, **SB 436** (Surovell) creates the Virginia Voluntary Do Not Sell Firearms List, which prohibits the possession, transportation, and sale of firearms to any person who voluntarily registers to be enrolled on the list. The bill makes it a class 3 misdemeanor for any person on the list to purchase, possess, or transport a firearm and a class 1 misdemeanor for any person who sells, barter, gives, or furnishes a firearm to any person he knows is on the list. The list is maintained by the State Police and the bill contains a process for a person enrolled on the list to have their name removed.

Another bill that seeks to address firearms near children, **SB 71** (Lucas) adds public, private, or religious preschools and child day centers that are not operated at the residence of the provider to the list of schools where possessing a firearm on school property or on a school bus is prohibited. The bill was amended in the Senate to apply only when a child who attends such a child day center is present upon the property. After crossover, the House amended the bill so that it would only apply during the operating hours of the child day center or private or religious preschool. This amendment placed the bill in conference, where the conference committee agreed with the House amendments to **SB 71** and further amended the bill to change the definition of “child day center” to include only licensed child day centers.

Also pertaining to weapons on school property, **SB 173** (Hanger) allows the holder of a valid concealed handgun permit to possess a stun weapon on school property while in a motor vehicle in a parking lot, traffic circle, or other means of vehicular ingress or egress to the school. The bill also allows a stun weapon to be stored in a closed container in a motor vehicle while the vehicle is on school property. The bill seeks to address a loophole in current law where a concealed handgun permit holder could legally bring a handgun on school property but be prohibited from bringing a stun weapon, which is arguably a less lethal weapon.

Health

The rapid rise of drug overdose deaths in recent years led to state law changes allowing trained persons, other than licensed medical personnel, to administer naloxone or other opioid antagonists when drug overdose is suspected. This year additions were made to expand liability protections when such medication is administered in good faith. **SB 566** (Edwards) allows a person who is not otherwise authorized to administer naloxone or another opioid antagonist to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose, provided the administration is in good faith and absent gross negligence or willful and wanton misconduct. **HB 908** (Hayes)/**SB 836** (Suetterlein) provide that an employee, or other person acting on behalf of a public place who has completed a training program on the administration of naloxone, may also possess and administer naloxone or another opioid antagonist. The bill defines “public place” as any enclosed area that is used or offered for use by the public, whether owned or operated by a public or private interest.

Similarly, the use of epinephrine (Epi Pens) is known to save a person who may be in asthmatic crisis. **HB 860** (Bell)/**HB 1174** (Lopez) provide that, pursuant to an order or standing protocol issued by a prescriber, any school nurse, school board employee, employee of a local governing body, employee of a local health department, employee of a school for students with disabilities, or employee of an accredited private school who is authorized by a prescriber and trained in the administration of albuterol inhalers may possess or administer an albuterol inhaler when the student is believed to be experiencing an asthmatic crisis. The bills also provide protection from civil liability for ordinary negligence in acts or omissions resulting from the rendering of such treatment. These bills passed the GA.

Comprehensive harm reduction programs (otherwise known as needle exchange programs) have also proven to be successful in reducing the transmission of the human immunodeficiency virus (HIV) when illicit drug use habits are a source of transmission. **HB 378** (Rasoul)/**SB 864** (Pillion) repeal the sunset on the program, established in 2017, which allows the Commissioner of Health to establish and operate local or regional comprehensive harm reduction programs during a declared public health emergency, including a provision for the distribution of sterile hypodermic needles and syringes and the disposal of used hypodermic needles and syringes. Additionally, **HB 791** (Plum) expands the types of groups that may be involved in harm reduction programs to include private groups, though still under the oversight of the Health Commissioner. Those bills also passed the GA.

Human Services

Children's Services Act (formerly known as the Comprehensive Services Act) (CSA)

Five bills were introduced that sought to address concerns with the increasing costs to CSA for private day school services, but none of the bills were successful. **HB 49** (McNamara) and **SB 128** (Suetterlein) would have created a VDOE pilot program allowing some local school boards to pilot programs currently only offered by private day school providers. Both bills were continued to 2021 by the money committees of their respective houses. **HB 762** (Cole, J) and **SB 135** (Stuart) would have allowed school boards in Planning District 16 to similarly implement services within the public schools, but those bills were also continued to 2021. **SB 190** (Peake) would have instituted a statewide public school service, and was also continued for the year. Clearly the issue of private day educational services will continue to be a challenge for localities and the state as that section of CSA continues to grow.

Early Childhood Care and Education

The Governor introduced two bills resulting from the work of the First Lady's Commission on Children. **HB 1012** (Bulova)/**SB 578** (Howell) consolidate public early childhood care and education under a single state agency, shifting the responsibility for licensing child care programs from the Virginia Department of Social Services (VDSS) to VDOE. The bills maintain the current licensure, background check, and other requirements of such programs, with a delayed effective date of July 1, 2021. The bills also require the Superintendent of Public Instruction to establish a plan for implementing the statewide unified early childhood care and education system, and requires VDSS and VDOE to enter into a cooperative agreement to coordinate the transition. The measures also require the Board of Education to establish a uniform quality rating and improvement system designed to provide parents and families with information about the quality and availability of certain publicly funded early childhood care and education providers by July 1, 2021, with the initial quality ratings to be published in the fall of 2023. **HB 1012/SB 578** passed the GA.

Foster Care

A number of bills were successful at the GA relating to the issue of foster care. **HB 400** (Keam)/**SB 156** (Favola) establish the Fostering Futures program to provide services and support to individuals between the ages of 18 and 21 who were in foster care as minors and are transitioning to full adulthood and self-sufficiency. The work of local social service agencies is assisted by **HB 778** (Jones)/**SB 412** (Marsden), which increase from 45 days to 60 days the allowable time for completing a family assessment by a local department of social services, removing the local department's need to request a 15-day extension. Additionally, the promotion of kinship care for children at risk has been a much discussed issue at the GA, and **HB 933** (Carroll Foy)/**SB 178** (Favola) expand eligibility for the Kinship Guardianship Assistance

program by allowing payments to be made to fictive kin who receive custody of a child of whom they had been the foster parent.

After a 2018 JLARC study cast a bright light on the provision of foster care services in Virginia, recommendations were made for significant changes to the system. While some of the recommendations have already been implemented, **SB 472** (Reeves) implements others specific to permanency planning for children in foster care. The bill requires local boards of social services and child-placing agencies (if a child has been in the custody of a local board or child-placing agency for 15 of the most recent 22 months and no petition for termination of parental rights has been filed with the court) to include in the petition for a permanency planning hearing the reasons why a petition to terminate parental rights has not been filed and the reasonable efforts made regarding reunification or transfer of custody to a relative. In addition to other provisions needed to implement these changes, the bill requires the Commissioner of Social Services to provide training to local boards and child-placing agencies regarding common errors made related to termination of parental rights, and to establish a work group to assess the feasibility and costs of establishing supervisory spans of control for foster care supervisors. That bill passed the GA unanimously.

Other Human Services Legislation of Interest

HB 600 (Hope)/**SB 593** (Hanger) require that, during the hours of operation of a family day home, all firearms be stored unloaded in a locked container, compartment, or cabinet, and that ammunition be stored separately in a locked container, and that the keys for such storage be made inaccessible to the children in care. **HB 799** (Askew) and **SB 393** (McPike) seek to assure that licensed child day programs, family day programs, and certain other programs that serve preschool-age children provide safe drinking water to their charges. The bills require testing for lead and reporting to both the licensing agency and the Health Department's Office of Drinking Water. The bills also provide such programs the option of using bottled water in lieu of testing or remediation, and have a delayed effective date of July 1, 2021. **HB 904** (Hayes) adds to the list of mandatory reporters of suspected child abuse and neglect athletic coaches, directors, and other persons 18 years of age or older that are employed by or volunteering with a public sports organization or team.

A significant change in state policy around eligibility for food stamps and TANF was achieved this year with the passage of **HB 566** (Guzman)/**SB 124** (Locke). These bills prevent those who would otherwise be eligible to receive food stamps or TANF benefits from being denied assistance solely because of a conviction for a drug-related felony.

Financial exploitation of vulnerable adults was addressed again this session in **SB 391** (McPike). The bill strengthens existing law by requiring financial institutions to report to the local department of social services or the adult protective services hotline within five business days any refusal to execute or delay a transaction by the financial institution when based on a good faith belief that such transaction or disbursement may involve financial exploitation of an adult.

Since the closure of the state's training centers, anecdotal evidence has surfaced that premature deaths of persons transferred from the centers to community-based services may have resulted. **SB 482** (Favola) creates the Developmental Disabilities Mortality Review Committee to review the death of any person with a developmental disability who was receiving services from a provider licensed by the DBHDS or in a training center or other state facility at the time of his death, to ensure that the deaths of such persons are reviewed and analyzed in a systematic way.

HB 1209 (Tran)/**SB 991** (Hashmi) establish the Office of New Americans within VDSS and the Office of New Americans Advisory Board, to assist with immigrant integration within the Commonwealth on an economic, social, and cultural level. This new office will provide: advice and assistance regarding the citizenship application process; assistance with securing employment, housing, and services for which such persons may be eligible; information to localities and immigration service organizations about state programs that help such persons find and secure employment, housing, and services for which they may be eligible; and, information to localities and immigration service organizations regarding health epidemics and unlawful predatory actions, such as human trafficking, gang recruitment, and fraudulent financial and other schemes, to which communities of such persons may be especially vulnerable. The Advisory Board shall report annually to the Governor and the GA on the activities of the Office of New Americans, and provide recommendations for improving state policies and programs to support the economic, linguistic, and civic integration of new Americans throughout the Commonwealth.

Marijuana

After years of unsuccessful attempts, growing support for marijuana decriminalization and legalization suggested that the 2020 GA would finally take action on the issue. In the weeks leading up to the session, it became clear that key lawmakers were leaning toward decriminalizing marijuana in 2020, with a study on legalization to prepare for doing so in the near future. And that's precisely what happened, though both decriminalization and legalization bills were filed, turning the policy debate to the details of how marijuana would be decriminalized and how the legalization study should be conducted. Regarding marijuana decriminalization, the key policy issues discussed included: the amount of the civil penalty; the penalty for juveniles found in possession of marijuana; the threshold amount for felony charges for distribution or possession with intent to distribute; the process for handling civil violations in criminal history records; and, the ability for law enforcement to search individuals and vehicles based on allegations that they smell marijuana. Current law imposes a maximum fine of \$500 and a maximum 30-day jail sentence for a first offense, and subsequent offenses are a Class 1 misdemeanor.

The House passed **HB 972** (Herring) and the Senate passed **SB 2** (Ebbin) which differed on most elements, suggesting that each chamber would conform the other's bill to their preferred approach and the bills would be resolved in conference. Yet in an unexpected turn of events, when **HB 972** was heard in Senate Judiciary and **SB 2** was heard in House Courts of Justice, an identical version was presented, with the patrons noting their intent to avoid conference. Those versions would include a civil penalty of no more than \$25 for simple possession of marijuana, with proceeds deposited into the Drug Offender Assessment and Treatment Fund; raise the threshold amount of marijuana subject to the felony charge for distribution or possession with intent to distribute from one-half ounce to one ounce (such charges for up to one ounce would be misdemeanors); and, change the definition of marijuana to include all hashish oil and remove hashish oil from the list of Schedule I drugs. Additionally, the penalty for juvenile violations would be similar to the current penalty, allowing the court to sentence juveniles to drug treatment and suspend their driver's license or ability to obtain one. The measure would also provide authority for the Commonwealth's Attorney or the attorney for the local government to prosecute violations, and require that violations of marijuana possession be charged by summons (intended to be pre-payable, requiring further action by the Supreme Court to add this offense to the list of those that can be pre-payable). Regarding criminal history records, any charge or judgement for such civil violations would not be included in a person's criminal history record or reported to the Central Criminal Records Exchange, and records relating to information about marijuana possession arrests, criminal charges, and convictions would not be open to public inspection or disclosure, with exceptions. Employers, educational institutions and state and local government agencies would be prohibited from asking applicants about any information not open for public inspection. The draft bill would include a directive to executive branch secretaries to convene a workgroup to study marijuana legalization with a report due by November 30, 2020.

When this iteration of **HB 972** was heard in Senate Judiciary, members of the committee removed most of the provisions related to criminal history records, noting their preference to advance separate expungement legislation. The House, however, had already sent all expungement bills to the VSCC for the matter to be studied comprehensively in the off-session, making this policy issue the chief difference between the Senate and House on the matter of marijuana decriminalization. With that change made by Senate Judiciary, the attempt to avoid conference was for naught, but when the final version of the bill ultimately emerged from conference it was identical to what had been presented after crossover, including the provisions related to criminal history records, with a few minor changes, including the addition of language clarifying that the procedures for appeal and trial of marijuana civil offenses would be the same as marijuana misdemeanor offenses (requiring the Commonwealth to prove its case beyond a reasonable doubt, as is currently required for marijuana criminal violations) and the addition of enactment clauses that ensure Virginia will not lose federal transportation funding as a result of decriminalizing marijuana. Yet, there was one more amendment legislators wanted to make, so **HB 972** and **SB 2** were sent back for a second conference to add a provision allowing expungement of civil violations, ensuring that civil violations for simple marijuana possession can be expunged. With that final amendment, **HB 972** and **SB 2** passed by wide margins, set to take effect July 1, 2020.

Separate measures to study legalization of marijuana had numerous twists and turns throughout the legislative process, which is a bit unusual for study resolutions. In both the House and Senate, two study approaches were introduced, with one directing JLARC to study legalization and another creating a joint subcommittee, including legislative members, to study legalization. House Rules advanced the JLARC study (**HJ 130** (Heretick)) and tabled the joint subcommittee (**HJ 132** (Herring)), but Senate Rules

reported both **SJ 66** (Ebbin) which would have created a joint subcommittee to study the matter and **SJ 67** (McClellan) which would have directed JLARC to study legalization with an emphasis on how the disproportionate impacts of marijuana prohibition could be addressed, with the notion that the joint subcommittee and JLARC would be required to consult with each other. After crossover, House Rules tabled **SJ 66**, making it clear that the study would be conducted by JLARC, but the details of the study resolution continued to be discussed. Senate Rules conformed **HJ 130** to **SJ 67** as passed the Senate, and **HJ 130** subsequently passed both chambers. However, House Rules conformed **SJ 67** to **HJ 130** as passed the House, and **SJ 67** ultimately was sent to conference; the final version of **SJ 67** as passed the GA is identical to **HJ 130**, with the exception of a technical amendment to clarify that JLARC is required to review the work of the work group created in **HB 972/SB 2** (rather than the joint subcommittee that was previously under consideration). JLARC's final report is due by December 1, 2020.

The 2020 GA also passed legislation pertaining to marijuana in the form of cannabidiol oil, or THC-A oil for medical purposes. Under current law, possession of marijuana in the form of cannabidiol oil or THC-A oil is an affirmative defense to charges of marijuana possession, if such person possesses a valid written certification issued by a practitioner for treatment or to alleviate the symptoms of their own diagnosed condition or disease, or that of a minor or incapacitated adult in their care. **SB 1015** (Marsden) provides that a person who possesses cannabidiol oil or THC-A oil pursuant to a valid written certification shall not be prosecuted for simple possession of marijuana, and eliminates the need for anyone who is charged with possession of marijuana to provide written certification that he did so in accordance with the law. The 2020 GA also passed **HB 347** (Davis), directing the Secretary of Health and Human Resources to convene a work group to review the Commonwealth's medical cannabis program and issues of critical importance to the medical cannabis industry and patients, including expansion of the medical cannabis program and the medical use of cannabis flowers. The final report is due by October 1, 2020.

Mental Health

Mental Health Services

In a continuing demonstration of the GA's interest in improving Virginia's mental health services, a number of bills were introduced again this session. The Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century also continues to meet between sessions, and its work is reflected in legislation as well as in elements included in the 2020-2022 biennium budget. **HB 1328** (Watts) is an example of legislation resulting from the activities of the Joint Subcommittee. It directs that a health care provider who has been notified that a person he has treated within the last two years is committed to a local or regional correctional facility shall, upon request by such facility, disclose any information necessary to ensure the continuity of care for that person. The bill also provides protection from civil liability for such a health care provider, absent bad faith or malicious intent. To further study the availability of psychiatric services for children, **HB 728** (Hope)/**SB 734** (Deeds) direct the Secretaries of Education and Health and Human Resources to establish a work group to study the current process for approval of residential psychiatric services for children and adolescents. The bill requires the work group to report its findings and recommendations to the Chairmen of the House Committee on Appropriations, the Senate Committee on Finance, and the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by December 1, 2020. These bills passed the GA.

Psychiatric Beds

One major issue facing the GA is the continued lack of availability of inpatient psychiatric beds for persons involuntarily committed to treatment services through the current procedures set in state law. Even though these beds are to be used as "last resort," the census of the state's public psychiatric beds have been regularly reported at a rate higher than is judged to be safe. There has been some discussion, potentially in the state budget, of efforts to encourage private hospitals to accept more people who are involuntarily detained, which is one of the significant challenges in dealing with this persistent issue.

SB 903 (Vogel) was introduced to require hospital emergency rooms to establish protocols for the treatment of individuals experiencing a substance use-related emergency, including completing the appropriate assessment and treatment, followed by the appropriate assessment and treatment for mental health disorders. This strategy is designed to reduce the number of ER visits in which a CSB may be required to intervene, as in some cases once the substance use-related emergency is rectified the individual is able to be released. **SB 903** passed both houses unanimously.

SB 317 (Kiggans) would have directed the State Board of Behavioral Health and Developmental Services to promulgate regulations that require each provider of inpatient psychiatric services to develop and implement a policy for linking individuals who will be discharged from inpatient psychiatric care with in-home follow-up nursing services as available. The bill passed the Senate without opposition but failed to pass the House. However, **HB 1452** (Hope)/**SB 738** (Deeds) were successful. The measure clarifies that a person can be subject to a temporary detention order for observation and treatment related to intoxication where the person is located, upon a finding that: probable cause exists to believe the person is incapable of making or communicating an informed decision regarding treatment due to intoxication, and the medical standard of care calls for observation, testing, or treatment within the next 24 hours to prevent injury, disability, death, or other harm to the individual resulting from such intoxication. Such a temporary detention can only last 24 hours. Under the bills, a person subject to emergency custody due to a mental illness shall remain in custody until: a temporary detention order is issued; an order for temporary detention for observation, testing, or treatment is entered, ending law enforcement custody; the person is released; or, the emergency custody order expires. The bills direct DBHDS to convene a work group to develop standard policies and procedures regarding medical temporary detention orders, and complete its work by July 1, 2020.

Lastly, **HB 1453** (Hope)/**SB 739** (Deeds) direct DBHDS to establish a work group to evaluate the role of, and make recommendations related to, improving the structure and effectiveness of the psychiatric bed registry in collecting and disseminating information about the availability of acute psychiatric beds in the Commonwealth. The work group is required to report its findings, conclusions, and recommendations to the Governor and the Chairmen of the Senate Committee on Education and Health, the House Committee on Health, Welfare and Institutions, and the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by November 1, 2020.

Public Safety and Court Administration

Bills heard this session dealing with matters of public safety and the administration of the court system encompassed a wide variety of topics, including criminal case procedures, jury sentencing, parole, asset forfeiture, mandatory minimums, the grand larceny threshold (which the 2020 GA raised from \$500 to \$1,000), student discipline, domestic and sexual assault, and prohibitions on law enforcement and jail officers inquiring about the immigration status of victims, witnesses, and charged and convicted individuals. Criminal justice reform was a common theme throughout House Courts of Justice and Senate Judiciary Committee hearings on bills.

Driver's License Suspension

For years, the GA has attempted to reform the use of driver's license suspension as a penalty for non-payment of court fines and costs, which has resulted in over 600,000 Virginians with suspended licenses. These suspensions create a vicious cycle for low-income defendants – they are unable to pay the fines, resulting in their license being suspended, which impedes their ability to drive to work, potentially leading to loss of the job that makes eventually paying the fines possible. Some defendants may even, in desperation, drive to work on a suspended license, substantially increasing their fines as well as their legal jeopardy. Legislative efforts to address this issue failed in 2019, leading Governor Northam to address this through amendments to the budget passed by the 2019 GA – those amendments eliminated the suspension of driving privileges for non-payment of court fines and costs, and reinstated driving privileges for the more than 600,000 Virginians whose licenses were suspended at the time. The 2020 GA ensured this practice would be permanently eliminated (rather than just for the years that the budget was in effect) by passing **HB 1196** (Lopez)/**SB 1** (Stanley).

The 2020 GA also passed **HB 909** (Hayes)/**SB 513** (Edwards), which repeal the use of license suspensions as a penalty when individuals are convicted of, or placed on, deferred disposition for a drug offense, failure to pay jail fines and costs, failure to comply with a federal traffic citation, and failure to pay for gas. The measure is not retroactive, however, so it will not restore driving privileges for any individual who currently has a license suspension due to a drug violation. Though it is estimated that there will be a state fiscal impact on the DMV and Trauma Center Fund (as these entities would receive less funding from driver's license reinstatement fees), Governor Northam included funding in his introduced budget to offset that impact. With passage of **HB 1196/SB 1** and **HB 909/SB 513**, driver's license suspensions will only be used for driving-related infractions in the future. Related measures, **HB 277** (Price)/**SB 736** (Obenshain), seek instead to encourage inmates to pay their fines and costs by allowing a court to permit an inmate to earn credits against any outstanding fines and court costs by performing community service.

Under current law, credits may be earned only before or after imprisonment. The measures passed the GA unanimously.

Protective Orders (PO)

As in previous years, the 2020 GA considered a number of bills pertaining to POs. In addition to the bills expanding the law enacted by the 2016 GA regarding firearm possession by permanent PO respondents (see also page 63), the 2020 GA made other modifications to POs. **SB 144** (Stuart), as passed the GA, allows the court to issue a PO upon the request of the victim or Commonwealth's Attorney on behalf of the victim when someone is convicted of an act of violence, including felony violations of homicide, certain mob-related felonies, kidnapping, assault and bodily wounding, robbery, carjacking, certain criminal sexual assaults, and arson when the structure burned was occupied. The duration of such POs can be for any period of time, including the lifetime of the defendant, if the court deems it necessary to protect the victim's health and safety or the victim's property. Under current law, non-family abuse POs may be extended an additional two years at the victim's request if a judge deems it necessary – there is no limit to the number of extensions that can be granted by a judge – but seeking extensions requires that the victim go back to court, possibly re-traumatizing the victim. The bill also provides that the penalty for violating such a PO is a Class 1 misdemeanor, and not subject to the penalties in current code applicable to other POs (such as the Class 6 felony for subsequent violations).

HB 880 (Simonds), as passed the GA, seeks to allow petitioners (i.e. the individual who sought the PO) to more easily dissolve POs. The bill provides that, upon motion by a petitioner to dissolve a PO, a dissolution order may be issued on an ex parte basis with or without a hearing and that a hearing on such a motion shall be heard by the court as soon as practicable.

Funding for Prosecutors and Public Defenders

Funding for the criminal justice system, including court personnel such as prosecutors and public defenders, is a critical state responsibility. Yet for years, state funding has been insufficient, leading many localities, including Fairfax County, to provide local supplements to ensure the efficient and equitable administration of justice. The 2020 GA took interest in this issue, considering bills that would have altered how prosecutors and public defenders are staffed and funded. **HB 1035** (Simon)/**SB 803** (Morrissey) would have changed how Commonwealth's Attorneys are funded (based on a formula that was to be determined), and would have prohibited the state Compensation Board from considering certain factors when determining the staff and funding levels for Commonwealth's Attorneys offices, including the number of charges brought or convictions obtained, among others. The bills also would have required Commonwealth's Attorneys to remit all the fees they collect into the state treasury (they are currently required to remit half of such fees). The State Treasurer would then distribute half of those fees to the localities of the Commonwealth's Attorneys, based on each locality's crime rate, criminal incident rate, or arrest rate. Localities anticipated that the fiscal impact would be significant, though difficult to precisely estimate. Ultimately, the measures were continued to the 2021 GA session, with the Virginia Association of Commonwealth's Attorneys agreeing to study the topic in the off-session.

A related measure, **HB 869** (Bourne), sought to address funding for public defenders. As introduced, the bill would have required a locality that elects to provide local funding, in addition to that provided by the state, for the Commonwealth's Attorney or their employees to provide the same supplement for the public defender or their employees. While the idea seemed straightforward to many, in practice the bill did not address the significant differences between the two offices. The Commonwealth's Attorney is a Constitutional Officer, elected by voters, and their staffs are employed by localities (with the state providing state funding toward their salaries), whereas the public defenders are state employees, receiving state benefits. Additionally, the Commonwealth's Attorneys are responsible for all prosecutions in a locality, whereas the public defenders are responsible for representing indigent defendants, one group of defendants. The bill also did not address funding for capital public defenders (who work exclusively on capital murder cases) or court-appointed counsel. When the bill was heard by the House Courts of Justice subcommittee, amendments were made to specify that the supplements for public defenders be proportional and commensurate with that provided to the Commonwealth's Attorneys. Additionally, in an attempt to address concerns that the bill would apply to funding decisions already made by localities, a provision was added that sought to make the bill applicable only to supplements provided on or after July 1, 2020. However, it remained unclear if the amendment as drafted would have had the intended effect in practice. With those amendments, the bill reported from House Courts of Justice subcommittee 4-3. The full House Courts of Justice Committee had robust discussion on the bill,

with many legislators expressing support for a concept they viewed as providing equal access to justice, and some arguing that the bill would not be an unfunded mandate, as localities could simply choose to redirect funding currently provided to Commonwealth's Attorneys to public defenders. After initially failing, the bill reported 12-10 and passed the House 50-48, but the Senate Judiciary Committee ultimately voted 9-5 to continue the bill to 2021 to allow more time to study the concept. It was clear that many legislators liked this concept and would view it favorably in the future. Unfortunately, there was little consideration given to the fundamentally important factor of the state's chronic underfunding of the criminal justice system.

Judgeships

For the past few years, the GA has relied on a study conducted by the National Center for State Courts to determine the number of judges needed for each court in the Commonwealth. The study was first completed in 2013, and updated in 2015 and 2017. In Fall 2018, the Chief Judge of the Fairfax County/City GDC (19th Judicial District) asked the Committee on District Courts to recommend that an additional judge be authorized for that court, bringing the total number of authorized judges from 11 (as provided in the 2017 caseload study) to 12. The Committee agreed and recommended to the GA that a 12th judgeship be created for the Fairfax County/City GDC. Two identical bills were introduced during the 2019 session to enact this increase, but both failed. This session, **HB 275** (Sullivan) and **SB 209** (Petersen) were introduced to obtain the 12th judgeship, and both bills passed with little opposition. In 2019, the GA was concerned about the cost of funding this position, which ultimately led to the demise of the bills (filling a judgeship is a two-step process that requires both authorization and funding). This session, however, the Governor's budget included funding for the 12th judgeship.

Environment/Energy

Energy and the environment were major areas of focus for the 2020 GA, with a myriad of bills covering a range of topics. The major comprehensive legislation that passed was the Virginia Clean Economy Act, **HB 1526** (Sullivan)/**SB 851** (McClellan). The measure puts the state on a path to 100 percent carbon free electricity by 2045, as well as setting targets for massive investments in energy efficiency, energy storage, and in-state solar and wind power. The primary feature of the bill is the requirement that Dominion Virginia and Appalachian Power Company supply 30 percent of their power from renewables by 2030, and close all carbon-emitting power plants by 2045 for Dominion and by 2050 for Appalachian. The bill also brings Virginia into the Regional Greenhouse Gas Initiative (RGGI).

Additionally, **HB 1526/SB 851** expand solar net metering opportunities by lifting Dominion's net metering cap from its current one percent to five percent, with an additional one percent reserved for low-income customers. For Fairfax County, eliminating barriers to expanding the use of solar power has been a top priority. In an effort to move the issue forward at the local level, in December 2019 the County announced the award of contracts to multiple vendors to install solar panels on County and school facilities. The electric rates included in these contracts could yield nearly \$60 million dollars in electricity cost avoidance over the terms of the contracts, as well as significant environmental benefits, potentially avoiding the emission of more than 1.2 million metric tons of carbon dioxide equivalent (an amount comparable to the emissions of 260,155 passenger vehicles in one year). This is the largest solar power purchase agreement (PPA) initiative by a local municipality in Virginia to date. Unfortunately, shortly after that announcement the County was informed by the State Corporation Commission (SCC) that the project could not move forward without legislative changes due to statutory mechanisms including a PPA pilot program limit of 50 megawatts (MW) in the service area of Dominion Energy Virginia. As of January 2020, this pilot program was deemed fully subscribed, effectively ending further PPA projects in Dominion's service area. Consequently, Fairfax County entities, including the local government, schools and park authority, have been unable to proceed with on-site solar installations that collectively are capable of generating over 40 MW of electricity. The passage of **HB 1526/SB 851** changes that landscape dramatically, extending the state PPA pilot in the Dominion service territory to 500 MW for jurisdictional customers (residents and businesses) and 500 MW for non-jurisdictional customers (local governments and other public bodies).

The bills also include net metering provisions allowing for PPAs with a renewable generation of up to 3 MW for localities or 150 percent of the expected electrical consumption as determined over the previous 12 months. The limitation on the aggregated capacity of such facilities is raised from one to six percent of the existing limit of each utility's adjusted Virginia peak-load forecast for the previous year. Because the County's project is so groundbreaking, the GA considered a commending resolution (**HJ 207** (Delaney))

recognizing Fairfax County for its work to preserve the environment through the installation of solar power arrays at County facilities. The resolution passed the House, but was passed by indefinitely in Senate Rules with the chair noting the Committee's practice of not advancing commending resolutions for localities.

In additional good news for the County, passage of the solar freedom bills, **HB 572** (Keam)/**SB 710** (McClellan)/**HB 1184** (Lopez), will allow the County to move forward with a large solar array on the closed I-95 landfill site, crediting excess generation from that facility to other County electricity accounts serviced by the same incumbent electricity provider. This project has been a County priority for many years, but previous legislative efforts at the GA on this topic have been unsuccessful. As passed the GA, the bills:

- Raise the cap on the total amount of net metered solar allowed from one percent currently to six percent, and allow the SCC to conduct a solar study to determine the appropriate rate structure for net metering customers over the long term;
- Raise the cap on the total amount of third-party PPAs allowed, to 1000 MW in Dominion territory, 40 MW in Appalachian Power territory, and 10 MW in Old Dominion Power territory. It also broadens who can take advantage of this program to any tax-exempt customer, and all other customers with projects over 50 kilowatts (kW);
- Increase the allowable size of net-metered commercial projects from one MW today to three MW;
- Increase the allowable size of residential net-metered projects to 25 kW;
- Remove standby charges for residential customers with solar facilities of less than 15 kW in Dominion territory, and remove them entirely for customers of Appalachian Power and Old Dominion Power;
- Allow residents of apartment buildings and condominiums in Dominion territory to participate in shared solar programs using on-site solar facilities; and,
- In Dominion territory, allow customers to install enough solar to meet 150 percent of their previous year's demand.

Transportation

Regional Transportation Issues

A variety of bills specifically related to transportation in Northern Virginia were also considered by the GA. **HB 1217** (Tran) directs VDOT, in collaboration with the Commonwealth Center for Recurrent Flooding Resiliency, to: identify roads and bridges at risk of deterioration due to flooding in Northern Virginia; develop recommendations for managing such assets; and, report its findings and recommendations to the Chairs of the House and Senate Committees on Transportation by the start of the 2022 GA session. **SB 848** (Ebbin), which was introduced at the request of NVTC, changes the due date of its annual report on the performance of WMATA (from November 1 to December 15), allowing time to gather data that becomes available at the end of each calendar year. Both bills passed the GA with little difficulty.

Peer-to-Peer Vehicle Sharing

In recent years, the GA has considered a number of bills related to the new "sharing" economy, and the latest topic is peer-to-peer vehicle sharing. Through peer-to-peer vehicle sharing, participating car owners are able to charge a fee to rent out their vehicles when they are not using them, typically through an online platform (similar to the way Airbnb and other online platforms operate for homeowners who seek to rent out their residences). After nearly two months of debates, amendments and hearings, legislation creating a framework for peer-to-peer vehicle rentals in the Commonwealth passed the GA. Originally, VACo and the Virginia Municipal League (VML) had partnered with Enterprise, Hertz, and the American Car Rental Association, as well as several other regional and local governmental associations to introduce **HB 891** (Sickles), **HB 892** (Sickles), and **SB 749** (Cosgrove), while the peer-to-peer rental industry introduced their own legislation, **HB 1539** (Jones) and **SB 735** (Newman). One of the main differences (and ultimately the main sticking point) between these two groups was the tax structure that was proposed, with local governments and rental car companies seeking to retain a level playing field on taxation for peer-to-peer vehicles and existing rental car tax rates. Peer-to-peer companies instead wanted a significantly lower tax rate. However, **HB 891** and **HB 892** were defeated in the House Finance Committee (**HB 1539** was re-referred to the House Appropriations Committee but was ultimately not taken up by that committee), which led to additional negotiations and a compromise bill, which was introduced as a substitute for **SB 735** (**SB 749** was incorporated into **SB 735**). Under this final legislation,

owners of more than 10 vehicles that use one of these peer-to-peer vehicle rental platforms will be taxed at the same rate as ordinary rental companies. Under the motor vehicle rental tax (MVRT) rate, rentals are taxed at a 10 percent composite rate (4 percent for localities). For owners of 10 or fewer vehicles, however, a tax of 6.5 percent of gross proceeds shall be paid from July 1, 2020, until July 1, 2021. After July 1, 2021, the rate will increase to 7 percent of gross proceeds. This equates to a rate of 2.5 percent to be paid to localities in the first year, and 3 percent each year after. Once a compromise was reached, **SB 735** passed the GA easily.

Driver's Licenses/Privilege Cards

While bills related to driver privilege cards and driver's licenses for undocumented immigrants living in the Commonwealth were considered again this year, they proved to be more successful than in years past. **HB 565** (Bloxom) and **SB 34** (Surovell) would have authorized the issuance of new driver privilege cards to applicants that had reported income and deductions from Virginia sources who were not in violation of insurance requirements. Such privilege cards would confer and be subject to the same driving privileges as driver's licenses and permits. **HB 1211** (Tran) and **SB 643** (Boysko) took a different approach, seeking to remove the citizenship and legal presence requirements for obtaining a driver's license or special identification card. In the House, **HB 565** was tabled in the House Transportation Committee, while **HB 1211** passed 57-42. In the Senate, the Senate Transportation Committee incorporated **SB 643** into **SB 34**, with the language that passed the Committee providing driver's licenses to undocumented immigrants in the Commonwealth. However, on the Senate floor, the Senate chose to pass a substitute allowing for driver privilege cards by a vote of 22-18. With the House supporting provisions allowing for driver's licenses, and the Senate supporting provisions allowing for driver privilege cards, the bills were sent to a conference committee. The compromise conference report that emerged provides for driver privilege cards but expands eligibility beyond those proving they work in Virginia to include those who have been claimed as a dependent. It also creates a small expansion for traditional driver's licenses to approved applicants for asylum and entrants into the country that have refugee status. The conference report also addresses some DMV privacy-related concerns that were discussed in a related bill that failed earlier in the session, by categorizing the information pertaining to such cards as privileged and limiting DMV's ability to disclose this information (see **HB 1700** (Tran) below). The credential will look similar to a non-REAL ID compliant credential but will note on the back of the card (rather than on the front of the card) that it is a privilege card and not valid for voting or public benefit purposes. The conference report passed the House 57-40 and the Senate 22-18.

In a separate but related piece of legislation, **SB 761** (Barker) was introduced to address a very specific situation, by authorizing the issuance of a limited-duration driver's license, permit, or special identification card to an applicant with a valid, unexpired Employment Authorization Document. **SB 761** passed the Senate 21-18 and the House 63-36. Further, legislation related to the release of information by the DMV was also introduced but was unsuccessful. Among other provisions, **HB 1700** (Tran) would have limited the release of information regarding proof documents or an individual's photograph or signature provided to DMV; prohibited any federal agency that primarily enforces immigration law from accessing information stored by DMV without a judicial warrant or court order; and, limited the use of and prohibited the SBE from distributing certain immigration information provided by DMV. However, due to the complicated nature of data sharing by the DMV and various entities, the House Transportation Committee continued **HB 1700** to 2021.

Transportation Safety

The omnibus transportation bill (**HB 1414/SB 890**) included numerous transportation safety aspects. These provisions were also introduced as a separate comprehensive transportation safety proposal – **HB 1439** (Jones)/**SB 907** (Lucas). As introduced, these bills included the following provisions:

- Removing the annual vehicle inspection requirement;
- Making it illegal to possess an open container of alcohol in a motor vehicle;
- Requiring all passengers in a vehicle to wear safety belts, and making failure to wear a safety belt a primary offense;
- Prohibiting the use of handheld personal communication devices;
- Establishing a Department of State Police speed monitoring program in highway safety corridors using a vehicle sensor to take a picture of a vehicle traveling more than 10 miles over the speed limit, subjecting the driver to a monetary fine; and,

- Allowing localities to lower the speed limit below 25 miles per hour in business and residential districts, provided such reduced speed limit is indicated by lawfully placed signs.

The measure included a delayed enactment for the primary seat belt, handheld ban, and open container provisions (July 1, 2021), to provide time for the development of training and educational materials for law enforcement and educational materials for the general public. The DMV Commissioner would also be tasked with establishing an advisory committee to oversee education and enforcement of policies such as the seatbelt and hands-free provisions.

As with **HB 1414/SB 890**, the bills then took different turns, with each chamber making changes to the bills. The House kept **HB 1439** substantially similar to what was introduced, but chose to require a vehicle inspection every two years, rather than removing the requirement completely. The Senate, however, made numerous changes to **SB 907**, removing many of the provisions included in the original proposal. As passed the Senate, **SB 907** only required all passengers in a vehicle to wear safety belts (without making failure to wear a safety belt a primary offense) and allowed localities to lower the speed limit below 25 miles per hour (though not to less than 15 miles per hour) in business and residential districts, provided such reduced speed limit is indicated by lawfully placed signs. The bills were eventually sent to a conference committee, which in the end only included two provisions – requiring all passengers in a vehicle to wear safety belts, with failure to wear a safety belt a primary offense, and allowing localities to lower the speed limit below 25 miles per hour, but not less than 15 miles per hour, in business and residential districts. Though the conference report passed the House, concerns about making seatbelt laws a primary offense, potentially leading to a substantial increase in traffic stops, led to its defeat in the Senate.

Distracted Driving

As in years past, the GA undertook legislation related to distracted driving. Current law prohibits reading emails or text messages and manually entering letters or text in a device as a means of communicating on a handheld device, like a cell phone, but allows other forms of cell phone use (for example, reading information on a website, dialing a phone number, or making musical selections). **HB 874** (Bourne)/**SB 160** (Surovell) prohibit any person from holding a handheld personal communications device while driving a motor vehicle. The measure expands the exemptions to include handheld personal communications devices that are being held and used as an amateur radio or a citizens band radio, or for official Department of Transportation or traffic incident management services. The bills have a delayed effective date of January 1, 2021. The legislation also requires the Virginia Association of Chiefs of Police and DRIVE SMART Virginia to create training and educational materials on the implementation and enforcement of these bills to be made available to law-enforcement agencies, and requires DRIVE SMART Virginia and other traffic safety organizations to develop and provide educational materials to the public regarding the provisions of this act prior to its effective date. Finally, the Chairmen of the Senate Judiciary Committee and the House Courts of Justice Committee will annually request the Office of the Executive Secretary to report all of the citations issued pursuant to the provisions of this act and, to the extent available, the relevant demographic characteristics of those persons issued a citation. **HB 874** passed the House, and was sent to the Senate where some technical modifications were made. It then passed the Senate 30-7, and the House 71-26. **SB 160** went through a similar process, where it passed the Senate, and was sent to the House, where technical amendments were made, and then was passed by both the House (69-29) and the Senate (32-8). Similar bills were introduced, specifically **HB 387** (Edmunds), **HB 512** (Bulova), **HB 1672** (Ware), and **HB 377** (Willett), which were incorporated into **HB 874**, and **SB 136** (Stuart) and **SB 944** (Saslaw), which were incorporated into **SB 160**. Additionally, language on this issue was also originally included in the comprehensive transportation bills – **HB 1414/SB 890** and **HB 1439/SB 907**. A separate bill, **SB 932** (Kiggans), was smaller in scope, adding school crossing zones and school property to the locations in which a driver is prohibited from holding a handheld personal communications device in his hand while driving a motor vehicle. **SB 932** passed the Senate but was passed by indefinitely in House Transportation.

Speed Monitoring Devices

While language regarding speed monitoring devices was not included in the final transportation safety legislation, bills allowing for the use of speed monitoring devices in the Commonwealth were considered this session in various forms. As introduced, **HB 1442** (Jones) would have allowed law-enforcement officers to operate handheld photo speed monitoring devices in or around school crossing zones and

highway work zones. The bill was amended to authorize state and local law-enforcement agencies to operate photo speed monitoring devices, not just handheld devices, in or around school crossing zones and highway work zones. The bill passed the House and was sent to the Senate. At the same time, the Senate was considering **SB 759** (Marsden), which also authorized law-enforcement officers to operate photo speed monitoring devices in or around school crossing zones and highway work zones. **SB 759** was defeated by the Senate Transportation Committee (6-9); however, the same committee reported **HB 1442**, a similar bill, with some minor changes two weeks later by a vote of 8-7. **HB 1442** was then passed by the Senate and the House. Similar legislation, **HB 621** (Willett) and **HB 1721** (Hurst), was incorporated into **HB 1442**, while **SB 623** (Deeds) was incorporated into **SB 759**.

Pedestrians

With the opening of the Silver Line, along with significantly increased Fairfax Connector service and more concentrated growth, more residents and workers in the County are choosing to walk and use transit. For many years, the County has strongly supported revisions to Virginia's existing pedestrian laws that clarify the responsibilities of both drivers and pedestrians, to reduce the number of pedestrian injuries and fatalities that occur each year. In particular, the County has supported legislation requiring motorists to stop for pedestrians in crosswalks at unsignalized intersections on roads where the speed is 35 mph or less, and at unsignalized crosswalks in front of schools. This "stop for pedestrian" legislation has been considered at the GA several years but has not been successful. However, this changed in 2020. **HB 1705** (Kory) clarifies the duties of vehicle drivers to stop when yielding to pedestrians at: clearly marked crosswalks, whether at midblock or at the end of any block; any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block; or, any intersection when the driver is approaching on a highway where the maximum speed limit is not more than 35 miles per hour. Additionally, **HB 1644** (Plum) further 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. **HB 1705** and **HB 1644** passed the House unanimously. The Senate Transportation Committee then incorporated the provisions of **HB 1644** into **HB 1705**, which then passed the Senate 32-8. Since the versions that passed each chamber were different, the legislation went to a conference committee, where both provisions were kept in the legislation with minor modifications and the conference report passed the GA.

In addition to the "stop for pedestrian" legislation, other bills related to vulnerable road users were also considered. **SB 437** (Surovell) provides that a person who operates a motor vehicle in a careless or distracted manner and is the proximate cause of serious physical injury to a vulnerable road user, is guilty of a Class 1 misdemeanor. The bill also prohibits the driver of a motor vehicle from crossing into a bicycle lane to pass or attempt to pass another vehicle, except in certain circumstances. After some technical changes, the bill passed the GA. Another bill, **SB 687** (Vogel), which would have required VDOT to erect and maintain "Share the Road" signs in high pedestrian, Segway, bicycle, moped, animal, and animal-drawn vehicle traffic volume areas (with a note that existing law requires passing motor vehicles to pass at least three feet to the left of such vehicles) was not successful. It passed the Senate unanimously but was left in the House Appropriations Committee.

Other Transportation Safety Bills

As in 2019, legislation related to traffic incident management vehicles that resulted from a report by the Metropolitan Washington Council of Governments was considered by the GA. **HB 635** (LaRock), **HB 983** (Delaney), and **SB 644** (Boysko) would have authorized traffic incident management vehicles operated by persons who meet certain training requirements to be equipped with flashing red or red and white secondary warning lights, and to be exempt from certain traffic regulations at or en route to the scene of a traffic accident or similar incident. **HB 635** was incorporated into **HB 983**, which then passed the House. **HB 983** then failed in the Senate Transportation Committee, which had previously defeated **SB 644**.

Other Transportation Bills of Interest

The session also included some legislation related to VDOT and transportation operations. **HB 1560** (Brewer) directs VDOT to develop and maintain a map of primary evacuation routes in the Commonwealth. The bill, which also directs VDOT to review the quality of the transportation infrastructure along such routes and submit a report on the findings and any recommended improvements at least once every five years, passed the House and Senate unanimously. Other legislation, including

HB 283 (Cole, J), which would have prohibited construction or maintenance that blocks a lane of travel on a primary or interstate highway between 6 a.m. and 6 p.m., was unsuccessful.

The 2017 GA passed legislation allowing for the operation of electric personal delivery devices. Legislation introduced this year would expand on that usage. As introduced, **SB 758** (Marsden) would change the weight limit of such devices from 50 to 200 pounds. The bill would also have eliminated the ability of localities to regulate or prohibit the use of personal delivery devices on sidewalks, crosswalks, or roadways. The bill was amended several times during the legislative process, with the final bill increasing the weight limit substantially to 500 pounds. The final bill also allows localities to regulate the use of such devices on sidewalks, crosswalks, or roadways, but requires a locality to allow a personal delivery device to operate on the side of a roadway with a speed limit of 25 miles per hour or less if a sidewalk is not available. By ordinance, a locality may adopt additional requirements designed to maintain safety for such roadway operation. **SB 758** was then passed by the House 88-12 and the Senate 39-0. It seems likely that this issue will be revisited in the future, as these devices become active and begin interacting with cars, bicyclists, pedestrians, and even each other.

During the 2019 session, the GA passed legislation authorizing the use of electric scooters and skateboards throughout the Commonwealth. That legislation also authorized localities to regulate the operation of companies providing motorized skateboards or scooters for hire, but made it clear that if a locality did not take action to implement such regulations by January 1, 2020, the scooter companies could operate in that locality without a regulatory framework. Fairfax County enacted an ordinance in November 2019 to ensure compliance with this provision, but not all jurisdictions met that deadline. To address that issue, **HB 465** (Keam) extends the deadline for the adoption of regulations to October 1, 2020, and clarifies that localities are authorized to create or amend such ordinances, regulations, or actions even after any such business is operating in the locality. **HB 465** was passed by the House and Senate. Another bill, **SB 228** (Spruill), which would have increased the age at which a person is permitted to operate a motorized skateboard or scooter without adult supervision from 14 to 16, was stricken at the request of its patron.

As in past years, the GA considered legislation raising the threshold for reckless driving due to speeding (from driving in excess of 80 miles per hour to driving in excess of 85 miles per hour), while also maintaining the existing reckless driving threshold for going more than 20 miles per hour above the speed limit. This year those efforts were more successful. As passed, **HB 885** (Sickles)/**SB 63** (Suetterlein) include those provisions, while also imposing an additional fine of \$100 on any person who drives a motor vehicle at a speed in excess of 80 miles per hour but below 86 miles per hour on any highway in the Commonwealth having a maximum speed limit of 65 miles per hour.

Legislation pertaining to trespass towing was also considered. **HB 1511** (McQuinn)/**SB 916** (Marsden) raise from \$25 to \$30 the additional fee that can be charged for towing a vehicle at night, on weekends, or on a holiday. **HB 1511** was passed by the House and Senate and signed by the Governor before the end of the session (interestingly, and unpredictably, **SB 916** passed the Senate but died in the House). Another bill related to tow truck drivers, **HB 1577** (Wyatt), authorizes, but does not require, the Department of Criminal Justice Services to issue a tow truck driver registration to a person who was convicted of a violent crime or a crime involving the driving of a tow truck provided that such conviction occurred more than 15 years prior to the date of application. The bill does not change the existing prohibition on issuing a tow truck driver registration to a person required to register as a sex offender. **HB 1577** also passed the House and Senate.

In an effort to increase transit accessibility, **HB 1555** (Watts)/**SB 277** (Barker) would establish an individual and corporate income tax deduction for commuter benefits provided by an employer to its employees. The deduction would be available only to the employer and is limited to \$265 per employee. **HB 1555** was left in the House Appropriations Committee, but **SB 277** (Barker) was amended to include a reenactment clause (meaning that the bill must be passed again by the 2021 GA to become law). It did, however, also include a requirement that the Virginia DRPT study the utilization and impacts of commuter tax benefit deductions for businesses in Virginia and report to the GA by December 2020, with the funding for the study provided out of the appropriation for public transportation programs.

Workers' Compensation

The 2019 GA passed legislation adding cancers of the brain, colon, and testes to the list of presumptive illnesses for firefighters. That legislation contained language that required the 2020 GA to reenact the

legislation upon consideration of a study published by JLARC on Virginia's Workers' Compensation System in order to become law. Legislation addressing post-traumatic stress disorder (PTSD) as a presumptive illness did not pass the 2019 GA but was referred to JLARC as well. Though Fairfax County supported the PTSD legislation, VACo, VML, and a number of local governments expressed concerns, not about the intent of the legislation, but rather the potential fiscal impact to local governments through the rise of insurance costs needed to fund any additional liabilities created by the addition of these illnesses.

Current code requires most employers (including local governments) to carry workers' compensation insurance in order to cover their workers in the event of a work injury. According to the JLARC report, workers in Virginia wait slightly longer to receive compensation benefits in comparison to other states. The median wait time to receive wage replacement benefits in Virginia after date of injury is 27 days. For certain claims such as those involving presumptive illnesses, in which insurers are often required to conduct extensive reviews of claims involving employee life history and health, the wait time can be much longer. Insurers often need to satisfy the terms of reinsurance contracts to prevent catastrophic losses and to determine the validity of claims. These delays can often be frustrating to employees seeking a claim. According to a survey of firefighters conducted by JLARC staff, responsiveness of the employer's insurance company was the second most common challenge experienced by firefighters in seeking workers' compensation benefits.

Though JLARC released their findings in December 2019, the legislation considered by the 2020 GA was fairly similar to the legislation considered prior to the study. A variety of bills were introduced to establish a presumption that PTSD is an occupational disease for firefighters, law-enforcement officers, 911 emergency call takers, and other first responders and is therefore covered by the Virginia Workers' Compensation Act. **SB 741** (McPike) and **SB 924** (Cosgrove) were incorporated into **SB 561** (Vogel), which became the Senate vehicle. Under **SB 561**, qualifying events for a presumption of PTSD would include events occurring after July 1, 2020, in the following categories:

- Viewing a deceased minor;
- Witnessing the death of a person or an incident involving the death of a person;
- Witnessing an injury to a person who subsequently dies before or upon admission at a hospital as a result of the injury;
- Having physical contact with and treating an injured person who subsequently dies before or upon admission at a hospital as a result of the injury;
- Transporting an injured person who subsequently dies before or upon admission at a hospital as a result of the injury; and,
- Witnessing a traumatic physical injury that results in the loss of a vital body part or a vital body function that resulted in a permanent disfigurement of the victim.

The diagnosis must be from a board-certified psychiatrist or a psychologist licensed under Virginia Title 54.1 with prior experience. The measure also requires training to be created.

HB 438 (Heretick) was similar but had a broader definition of law-enforcement officer, including Department of Emergency Management hazardous materials officers, and officers of the Department of Game and Inland Fisheries, Virginia Alcoholic Beverage Control Authority, the Port Authority, and some airports authorities. Qualifying events would have included events after July 1, 2020, in the following categories:

- Resulting in serious bodily injury or death to any person or persons;
- Involving a minor who has been injured, killed, abused, or exploited;
- Involving an immediate threat to life of the claimant or another individual;
- Involving mass casualties; and,
- Responding to crime scenes for investigation.

The diagnosis must be from a mental health professional and the officer/firefighter must have complied with Occupational Safety and Health Administration (OSHA) standards.

Ultimately, a compromise was reached and **HB 438** and **SB 561** both passed the GA in identical form. As passed, the bills state that a board-certified psychiatrist or psychologist with experience in PTSD shall make the diagnosis, there must have been a qualifying event, and that event must be a substantial factor in the PTSD. A qualifying event is an incident or exposure occurring in the line of duty on or after July 1, 2020:

- Resulting in serious bodily injury or death to any person or persons;
- Involving a minor who has been injured, killed, abused, or exploited;
- Involving an immediate threat to life of the claimant or another individual;
- Involving mass casualties; and,
- Responding to crime scenes for investigation.

HB 783 (Askew) and **SB 9** (Saslaw) also passed the GA, and relate to the workers' compensation presumption of compensability for certain diseases by firefighters or other law-enforcement officers. Colon, brain and testicular cancers are added to the presumptions, and apply to diagnoses made after July 1, 2020. The bills also remove the requirement that exposure to a toxic substance must be shown. To be compensable for the presumption, an individual must have completed five years of service.

ONGOING ISSUES AND STUDIES

Studies

As in years past, the creation of new study commissions was kept to a minimum, with many studies being conducted by state agencies rather than legislative bodies. A large number of study resolutions were tabled in the House, with members of the House Rules Committee preferring to send letters requesting (but not requiring or directing) that certain topics be studied by executive agencies, subcommittees, and commissions. One example is **HJ 63** (Rush) and **HJ 105** (Subramanyam), which would have established a 19-member, two-year joint subcommittee to identify research and economic development opportunities to inform a statewide, comprehensive, and coordinated strategy relating to blockchain technology – rather than advancing this measure, the House Rules Committee sent a letter requesting that the Joint Commission on Technology and Science (JCOTS) consider studying this issue. **HJ 82** (Ayala), which would have requested that the Virginia Economic Development Partnership Authority study this issue, met a similar fate.

Additionally, numerous complex issues were sent to the VSCC including expungement, parole, jury sentencing, mandatory minimum sentences, and an assault firearms prohibition, raising questions about what the VSCC ultimately will elect to study this off-session, given the VSCC's small staff (the Executive Committee of the VSCC selects the topics to be studied).

Though many studies were tabled, the 2020 GA did pass a number of studies of interest to the County. As previously mentioned on page 68, JLARC will study marijuana legalization and the Secretary of Health and Human Resources will study the Commonwealth's medical cannabis program. A select list of additional studies is below. County staff will be monitoring the progress of these studies throughout the year:

HB 491 (Marshall) directs the Department of Agriculture and Consumer Services to convene a working group to assess the opportunities for development and manufacturing in the industrial hemp industry. A final report is due by November 30, 2020.

HB 520 (Bulova) directs DEQ to convene a stakeholder advisory group for the purpose of studying the planting or preservation of trees as an urban land cover type and as a stormwater BMP. A final report is due by November 1, 2020.

HB 586 (Guzman) directs the Commissioner of Health to convene a work group to study the occurrence of perfluorooctanoic acid (PFOA), perfluorooctane sulfonate (PFOS), perfluorobutyrate (PFBA), perfluoroheptanoic acid (PFHpA), perfluorohexane sulfonate (PFHxS), perfluorononanoic acid (PFNA), and other perfluoroalkyl and polyfluoroalkyl substances (PFAS), as deemed necessary, in the Commonwealth's public drinking water and to develop recommendations for specific maximum contaminant levels for PFOA, PFOS, PFBA, PFHpA, PFHxS, PFNA, and other PFAS, as deemed necessary, for inclusion in regulations of the Board of Health applicable to waterworks. A report is due by December 1, 2021.

HB 717 (Reid) establishes a work group led by the Department of Mines, Minerals and Energy, in conjunction with other executive branch agencies and stakeholders, to determine the feasibility of an electric vehicle rebate program. A report is due by November 1, 2020.

HB 810 (Bourne) directs the Department of Housing and Community Development (DHCD) and Virginia Housing Development Authority (VHDA) to convene a stakeholder advisory group to develop draft legislation establishing a Virginia housing opportunity tax credit program for the purpose of providing incentives for the utilization of private equity in the development and construction of affordable housing in the Commonwealth and regulations for implementing such program. The stakeholder advisory group shall also determine the fiscal impact to the Commonwealth of various levels of funding for a Virginia housing opportunity tax credit, and the most effective and efficient way to administer the program in conjunction with the federal Low-Income Housing Tax Credit Program. A final report is due by September 1, 2020.

HB 854 (Murphy) requests DHCD and VHDA to convene a stakeholder advisory group to (i) determine the quantity and quality of affordable housing across the Commonwealth, (ii) conduct a review of current programs and policies to determine the effectiveness of current housing policy efforts, (iii) develop an informed projection of future housing needs in the Commonwealth and determine the order of priority of those needs, and (iv) make recommendations for the improvement of housing policy in the Commonwealth. A report is due by the first day of the 2021 GA session.

HB 916 (Sickles) requires VDOE to establish a Culturally Relevant and Inclusive Education Practices Advisory Committee for the purpose of providing (i) standards recommendations to VDOE which shall be considered by the Board of Education during the 2021-2022 review of the history and social science Standards of Learning and (ii) recommendations on meaningful professional development with school personnel related to culturally relevant and inclusive education practices. The Committee's recommendations are due no later than July 1, 2021.

HB 1042 (Herring)/**SB 883** (Locke) establishes the Virginia Council on Environmental Justice in the executive branch to advise the Governor and provide recommendations intended to protect vulnerable communities from disproportionate impacts of pollution and provide such communities meaningful involvement in the decision-making process.

HB 1056 (Adams, D) creates the Commission on Wellness and Opportunity in the legislative branch to study and make recommendations relating to establishing the mission and vision of what health and wellness means for Virginia by examining various dimensions of health and wellness, including but not limited to physical, intellectual, emotional, spiritual, environmental, and social wellness. The bill has a sunset date of July 1, 2025, with a provision that if the Commission does not receive funding in the appropriation act after its first year, it will sunset on July 1 of the following year (it appears that the budget conference report does not include funding for this Commission).

HB 1354 (Plum) establishes in the executive branch of state government the Plastic Waste Pollution Prevention Advisory Council to study and make recommendations regarding plastic pollution problems in the Commonwealth, with the mission of eliminating plastic waste and contributing to the achievement of plastics packaging circular economy industry standards. The bill has a sunset date of June 30, 2023. An initial report providing recommendations on legislation to accelerate the elimination of plastic bags and polystyrene packaging used or sold in the Commonwealth is due no later than November 1, 2020.

HB 1519 (McQuinn) creates the Commission to Study Slavery and Subsequent De Jure and De Facto Racial and Economic Discrimination Against African Americans to (i) study the current impact and long-term inequities of slavery and the subsequent state-sanctioned de jure and de facto racial and economic discrimination practiced against African Americans, and (ii) make recommendations to the GA on appropriate remedies. The bill provides that the Commission will provide an annual report and conclude its work by July 1, 2022.

HB 1531 (Jenkins) directs the Board of Pharmacy to enhance public awareness of proper drug disposal methods by assembling a group of stakeholders to develop strategies to increase the number of permissible drug disposal sites and options for the legal disposal of drugs, including requirements that pharmacies, or in-house pharmacies of hospitals or clinics, provide such information to customers. A final report is due by November 15, 2020.

HB 1653 (Wilt) requires the VDOE to collect data from school boards regarding their ability to fill school counselor positions. A final report is due by June 30, 2021.

HB 1699 (Aird)/SB 768 (Barker) direct the Commissioner of DBHDS to establish a work group to (i) review the current process for conducting evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention, including any challenges or barriers to timely completion of such evaluations and factors giving rise to delays in completion of such evaluations, and (ii) develop a comprehensive plan to expand the individuals who may conduct effective evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention. A final report is due by December 1, 2020.

HJ 29 (Tyler) establishes a joint committee of the House Committee on Health, Welfare and Institutions; the House Committee on Public Safety; the Senate Committee on the Judiciary; and the Senate Committee on Rehabilitation and Social Services to study staffing levels, employment conditions, and compensation at the Virginia Department of Corrections. A final report is due by the start of the 2021 GA session.

HJ 47 (Sickles)/SJ 38 (Cosgrove) directs JCOTS to study the safety, quality of life, and economic consequences of weather and climate-related events on coastal areas in Virginia. A final report is due by the start of the 2021 GA session.

HJ 51 (Sickles) directs DBHDS, VDOE, and VDSS to jointly study the feasibility of developing an early childhood mental health consultation program that would be available to all early care and education programs serving children from birth to five years of age. A final report is due by the start of the 2021 GA session.

HJ 64 (Reid) requests the Virginia Information Technologies Agency (VITA) to study the Commonwealth's susceptibility, preparedness, and ability to respond to ransomware attacks. A final report is due by the first day of the 2021 GA session.

HJ 92 (Lopez) requests the Office of Drinking Water of the Department of Health to study the Commonwealth's drinking water infrastructure and oversight of the drinking water program. In conducting its study, the Office shall identify problems or issues that may result in or increase the likelihood of contamination of drinking water and develop recommendations for addressing such problems or issues. A final report is due by the start of the 2021 GA session.

SB 888 (McClellan) establishes the Commission on School Construction and Modernization for the purpose of providing guidance and resources to local school divisions related to school construction and modernization and making funding recommendations to the GA and Governor. The bill has a sunset date of July 1, 2026, with a provision that if the Commission does not receive funding in the appropriation act after its first year, it will sunset on July 1 of the following year (the budget conference report includes approximately \$34,000 each year for this Commission).

SJ 15 (Locke) requests the VDOE to study the teacher licensure process and the assessment requirements for any inherent biases that may prevent minority teacher candidates from entering the profession. A report is due by the first day of the 2022 GA session.

SJ 27 (Lewis) continues the Joint Subcommittee on Coastal Flooding for two additional years, through November 2021.

SJ 35 (Edwards) establishes a joint subcommittee to study the Commonwealth's requirements related to barrier crimes and criminal history records checks. The resolution is subject to subsequent approval and certification by the Joint Rules Committee, which may approve or disapprove expenditures for this study, extend or delay the period for the conduct of the study, or authorize additional meetings during the 2020 interim.

SJ 42 (Hanger) requests DEQ to establish a Waste Diversion and Recycling Task Force to meet to discuss ways to increase waste diversion and recycling. A report is due by the first day of the 2022 GA session.

SJ 47 (Surovell) requests the Judicial Council of Virginia to study the jurisdiction and organization of the Court of Appeals of Virginia and make recommendations on providing an appeal of right from the circuit courts to the Court of Appeals and organizing the Court of Appeals into four geographic circuits. A report is due by the start of the 2021 GA session.

SJ 49 (McClellan) requests that the Department of Health Professions convene a work group to study issues related to the social worker profession, including the number of social workers needed in the Commonwealth and current compensation, and make recommendations to increase the number of social workers and identify additional sources of funding to adequately compensate social workers. A report is due by the start of the 2021 GA session.



FAIRFAX COUNTY LEGISLATIVE SUMMARY

2020 GENERAL ASSEMBLY

March 8, 2020

Fairfax County Legislative Summary

2020 General Assembly

Board of Supervisors Report Key

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

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

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<u>HB 1511</u> McQuinn, D	Towing fees; raises to \$30 additional fee that can be charged for towing a vehicle at night, etc.
<u>HB 1586</u> Watts, V	Washington Metropolitan Area Transit Authority; allocation of funds.
<u>HB 1699</u> Aird, L	Temporary detention; DBHDS shall study who may evaluate.
<u>SB 31</u> Petersen, J	Eminent domain; costs for petition for distribution of funds, interest rate.
<u>SB 585</u> Dunnavant, S	Guardianship; special education transition materials, etc.

<u>SB 589</u>	Zoning administrators; notice of decisions and determinations.
Hanger, Jr., E	
<u>SB 617</u>	Absentee voting; voter satellite offices for absentee voting in person.
Deeds, R	
<u>SB 735</u>	Peer-to-peer vehicle sharing platforms; definitions, establishes requirements.
Newman, S	
<u>SB 747</u>	Nutrient and sediment credit generation and transfer; limits certain transfers to private sector.
Hanger, Jr., E	
<u>SB 768</u>	Temporary detention; DBHDS shall study who may evaluate.
Barker, G	
<u>SB 870</u>	Solar photovoltaic projects; special exceptions for any project.
Marsden, D	
<u>SB 902</u>	Long-term care services and supports; preadmission screenings.
Barker, G	
<u>SB 977</u>	Local governing body meetings; public comment, during a regular meeting at least quarterly.
Suetterlein, D	
<u>SB 1046</u>	Clinical social workers; patient records, involuntary detention orders.
Deeds, R	

Fairfax County Positions

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***Legislation No Longer Under Consideration
(Continued to 2021):***

<u>HB 93</u>	Flavored tobacco products; sale or distribution prohibited, civil penalty.
Kory, K	
<u>HB 221</u>	Tree conservation ordinance; Chesapeake Bay Preservation Act locality, designated trees.
Mugler, M	
<u>HB 869</u>	Public defender or any deputies or employees; proportionally supplementing compensation.
Bourne, J	
<u>HB 892</u>	Peer-to-peer vehicle sharing platforms; definition, taxation.
Sickles, M	
<u>HB 1119</u>	Flavored tobacco products; sale prohibited, civil penalty.
Hope, P	
<u>HB 1120</u>	Tobacco products; tax on all tobacco products, penalties.
Hope, P	
<u>HB 1192</u>	Hazardous Substance Aboveground Storage Tank Fund; created.
Lopez, A	
<u>HB 1279</u>	Animal shelters; confinement and disposition of animals.
O'Quinn, I	
<u>HB 1288</u>	Firearms; purchase, possession, etc., following certain convictions, penalty.
Murphy, K	
<u>HB 1293</u>	Shirley Gate Road; extension in Fairfax County, funding.
Helmer, D	

<u>HB 1351</u> Watts, V	Temporary detention; expands category of individuals who may evaluate a person.
<u>HB 1464</u> Gooditis, W	Restrict nutrient credit usage; local authority.
<u>HB 1480</u> Gooditis, W	Pet shops; local regulation on sale of animals.
<u>SB 253</u> Chafin, A	Deeds of trust; fiduciary duties.
<u>SB 626</u> Surovell, S	Hazardous Substance Aboveground Storage Tank Fund; created.
<u>SB 826</u> McDougle, R	Water and sewer service charges; tenant or lessee.
<u>SB 1049</u> Deeds, R	Involuntary commitment; notice and participation, discharge plans.

Fairfax County Positions

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

<u>HB 3</u> McQuinn, D	Va. Fair Housing Law; unlawful discriminatory housing practices, sexual orientation and gender, etc.
<u>HB 16</u> Krizek, P	Safety belt system; all occupants of motor vehicles to utilize.
<u>HB 17</u> Foy, J	Driver's license; suspension for nonpayment of fines or costs.
<u>HB 20</u> Lindsey, J	Va. Alternative Energy & Coastal Protection Act; DEQ to implement final carbon trading regulation.
<u>HB 25</u> Lindsey, J	Absentee voting; no excuse required.
<u>HB 57</u> Fowler, Jr., H	Elections; date of June primary election.
<u>HB 110</u> Ware, R	Regional Greenhouse Gas Initiative; trading allowance reserve account, etc.
<u>HB 151</u> Samirah, I	Accessory dwelling units; development and use.
<u>HB 152</u> Samirah, I	Single-family residential use; middle housing allowed on lots zoned for units.
<u>HB 209</u> Murphy, K	Absentee voting; no excuse required.
<u>HB 217</u> Convirs-Fowler, K	Va. Fair Housing Law; unlawful discriminatory housing practices, sexual orientation and gender, etc.

<u>HB 283</u> Cole, J	Highway construction and maintenance; time limitations.
<u>HB 302</u> McNamara, J	Litter tax; repeals annual tax.
<u>HB 311</u> Gooditis, W	Unmanned aerial systems; local regulation.
<u>HB 357</u> Lopez, A	Virginia Fair Housing Law; unlawful discriminatory housing practices.
<u>HB 364</u> Cole, M	Statewide prioritization process; project selection.
<u>HB 381</u> Cole, M	Redistricting; Virginia Redistricting Commission, local redistricting commissions.
<u>HB 382</u> Convirs-Fowler, K	Virginia Shoreline Resiliency Fund; grant program.
<u>HB 508</u> Willett, R	Animal care; cruelty, dangerous dogs.
<u>HB 589</u> Guzman, E	Community services boards; funding formula, population and need.
<u>HB 608</u> Miyares, J	Health Enterprise Zone Program and Fund; established, report.
<u>HB 619</u> Cole, J	Commonwealth Mass Transit Fund; allocation to Fredericksburg Regional Transit.
<u>HB 620</u> Cole, J	Statewide prioritization process; project selection.
<u>HB 621</u> Willett, R	Speed monitoring systems; local ordinances.
<u>HB 636</u> LaRock, D	Town residents; provision of county services.
<u>HB 642</u> LaRock, D	Transportation funding; statewide prioritization process.
<u>HB 650</u> Hope, P	Naloxone or other opioid antagonist; possession and administration.
<u>HB 662</u> Mullin, M	Local grievance procedure; incorporates certain provisions.
<u>HB 677</u> LaRock, D	Interstate 66; reverse tolling, toll revenue on Interstate 66 and Interstate 395.
<u>HB 679</u> LaRock, D	Real and personal property tax exemptions; repeals exemptions.
<u>HB 713</u> Hope, P	Mandatory outpatient treatment orders; judicial review conferences.

<u>HB 761</u> VanValkenburg, S	Elections; preclearance of certain covered practices required, definitions.
<u>HB 774</u> LaRock, D	Commonwealth Transportation Board; increases revenue-sharing funds.
<u>HB 891</u> Sickles, M	Peer-to-peer vehicle sharing platforms; establishes sale of insurance, etc., for platforms.
<u>HB 912</u> Simon, M	Distributed renewable energy; promotes establishment of solar and other renewable energy.
<u>HB 948</u> Webert, M	License taxes; prohibition on rate increases, prohibition on new taxes.
<u>HB 977</u> Krizek, P	County food and beverage tax; allowable tax rate, removal of referendum requirement.
<u>HB 983</u> Delaney, K	Traffic incident management vehicles; equipped with certain lights.
<u>HB 1151</u> Lopez, A	Plastic bag tax; use of revenues.
<u>HB 1152</u> Lopez, A	Carbon dioxide cap and trade program; establishes program, etc.
<u>HB 1170</u> Poindexter, C	Regional electric utility programs; participation by Commonwealth.
<u>HB 1202</u> Tran, K	Project labor agreements; public procurement by local governments.
<u>HB 1203</u> Tran, K	Prevailing wage; public works contracts with localities, penalty.
<u>HB 1204</u> Tran, K	Fall cankerworm; spraying prohibited except through opt-in program.
<u>HB 1214</u> Simonds, S	Family day homes; licensure threshold.
<u>HB 1216</u> Tran, K	State of good repair funds; bridges subject to repeated flooding.
<u>HB 1227</u> LaRock, D	Unmanned aerial systems; local regulation.
<u>HB 1308</u> Walker, W	Stormwater management; grandfathered land-disturbing activities.
<u>HB 1312</u> Kory, K	Dangerous weapons; prohibits possessing or transporting in local government buildings.
<u>HB 1389</u> LaRock, D	Transportation funds; use of funds for projects.
<u>HB 1391</u> Leftwich, J	Deeds of trust; fiduciary duties.

<u>HB 1439</u> Jones, J	Transportation safety; adopting several initiatives.
<u>HB 1510</u> McQuinn, D	Weapons; carrying into building owned or used by the Commonwealth or political subdivision thereof.
<u>HB 1644</u> Plum, K	Vehicles stopped at crosswalks; prohibition on passing.
<u>HB 1673</u> Ware, R	Plastic bag tax; use of revenues.
<u>HJ 31</u> Lopez, A	Commonwealth-wide housing needs; Department of Housing and Community Development to study.
<u>HJ 57</u> Subramanyam, S	Route 50; Department of Transportation to study traffic congestion.
<u>HJ 63</u> Rush, N	Blockchain technology; joint subcommittee to study emergence & integration in the economy.
<u>HJ 82</u> Ayala, H	Blockchain technology; VEDPA to study the emergence, etc., in the economy.
<u>HJ 105</u> Subramanyam, S	Blockchain technology; joint subcommittee to study emergence & integration in the economy.
<u>HJ 132</u> Herring, C	Cannabis and medical cannabis; joint subcommittee to study development of framework for regulation.
<u>SB 26</u> Petersen, J	Plastic bags; tax in the Chesapeake Bay Watershed.
<u>SB 66</u> McClellan, J	Va. Fair Housing Law; unlawful discriminatory housing practices, sexual orientation and gender, etc.
<u>SB 67</u> McClellan, J	Firearms; reporting those lost or stolen, civil penalty.
<u>SB 117</u> Favola, B	Family day homes; licensure threshold.
<u>SB 151</u> Stuart, R	School personnel; staffing ratios, school nurses.
<u>SB 159</u> Boysko, J	Public employment; prohibits discrimination on basis of sexual orientation or gender identity.
<u>SB 180</u> Favola, B	Prevailing wage; public works contracts, penalty.
<u>SB 184</u> Locke, M	Tree conservation ordinance; Chesapeake Bay Preservation Act locality, designated trees.
<u>SB 193</u> Favola, B	Single-use plastic and expanded polystyrene products; local prohibition, local tax.
<u>SB 198</u> Locke, M	Disposable plastic shopping bags; local option.
<u>SB 276</u> Barker, G	Safety belt system; use in motor vehicles.

<u>SB 310</u> Stanley, Jr., W	Public animal shelters; notice to euthanize.
<u>SB 475</u> Bell, J	Virginia Public Procurement Act; use of best value contracting.
<u>SB 484</u> Favola, B	Local taxing authority; equalizes city and county taxing authorities.
<u>SB 485</u> DeSteph, B	Eminent domain; remnants and remainders.
<u>SB 532</u> Edwards, J	Third-party power purchase agreements; regulation of retail sales of electricity under agreements.
<u>SB 570</u> Mason, T	State-Funded Kinship Guardianship Assistance program; created.
<u>SB 581</u> Howell, J	Minors; allowing access to firearms, Class 6 felony.
<u>SB 638</u> Surovell, S	Affordable housing; location near Metrorail station.
<u>SB 643</u> Boysko, J	Motor Vehicles, Department of; issuance of certain documents.
<u>SB 644</u> Boysko, J	Traffic incident management vehicles; exempt from certain regulations.
<u>SB 682</u> Mason, T	Food and beverage tax; county imposing a tax greater than four percent.
<u>SB 687</u> Vogel, J	Bicycles; signage, effective clause.
<u>SB 749</u> Cosgrove, Jr., J	Peer-to-peer vehicle sharing platforms; establishes sale of insurance, etc., for platforms.
<u>SB 750</u> Cosgrove, Jr., J	Peer-to-peer vehicle sharing platforms; definition, taxation.
<u>SB 759</u> Marsden, D	Photo speed monitoring devices; civil penalty.
<u>SB 839</u> Ebbin, A	Zoning; permitted provisions in ordinance, worker protection.
<u>SB 852</u> Ebbin, A	Tobacco products; tax on all tobacco products, penalties.
<u>SB 893</u> Marsden, D	Comprehensive plan; solar facilities review.
<u>SB 907</u> Lucas, L	Transportation safety; occupants of motor vehicles not equipped with seat belts.
<u>SB 916</u> Marsden, D	Towing fees; raises to \$30 additional fee that can be charged for towing a vehicle at night, etc.
<u>SB 921</u> Locke, M	Cigarette tax, local; authorizes all counties to impose without rate limit.

<u>SB 1007</u>	Stormwater management; inspections.
Reeves, B	
<u>SJ 32</u>	Electric vehicles; DEQ to study the impact of and develop Clean Transportation Plan, report.
Bell, J	
<u>SJ 57</u>	JLARC; costs of education, report.
Lewis, Jr., L	
<u>SJ 66</u>	Cannabis and medical cannabis; joint subcommittee to study development of framework for regulation.
Ebbin, A	

Fairfax County Initiatives

***Bills Introduced
at Fairfax County's Request***

Bills	General Assembly Actions	Date of BOS Position
<u>SB 651</u> - Boysko (33) Fairfax County; policemen's pension and retirement board.	1/7/2020 Senate: Referred to Committee on Finance and Appropriations 1/28/2020 Senate: Reported from Finance and Appropriations (16-Y 0-N) 1/31/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Appropriations 2/25/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/28/2020 House: Reported from Appropriations (22-Y 0-N) 3/4/2020 House: Passed House BLOCK VOTE (98-Y 0-N) 3/7/2020 Senate: Enrolled	1/28/2020

Initiate (20104013D)

Summary: Increases from seven to eight the number of members on the policemen's pension and retirement board created in a county that has adopted the urban county executive form of government (Fairfax County) and increases from two to three the number of members of such board who shall be members of such retirement system and employed by the county police department as sworn police officers and who have been elected by the members of the retirement system who are employed by the police department as sworn police officers.

<u>SB 652</u> - Boysko (33) Fairfax County; policemen's retirement system.	1/7/2020 Senate: Referred to Committee on Finance and Appropriations 1/28/2020 Senate: Reported from Finance and Appropriations (16-Y 0-N) 1/31/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Appropriations 2/25/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/28/2020 House: Reported from Appropriations (21-Y 0-N) 3/4/2020 House: Passed House BLOCK VOTE (98-Y 0-N) 3/7/2020 Senate: Enrolled	1/28/2020
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Initiate (20104020D)

Summary: Authorizes any person who has been a member of another county retirement system and who withdraws therefrom and becomes a member of the policemen's retirement system established by a county that has adopted the urban county executive form of government (Fairfax County) to purchase membership service credit for service rendered while a member of such other county retirement system by paying into the policemen's retirement system all contributions that would have been due from the person had the person been a member of the policemen's retirement system for each of the years for which membership service credit is sought. The bill contains technical amendments.

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 868</u> - Ebbin (30) Discrimination; prohibited in public accommodations, etc., causes of action.</p>	<p>1/8/2020 Senate: Referred to Committee on General Laws and Technology 1/29/2020 Senate: Incorporates SB 66 (McClellan) 1/29/2020 Senate: Incorporates SB 159 (Boysko) 1/29/2020 Senate: Reported from General Laws and Technology with substitute (12-Y 0-N 2-A) 2/6/2020 Senate: Read third time and passed Senate (30-Y 9-N) 2/13/2020 House: Referred to Committee on General Laws 2/13/2020 House: Reported from General Laws (13-Y 9-N) 2/24/2020 House: Substitute by Delegate Sickles agreed to 20108819D-H1 2/24/2020 House: Passed House with substitute (54-Y 46-N) 2/26/2020 Senate: House substitute agreed to by Senate (27-Y 13-N) 3/4/2020 Senate: Enrolled 3/5/2020 Senate: Signed by President 3/6/2020 House: Signed by Speaker</p>	<p>1/28/2020</p>

Initiate (20104737D)

Summary: Prohibited discrimination; public accommodations, employment, credit, and housing: causes of action; sexual orientation and gender identity. Creates causes of action for unlawful discrimination in public accommodations and employment in the Virginia Human Rights Act. Currently, under the Act there is no cause of action for discrimination in public accommodations, and the only causes of action for discrimination in employment are for (i) unlawful discharge on the basis of race, color, religion, national origin, sex, pregnancy, childbirth or related medical conditions, including lactation, by employers employing more than five but fewer than 15 persons and (ii) unlawful discharge on the basis of age by employers employing more than five but fewer than 20 persons. The bill allows the causes of action to be pursued privately by the aggrieved person or, in certain circumstances, by the Attorney General. Before a civil cause of action may be brought in a court of the Commonwealth, an aggrieved individual must file a complaint with the Division of Human Rights of the Department of Law, participate in an administrative process, and receive a notice of his right to commence a civil action. The bill prohibits discrimination in public and private employment on the basis of sexual orientation and gender identity. 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. Additionally, the bill (a) prohibits discrimination in public accommodations on the basis of sexual orientation, gender identity, or status as a veteran; (b) prohibits discrimination in credit on the basis of sexual orientation, gender identity, pregnancy, childbirth or related medical conditions, disability, and status as a veteran; and (c) adds discrimination on the basis of an individual's sexual orientation, gender identity, or status as a veteran as an unlawful housing practice. The bill makes technical amendments. This bill incorporates SB 66 and SB 159.

Fairfax County Positions
(Oppose or Amend)

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Bills	General Assembly Actions	Date of BOS Position
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No bills remain in this section.

Fairfax County Positions
(Support)

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1</u> - Herring (46) Absentee voting; no excuse required.</p>	<p>11/18/2019 House: Referred to Committee on Privileges and Elections (HPE) 1/21/2020 House: Subcommittee recommends reporting with substitute (4-Y 2-N) 1/24/2020 House: Incorporates HB 25 (Lindsey) 1/24/2020 House: Incorporates HB 208 (Murphy) 1/24/2020 House: Incorporates HB 209 (Murphy) 1/24/2020 House: Reported from HPE with substitute (14-Y 8-N) 1/30/2020 House: Read third time and passed House ((65-Y 35-N) 1/31/2020 Senate: Referred to Committee on Privileges and Elections (SPE) 2/18/2020 Senate: Reported from SPE with amendment (10-Y 4-N) 2/24/2020 Senate: Passed Senate with amendment (25-Y 15-N) 2/26/2020 House: Senate amendment agreed to by House (62-Y 34-N) 3/2/2020 House: Enrolled 3/2/2020 House: Signed by Speaker 3/3/2020 Senate: Signed by President</p>	<p>1/28/2020</p>
<p>Support (20101095D) - Collaborate with stakeholders to ensure bill can be successfully implemented. See also HB 25 (Lindsey) and HB 209 (Murphy). Summary: 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. This bill incorporates HB 25, HB 208, and HB 209.</p>		
<p><u>HB 2</u> - Plum (36) Firearm transfers; criminal history record information checks, penalty.</p>	<p>11/18/2019 House: Referred to Committee on Public Safety (HPS) 1/24/2020 House: Incorporates HB 355 (Kory) 1/24/2020 House: Reported from HPS with substitute (13-Y 9-N) 1/30/2020 House: Read third time and passed House (54-Y 46-N) 1/31/2020 Senate: Referred to Committee on the Judiciary 2/24/2020 Senate: Reported from Judiciary with substitute (9-Y 5-N) 2/26/2020 Senate: Passed Senate with substitute (23-Y 17-N) 2/28/2020 House: Senate substitute rejected by House (1-Y 98-N) 3/2/2020 Senate: Senate insisted on substitute (22-Y 16-N) 3/2/2020 Senate: Senate requested conference committee 3/3/2020 House: House acceded to request 3/3/2020 House: Conferees appointed by House: Delegates: Plum, Hope, Fariss 3/4/2020 Senate: Conferees appointed by Senate: Senators: Petersen, Deeds, Obenshain 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (51-Y 45-N) 3/5/2020 House: Reconsideration of conference report agreed to by House 3/5/2020 House: Conference report agreed to by House (54-Y 44-N) 3/7/2020 Senate: Conference report agreed to by Senate (23-Y 16-N)</p>	<p>1/28/2020</p>

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>Support (20101194D)</p> <p>Summary: Firearm transfers; criminal history record information checks; penalty. Requires a background check for any firearm transfer and directs the Department of State Police (the Department) to establish a process for transferors to obtain such a check from licensed firearms dealers. A transferor who sells a firearm to another person without obtaining the required background check is guilty of a Class 6 felony. The bill also provides that a transferee who receives a firearm from another person without obtaining the required background check is guilty of a Class 1 misdemeanor. The bill exempts transfers (i) between immediate family members; (ii) that occur by operation of law; (iii) by the executor or administrator of an estate or by the trustee of a testamentary trust; (iv) at firearms shows in accordance with law; (v) that are part of a buy-back or give-back program; (vi) of antique firearms; (vii) that occur at a shooting range, shooting gallery, or any other area designed for the purpose of target shooting, for use during target practice, a firearms safety or training course or class, a shooting competition, or any similar lawful activity; or (viii) that are temporary transfers that (a) occur within the continuous presence of the owner of the firearm or (b) are necessary to prevent imminent death or great bodily harm. The bill removes the provision that makes background checks of prospective purchasers or transferees at firearms shows voluntary. The bill also provides that the Department shall have three business days to complete a criminal history record information check before a firearm may be transferred. The bill establishes an appropriation for the fiscal impact of the bill and authorizes the Director of the Department of Planning and Budget to allocate such appropriation among the agencies and programs impacted by the bill. This bill incorporates HB 355.</p>		
<p>HB 6 - Bourne (71) Virginia Fair Housing Law; unlawful discriminatory housing practices.</p>	<p>11/18/2019 House: Referred to Committee on General Laws 1/30/2020 House: Subcommittee recommends reporting with substitute (5-Y 2-N) 2/4/2020 House: Incorporates HB 357 (Lopez) 2/4/2020 House: Reported from General Laws with substitute (14-Y 8-N) 2/7/2020 House: Read third time and passed House (61-Y 37-N) 2/10/2020 Senate: Referred to Committee on General Laws and Technology (SGL) 2/19/2020 Senate: Reported from SGL with amendment (8-Y 6-N) 2/19/2020 Senate: Re-referred to Finance and Appropriations 2/26/2020 Senate: Reported from Finance and Appropriations (13-Y 0-N 2-A) 3/3/2020 Senate: Passed Senate with amendments (25-Y 15-N) 3/4/2020 House: Senate amendments agreed to by House (57-Y 38-N) 3/7/2020 House: Enrolled</p>	<p>1/28/2020</p>
<p>Support (20100177D) - Board has historically supported.</p> <p>Summary: Virginia Fair Housing Law; unlawful discriminatory housing practices; source of funds. Adds discrimination on the basis of a person's source of income to the list of unlawful discriminatory housing practices. The bill creates an exemption for an owner or owner's managing agent, provided that such owner does not own more than four rental dwelling units or more than a 10 percent interest in more than four rental dwelling units in the Commonwealth at the time of the alleged discriminatory housing practice. 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. This bill incorporates HB 357.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 19</u> - Lindsey (90) Voter identification; signed statement in lieu of required form of identification, penalty.</p>	<p>11/19/2019 House: Referred to Committee on Privileges and Elections 2/4/2020 House: Subcommittee recommends reporting with substitute (5-Y 1-N) 2/7/2020 House: Incorporates HB 190 (Levine) 2/7/2020 House: Incorporates HB 878 (Sickles) 2/7/2020 House: Reported from Privileges and Elections with substitute (14-Y 8-N) 2/11/2020 House: Read third time and passed House (57-Y 43-N) 2/12/2020 Senate: Referred to Committee on Privileges and Elections 2/18/2020 Senate: Reported from Privileges and Elections with substitute (10-Y 3-N 1-A) 2/24/2020 Senate: Passed Senate with substitute (21-Y 19-N) 2/26/2020 House: Senate substitute rejected by House 20108329D-S1 (1-Y 94-N) 2/28/2020 Senate: Senate insisted on substitute (38-Y 0-N) 2/28/2020 Senate: Senate requested conference committee 3/2/2020 House: House acceded to request 3/2/2020 House: Conferees appointed by House: Delegates: Lindsey, Simon, Robinson 3/3/2020 Senate: Conferees appointed by Senate: Senators: Locke, Ebbin, Peake 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (54-Y 45-N) 3/7/2020 Senate: Conference report agreed to by Senate (20-Y 19-N)</p>	<p>2/25/2020</p>

Support (20108329D-S1)

Summary: Removes the requirement that voters show a form of identification containing a photograph in order to be allowed to vote. The bill requires a voter to show either his voter registration confirmation documents; his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; any valid student identification card issued by any institution of higher education located in any other state or territory of the United States; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. The bill also provides that the expiration date on a Virginia driver's license is not considered when determining the validity of a driver's license offered for voter identification purposes. A voter who does not show one of the required forms of identification when offering to vote is required to sign a statement that he is the named registered voter he claims to be in order to be permitted to cast a ballot. Such statement is signed subject to felony penalties for making false statements, punishable as a Class 5 felony. A voter who does not show one of the required forms of identification and does not complete or sign the statement shall be offered a provisional ballot according to the provisions of current law. The bill adds language regarding identification requirements for certain voters pursuant to the federal Help America Vote Act of 2002.

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<p>HB 22 - Lindsey (90) Virginia Community Flood Preparedness Fund; loan and grant program.</p>	<p>11/19/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 2/3/2020 House: Subcommittee recommends reporting (7-Y 0-N) and referring to Committee on Appropriations (HAPP) 2/5/2020 House: Reported from HAG (21-Y 0-N) and referred to HAPP 2/7/2020 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/7/2020 House: Incorporates HB 751 (Jones) 2/7/2020 House: Reported from HAPP with substitute (22-Y 0-N) 2/11/2020 House: Read third time and passed House (99-Y 0-N) 2/12/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 2/18/2020 Senate: Reported from SACNR (13-Y 0-N) 2/18/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/25/2020 Senate: Reported from SFIN (14-Y 0-N) 2/27/2020 Senate: Passed Senate (39-Y 1-N) 3/4/2020 House: Enrolled 3/5/2020 House: Signed by Speaker 3/5/2020 Senate: Signed by President</p>	<p>1/28/2020</p>
<p>Support (20100479D) - See also HB 382 (Convirs-Fowler). Summary: Continues the Virginia Shoreline Resiliency Fund as the Virginia Community Flood Preparedness Fund (the Fund), directs the Department of Conservation and Recreation to administer the Fund, and authorizes localities to lend or grant money from the Fund to implement flood prevention and protection projects and studies. The bill requires that at least 25 percent of the money disbursed from the Fund each year be used for projects in low-income geographic areas. The measure also authorizes any locality to forgive the principal of a loan it grants in a low-income geographic area so long as the total amount of loans forgiven by all localities does not exceed 30 percent of the amount appropriated to the Fund during the fiscal year. The bill provides that any locality that forgives such a loan remains obligated to pay the principal to the Commonwealth. This bill incorporates HB 751 and is identical to SB 320.</p>		
<p>HB 173 - Krizek (44) Waterfowl blinds; blinds in locality where certain hunting prohibited.</p>	<p>12/26/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/20/2020 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 1/22/2020 House: Reported from HAG with substitute (13-Y 9-N) 1/28/2020 House: Read third time and passed House (60-Y 36-N 1-A) 1/29/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 2/18/2020 Senate: Reported from SACNR (13-Y 0-N) 2/21/2020 Senate: Passed Senate (33-Y 5-N) 2/26/2020 House: Enrolled 2/27/2020 House: Signed by Speaker 2/27/2020 Senate: Signed by President 3/5/2020 House: Enrolled Bill communicated to Governor 3/5/2020 Governor: Governor's Action Deadline 11:59 p.m., 4/6/2020</p>	<p>1/28/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
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Support (20100497D)

Summary: Waterfowl blinds in locality where certain hunting prohibited. Directs the Department of Game and Inland Fisheries not to license any stationary waterfowl blind in any area of Hunting Creek, Little Hunting Creek, or Dogue Creek in which the local governing body prohibits by ordinance the hunting of birds with a firearm. This bill is identical to SB 435.

HB 201 - Ayala (51)
Elections; same-day
registration.

12/27/2019 House: Referred to Committee on Privileges and Elections
1/28/2020 House: Subcommittee recommends reporting with substitute (4-Y 2-N)
1/28/2020 House: Subcommittee recommends referring to Committee on Appropriations
1/31/2020 House: Incorporates HB 187 (Simon)
1/31/2020 House: Reported from Privileges and Elections with substitute (13-Y 9-N)
1/31/2020 House: Referred to Committee on Appropriations
2/4/2020 House: Subcommittee recommends reporting (3-Y 2-N)
2/5/2020 House: Reported from Appropriations (12-Y 9-N)
2/10/2020 House: Read third time and passed House (53-Y 44-N)
2/11/2020 Senate: Referred to Committee on Privileges and Elections
2/18/2020 Senate: Reported from Privileges and Elections (9-Y 4-N)
2/18/2020 Senate: Re-referred to Finance and Appropriations
2/25/2020 Senate: Reported from Finance and Appropriations with amendment (13-Y 3-N)
2/27/2020 Senate: Passed Senate with amendment (22-Y 17-N)
2/27/2020 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N)
2/27/2020 Senate: Passed Senate with amendment (22-Y 18-N)
3/2/2020 House: Senate amendment rejected by House (0-Y 100-N)
3/3/2020 Senate: Senate insisted on amendment (27-Y 13-N)
3/3/2020 Senate: Senate requested conference committee
3/4/2020 House: House acceded to request
3/4/2020 House: Conferees appointed by House: Delegates: Ayala, Simon, Runion
3/5/2020 Senate: Conferees appointed by Senate: Senators: Deeds, Boysko, Peake
3/5/2020 Conference: Amended by conference committee
3/5/2020 House: Conference report agreed to by House (52-Y 44-N)
3/7/2020 Senate: Conference report agreed to by Senate (21-Y 17-N)

2/11/2020**Support** (20106843D) - Support with adequate state funding for implementation.

Summary: Elections; voter registration; extended time for persons to register in person. Provides any person who is qualified to vote is entitled to register to vote in person up to and including the day of the election at the office of the general registrar in the locality in which the person resides or at the polling place for the precinct in which the person resides. Under current law, registration records close for registration purposes, whether in person or by other means, 21 days prior to a primary or general election. The bill has a delayed effective date of October 1, 2022. The bill incorporates HB 187.

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 275</u> - Sullivan, Jr. (48) Judges; increases maximum number in judicial district.	12/30/2019 House: Referred to Committee for Courts of Justice 1/15/2020 House: Subcommittee recommends reporting (7-Y 1-N) 1/22/2020 House: Reported from Courts of Justice (20-Y 2-N) 1/28/2020 House: Read third time and passed House (87-Y 11-N) 1/29/2020 Senate: Referred to Committee on the Judiciary 2/12/2020 Senate: Reported from Judiciary (11-Y 0-N) 2/12/2020 Senate: Re-referred to Finance and Appropriations 2/19/2020 Senate: Reported from Finance and Appropriations (14-Y 0-N) 2/21/2020 Senate: Passed Senate (38-Y 0-N) 2/26/2020 House: Enrolled 2/27/2020 House: Signed by Speaker 2/27/2020 Senate: Signed by President 3/5/2020 House: Enrolled Bill communicated to Governor on March 5, 2020 3/5/2020 Governor: Governor's Action Deadline 11:59 p.m., April 6, 2020	1/28/2020

Support (20103853D) - Board has historically supported. See also SB 209 (Petersen).

Summary: Maximum number of judges in each judicial district. Increases from 11 to 12 the maximum number of authorized general district court judgeships in the nineteenth judicial district. The Committee on District Courts recommended the additional judgeship in 2018. This bill is identical to SB 209.

<u>HB 358</u> - Lopez (49) Public works contracts; definitions, authorization of project labor agreements.	1/1/2020 House: Referred to Committee on General Laws (HGL) 1/28/2020 House: Subcommittee recommends reporting with substitute (4-Y 3-N) 1/30/2020 House: Incorporates HB 122 (Carroll Foy) 1/30/2020 House: Incorporates HB 1311 (Kory) 1/30/2020 House: Reported from HGL with substitute (13-Y 8-N) 1/31/2020 House: Incorporates HB 1202 (Tran) 2/5/2020 House: Read third time and passed House (54-Y 44-N) 2/6/2020 Senate: Referred to Committee on Commerce and Labor 2/17/2020 Senate: Reported from Commerce and Labor (8-Y 3-N 4-A) 2/26/2020 Senate: Amendment by Senator Saslaw agreed to 2/26/2020 Senate: Passed Senate with amendment (21-Y 19-N) 2/28/2020 House: Senate amendment agreed to by House (55-Y 43-N) 3/5/2020 House: Enrolled 3/6/2020 House: Signed by Speaker 3/6/2020 Senate: Signed by President	1/28/2020
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Support (20101674D)

Summary: Project labor agreements; public procurement. Authorizes any public body, including any state or local government, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, to require bidders to enter into or adhere to project labor agreements on the public works projects. The bill incorporates HB 122, HB 1202, and HB 1311.

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 378</u> - Rasoul (11) Comprehensive harm reduction programs; public health emergency, repeal sunset provision.	1/2/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/21/2020 House: Reported from HHWI (22-Y 0-N) 1/27/2020 House: Read third time and passed House (95-Y 3-N) 1/28/2020 Senate: Referred to Committee on Education and Health 2/13/2020 Senate: Reported from Education and Health (13-Y 0-N) 2/13/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/19/2020 Senate: Reported from SFIN (15-Y 0-N) 2/21/2020 Senate: Passed Senate (38-Y 0-N) 2/26/2020 House: Enrolled 2/27/2020 House: Signed by Speaker 2/27/2020 Senate: Signed by President 3/5/2020 House: Enrolled Bill communicated to Governor 3/5/2020 Governor: Governor's Action Deadline 11:59 p.m., April 6, 2020	1/28/2020

Support (20102454D) - See also SB 864 (Pillion).

Summary: Comprehensive harm reduction programs; public health emergency; repeal sunset. Repeals the sunset on the program established in 2017 that allows the Commissioner of Health to establish and operate local or regional comprehensive harm reduction programs during a declared public health emergency that include a provision for the distribution of sterile hypodermic needles and syringes and the disposal of used hypodermic needles and syringes. This bill is identical to SB 864.

<u>HB 421</u> - Price (95) Firearms, ammunition, etc.; control by localities by governing possession, etc., within locality.	1/3/2020 House: Referred to Committee on Public Safety 1/24/2020 House: Reported from Public Safety (13-Y 9-N) 1/30/2020 House: Read third time and passed House (50-Y 48-N) 1/31/2020 Senate: Referred to Committee on the Judiciary (SJUD) 2/24/2020 Senate: Reported from SJUD with substitute (9-Y 6-N) 2/26/2020 Senate: Amendment B by Senator Norment agreed to 2/26/2020 Senate: Passed Senate with substitute with amendment (22-Y 18-N) 2/28/2020 House: Senate substitute with amendment agreed to by House 20108858D-S1 (54-Y 45-N) 3/5/2020 House: Enrolled 3/6/2020 House: Signed by Speaker 3/6/2020 Senate: Signed by President	1/28/2020
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Support (20100939D) - See also SB 35 (Surovell).

Summary: Control of firearms by localities. Authorizes any locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit. Provisions limiting the authority of localities and state governmental entities to bring lawsuits against certain firearms manufacturers and others are also repealed. The bill also provides that any firearm received by the locality pursuant to a gun buy-back program shall be destroyed by the locality unless the person surrendering such firearm requests in writing that such surrendered firearm be sold. The bill contains technical amendments. This bill is identical to SB 35.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 438</u> - Heretick (79) Workers' compensation; post-traumatic stress disorder, law-enforcement officers and firefighters.</p>	<p>1/3/2020 House: Referred to Committee on Labor and Commerce 1/28/2020 House: Subcommittee recommends reporting with substitute (6-Y 2-N) 1/28/2020 House: Subcommittee recommends referring to Committee on Appropriations 1/30/2020 House: Reported from Labor and Commerce with substitute (19-Y 3-N) 1/30/2020 House: Referred to Committee on Appropriations 2/7/2020 House: Subcommittee recommends reporting with substitute (7-Y 1-N) 2/7/2020 House: Reported from Appropriations with substitute (21-Y 0-N) 2/10/2020 House: Committee on Labor and Commerce substitute rejected 20106944D-H1 2/11/2020 House: Committee on Appropriations substitute agreed to 20108008D-H2 2/11/2020 House: Read third time and passed House (96-Y 0-N) 2/12/2020 Senate: Referred to Committee on Commerce and Labor 2/17/2020 Senate: Reported from Commerce and Labor (13-Y 1-N) 2/17/2020 Senate: Re-referred to Finance and Appropriations 2/25/2020 Senate: Reported from Finance and Appropriations (14-Y 0-N) 2/27/2020 Senate: Passed Senate (40-Y 0-N) 3/4/2020 House: Enrolled 3/5/2020 House: Signed by Speaker 3/5/2020 Senate: Signed by President</p>	<p>1/28/2020</p>

Support (20102221D)

Summary: Workers' compensation; post-traumatic stress disorder; law-enforcement officers and firefighters. Provides that post-traumatic stress disorder incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers' Compensation Act if a mental health professional examines a law-enforcement officer or firefighter and diagnoses the individual as suffering from post-traumatic stress disorder as a result of the individual's undergoing of a qualifying event, defined as an incident or exposure occurring in the line of duty on or after July 1, 2020, (i) resulting in serious bodily injury or death to any person or persons; (ii) involving a minor who has been injured, killed, abused, or exploited; (iii) involving an immediate threat to life of the claimant or another individual; (iv) involving mass casualties; or (v) responding to crime scenes for investigation. Other conditions for compensability include (a) if the post-traumatic stress disorder resulted from the law-enforcement officer or firefighter acting in the line of duty and, in the case of a firefighter, such firefighter complied with certain federal Occupational Safety and Health Act standards; (b) if the law-enforcement officer's or firefighter's undergoing of a qualifying event was a substantial factor in causing his post-traumatic stress disorder; (c) if such qualifying event, and not another event or source of stress, was the primary cause of the post-traumatic stress disorder; and (d) if the post-traumatic stress disorder did not result from any disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action of the officer or firefighter. The measure also establishes requirements for resilience and self-care technique training. This bill is identical to SB 561.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 534</u> - Carr (69) Disposable plastic bags; local tax.</p>	<p>1/5/2020 House: Referred to Committee on Finance 1/29/2020 House: Referred from Finance by voice vote 1/29/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/5/2020 House: Subcommittee recommends reporting with substitute (6-Y 2-N) 2/5/2020 House: Reported from Agriculture, Chesapeake and Natural Resources with substitute (13-Y 9-N) 2/11/2020 House: Read third time and defeated by House (50-Y 49-N) 2/11/2020 House: Requires 51 affirmative votes for passage 2/11/2020 House: Reconsideration of defeated action agreed to by House 2/11/2020 House: Passed House (52-Y 46-N) 2/12/2020 Senate: Referred to Committee on Finance and Appropriations 2/25/2020 Senate: Reported from Finance and Appropriations with substitute (13-Y 2-N) 2/26/2020 Senate: Passed Senate with substitute (22-Y 18-N) 2/26/2020 House: Senate substitute rejected by House 20108914D-S1 (0-Y 93-N) 2/26/2020 Senate: Senate insisted on amendments (40-Y 0-N) 2/26/2020 Senate: Senate requested conference committee 2/27/2020 House: House acceded to request 2/27/2020 House: Conferees appointed by House: Delegates: Carr, Lopez, Ware 2/27/2020 Senate: Conferees appointed by Senate: Senators: Ebbin, McClellan, Vogel 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (52-Y 47-N 1-A) 3/7/2020 Senate: Conference report agreed to by Senate (22-Y 18-N)</p>	<p>1/28/2020</p>
<p>Support (20101570D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management. Summary: Plastic bag fee. Imposes, beginning July 1, 2021, a statewide fee of five cents per bag on disposable plastic bags provided to consumers of tangible personal property, with certain bags being exempt from the fee. Revenues from the fee are collected by the Tax Commissioner and distributed equally into the Virginia Water Quality Improvement Fund and the Litter Control and Recycling Fund. The bill also allows every retailer that collects the fee to retain one cent of the five-cent fee, provided that such retailer discounts are accounted for in the form of a deduction when submitting the tax return and the amount due is paid in a timely manner.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 566</u> - Guzman (31) Food stamps and TANF; eligibility, drug-related felonies.</p>	<p>1/6/2020 House: Referred to Committee on Health, Welfare and Institutions 1/23/2020 House: Subcommittee recommends reporting with substitute (6-Y 0-N) 1/23/2020 House: Subcommittee recommends referring to Committee on Appropriations 1/28/2020 House: Incorporates HB 786 (Bagby) 1/28/2020 House: Incorporates HB 1130 (Lopez) 1/28/2020 House: Incorporates HB 391 (Scott) 1/28/2020 House: Incorporates HB 814 (Ward) 1/28/2020 House: Reported from Health, Welfare and Institutions with substitute (18-Y 3-N) 1/28/2020 House: Referred to Committee on Appropriations 2/5/2020 House: Subcommittee recommends reporting (5-Y 3-N) 2/5/2020 House: Reported from Appropriations (14-Y 7-N) 2/10/2020 House: Read third time and passed House (55-Y 44-N) 2/11/2020 Senate: Referred to Committee on Rehabilitation and Social Services 2/21/2020 Senate: Reported from Rehabilitation and Social Services (9-Y 4-N) 2/25/2020 Senate: Passed Senate (22-Y 18-N) 3/2/2020 House: Enrolled 3/2/2020 House: Signed by Speaker 3/3/2020 Senate: Signed by President</p>	<p>1/28/2020</p>

Support (20105131D) - Board has historically supported. See also SB 124 (Locke).

Summary: Eligibility for food stamps and TANF; drug-related felonies. 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 in violation of § 18.2-250, 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 meets any other obligations as determined by the Department of Social Services. The bill also provides that a person who is otherwise eligible to receive TANF benefits shall not be denied such assistance solely because he has been convicted of a drug-related felony. This bill incorporates HB 391, HB 786, HB 814, and HB 1130 and is identical to SB 124.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 572</u> - Keam (35) Distributed solar & other renewable energy; sales of electricity under third-party agreements.</p>	<p>1/6/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/15/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/15/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends reporting (8-Y 2-N) 2/4/2020 House: Incorporates HB 912 (Simon) 2/4/2020 House: Reported from Labor and Commerce with substitute (16-Y 6-N) 2/7/2020 House: Read third time and passed House (67-Y 31-N) 2/10/2020 Senate: Referred to Committee on Commerce and Labor 2/24/2020 Senate: Reported from Commerce and Labor with substitute (13-Y 2-N) 2/27/2020 Senate: Passed Senate with substitute (23-Y 17-N) 3/2/2020 House: Senate substitute rejected by House 20109047D-S1 (0-Y 100-N) 3/3/2020 Senate: Senate insisted on substitute (24-Y 15-N) 3/3/2020 Senate: Senate requested conference committee 3/4/2020 House: House acceded to request 3/5/2020 House: Conferees appointed by House: Delegates: Keam, Lopez, Runion 3/5/2020 Senate: Conferees appointed by Senate: Senators: McClellan, Spruill, Vogel 3/7/2020 Conference: Amended by conference committee 3/7/2020 House: Conference report agreed to by House (62-Y 35-N 1-A) 3/8/2020 Senate: Conference report agreed to by Senate (23-Y 15-N)</p>	<p>1/28/2020</p>

Support (20101906D) - Board has historically supported.

Summary: Distributed renewable energy. 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 three 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.

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 590</u> - Guzman (31) Income tax, state; housing choice vouchers, eligible housing areas.	1/6/2020 House: Referred to Committee on Finance 1/15/2020 House: Incorporates HB 1014 (Herring) 1/15/2020 House: Reported from Finance with substitute (14-Y 7-N) 1/21/2020 House: Read third time and passed House (63-Y 36-N) 1/22/2020 Senate: Referred to Committee on Finance and Appropriations 2/18/2020 Senate: Reported from Finance and Appropriations with amendments (13-Y 0-N) 2/20/2020 Senate: Passed Senate with amendments (40-Y 0-N) 2/24/2020 House: Senate amendments agreed to by House (52-Y 44-N) 2/27/2020 House: Enrolled 2/27/2020 House: Signed by Speaker 2/27/2020 Senate: Signed by President 3/6/2020 House: Enrolled Bill communicated to Governor 3/6/2020 Governor: Governor's Action Deadline 11:59 p.m., 4/6/2020	1/28/2020

Support (20105800D-H1)

Summary: Tax credit for participating landlords; eligible housing areas. Expands the definition of "eligible housing area" for the housing choice voucher tax credit to include Virginia census tracts in the Washington-Arlington-Alexandria Metropolitan Statistical Area in which less than 10 percent of the population lives below the poverty level. Landlords who rent qualified housing units within such areas are eligible for an income tax credit. Current law only applies to such areas within the Richmond and Virginia Beach-Norfolk-Newport News Metropolitan Statistical Areas. The bill establishes a 2025 sunset date on the credit. The bill incorporates HB 1014.

<u>HB 598</u> - Murphy (34) Alcoholic beverage control; creates annual mixed beverage performing arts facility license.	1/6/2020 House: Referred to Committee on General Laws (HGL) 1/21/2020 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 1/23/2020 House: Reported from HGL with amendments (20-Y 2-N) 1/29/2020 House: Read third time and passed House (90-Y 6-N) 1/30/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/7/2020 Senate: Reported from SRSS (13-Y 1-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/13/2020 House: Enrolled 2/13/2020 House: Signed by Speaker 2/13/2020 Senate: Signed by President 2/17/2020 House: Enrolled Bill communicated to Governor 2/17/2020 Governor: Governor's Action Deadline 11:59 p.m., 2/24/2020 2/24/2020 Governor: Approved by Governor-Chapter 15 (effective 7/1/20)	2/11/2020
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Support (20104949D-E) - See also SB 212 (Favola).

Summary: Alcoholic beverage control; annual mixed beverage performing arts facility license. Creates an annual mixed beverage performing arts facility license that (i) may be granted to persons operating food concessions at any corporate and performing arts facility located in Fairfax County, provided that the corporate and performing arts facility (a) is occupied under a bona fide long-term lease, management, or concession agreement, the original term of which was more than one year and (b) has a total capacity in excess of 1,400 patrons and (ii) authorizes the licensee to sell, on the dates of performances or events, alcoholic beverages for on-premises consumption. This bill is identical to SB 212.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 600</u> - Hope (47) Family day homes, licensed, etc.; storage of unloaded firearms in a locked container, cabinet, etc.</p>	<p>1/6/2020 House: Referred to Committee on Public Safety 2/4/2020 House: Subcommittee recommends reporting (6-Y 2-N) 2/7/2020 House: Reported from Public Safety (13-Y 9-N) 2/11/2020 House: Read third time and passed House (54-Y 45-N) 2/12/2020 Senate: Referred to Committee on the Judiciary 2/17/2020 Senate: Re-referred to Rehabilitation and Social Services (SRSS) 2/21/2020 Senate: Reported from SRSS with substitute (14-Y 1-N) 2/25/2020 Senate: Passed Senate with substitute (27-Y 12-N) 2/27/2020 House: Senate substitute rejected by House (1-Y 98-N) 3/2/2020 Senate: Senate insisted on substitute (24-Y 16-N) 3/2/2020 Senate: Senate requested conference committee 3/3/2020 House: House acceded to request 3/3/2020 House: Conferees appointed by House: Delegates: Hope, Bourne, Coyner 3/4/2020 Senate: Conferees appointed by Senate: Senators: Hanger, McClellan, Morrissey 3/5/2020 Conference: Amended by conference committee 3/7/2020 Senate: Conference report agreed to by Senate (24-Y 16-N) 3/7/2020 House: Conference report agreed to by House (55-Y 44-N)</p>	<p>[2/28/2020]</p>
<p>[Support] (20108813D-S1) Summary: Family day homes; storage of firearms. Requires that during the hours of operation of a family day home, all firearms be stored unloaded in a locked container, compartment, or cabinet and that ammunition be stored in a separate locked container, compartment, or cabinet.</p>		
<p><u>HB 674</u> - Sullivan, Jr. (48) Firearms; removal from persons posing substantial risk of injury to himself, etc., penalties.</p>	<p>1/6/2020 House: Referred to Committee on Public Safety 1/24/2020 House: Reported from Public Safety (13-Y 9-N) 1/30/2020 House: Read third time and passed House (52-Y 46-N) 1/31/2020 Senate: Referred to Committee on the Judiciary (SJUD) 2/24/2020 Senate: Reported from SJUD with substitute (9-Y 6-N) 2/27/2020 Senate: Passed Senate with substitute (20-Y 20-N) 2/27/2020 Senate: Chair votes Yes 3/2/2020 House: Senate substitute agreed to by House (52-Y 48-N) 3/5/2020 House: Enrolled 3/6/2020 House: Signed by Speaker 3/6/2020 Senate: Signed by President</p>	<p>[2/28/2020] 2/11/2020</p>
<p>[Support] (20108857D-S1) - See also SB 240 (Barker). Support (20104741D) – Support concept of substantial risk orders as set forth in SB 240. Summary: Firearms; removal from persons posing substantial risk; penalties. Creates a procedure by which any attorney for the Commonwealth or law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing,</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>possessing, or transporting a firearm. Upon service of an emergency substantial risk order, the person who is subject to the order shall be given the opportunity to voluntarily relinquish any firearm. An emergency substantial risk order shall expire on the fourteenth day following issuance of the order. The bill requires a court hearing in the circuit court for the jurisdiction where the order was issued within 14 days from issuance of an emergency substantial risk order to determine whether a substantial risk order should be issued. Seized firearms shall be retained by a law-enforcement agency for the duration of an emergency substantial risk order or a substantial risk order or, for a substantial risk order and with court approval, may be transferred to a third party 21 years of age or older chosen by the person from whom they were seized. The bill allows the complainant of the original warrant to file a motion for a hearing to extend the substantial risk order prior to its expiration. The court may extend the substantial risk order for a period not longer than 180 days. The bill provides that persons who are subject to a substantial risk order, until such order has been dissolved by a court, are guilty of a Class 1 misdemeanor for purchasing, possessing, or transporting a firearm; are disqualified from having a concealed handgun permit; and may not be employed by a licensed firearms dealer. The bill also provides that a person who transfers a firearm to a person he knows has been served with a warrant or who is the subject of a substantial risk order is guilty of a Class 4 felony. The bill creates a computerized substantial risk order registry for the entry of orders issued pursuant to provisions in the bill. This bill is identical to SB 240.</p>		
<p><u>HB 696</u> - Roem (13) Local human rights ordinances; sexual orientation and gender identity.</p>	<p>1/6/2020 House: Referred to Committee on Counties, Cities and Towns 1/31/2020 House: Reported from Counties, Cities and Towns (19-Y 2-N) 2/6/2020 House: Read third time and passed House (75-Y 24-N) 2/7/2020 Senate: Referred to Committee on Local Government 2/17/2020 Senate: Reported from Local Government (13-Y 1-N 1-A) 2/19/2020 Senate: Passed Senate (34-Y 5-N) 2/21/2020 House: Enrolled 2/21/2020 House: Signed by Speaker 2/24/2020 Senate: Signed by President 2/26/2020 House: Enrolled Bill communicated to Governor on February 26, 2020 2/26/2020 Governor: Governor's Action Deadline 11:59 p.m., March 4, 2020 3/4/2020 Governor: Approved by Governor-Chapter 131 (effective 7/1/20)</p>	<p>1/28/2020</p>
<p>Support (20104504D) - Board has historically supported. Summary: Provides that localities may prohibit discrimination in housing, employment, public accommodations, credit, and education on the basis of sexual orientation and gender identity.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 714</u> - Reid (32) Virginia Energy Plan; climate change pressing challenge.</p>	<p>1/6/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/15/2020 House: Referred from HAG by voice vote 1/15/2020 House: Referred to Committee on Labor and Commerce 2/4/2020 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/6/2020 House: Reported from Labor and Commerce with substitute (13-Y 9-N) 2/11/2020 House: Read third time and passed House (55-Y 45-N) 2/12/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/18/2020 Senate: Re-referred to Commerce and Labor (SCL) 2/24/2020 Senate: Reported from SCL with substitute (11-Y 2-N) 2/24/2020 Senate: Re-referred to Finance and Appropriations 3/2/2020 Senate: Reported from Finance and Appropriations (11-Y 2-N) 3/5/2020 Senate: Passed Senate with substitute (21-Y 19-N) 3/5/2020 House: Senate substitute rejected by House (0-Y 95-N 1-A) 3/5/2020 Senate: Senate insisted on substitute (23-Y 17-N) 3/5/2020 Senate: Senate requested conference committee 3/5/2020 House: House acceded to request 3/5/2020 House: Conferees appointed by House: Delegates: Reid, Ayala, Campbell, R.R. 3/6/2020 Senate: Conferees appointed by Senate: Senators: Favola, Morrissey, Chafin, Bell 3/7/2020 Conference: Amended by conference committee 3/7/2020 House: Conference report agreed to by House (53-Y 46-N) 3/8/2020 Senate: Conference report agreed to by Senate (21-Y 18-N)</p>	<p>2/11/2020</p>

Support (20104864D)

Summary: Virginia Energy Plan; Commonwealth Energy Policy. Adopts findings that climate change is an urgent and pressing challenge for Virginia, that swift decarbonization and a transition to clean energy are required to meet the urgency of the challenge, and that the Commonwealth will benefit from being a leader in deploying a low-carbon energy economy. The measure states that the Commonwealth recognizes that the following objectives will advance the health, welfare, and safety of Virginians: (i) establishing sufficient supply and delivery infrastructure to enable widespread deployment of distributed energy resources; (ii) maximizing energy efficiency programs in order to produce electricity cost savings and to create jobs and revenue from the energy efficiency service sector; (iii) establishing greenhouse gas emissions reduction goals across Virginia's economy that reach net-zero emissions by 2050; (iv) requiring that pathways to net-zero greenhouse gas emissions be determined; (v) enabling widespread integration of storage technologies into the grid and pairing such storage technologies with renewable generation; (vi) mitigating the negative impacts of climate change and the energy transition on disadvantaged communities and prioritizing investment in these communities; (vii) developing the carbon-free energy resources required to fully decarbonize the electric power supply of the Commonwealth including deployment of 30 percent renewables by 2030 and realizing 100 percent carbon-free electric power by 2040; and (viii) ensuring that decision-making is transparent and includes opportunities for full participation by the public. The measure also states that it is the policy of the Commonwealth to (a) ensure the adequate supply of natural gas necessary to ensure the reliability of the electricity supply and the needs of businesses during the transition to renewable energy; (b) establish greenhouse gas emissions reduction standards across all sectors of Virginia's economy that target net-zero emissions carbon by 2045; (c) enact mandatory clean energy standards and overall strategies for reaching net-zero carbon in the electric power sector by 2040; (d) equitably incorporate requirements for technical, policy, and economic analyses and assessments that recognize the unique attributes of different energy resources and

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Bills	General Assembly Actions	Date of BOS Position
delivery systems to identify pathways to net-zero carbon that maximize Virginia's energy reliability and resilience, economic development, and jobs; and (e) minimize the negative impacts of climate change and the energy transition on economically disadvantaged or minority communities and prioritize investment in these areas. The measure also requires that the Virginia Energy Plan identify actions consistent with the goals of achieving a net-zero carbon economy by 2045 and include an inventory of all greenhouse gas emissions for the four years preceding the issuance of the Plan.		
HB 726 - Reid (32) Comprehensive plan; adoption or disapproval by governing body.	1/6/2020 House: Referred to Committee on Counties, Cities and Towns (HCCT) 1/31/2020 House: Reported from HCCT with amendments (21-Y 0-N) 2/6/2020 House: Read third time and passed House (99-Y 0-N) 2/7/2020 Senate: Referred to Committee on Local Government 2/17/2020 Senate: Reported from Local Government (13-Y 2-N) 2/19/2020 Senate: Passed Senate (38-Y 1-N) 2/21/2020 House: Enrolled 2/21/2020 House: Signed by Speaker 2/24/2020 Senate: Signed by President 2/26/2020 House: Enrolled Bill communicated to Governor 2/26/2020 Governor: Governor's Action Deadline 11:59 p.m., March 4, 2020 3/4/2020 Governor: Approved by Governor-Chapter 132 (effective 7/1/20)	1/28/2020
Support (20104803D) - See also SB 746 (Bell). Summary: Comprehensive plan. Extends the time by which a governing body is required to approve or disapprove a locality-initiated comprehensive plan amendment for more than 25 parcels from 90 to 150 days. This bill is identical to SB 746.		
HB 742 - Bulova (37) Unmanned aircraft; political subdivision may regulate take-off and landing of system, etc.	1/6/2020 House: Referred to Committee on Communications, Technology and Innovation (HTECH) 1/22/2020 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 1/27/2020 House: Incorporates HB 311 (Gooditis) 1/27/2020 House: Incorporates HB 1227 (LaRock) 1/27/2020 House: Reported from HTECH with substitute (22-Y 0-N) 1/31/2020 House: Read third time and passed House (99-Y 0-N) 2/3/2020 Senate: Referred to Committee on Local Government (SLG) 2/17/2020 Senate: Reported from SLG with substitute (15-Y 0-N) 2/19/2020 Senate: Passed Senate with substitute (39-Y 0-N) 2/19/2020 Senate: Reconsideration of Senate passage agreed to by Senate (39-Y 0-N) 2/19/2020 Senate: Passed Senate with substitute (39-Y 0-N) 2/21/2020 House: Senate substitute agreed to by House (96-Y 0-N) 2/26/2020 House: Enrolled 2/27/2020 House: Signed by Speaker 2/27/2020 Senate: Signed by President 3/5/2020 House: Enrolled Bill communicated to Governor on March 5, 2020 3/5/2020 Governor: Governor's Action Deadline 11:59 p.m., April 6, 2020	2/11/2020 1/28/2020

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20106234D-H1) Support (20102308D) — Support concept of providing authority for political subdivisions to adopt restrictions regarding takeoff and landing of unmanned aerial systems on their property. Collaborate with stakeholders to ensure language of bill accomplishes this goal. See also HB 311 (Gooditis).</p> <p>Summary: Local regulation of unmanned aircraft. Authorizes a political subdivision, by ordinance or regulation, to regulate the take-off or landing of certain unmanned aircraft on property owned by the political subdivision in accordance with the rules and regulations adopted by the Department of Aviation. The bill requires the locality to report the ordinance or regulation to the Department and directs the Department to publish a summary on the locality's website. The bill also directs the Department, by January 1, 2021, to develop rules and regulations specific to take-offs and landings in consultation with representatives of the unmanned aircraft system industry, small and medium-sized businesses utilizing unmanned aircraft systems, localities, and other stakeholders. The bill has a delayed effective date of January 1, 2021. This bill incorporates HB 311 and HB 1227.</p>		
<p>HB 778 - Jones (89) Family assessments; increases timeline for completion.</p>	<p>1/7/2020 House: Referred to Committee on Health, Welfare and Institutions 1/16/2020 House: Subcommittee recommends reporting (6-Y 0-N) 1/21/2020 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 1/27/2020 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 1/28/2020 Senate: Referred to Committee on Rehabilitation and Social Services 2/7/2020 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/11/2020 Senate: Reconsideration of Senate passage agreed to by Senate (33-Y 6-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/13/2020 House: Enrolled 2/13/2020 House: Signed by Speaker 2/13/2020 Senate: Signed by President 2/17/2020 House: Enrolled Bill communicated to Governor on February 17, 2020 2/17/2020 Governor: Governor's Action Deadline 11:59 p.m., February 24, 2020 2/24/2020 Governor: Approved by Governor-Chapter 5 (effective 7/1/20)</p>	<p>1/28/2020</p>
<p>Support (20100614D) - See also SB 412 (Marsden). Summary: Family assessments; timeline. Increases from 45 days to 60 days the allowable time for completing a family assessment by a local department of social services and removes the local department's opportunity to request a 15-day extension. This bill is identical to SB 412.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 785</u> - Watts (39) Localities; authority to levy taxes.</p>	<p>1/7/2020 House: Referred to Committee on Finance 2/3/2020 House: Subcommittee recommends reporting with amendment (6-Y 4-N) 2/5/2020 House: Incorporates HB 977 (Krizek) 2/5/2020 House: Reported from Finance with substitute (13-Y 9-N) 2/11/2020 House: Read third time and passed House (60-Y 38-N 1-A) 2/12/2020 Senate: Referred to Committee on Finance and Appropriations 2/19/2020 Senate: Reported from Finance and Appropriations with substitute (15-Y 1-N) 2/21/2020 Senate: Passed Senate with substitute (23-Y 12-N) 2/25/2020 House: Senate substitute rejected by House (0-Y 98-N 1-A) 2/27/2020 Senate: Senate insisted on substitute (37-Y 1-N) 2/27/2020 Senate: Senate requested conference committee 2/28/2020 House: House acceded to request 2/28/2020 House: Conferees appointed by House: Delegates: Watts, Hudson, Kilgore 3/2/2020 Senate: Conferees appointed by Senate: Senators: Hanger, Favola, McClellan 3/7/2020 Conference: Amended by conference committee 3/7/2020 House: Conference report agreed to by House (60-Y 36-N 1-A) 3/7/2020 House: Reconsideration of conference report agreed to by House 3/7/2020 House: House requested second conference committee 3/7/2020 Senate: Senate acceded to request for second conference committee (26-Y 13-N) 3/7/2020 Senate: Second conferees appointed by Senate: Senators: Hanger, Favola, McClellan 3/7/2020 House: Second conferees appointed by House: Delegates: Watts, Hudson, Kilgore 3/8/2020 House: Conference report agreed to by House (56-Y 38-N 1-A) 3/8/2020 Senate: Conference report agreed to by Senate (26-Y 13-N)</p>	<p>1/28/2020</p>
<p>Support (20104813D) - Support with amendments to eliminate restrictions on local revenue authority. Board has historically supported equal taxing authority for counties and cities. Summary: Local taxing authority. Equalizes city taxing authority and county taxing authority by granting a county the same authority to impose taxes on cigarettes, admissions, transient room rentals, meals, and travel campgrounds without limitation on the rate that may be imposed.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 812</u> - Ward (92) Handguns; limitation on purchases, penalty.</p>	<p>1/7/2020 House: Referred to Committee on Public Safety 1/24/2020 House: Incorporates HB 1502 (Ward) 1/24/2020 House: Reported from Public Safety with substitute (13-Y 9-N) 1/30/2020 House: Read third time and passed House (53-Y 47-N) 1/31/2020 Senate: Referred to Committee on the Judiciary 2/24/2020 Senate: Reported from Judiciary with substitute (9-Y 6-N) 2/27/2020 Senate: Passed Senate with substitute (22-Y 18-N) 2/27/2020 Senate: Reconsideration of Senate passage agreed to by Senate (40-Y 0-N) 2/27/2020 Senate: Passed Senate with substitute (21-Y 19-N) 3/2/2020 House: Senate substitute rejected by House (0-Y 97-N) 3/3/2020 Senate: Senate insisted on substitute (23-Y 17-N) 3/3/2020 Senate: Senate requested conference committee 3/4/2020 House: House acceded to request 3/4/2020 House: Conferees appointed by House: Delegates: Ward, Hope, Wright 3/5/2020 Senate: Conferees appointed by Senate: Senators: Locke, Deeds, Stuart 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (51-Y 48-N) 3/7/2020 Senate: Conference report agreed to by Senate (21-Y 19-N)</p>	<p>1/28/2020</p>

Support (20103354D) - See also SB 69 (Locke).

Summary: Purchase of handguns; limitation on handgun purchases; penalty. Prohibits any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period and makes such an offense a Class 1 misdemeanor. The bill exempts from this provision (i) persons who have been issued a certificate by the Department of State Police under certain circumstances and with an enhanced background check, (ii) law-enforcement agencies and officers, (iii) state and local correctional facilities, (iv) licensed private security companies, (v) persons whose handgun has been stolen or irretrievably lost or who are trading in a handgun, and (vi) purchases of antique firearms. This bill incorporates HB 1502.

Bills	General Assembly Actions	Date of BOS Position
<p>HB 833 - Foy (2) Virginia Public Procurement Act; public works contracts, prevailing wage rate, penalty.</p>	<p>1/7/2020 House: Referred to Committee on General Laws 1/28/2020 House: Referred from General Laws by voice vote 1/28/2020 House: Referred to Committee on Labor and Commerce 2/6/2020 House: Incorporates HB 114 (Kory) 2/6/2020 House: Reported from Labor and Commerce with substitute (13-Y 9-N) 2/6/2020 House: Referred to Committee on Appropriations 2/7/2020 House: Subcommittee recommends reporting (5-Y 3-N) 2/7/2020 House: Reported from Appropriations (13-Y 9-N) 2/11/2020 House: Read third time and passed House (55-Y 44-N) 2/12/2020 Senate: Referred to Committee on Commerce and Labor 2/17/2020 Senate: Reported from Commerce and Labor with amendment (12-Y 3-N) 2/25/2020 Senate: Passed Senate with amendment (21-Y 19-N) 2/27/2020 House: Senate amendment agreed to by House (53-Y 46-N 1-A) 3/4/2020 House: Enrolled 3/5/2020 House: Signed by Speaker 3/5/2020 Senate: Signed by President</p>	<p>[2/28/2020]</p>
<p>[Support] (20107486D-H1) Summary: Prevailing wage; public works contracts; penalty. Requires contractors and subcontractors under any public contract with a state agency, or with a locality that has adopted an ordinance requiring the payment of prevailing wages, for public works to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract for public works at the prevailing wage rate. The provisions of the bill would not apply to any contract for public works of \$250,000 or less. The Commissioner of Labor and Industry is required to determine the prevailing wage rate for such public contracts on the basis of applicable prevailing wage rate determinations made by the U.S. Secretary of Labor under the provisions of the federal Davis-Bacon Act. A contractor or subcontractor who willfully employs any mechanic, laborer, or worker to perform work contracted to be done under the public contract at a rate that is less than the prevailing wage rate is guilty of a Class 1 misdemeanor. In addition, such a contractor or subcontractor shall be liable to such individuals for the payment of all wages due plus interest and shall be disqualified from bidding on public contracts with any public body until full restitution has been paid to the individuals. This bill is identical to SB 8.</p>		
<p>HB 854 - Murphy (34) Affordable housing; VHDA, et al., to study ways to develop.</p>	<p>1/7/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends reporting (5-Y 0-N) 2/7/2020 House: Reported from Rules with substitute (17-Y 0-N) 2/11/2020 House: Read third time and passed House (99-Y 0-N) 2/12/2020 Senate: Referred to Committee on Rules 2/21/2020 Senate: Reported from Rules (15-Y 0-N) 2/25/2020 Senate: Passed Senate (40-Y 0-N) 3/2/2020 House: Enrolled 3/2/2020 House: Signed by Speaker 3/3/2020 Senate: Signed by President</p>	<p>2/25/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20107775D-H1) - Local representation on the work group would be helpful.</p> <p>Summary: Study; Department of Housing and Community Development and Virginia Housing and Development Authority; ways to incentivize the development of affordable housing in the Commonwealth of Virginia; report. Requests the Department of Housing and Community Development and the Virginia Housing and Development Authority to convene a stakeholder advisory group to (i) determine the quantity and quality of affordable housing across the Commonwealth, (ii) conduct a review of current programs and policies to determine the effectiveness of current housing policy efforts, (iii) develop an informed projection of future housing needs in the Commonwealth and determine the order of priority of those needs, and (iv) make recommendations for the improvement of housing policy in the Commonwealth.</p>		
<p><u>HB 972</u> - Herring (46) Marijuana; definitions, possession and consumption, civil penalties, report.</p>	<p>1/7/2020 House: Referred to Committee for Courts of Justice (HCT) 2/5/2020 House: Incorporates HB 265 (Heretick) 2/5/2020 House: Incorporates HB 481 (Kory) 2/5/2020 House: Incorporates HB 301 (Levine) 2/5/2020 House: Reported from HCT with substitute (13-Y 8-N) 2/10/2020 House: Read third time and passed House (64-Y 34-N) 2/11/2020 Senate: Referred to Committee on the Judiciary 2/19/2020 Senate: Reported from Judiciary with substitute (10-Y 4-N) 2/19/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/25/2020 Senate: Reported from SFIN with substitute (14-Y 2-N) 2/26/2020 Senate: Committee on Judiciary substitute rejected 2/26/2020 Senate: SFIN substitute agreed to 2/26/2020 Senate: Passed Senate with substitute (27-Y 13-N) 2/26/2020 House: Senate substitute rejected by House (0-Y 93-N) 2/26/2020 Senate: Senate requested conference committee 2/26/2020 Senate: Senate insisted on amendments (40-Y 0-N) 2/27/2020 House: House acceded to request 2/27/2020 House: Conferees appointed by House: Delegates: Herring, Heretick, Collins 2/27/2020 Senate: Conferees appointed by Senate: Senators: Ebbin, Morrissey, Stanley 3/5/2020 Conference: Amended by conference committee 3/7/2020 House: Conference report agreed to by House (57-Y 39-N) 3/7/2020 House: House requested second conference committee 3/7/2020 Senate: Conference report rejected by Senate (2-Y 38-N) 3/7/2020 Senate: Senate requested second conference committee (27-Y 13-N) 3/7/2020 Senate: Senate acceded to request for second conference committee (27-Y 12-N) 3/7/2020 Senate: Second conferees appointed by Senate: Senators: Ebbin, Morrissey, Stanley 3/7/2020 House: Second conferees appointed by House: Delegates: Herring, Heretick, Collins 3/8/2020 Senate: Conference report agreed to by Senate (27-Y 12-N) 3/8/2020 House: Conference report agreed to by House (56-Y 36-N)</p>	<p>2/25/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20108635D-S1)</p> <p>Summary: Possession and consumption of marijuana; penalty. Decriminalizes simple marijuana possession and provides a civil penalty of no more than \$25. Current law imposes a maximum fine of \$500 and a maximum 30-day jail sentence for a first offense, and subsequent offenses are a Class 1 misdemeanor. The bill provides that any violation of simple possession of marijuana may be charged by a summons in form the same as the uniform summons for motor vehicle law violations and that no court costs shall be assessed for such violations. The bill also provides that a person's criminal history record information shall not include records of any charges or judgments for such violations and records of such charges or judgments shall not be reported to the Central Criminal Records Exchange. Also, the bill states that the procedure for appeal and trial of any violation of simple possession of marijuana shall be the same as provided by law for misdemeanors. The bill also provides that if requested by either party on appeal to the circuit court, trial by jury shall be provided and the Commonwealth shall be required to prove its case beyond a reasonable doubt. Additionally, the bill provides that the suspended sentence/substance abuse screening provisions and driver's license suspension provisions apply only to criminal violations or to civil violations by a juvenile. The bill defines "marijuana" to include hashish oil and creates a rebuttable presumption that a person who possesses no more than one ounce of marijuana possesses it for personal use. The bill also (i) makes records relating to the arrest, criminal charge, or conviction of possession of marijuana not open to public inspection and disclosure, except in certain circumstances; (ii) prohibits employers and educational institutions from requiring an applicant for employment or admission to disclose information related to such arrest, criminal charge, or conviction; and (iii) prohibits agencies, officials, and employees of the state and local governments from requiring an applicant for a license, permit, registration, or governmental service to disclose information concerning such arrest, criminal charge, or conviction. Also, the bill allows a person charged with a civil offense and is acquitted, a nolle prosequi is taken, or the charge is otherwise dismissed to file a petition requesting expungement of the police records and court records related to the charge. Finally, the bill requires the Secretaries of Agriculture and Forestry, Finance, Health and Human Resources, and Public Safety and Homeland Security to convene a work group to study the impact on the Commonwealth of legalizing the sale and personal use of marijuana and report the recommendations of the work group to the General Assembly and the Governor by November 1, 2020. This bill incorporates HB 265, HB 301, and HB 481 and is identical to SB 2.</p>		
<p><u>HB 1004</u> - Mullin (93) Protective orders; possession of firearms, surrender or transfer of firearms, penalty.</p>	<p>1/7/2020 House: Referred to Committee on Public Safety (HPS) 1/24/2020 House: Incorporates HB 856 (Murphy) 1/24/2020 House: Reported from HPS with substitute (20-Y 2-N) 1/30/2020 House: Read third time and passed House (58-Y 42-N) 1/31/2020 Senate: Referred to Committee on the Judiciary (SJUD) 2/24/2020 Senate: Reported from SJUD with substitute (9-Y 6-N) 2/26/2020 Senate: Passed Senate with substitute (22-Y 18-N) 2/28/2020 House: Senate substitute agreed to by House (56-Y 42-N) 3/5/2020 House: Enrolled 3/6/2020 House: Signed by Speaker 3/6/2020 Senate: Signed by President</p>	<p>2/11/2020</p>
<p>Support (20106626D-H1) - Board has historically supported. See also SB 479 (Howell).</p> <p>Summary: Protective orders; possession of firearms; surrender or transfer of firearms; penalty. Prohibits any person subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) from knowingly possessing a firearm while the order is in effect, provided that for a period of 24 hours after being served with a protective order such person may continue to possess such firearm for the purposes of selling or transferring it to any person who is not otherwise prohibited by law from possessing such firearm. A violation of this provision is a Class 6 felony. The bill also provides that a court shall order a person subject to a permanent protective order to (i) within 24 hours, surrender any firearm possessed by such person to a designated local law-enforcement agency or sell or transfer any firearm possessed by such person to a dealer or to any person who is not otherwise prohibited</p>		

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<p>by law from possessing such firearm and (ii) certify in writing that such person does not possess any firearms or that all firearms possessed by such person have been surrendered, sold, or transferred 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 any person who willfully fails to certify in writing in accordance with this section that all firearms possessed by such person have been surrendered, 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 makes it a Class 4 felony for any person to sell, barter, give, or furnish any firearm to any person he knows is prohibited from possessing or transporting a firearm who is subject to a permanent protective order. This bill incorporates HB 856 and is identical to SB 479.</p>		
<p><u>HB 1006</u> - Herring (46) Human trafficking; assessments by local departments.</p>	<p>1/7/2020 House: Referred to Committee on Health, Welfare and Institutions 1/23/2020 House: Subcommittee recommends reporting (6-Y 0-N) 1/28/2020 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/3/2020 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/4/2020 Senate: Referred to Committee on Rehabilitation and Social Services 2/7/2020 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/11/2020 Senate: Reconsideration of Senate passage agreed to by Senate (33-Y 6-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/13/2020 House: Enrolled 2/13/2020 House: Signed by Speaker 2/13/2020 Senate: Signed by President 2/17/2020 House: Enrolled Bill communicated to Governor on February 17, 2020 2/17/2020 Governor: Governor's Action Deadline 11:59 p.m., February 24, 2020 2/24/2020 Governor: Approved by Governor-Chapter 6 (effective 7/1/20)</p>	<p>2/11/2020</p>
<p>Support (20105035D) - See also SB 706 (Obenshain). Summary: Human trafficking assessments by local departments. Changes the name of sex trafficking assessments to human trafficking assessments and allows local departments of social services conducting such human trafficking assessments to interview the alleged child victim or his siblings without the consent and outside the presence of such child's or siblings' parent, guardian, legal custodian, or other person standing in loco parentis, or school personnel. This bill is a recommendation of the Virginia State Crime Commission. This bill is identical to SB 706.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1078</u> - Hope (47) Virginia Public Procurement Act; process for competitive negotiation, etc.	1/7/2020 House: Referred to Committee on General Laws 1/28/2020 House: Subcommittee recommends reporting with amendment (5-Y 3-N) 1/30/2020 House: Reported from General Laws with amendment (13-Y 8-N) 2/5/2020 House: Read third time and passed House (55-Y 43-N) 2/6/2020 Senate: Referred to Committee on General Laws and Technology 2/27/2020 Senate: Reported from General Laws and Technology with amendment (12-Y 1-N) 3/3/2020 Senate: Passed Senate with amendment (38-Y 1-N) 3/4/2020 House: Senate amendments agreed to by House (53-Y 43-N) 3/7/2020 House: Enrolled	1/28/2020

Support (20104594D)

Summary: Virginia Public Procurement Act; process for competitive negotiation; including employment of persons with a disability as a factor in evaluating proposals. Provides that, except with regard to contracts for architectural or professional engineering services, a public body may include a proposer's employment of persons with disabilities to perform the specifications of the contract as a factor in evaluating a proposal.

<u>HB 1083</u> - Hayes, Jr. (77) Minors; allowing access to firearms, Class 1 misdemeanor.	1/7/2020 House: Referred to Committee on Public Safety 1/24/2020 House: Incorporates HB 463 (Hayes) 1/24/2020 House: Incorporates HB 72 (Kory) 1/24/2020 House: Reported from Public Safety with substitute (13-Y 9-N) 1/30/2020 House: Read third time and passed House (54-Y 46-N) 1/31/2020 Senate: Referred to Committee on the Judiciary 2/24/2020 Senate: Reported from Judiciary with substitute (9-Y 6-N) 2/26/2020 Senate: Passed Senate with substitute (22-Y 18-N) 2/28/2020 House: Senate substitute agreed to by House 20108859D-S1 (55-Y 43-N) 3/5/2020 House: Enrolled 3/6/2020 House: Signed by Speaker 3/6/2020 Senate: Signed by President	1/28/2020
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Support (20102956D) - See also SB 581 (Howell).

Summary: Allowing access to firearms by minors; penalty. Provides that any person who recklessly leaves a loaded, unsecured firearm in such a manner as to endanger the life or limb of any person under the age of 14 is guilty of a Class 1 misdemeanor. Current law provides that any person who recklessly leaves a loaded, unsecured firearm in such a manner as to endanger the life or limb of any child under the age of 14 is guilty of a Class 3 misdemeanor. This bill incorporates HB 72 and HB 463.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1184</u> - Lopez (49) Distributed solar & other renewable energy; sales of electricity under third-party agreements.</p>	<p>1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/22/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/22/2020 House: Referred to Committee on Labor and Commerce 2/4/2020 House: Subcommittee recommends reporting (6-Y 3-N) 2/6/2020 House: Reported from Labor and Commerce (13-Y 9-N) 2/11/2020 House: Read third time and passed House (56-Y 44-N) 2/12/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/18/2020 Senate: Re-referred to Commerce and Labor 2/24/2020 Senate: Reported from Commerce and Labor with substitute (11-Y 2-N) 2/27/2020 Senate: Passed Senate with substitute (24-Y 16-N) 3/2/2020 House: Senate substitute rejected by House 20109062D-S1 (0-Y 98-N) 3/3/2020 Senate: Senate insisted on substitute (23-Y 17-N) 3/3/2020 Senate: Senate requested conference committee 3/4/2020 House: House acceded to request 3/5/2020 House: Conferees appointed by House: Delegates: Lopez, Keam, Runion 3/5/2020 Senate: Conferees appointed by Senate: Senators: McClellan, Spruill, Vogel 3/7/2020 Conference: Amended by conference committee 3/8/2020 House: Conference report agreed to by House (53-Y 41-N) 3/8/2020 Senate: Conference report agreed to by Senate (25-Y 14-N)</p>	<p>1/28/2020</p>

Support (20104922D) - Board has historically supported.

Summary: Distributed energy generation. Promotes the establishment of distributed solar and other renewable energy. The measure (i) increases the cap on the total amount of renewable energy that can be net metered in a utility's service territory from one percent to 10 percent, (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 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 multifamily residential building or the common areas of a condominium to install a solar 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 three 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 solar energy and states that the distributed generation of solar electricity is in the public interest, and the State Corporation Commission shall so find if required to make a finding regarding whether such construction or purchase is in the public interest.

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1196</u> - Lopez (49) Driver's license; suspension for nonpayment of fines or costs.	1/7/2020 House: Referred to Committee on Transportation 1/21/2020 House: Referred from Transportation by voice vote 1/21/2020 House: Referred to Committee for Courts of Justice 1/29/2020 House: Subcommittee recommends reporting with substitute (7-Y 1-N) 1/31/2020 House: Incorporates HB 17 (Carroll Foy) 1/31/2020 House: Reported from Courts of Justice with substitute (14-Y 3-N) 2/7/2020 House: Read third time and passed House (72-Y 27-N) 2/10/2020 Senate: Referred to Committee on Transportation 2/20/2020 Senate: Reported from Transportation with amendments (13-Y 2-N) 2/20/2020 Senate: Re-referred to Finance and Appropriations 2/25/2020 Senate: Reported from Finance and Appropriations with amendments (12-Y 2-N) 2/26/2020 Senate: Passed Senate with amendments (37-Y 3-N) 2/26/2020 House: Senate amendments rejected by House (1-Y 92-N) 2/26/2020 Senate: Senate insisted on amendments (40-Y 0-N) 2/26/2020 Senate: Senate requested conference committee 2/27/2020 House: House acceded to request 2/27/2020 House: Conferees appointed by House: Delegates: Lopez, Mullin, Kilgore 2/27/2020 Senate: Conferees appointed by Senate: Senators: Stanley, Ebbin, Morrissey 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (68-Y 30-N) 3/7/2020 Senate: Conference report agreed to by Senate (36-Y 2-N) 3/7/2020 Senate: Reconsideration of conference report agreed to by Senate (40-Y 0-N) 3/7/2020 Senate: Conference report agreed to by Senate (36-Y 4-N)	1/28/2020

Support (20103348D) - Board has historically supported concept of alternatives to driver's license suspension to address non-payment of court fines and costs.

Summary: Suspension of driver's license for nonpayment of fines or costs. Removes the requirement that a court suspend 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. The bill provides that the fine for any moving violation while operating a motor vehicle in a designated highway safety corridor shall be no more than \$500 for any violation that is a traffic infraction and not less than \$200 for any violation that is a criminal offense. The bill repeals the Nonresident Violator Compact of 1977. The bill also provides that the Commissioner of the Department of Motor Vehicles shall reinstate a person's privilege to drive a motor vehicle that was suspended prior to July 1, 2019, solely pursuant to § 46.2-395 of the Code of Virginia and shall waive all fees relating to reinstating such person's driving privileges. Nothing in this act shall require the Commissioner to reinstate a person's driving privileges if such privileges have been otherwise lawfully suspended or revoked or if such person is otherwise ineligible for a driver's license. This bill incorporates HB 17.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1201</u> - Tran (42) Virginia Public Procurement Act; determination of nonresponsibility, local option.</p>	<p>1/7/2020 House: Referred to Committee on General Laws (HGL) 2/4/2020 House: Subcommittee recommends reporting with substitute (4-Y 3-N) 2/6/2020 House: Reported from HGL with substitute (15-Y 6-N) 2/11/2020 House: Read third time and passed House (56-Y 43-N) 2/12/2020 Senate: Referred to Committee on General Laws and Technology (SGL) 2/19/2020 Senate: Reported from SGL with substitute (12-Y 0-N 1-A) 2/24/2020 Senate: Passed Senate with substitute (38-Y 2-N) 2/26/2020 House: Senate substitute rejected by House (0-Y 97-N) 2/28/2020 Senate: Senate insisted on substitute (38-Y 0-N) 2/28/2020 Senate: Senate requested conference committee 3/2/2020 House: House acceded to request 3/3/2020 Senate: Conferees appointed by Senate: Senators: Ebbin, Bell, Reeves 3/5/2020 House: Conferees appointed by House: Delegates: Tran, Murphy, Miyares 3/7/2020 Conference: Amended by conference committee 3/7/2020 House: Conference report agreed to by House (55-Y 42-N) 3/8/2020 Senate: Conference report agreed to by Senate (39-Y 0-N)</p>	<p>1/28/2020</p>
<p>Support (20105099D) Summary: Virginia Public Procurement Act; determination of nonresponsibility; local option to include criteria in Invitation to Bid. Allows any locality to include in the Invitation to Bid criteria that may be used in determining whether a bidder who is not prequalified by the Virginia Department of Transportation is a responsible bidder. Such criteria may include a history or good faith assurances of (i) completion by the bidder and any potential subcontractors of specified safety training programs established the U.S. Department of Labor, Occupational Safety and Health Administration; (ii) participation by the bidder and any potential subcontractors in apprenticeship training programs approved by state agencies or the U.S. Department of Labor; or (iii) maintenance by the bidder and any potential subcontractors of records of compliance with applicable local, state, and federal laws. This bill is identical to SB 380.</p>		
<p><u>HB 1210</u> - Tran (42) Minority language accessibility; voting and election materials.</p>	<p>1/7/2020 House: Referred to Committee on Privileges and Elections 1/29/2020 House: Subcommittee recommends reporting with amendments (4-Y 2-N) 1/31/2020 House: Reported from Privileges and Elections with amendments (15-Y 6-N) 2/6/2020 House: Read third time and passed House (64-Y 34-N) 2/7/2020 Senate: Referred to Committee on Privileges and Elections 2/25/2020 Senate: Reported from Privileges and Elections with amendments (12-Y 3-N) 2/28/2020 Senate: Passed Senate with amendments (23-Y 13-N) 3/2/2020 House: Senate amendments agreed to by House (60-Y 38-N) 3/5/2020 House: Enrolled 3/6/2020 House: Signed by Speaker 3/6/2020 Senate: Signed by President</p>	<p>[2/28/2020] 2/11/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>[Support] (20103702D-E) - Bill has been amended to incorporate some of the County's requested amendments. Support with Amendment (20103702D) — Support with amendments to clarify that a covered locality/language is based on designation by federal law, clarify the materials and format required, and require that the Department of Elections upgrade VERIS to include functionality to facilitate implementation.</p> <p>Summary: Requires the State Board of Elections to prescribe, and a covered locality to provide, voting and election materials in languages other than English. A county, city, or town is designated by the State Board as a covered locality if the State Board determines, in consultation with the Director of the Census, based on the 2010 American Community Survey census data and subsequent American Community Survey data in five-year increments, or comparable census data, that (i) either (a) more than five percent of the citizens of voting age of such county, city, or town are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process; (b) more than 10,000 of the citizens of voting age of such county, city, or town are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process; or (c) in the case of a county, city, or town containing all or any part of an Indian reservation, more than five percent of the American Indian citizens of voting age within the Indian reservation are members of a single language minority and are unable to speak or understand English adequately enough to participate in the electoral process and (ii) the illiteracy rate of the citizens of the language minority as a group is higher than the national illiteracy rate. The bill also allows the State Board to make available voting and election materials in any additional languages other than those required as it deems necessary and appropriate. The State Board may accept voting and election materials translated by volunteers but shall verify the accuracy of such translations prior to making the translated materials available to a county, city, or town, or any voter. The bill has a delayed effective date of September 1, 2021.</p>		
<p><u>HB 1211</u> - Tran (42) Driver privilege cards; definitions, effective date, report.</p>	<p>1/7/2020 House: Referred to Committee on Transportation (HTRAN) 1/28/2020 House: Subcommittee recommends reporting with substitute (5-Y 4-N) and referring to Committee on Appropriations (HAPP) 1/30/2020 House: Reported from HTRAN with substitute (13-Y 9-N) 1/30/2020 House: Referred to HAPP 2/7/2020 House: Subcommittee recommends reporting with amendment (5-Y 3-N) 2/7/2020 House: Reported from HAPP with amendment (12-Y 8-N) 2/11/2020 House: Read third time and passed House (57-Y 42-N) 2/12/2020 Senate: Referred to Committee on Transportation (STRAN) 2/20/2020 Senate: Reported from STRAN with substitute (8-Y 7-N) 2/20/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/25/2020 Senate: Reported from SFIN (12-Y 4-N) 2/26/2020 Senate: Passed Senate with substitute (23-Y 17-N) 2/26/2020 Senate: Reconsideration of Senate passage agreed to by Senate (39-Y 0-N) 2/26/2020 Senate: Passed Senate with substitute (22-Y 18-N) 2/26/2020 House: Senate substitute rejected by House (3-Y 91-N) 2/26/2020 Senate: Senate insisted on substitute (40-Y 0-N) 2/26/2020 Senate: Senate requested conference committee 2/27/2020 House: House acceded to request 2/27/2020 House: Conferees appointed by House: Delegates: Tran, Guzman, Davis 2/27/2020 Senate: Conferees appointed by Senate: Senators: Surovell, Boysko, Hanger 3/7/2020 Conference: Amended by conference committee 3/7/2020 Senate: Conference report agreed to by Senate (22-Y 18-N) 3/7/2020 House: Conference report agreed to by House (56-Y 40-N)</p>	<p>1/28/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
	3/7/2020 House: Reconsideration of conference report agreed to by House 3/7/2020 House: Conference report agreed to by House (57-Y 40-N)	
<p>Support (20103891D)</p> <p>Summary: Department of Motor Vehicles; driver documents and reexamination fees. Removes the citizenship and legal presence requirements for obtaining a driver's license or special identification card. The bill requires the Department of Motor Vehicles to cancel any (i) REAL ID-compliant driver's license or special identification card and (ii) commercial driver's license or commercial learner's permit if the Department is notified by a federal agency that the individual to whom such document was issued is not in compliance with the citizenship and lawful residency requirements for such license, card, or permit. The bill prohibits the release, with some exceptions, of proof documents and information about them, applications relating to the issuance of a driving credential or a special identification card, and photographs of the applicant. The bill creates a \$5 reexamination fee for the administration of a knowledge or skills test for obtaining a driver's license, learner's permit, motorcycle license, or commercial driver's license. The bill has a delayed effective date of January 1, 2021, and contains technical amendments.</p>		
<p><u>HB 1217</u> - Tran (42) Transportation, Department of; at-risk infrastructure, report.</p>	1/7/2020 House: Referred to Committee on Transportation (HTRAN) 1/23/2020 House: Subcommittee recommends reporting with amendments (7-Y 4-N) 1/28/2020 House: Reported from HTRAN with amendments (15-Y 7-N) 2/4/2020 House: Read third time and passed House (60-Y 38-N) 2/5/2020 Senate: Referred to Committee on Transportation (STRAN) 2/27/2020 Senate: Reported from STRAN with amendment (12-Y 2-N) 3/3/2020 Senate: Passed Senate with amendment (39-Y 1-N) 3/4/2020 House: Senate amendment agreed to by House (60-Y 36-N) 3/7/2020 House: Enrolled	<p>1/28/2020</p>
<p>Support (20104450D)</p> <p>Summary: Department of Transportation; at-risk infrastructure; report. Directs the Department of Transportation, in collaboration with the Commonwealth Center for Recurrent Flooding Resiliency, to (i) identify roads and bridges under the jurisdiction of the Department at risk of deterioration due to flooding in Northern Virginia; (ii) develop recommendations for managing such assets; and (iii) report its findings and recommendations to the Chairs of the House and Senate Committees on Transportation by the start of the 2022 General Assembly Session.</p>		
<p><u>HB 1222</u> - Tran (42) Notaries; satisfactory evidence of identity, persons in nursing homes or assisted living facilities.</p>	1/7/2020 House: Referred to Committee for Courts of Justice 1/24/2020 House: Subcommittee recommends reporting (8-Y 0-N) 1/27/2020 House: Reported from Courts of Justice (20-Y 0-N) 1/31/2020 House: Read third time and passed House (99-Y 0-N) 2/3/2020 Senate: Referred to Committee on the Judiciary 2/19/2020 Senate: Reported from Judiciary (13-Y 0-N) 2/24/2020 Senate: Passed Senate (40-Y 0-N) 2/28/2020 House: Enrolled 2/28/2020 House: Signed by Speaker 3/2/2020 Senate: Signed by President	<p>2/25/2020</p>
<p>Support (20104149D)</p> <p>Summary: Notaries; satisfactory evidence of identity; persons in nursing homes or assisted living facilities. Allows expired state issued driver's licenses or state issued identification cards and expired passports to be used as a means of identification for notarial purposes for individuals residing in nursing homes or assisted living facilities, provided such expired documents expired within five years of the date of use for such identification purposes.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1442</u> - Jones (89) Photo speed monitoring devices; civil penalty.	1/8/2020 House: Referred to Committee on Transportation 1/27/2020 House: Subcommittee recommends reporting with substitute (5-Y 2-N) 1/30/2020 House: Incorporates HB 1721 (Hurst) 1/30/2020 House: Incorporates HB 621 (Willett) 1/30/2020 House: Reported from Transportation with substitute (13-Y 8-N) 2/5/2020 House: Read third time and passed House (53-Y 44-N) 2/6/2020 Senate: Referred to Committee on Transportation 2/20/2020 Senate: Reported from Transportation with substitute (8-Y 7-N) 2/20/2020 Senate: Re-referred to Finance and Appropriations 2/25/2020 Senate: Reported from Finance and Appropriations with amendments (10-Y 6-N) 2/26/2020 Senate: Passed Senate with substitute with amendments (23-Y 17-N) 2/26/2020 House: Senate substitute with amendments agreed to by House 20108777D-S1 (49-Y 43-N) 3/3/2020 House: Enrolled 3/3/2020 House: Signed by Speaker 3/4/2020 Senate: Signed by President	[2/28/2020]

[Support] (20108777D-S1)

Summary: Authorizes state and local law-enforcement agencies to operate photo speed monitoring devices, defined in the bill, in or around school crossing zones and highway work zones for the purpose of recording images of vehicles that are traveling at speeds of at least 10 miles per hour above the posted school crossing zone or highway work zone speed limit within such school crossing zone or highway work zone when such zone is indicated by conspicuously placed signs displaying the maximum speed limit and that such photo speed monitoring devices are used in the area. The bill provides that the operator of a vehicle shall be liable for a monetary civil penalty, not to exceed \$100, if such vehicle is found to be traveling at speeds of at least 10 miles per hour above the posted highway work zone or school crossing zone speed limit by the photo speed monitoring device. The bill provides that if the summons for a violation is issued by mail, the violation shall not be reported on the driver's operating record or to the driver's insurance agency, but if the violation is personally issued by an officer at the time of the violation, such violation shall be part of the driver's record and used for insurance purposes. The bill provides that the civil penalty will be paid to the locality in which the violation occurred if the summons is issued by a local law-enforcement officer and paid to the Literary Fund if the summons is issued by a law-enforcement officer employed by the Department of State Police. This bill incorporates HB 621 and HB 1721.

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1453</u> - Hope (47) Acute psychiatric bed registry; DBHDS shall establish work group to evaluate, etc.	1/8/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/3/2020 House: Subcommittee recommends reporting with substitute (6-Y 0-N) 2/3/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/4/2020 House: Reported from HHWI with substitute (22-Y 0-N) 2/4/2020 House: Referred to Committee on Appropriations 2/5/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/5/2020 House: Reported from Appropriations (21-Y 0-N) 2/10/2020 House: Read third time and passed House (99-Y 0-N) 2/11/2020 Senate: Referred to Committee on Education and Health 2/20/2020 Senate: Reported from Education and Health (13-Y 0-N) 2/24/2020 Senate: Passed Senate (40-Y 0-N) 2/28/2020 House: Enrolled 2/28/2020 House: Signed by Speaker 3/2/2020 Senate: Signed by President	2/25/2020

Support (20107321D-H1) - See also SB 739 (Deeds).

Summary: Acute psychiatric bed registry; information required to be reported. Directs the Department of Behavioral Health and Developmental Services to establish a work group to evaluate the role of, and make recommendations related to improving the structure and effectiveness of, the psychiatric bed registry in collecting and disseminating information about the availability of acute psychiatric beds in the Commonwealth. The work group shall report its findings, conclusions, and recommendations to the Governor and the Chairmen of the Senate Committee on Education and Health, the House Committee on Health, Welfare and Institutions, and the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the Twenty-First Century by November 1, 2020. This bill is identical to SB 739.

<u>HB 1518</u> - McQuinn (70) Primary and secondary highways; compensation of counties for certain construction.	1/8/2020 House: Referred to Committee on Transportation 1/30/2020 House: Subcommittee recommends reporting (10-Y 0-N) 2/4/2020 House: Reported from Transportation (22-Y 0-N) 2/7/2020 House: Read third time and passed House (100-Y 0-N) 2/10/2020 Senate: Referred to Committee on Transportation 2/27/2020 Senate: Reported from Transportation (15-Y 0-N) 3/3/2020 Senate: Passed Senate (40-Y 0-N) 3/6/2020 House: Enrolled 3/6/2020 House: Signed by Speaker 3/6/2020 Senate: Signed by President	1/28/2020
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Support (20103783D)

Summary: Compensation of counties for certain construction and improvement of primary and secondary highways. Allows the Department of Transportation to pay a locality up-front for eligible expenses related to certain transportation projects administered by the locality, instead of being reimbursed after completion of the project. The bill also removes language related to an obsolete funding formula.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1526</u> - Sullivan, Jr. (48) Electric utility regulation; environmental goals.</p>	<p>1/9/2020 House: Referred to Committee on Labor and Commerce (HLC) 2/4/2020 House: Subcommittee recommends reporting (5-Y 4-N) 2/6/2020 House: Reported from HLC with substitute (13-Y 9-N) 2/11/2020 House: Read third time and passed House (52-Y 47-N) 2/12/2020 Senate: Referred to Committee on Commerce and Labor 2/24/2020 Senate: Reported from Commerce and Labor with substitute (11-Y 3-N) 2/27/2020 Senate: Passed Senate with substitute with amendments (23-Y 17-N) 2/27/2020 Senate: Reconsideration of Senate passage agreed to by Senate (39-Y 0-N) 2/27/2020 Senate: Passed Senate with substitute with amendments (24-Y 16-N) 3/3/2020 House: Senate substitute with amendments rejected by House 20109059D-S1 (8-Y 88-N) 3/4/2020 Senate: Senate insisted on substitute with amendments (29-Y 11-N) and requested conference committee 3/5/2020 House: House acceded to request 3/5/2020 Senate: Conferees appointed by Senate: Senators: McClellan, Saslaw, Spruill, Norment, Vogel 3/5/2020 House: Conferees appointed by House: Delegates: Sullivan, Lopez, Killgore 3/5/2020 Conference: Amended by conference committee 3/7/2020 Senate: Conference report agreed to by Senate (22-Y 18-N) 3/7/2020 House: Conference report agreed to by House (53-Y 45-N 1-A)</p>	<p>2/11/2020</p>

Support (20105072D) - See also SB 851 (McClellan).

Replaces the existing voluntary renewable energy portfolio system (RPS) program with a mandatory RPS that applies to electric utilities and licensed competitive suppliers. Among other things, the measure also adopts a 2,400 megawatt energy storage deployment target for the Commonwealth, requires the State Corporation Commission to adopt regulations for implementation of the energy storage deployment target of 2,400 megawatts by 2035, establishes an energy efficiency standard under which each investor-owned incumbent electric utility is required to achieve incremental annual energy efficiency savings that start in 2021 at 0.35 percent of the average annual energy retail sales by that utility in the three preceding calendar years and increase annually until 2027 and thereafter when energy efficiency savings of at least two percent of the average annual energy retail sales by that utility in the three preceding calendar years are required, amends the net energy metering program by increasing the maximum capacity of renewable generation facilities of participating nonresidential eligible customer-generators from one to three megawatts, increases the cap on the capacity of generation from facilities from the customer's expected annual energy consumption to 150 percent of such amount, increases each utility's systemwide cap from one percent of its adjusted Virginia peak-load forecast for the previous year to 10 percent of such amount, eliminates the ability of a utility to assess standby charges, establishes the right to finance electrical generating facilities via leases and power purchase agreements, directs the State Air Pollution Control Board to report to the General Assembly by January 1, 2021, on how to achieve 100 percent carbon free electric energy generation by 2050 and whether the General Assembly should permanently repeal the ability to obtain a certificate of public convenience and necessity for electric generating units that emit carbon as a byproduct of combusting fuel to generate electricity, directs the Board to adopt regulations establishing a carbon dioxide cap and trade program to limit and reduce the total carbon dioxide emissions released by electric generation facilities, which regulations shall comply with the Regional Greenhouse Gas Initiative model rule; (xviii) directs the Board to adopt a regulation to reduce, for the period of 2031 to 2050, and establishes a shared solar program that allows customers to purchase electric power through a subscription in a shared solar facility.

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1534</u> - Samirah (86) Town taxes; collection by county.	1/10/2020 House: Referred to Committee on Counties, Cities and Towns (HCCT) 1/30/2020 House: Subcommittee recommends reporting (6-Y 0-N) 2/7/2020 House: Reported from HCCT (22-Y 0-N) 2/11/2020 House: Read third time and passed House (99-Y 0-N) 2/12/2020 Senate: Referred to Committee on Local Government 2/24/2020 Senate: Reported from Local Government (11-Y 0-N) 2/26/2020 Senate: Passed Senate (40-Y 0-N) 3/3/2020 House: Enrolled 3/3/2020 House: Signed by Speaker 3/4/2020 Senate: Signed by President	1/28/2020

Support (20105339D) - See also SB 649 (Boysko).

Summary: Collection of town taxes by county. Authorizes the board of supervisors of any county that has adopted the urban county executive form of government to enter into agreements with towns located partially or wholly within such county for the collection and enforcement of real or personal property taxes by the county official responsible for assessment or collection of taxes. The authority granted to such counties is similar to authority granted to Loudoun County under existing law. This bill is identical to SB 649.

<u>HB 1537</u> - McQuinn (70) War memorials for veterans; removal, relocation, etc.	1/10/2020 House: Referred to Committee on Counties, Cities and Towns (HCCT) 2/7/2020 House: Incorporates HB 1625 (Hudson) 2/7/2020 House: Reported from HCCT with substitute (12-Y 10-N) 2/11/2020 House: Read third time and passed House (53-Y 46-N) 2/12/2020 Senate: Referred to Committee on Local Government 3/2/2020 Senate: Reported from Local Government with substitute (8-Y 6-N) 3/4/2020 Senate: Passed Senate with substitute (21-Y 17-N) 3/5/2020 House: Senate substitute rejected by House 20109421D-S1 (0-Y 97-N) 3/5/2020 Senate: Senate insisted on substitute (25-Y 14-N) 3/5/2020 Senate: Senate requested conference committee 3/5/2020 House: House acceded to request 3/5/2020 House: Conferees appointed by House: Delegates: McQuinn, Helmer, Walker 3/5/2020 Senate: Conferees appointed by Senate: Senators: Locke, Bell, Reeves 3/7/2020 Conference: Amended by conference committee 3/7/2020 House: Conference report agreed to by House (52-Y 43-N) 3/8/2020 Senate: Conference report agreed to by Senate (23-Y 15-N)	[2/28/2020]
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[Support] (20107987D-EH1)

Summary: Memorials for war veterans. Provides that a locality may remove, relocate, contextualize, or cover any monument or memorial for war veterans on the locality's public property, not including a monument or memorial located in a publicly owned cemetery, regardless of when the monument or memorial was erected, and removes certain criminal and civil penalties. Current law makes it unlawful to disturb or interfere with such monuments or memorials or to prevent citizens from taking proper measures and exercising proper means for the protection,

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Bills	General Assembly Actions	Date of BOS Position
<p>preservation, and care of such monuments or memorials. Prior to removing, relocating, contextualizing, or covering any such publicly owned monument or memorial, the local governing body shall publish notice of such intent in a newspaper having general circulation in the locality. The notice shall specify the time and place of a public hearing at which interested persons may present their views, not less than 30 days after publication of the notice. After the completion of the hearing, the governing body may vote whether to remove, relocate, contextualize, or cover the monument or memorial. If the governing body votes to remove, relocate, contextualize, or cover the monument or memorial, the local governing body shall first, for a period of 30 days, offer the monument or memorial for relocation and placement to any museum, historical society, government, or military battlefield. The local governing body shall have sole authority to determine the final disposition of the monument or memorial. The bill authorizes the local governing body to call for an advisory referendum prior to voting on such motion. The bill repeals an 1890 act of assembly related to the placement of a statue in the City of Alexandria and does not apply to a monument or memorial located on the property of a public institution of higher education within the City of Lexington. The bill also provides that the Board of Historic Resources shall promulgate regulations governing the manner in which any monument or memorial may be contextualized.</p>		
<p><u>HB 1552</u> - Levine (45) Tethering animals; adequate shelter and space.</p>	<p>1/11/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/29/2020 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 2/5/2020 House: Reported from HAG with substitute (12-Y 10-N) 2/11/2020 House: Read third time and passed House (64-Y 33-N) 2/12/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/25/2020 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (8-Y 5-N) 2/28/2020 Senate: Passed Senate with substitute (19-Y 17-N) 3/2/2020 House: Senate substitute rejected by House (0-Y 99-N) 3/3/2020 Senate: Senate insisted on substitute (40-Y 0-N) 3/3/2020 Senate: Senate requested conference committee 3/4/2020 House: House acceded to request 3/4/2020 House: Conferees appointed by House: Delegates: Levine, Gooditis, Fariss 3/5/2020 Senate: Conferees appointed by Senate: Senators: Marsden, Favola, Pillion 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (49-Y 47-N) 3/7/2020 Senate: Conference report rejected by Senate (0-Y 40-N) 3/7/2020 Senate: Senate requested second conference committee (28-Y 12-N) 3/7/2020 House: Motion for second committee of conference agreed to 3/7/2020 Senate: Senate acceded to request for second conference committee (28-Y 10-N) 3/7/2020 Senate: Second conferees appointed by Senate: Senators: Marsden, Favola, Pillion 3/7/2020 Senate: Conference report agreed to by Senate (28-Y 11-N) 3/7/2020 House: Second conferees appointed by House: Delegates: Levine, Gooditis, Fariss 3/8/2020 House: Conference report agreed to by House (53-Y 42-N)</p>	<p>1/28/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20105457D) - The County supports the expanded authority for the care of companion animals but does not support the tethering provisions. See also SB 272 (Bell).</p> <p>Summary: Provides that the outdoor tethering of an animal does not meet the requirement of adequate shelter during a hurricane warning or tropical storm warning or if the animal is not safe from predators or well suited or equipped to tolerate its environment. The bill provides that unless an animal control officer has inspected an animal's individual circumstances and determined it to be safe from predators and well suited and equipped to tolerate its environment, no such outdoor tethering during a heat advisory, a severe weather warning, or a period when the temperature is 85 degrees Fahrenheit or higher or 32 degrees Fahrenheit or lower shall constitute the provision of adequate shelter. The measure increases the minimum tether length required to constitute adequate space to 15 feet in length or four times the length of the animal, whichever is greater. Current law requires the tether to be at least 10 feet in length or three times the length of the animal, whichever is greater. The bill provides an exception for a case in which an animal control officer, having inspected an animal's individual circumstances, determines that a shorter tether of at least 10 feet or three times the length of the animal makes the animal safer, more suited, and better equipped to tolerate its environment than a longer tether would. This bill is identical to SB 272.</p>		
<p>HB 1587 - Hope (47) Investment of public funds; ratings agencies.</p>	<p>1/14/2020 House: Referred to Committee on General Laws (HGL) 1/30/2020 House: Subcommittee recommends reporting with substitute (7-Y 0-N) 2/4/2020 House: Reported from HGL with substitute (21-Y 0-N) 2/7/2020 House: Read third time and passed House (100-Y 0-N) 2/10/2020 Senate: Referred to Committee on Finance and Appropriations (SFIN) 2/19/2020 Senate: Reported from SFIN (15-Y 1-N) 2/21/2020 Senate: Passed Senate (35-Y 0-N) 2/26/2020 House: Enrolled 2/27/2020 House: Signed by Speaker 2/27/2020 Senate: Signed by President 3/5/2020 House: Enrolled Bill communicated to Governor 3/5/2020 Governor: Governor's Action Deadline 11:59 p.m., April 6, 2020</p>	<p>2/25/2020</p>
<p>Support (20107152D-H1)</p> <p>Summary: Allows ratings by Fitch Ratings to be used for determining whether certain investments are permissible for public funds. Under current law, only ratings by Standard & Poor's or Moody's Investors Service may be used. The bill contains technical amendments, including the removal of obsolete references to ratings by Duff & Phelps.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 1705</u> - Kory (38) Pedestrians; drivers to stop when yielding the right-of-way.</p>	<p>1/17/2020 House: Referred to Committee on Transportation 2/3/2020 House: Subcommittee recommends reporting (7-Y 0-N) 2/6/2020 House: Reported from Transportation (22-Y 0-N) 2/11/2020 House: Read third time and passed House (99-Y 0-N) 2/12/2020 Senate: Referred to Committee on Transportation (STRAN) 2/27/2020 Senate: Reported from STRAN with substitute (14-Y 0-N) 3/3/2020 Senate: Passed Senate with substitute (32-Y 8-N) 3/4/2020 House: Senate substitute rejected by House 20109363D-S1 (0-Y 97-N) 3/5/2020 Senate: Senate insisted on substitute (37-Y 3-N) 3/5/2020 Senate: Senate requested conference committee 3/5/2020 House: House acceded to request 3/5/2020 House: Conferees appointed by House: Delegates: Kory, Plum, Walker 3/5/2020 Senate: Conferees appointed by Senate: Senators: Marsden, Boysko, Pillion 3/5/2020 Conference: Amended by conference committee 3/7/2020 Senate: Conference report agreed to by Senate (34-Y 5-N) 3/7/2020 House: Conference report agreed to by House (94-Y 3-N)</p>	<p>1/28/2020</p>
<p>Support (20105498D) - Board has historically supported. Summary: Yielding the right-of-way to pedestrians; stopping. Clarifies the duties of vehicle drivers to stop when yielding to pedestrians at (i) clearly marked crosswalks, whether at midblock or at the end of any block; (ii) any regular pedestrian crossing included in the prolongation of the lateral boundary lines of the adjacent sidewalk at the end of a block; or (iii) any intersection when the driver is approaching on a highway where the maximum speed limit is not more than 35 miles per hour. The bill contains technical amendments.</p>		
<p><u>HJ 1</u> - Foy (2) United States Constitution; ratifies and affirms Equal Rights Amendment.</p>	<p>11/18/2019 House: Referred to Committee on Privileges and Elections (HPE) 1/14/2020 House: Reported from HPE (13-Y 9-N) 1/15/2020 House: Agreed to by House (59-Y 41-N) 1/15/2020 Senate: Referred to Committee on Privileges and Elections (SPE) 1/21/2020 Senate: Reported from SPE (10-Y 5-N) 1/27/2020 Senate: Agreed to by Senate (27-Y 12-N)</p>	<p>1/28/2020</p>
<p>Support (20105798D-H1) - Board has historically supported. See also SJ 1 (McClellan). Summary: Constitution of the United States; Equal Rights Amendment. 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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HJ 130</u> - Heretick (79) Marijuana; JLARC to study legalization, regulation, etc.	1/10/2020 House: Referred to Committee on Rules 1/29/2020 House: Subcommittee recommends reporting (4-Y 2-N) 2/7/2020 House: Reported from Rules with substitute (12-Y 5-N) 2/10/2020 House: Agreed to by House (70-Y 26-N) 2/11/2020 Senate: Referred to Committee on Rules 2/28/2020 Senate: Reported from Rules with substitute by voice vote 3/3/2020 Senate: Agreed to by Senate with substitute by voice vote 3/4/2020 House: Senate substitute agreed to by House (72-Y 24-N)	2/11/2020

Support (20105363D) - See also HJ 132 (Herring) and SJ 66 (Ebbin).

Summary: Study; JLARC; legalization and regulation of growth, sale and possession of marijuana; report. Directs the Joint Legislative Audit and Review Commission to study and make recommendations for how Virginia should go about legalizing and regulating the growth, sale, and possession of marijuana by July 1, 2022, and address the impacts of marijuana prohibition.

<u>SB 1</u> - Stanley, Jr. (20) Driver's license; suspension for nonpayment of fines or costs.	11/18/2019 Senate: Referred to Committee on the Judiciary 1/15/2020 Senate: Incorporates SB 10 (Ebbin) 1/15/2020 Senate: Incorporates SB 514 (Edwards) 1/15/2020 Senate: Incorporates SB 814 (Morrisey) 1/15/2020 Senate: Reported from Judiciary with substitute (14-Y 0-N) 1/15/2020 Senate: Re-referred to Finance and Appropriations 1/29/2020 Senate: Reported from Finance and Appropriations with amendment (13-Y 2-N 1-A) 2/3/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/18/2020 House: Referred to Committee for Courts of Justice 2/19/2020 House: Reported from Courts of Justice with amendment (18-Y 3-N) 2/19/2020 House: Referred to Committee on Appropriations 2/21/2020 House: Reported from Appropriations (16-Y 6-N) 2/26/2020 House: Passed House with amendment (75-Y 25-N) 2/26/2020 Senate: House amendment agreed to by Senate (38-Y 1-N) 3/3/2020 Senate: Enrolled 3/3/2020 House: Signed by Speaker 3/4/2020 Senate: Signed by President	1/28/2020
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Support (20105850D-S1) - Board has historically supported concept of alternatives to driver's license suspension to address non-payment of court fines and costs.

Summary: Suspension of driver's license for nonpayment of fines or costs. 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 also removes a provision allowing the court to require a defendant to present a summary prepared by the Department of Motor Vehicles of the other courts in which the defendant also owes fines and costs. The bill requires the Commissioner of the Department of Motor Vehicles to return or reinstate any person's driver's license that was suspended prior to July 1, 2019, solely for nonpayment of fines or costs. Such person does not have to pay a reinstatement fee. This bill incorporates SB 10, SB 514, and SB 814.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 2</u> - Ebbin (30) Marijuana; definitions, possession and consumption, civil penalties, report.</p>	<p>11/18/2019 Senate: Referred to Committee on the Judiciary 1/29/2020 Senate: Incorporates SB 815 (Morrissey) 1/29/2020 Senate: Reported from Judiciary with substitute (10-Y 3-N) 1/29/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations (12-Y 3-N) 2/11/2020 Senate: Engrossed by Senate - committee substitute with amendment 2/11/2020 Senate: Passed Senate (27-Y 13-N) 2/14/2020 House: Referred to Committee for Courts of Justice (HCT) 2/19/2020 House: Reported from HCT with substitute (12-Y 8-N) 2/19/2020 House: Referred to Committee on Appropriations (HAPP) 2/21/2020 House: Reported from HAPP with substitute (16-Y 6-N) 2/26/2020 House: HCT substitute rejected 2/26/2020 House: HAPP substitute agreed to 2/26/2020 House: Passed House with substitute (63-Y 35-N) 2/26/2020 Senate: House substitute rejected by Senate (1-Y 38-N) 2/26/2020 House: House insisted on substitute 2/26/2020 House: House requested conference committee 2/26/2020 Senate: Senate acceded to request (40-Y 0-N) 2/27/2020 Senate: Conferees appointed by Senate: Senators: Ebbin, Morrissey, Stanley 2/27/2020 House: Conferees appointed by House: Delegates: Herring, Heretick, Collins 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (58-Y 38-N) 3/5/2020 House: Reconsideration of conference report agreed to by House 3/5/2020 House: Conference report agreed to by House (61-Y 37-N) 3/7/2020 Senate: Conference report rejected by Senate (2-Y 38-N) 3/7/2020 Senate: Senate requested second conference committee 3/7/2020 House: House acceded to request for second conference committee 3/7/2020 House: Second conferees appointed by House: Delegates: Herring, Heretick, Collins 3/7/2020 Senate: Second conferees appointed by Senate: Senators: Ebbin, Morrissey, Stanley 3/8/2020 Senate: Conference report agreed to by Senate (27-Y 12-N) 3/8/2020 House: Conference report agreed to by House (57-Y 33-N)</p>	<p>2/25/2020</p>

Support (20108640D-H1)

Summary: Marijuana; decriminalization of simple marijuana possession; penalty. Decriminalizes simple marijuana possession and provides a civil penalty of no more than \$25. Current law imposes a maximum fine of \$500 and a maximum 30-day jail sentence for a first offense, and subsequent offenses are a Class 1 misdemeanor. The bill provides that any violation of simple possession of marijuana may be charged by a summons in form the same as the uniform summons for motor vehicle law violations and that no court costs shall be assessed for such violations. The bill also provides that a person's criminal history record information shall not include records of any charges or judgments for such violations and records of such charges or judgments shall not be reported to the Central Criminal Records Exchange. Also, the bill states that the procedure for appeal and trial of any violation of simple possession of marijuana shall be the same as provided by law for misdemeanors. The bill also provides that if requested by either party on appeal

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Bills	General Assembly Actions	Date of BOS Position
<p>to the circuit court, trial by jury shall be provided and the Commonwealth shall be required to prove its case beyond a reasonable doubt. Additionally, the bill provides that the suspended sentence/substance abuse screening provisions and driver's license suspension provisions apply only to criminal violations or to civil violations by a juvenile. The bill defines "marijuana" to include hashish oil and creates a rebuttable presumption that a person who possesses no more than one ounce of marijuana possesses it for personal use. The bill also (i) makes records relating to the arrest, criminal charge, or conviction of possession of marijuana not open to public inspection and disclosure, except in certain circumstances; (ii) prohibits employers and educational institutions from requiring an applicant for employment or admission to disclose information related to such arrest, criminal charge, or conviction; and (iii) prohibits agencies, officials, and employees of the state and local governments from requiring an applicant for a license, permit, registration, or governmental service to disclose information concerning such arrest, criminal charge, or conviction. Also, the bill allows a person charged with a civil offense and is acquitted, a nolle prosequi is taken, or the charge is otherwise dismissed to file a petition requesting expungement of the police records and court records related to the charge. Finally, the bill requires the Secretaries of Agriculture and Forestry, Finance, Health and Human Resources, and Public Safety and Homeland Security to convene a work group to study the impact on the Commonwealth of legalizing the sale and personal use of marijuana and report the recommendations of the work group to the General Assembly and the Governor by November 1, 2020. This bill incorporates SB 815 and is identical to HB 972.</p>		
<p><u>SB 8</u> - Saslaw (35) Virginia Public Procurement Act; public works contracts, prevailing wage rate, penalty.</p>	<p>11/18/2019 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Reported from Commerce and Labor with substitute (9-Y 3-N) 2/3/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/6/2020 Senate: Reported from SFIN with amendment (11-Y 5-N) 2/11/2020 Senate: Passed Senate (21-Y 19-N) 2/18/2020 House: Referred to Committee on Labor and Commerce 2/25/2020 House: Reported from Labor and Commerce with substitute (13-Y 9-N) 2/25/2020 House: Referred to Committee on Appropriations (HAPP) 2/28/2020 House: Reported from HAPP with amendment (13-Y 9-N) 3/4/2020 House: Passed House with substitute with amendment (54-Y 44-N) 3/5/2020 Senate: House substitute with amendment agreed to by Senate (20-Y 20-N) 3/5/2020 Senate: Chair votes Yes</p>	<p>1/28/2020</p>
<p>Support (20100503D) Summary: Prevailing wage; public works contracts; penalty. Requires contractors and subcontractors under any public contract with a state agency, or with a locality that has adopted an ordinance requiring the payment of prevailing wages, for public works to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract for public works at the prevailing wage rate. The provisions of the bill would not apply to any contract for public works of \$250,000 or less. The Commissioner of Labor and Industry is required to determine the prevailing wage rate for such public contracts on the basis of applicable prevailing wage rate determinations made by the U.S. Secretary of Labor under the provisions of the federal Davis-Bacon Act. A contractor or subcontractor who willfully employs any mechanic, laborer, or worker to perform work contracted to be done under the public contract at a rate that is less than the prevailing wage rate is guilty of a Class 1 misdemeanor. In addition, such a contractor or subcontractor shall be liable to such individuals for the payment of all wages due plus interest and shall be disqualified from bidding on public contracts with any public body until full restitution has been paid to the individuals. This bill is identical to HB 833.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 11</u> - Ebbin (30) Disposable plastic bags; local tax.</p>	<p>11/18/2019 Senate: Referred to Committee on Finance and Appropriations 2/10/2020 Senate: Incorporates SB 26 (Petersen) 2/10/2020 Senate: Incorporates SB 198 (Locke) 2/10/2020 Senate: Reported from Finance and Appropriations with substitute (10-Y 6-N) 2/11/2020 Senate: Committee on Finance and Appropriations substitute rejected 20108122D-S1 (20-Y 20-N) 2/11/2020 Senate: Substitute by Senator Newman agreed to 20108122D-S2 2/11/2020 Senate: Passed Senate (26-Y 14-N) 2/14/2020 House: Referred to Committee on Finance 2/19/2020 House: Reported from Finance with substitute (13-Y 9-N) 2/25/2020 House: Amendments by Delegate Watts agreed to 2/25/2020 House: Passed House with substitute with amendments (52-Y 46-N) 2/26/2020 Senate: House substitute with amendments rejected by Senate (0-Y 40-N) 2/26/2020 House: House insisted on substitute with amendments 2/26/2020 House: House requested conference committee 2/26/2020 Senate: Senate acceded to request (40-Y 0-N) 2/27/2020 Senate: Conferees appointed by Senate: Senators: Ebbin, McClellan, Vogel 2/27/2020 House: Conferees appointed by House: Delegates: Carr, Lopez, Ware 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (51-Y 46-N) 3/7/2020 Senate: Conference report agreed to by Senate (22-Y 18-N)</p>	<p>1/28/2020</p>

Support (20100728D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management.

Summary: Local disposable plastic bag tax. Authorizes any county or city, beginning no earlier than January 1, 2021, to impose a tax of five cents per bag on disposable plastic bags provided to consumers by certain retailers, with certain bags being exempt from the tax. The bill allows every retailer that collects the tax to retain a portion of the five-cent tax and provides that the revenue accruing to the county or city shall be used for certain purposes including environmental cleanup and the provision of reusable bags. The measure authorizes the Tax Commissioner to administer the tax. This bill incorporates SB 26 and SB 198.

Bills	General Assembly Actions	Date of BOS Position
SB 14 - Saslaw (35) Trigger activators; prohibition, penalty.	11/18/2019 Senate: Referred to Committee on the Judiciary 2/3/2020 Senate: Reported from Judiciary with substitute (9-Y 5-N) 2/3/2020 Senate: Re-referred to Finance and Appropriations 2/5/2020 Senate: Reported from Finance and Appropriations (15-Y 0-N) 2/10/2020 Senate: Read third time and passed Senate (21-Y 18-N) 2/18/2020 House: Referred to Committee on Public Safety 2/21/2020 House: Reported from Public Safety (14-Y 8-N) 2/26/2020 House: Passed House (55-Y 45-N) 3/3/2020 Senate: Enrolled 3/3/2020 House: Signed by Speaker 3/4/2020 Senate: Signed by President	[2/28/2020]
<p>[Support] (20106402D-S1)</p> <p>Summary: Trigger activators; prohibition; penalty. Prohibits the manufacture, importation, sale or offer to sell, possession, transfer, or transportation of a trigger activator, defined in the bill as a device designed to allow a semi-automatic firearm to shoot more than one shot with a single pull of the trigger by harnessing the recoil energy of any semi-automatic firearm to which it is affixed so that the trigger resets and continues firing without additional physical manipulation of the trigger by the shooter. A violation is punishable as a Class 6 felony.</p>		
SB 34 - Surovell (36) Driver privilege cards; definitions, effective date, report.	11/18/2019 Senate: Referred to Committee on Transportation (STRAN) 1/30/2020 Senate: Incorporates SB 643 (Boysko) 1/30/2020 Senate: Reported from STRAN with substitute (8-Y 7-N) 1/30/2020 Senate: Re-referred to Finance and Appropriations 2/5/2020 Senate: Reported from Finance and Appropriations (11-Y 5-N) 2/11/2020 Senate: STRAN substitute rejected 2/11/2020 Senate: Substitute by Senator Surovell agreed to 2/11/2020 Senate: Amendment by Senator Surovell agreed to 2/11/2020 Senate: Passed Senate (22-Y 18-N) 2/14/2020 House: Referred to Committee on Transportation (HTRAN) 2/18/2020 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/20/2020 House: Reported from HTRAN with substitute (13-Y 9-N) 2/20/2020 House: Referred to Committee on Appropriations 2/21/2020 House: Reported from Appropriations (14-Y 7-N) 2/26/2020 House: Passed House with substitute (56-Y 42-N) 2/26/2020 Senate: House substitute rejected by Senate (3-Y 37-N) 2/26/2020 House: House insisted on substitute 2/26/2020 House: House requested conference committee 2/26/2020 Senate: Senate acceded to request (40-Y 0-N) 2/27/2020 Senate: Conferees appointed by Senate: Senators: Surovell, Boysko, Hanger 2/27/2020 House: Conferees appointed by House: Delegates: Tran, Guzman, Davis 3/7/2020 Conference: Amended by conference committee 3/7/2020 Senate: Conference report agreed to by Senate (22-Y 18-N) 3/7/2020 House: Conference report agreed to by House (57-Y 40-N)	2/25/2020 2/11/2020

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20108060D-S2) - The County supports legislation to allow all qualified Virginians to drive legally, with a preference for allowing qualified Virginia drivers to obtain driver's licenses. Support (20107461D-S1) Summary: Driver privilege cards; penalty. 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 limits the release of certain information stored by the Department. 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 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, 2021. This bill incorporates SB 643.</p>		
<p><u>SB 35</u> - Surovell (36) Firearms, ammunition, etc.; control by localities by governing possession, etc., within locality.</p>	<p>11/18/2019 Senate: Referred to Committee on the Judiciary 1/13/2020 Senate: Incorporates SB 615 (Deeds) 1/13/2020 Senate: Incorporates SB 450 (Edwards) 1/13/2020 Senate: Incorporates SB 505 (Edwards) 1/13/2020 Senate: Incorporates SB 506 (Edwards) 1/13/2020 Senate: Reported from Judiciary with substitute (9-Y 5-N) 1/16/2020 Senate: Read third time and passed Senate (21-Y 19-N) 2/21/2020 House: Referred to Committee on Public Safety 2/21/2020 House: Reported from Public Safety with substitute (13-Y 9-N) 2/26/2020 House: Amendment by Delegate Price agreed to 2/26/2020 House: Passed House with substitute with amendment (53-Y 46-N) 2/28/2020 Senate: House substitute with amendment agreed to by Senate (22-Y 16-N) 2/28/2020 Senate: Reconsideration of House substitute with amendment agreed to by Senate (36-Y 0-N) 2/28/2020 Senate: House substitute with amendment agreed to by Senate (21-Y 17-N) 3/5/2020 Senate: Enrolled 3/6/2020 House: Signed by Speaker 3/7/2020 Senate: Signed by President</p>	<p>[2/28/2020] 1/28/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>[Support] (20108812D-H1) - See also HB 421 (Price). Support (20105646D-S1) — Collaborate with stakeholders to ensure bill can be successfully implemented.</p> <p>Summary: Control of firearms by localities; permitted events. Authorizes any locality by ordinance to prohibit the possession or carrying of firearms, ammunition, or components or any combination thereof in (i) any building, or part thereof, owned or used by such locality for governmental purposes; (ii) any public park owned by the locality; (iii) any recreation or community center facility; or (iv) any public street, road, alley, sidewalk or public right-of-way or any other place of whatever nature that is open to the public and is being used by or is adjacent to a permitted event or an event that would otherwise require a permit. Provisions limiting the authority of localities and state governmental entities to bring lawsuits against certain firearms manufacturers and others are also repealed. The bill also provides that any firearm received by the locality pursuant to a gun buy-back program shall be destroyed by the locality unless the person surrendering such firearm requests in writing that such surrendered firearm be sold. The bill contains technical amendments. This bill incorporates SB 450, SB 505, SB 506, and SB 615. This bill is identical to HB 421.</p>		
<p>SB 40 - DeSteph (8) Line of Duty Act; eligible dependents.</p>	<p>11/18/2019 Senate: Referred to Committee on Finance and Appropriations (SFIN) 1/28/2020 Senate: Reported from SFIN with substitute (15-Y 0-N) 1/31/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Appropriations (HAPP) 2/25/2020 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/28/2020 House: Reported from HAPP with substitute (22-Y 0-N) 3/4/2020 House: Passed House with substitute (98-Y 0-N) 3/5/2020 Senate: House substitute agreed to by Senate (40-Y 0-N)</p>	<p>1/28/2020</p>
<p>Support (20100676D) Summary: Provides that children born or adopted after the death or disability of an employee covered by the Line of Duty Act are eligible for health insurance coverage if their birth or adoption occurred after the time of the employee's death or disability, but prior to July 1, 2017. Under current law, such children are not eligible unless they were adopted pursuant to a preadoptive agreement entered into prior to the death or disability. HB 51 is identical to this bill.</p>		
<p>SB 65 - Locke (2) Voter identification; repeal of photo identification requirements.</p>	<p>11/21/2019 Senate: Referred to Committee on Privileges and Elections 1/28/2020 Senate: Incorporates SB 113 (Deeds) 1/28/2020 Senate: Incorporates SB 123 (Barker) 1/28/2020 Senate: Reported from Senate Privileges and Elections with substitute (9-Y 6-N) 2/3/2020 Senate: Senate Privileges and Elections substitute rejected 2/3/2020 Senate: Substitute by Senator Surovell agreed to 2/4/2020 Senate: Read third time and passed Senate (21-Y 19-N) 2/4/2020 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/4/2020 Senate: Passed Senate (21-Y 19-N) 2/13/2020 House: Referred to Committee on Privileges and Elections 2/18/2020 House: Subcommittee recommends reporting with substitute (3-Y 2-N) 2/21/2020 House: Reported from Privileges and Elections with substitute (12-Y 8-N) 2/26/2020 House: Passed House with substitute (56-Y 44-N) 2/28/2020 Senate: House substitute rejected by Senate (0-Y 37-N)</p>	<p>2/25/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
	3/2/2020 House: House insisted on substitute 3/2/2020 House: House requested conference committee 3/3/2020 Senate: Senate acceded to request (22-Y 18-N) 3/3/2020 Senate: Conferees appointed by Senate: Senators: Locke, Ebbin, Peake 3/4/2020 House: Conferees appointed by House: Delegates: Lindsey, Simon, Robinson 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (54-Y 44-N) 3/7/2020 Senate: Conference report agreed to by Senate (21-Y 19-N)	

Support (20108457D-H1)

Summary: Removes the requirement that voters show a form of identification containing a photograph in order to be allowed to vote. The bill requires a voter to show either his voter registration confirmation documents; his valid Virginia driver's license, his valid United States passport, or any other identification issued by the Commonwealth, one of its political subdivisions, or the United States; any valid student identification card issued by any institution of higher education located in the Commonwealth or any private school located in the Commonwealth; any valid student identification card issued by any institution of higher education located in any other state or territory of the United States; any valid employee identification card containing a photograph of the voter and issued by an employer of the voter in the ordinary course of the employer's business; or a copy of a current utility bill, bank statement, government check, paycheck, or other government document that shows the name and address of the voter. The bill also provides that the expiration date on a Virginia driver's license is not considered when determining the validity of a driver's license offered for voter identification purposes. A voter who does not show one of the required forms of identification when offering to vote is required to sign a statement that he is the named registered voter he claims to be in order to be permitted to cast a ballot. Such statement is signed subject to felony penalties for making false statements, punishable as a Class 5 felony. A voter who does not show one of the required forms of identification and does not complete or sign the statement shall be offered a provisional ballot according to the provisions of current law. The bill adds language regarding identification requirements for certain voters pursuant to the federal Help America Vote Act of 2002. The bill incorporates SB 113 and SB 123.

<u>SB 69</u> - Locke (2) Handguns; limitation on purchases, penalty.	11/22/2019 Senate: Referred to Committee on the Judiciary 1/13/2020 Senate: Incorporates SB 22 (Saslaw) 1/13/2020 Senate: Reported from Judiciary with substitute (9-Y 5-N) 1/16/2020 Senate: Read third time and passed Senate (21-Y 19-N) 2/13/2020 House: Referred to Committee on Public Safety (HPS) 2/14/2020 House: Reported from HPS with substitute (13-Y 9-N) 2/19/2020 House: Passed House with substitute (53-Y 47-N) 2/24/2020 Senate: House substitute rejected by Senate (1-Y 39-N) 2/25/2020 House: House insisted on substitute 2/25/2020 House: House requested conference committee 2/27/2020 Senate: Senate acceded to request (23-Y 17-N) 2/27/2020 Senate: Conferees appointed by Senate: Senators: Locke, Deeds, Stuart 2/28/2020 House: Conferees appointed by House: Delegates: Ward, Hope, Wright 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (52-Y 47-N) 3/7/2020 Senate: Conference report agreed to by Senate (21-Y 19-N)	1/28/2020
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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20105654D-S1) - See also HB 812 (Ward).</p> <p>Summary: Purchase of handguns; limitation on handgun purchases; penalty. Prohibits any person who is not a licensed firearms dealer from purchasing more than one handgun in a 30-day period and establishes such an offense as a Class 1 misdemeanor. The bill exempts from this provision (i) persons who have been issued a certificate by the Department of State Police under certain circumstances and with an enhanced background check, (ii) law-enforcement agencies and officers, (iii) state and local correctional facilities, (iv) licensed private security companies, (v) persons who hold a valid Virginia concealed handgun permit, (vi) persons whose handgun has been stolen or irretrievably lost or who are trading in a handgun, (vii) purchases of handguns in a private sale, and (viii) purchases of antique firearms. This bill incorporates SB 22.</p>		
<p><u>SB 70</u> - Lucas (18) Firearm transfers; criminal history record information check, penalty.</p>	<p>11/22/2019 Senate: Referred to Committee on the Judiciary 1/13/2020 Senate: Incorporates SB 12 (Saslaw) 1/13/2020 Senate: Reported from Judiciary with substitute (9-Y 5-N) 1/16/2020 Senate: Read third time and passed Senate (24-Y 16-N) 1/16/2020 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 1/16/2020 Senate: Passed Senate (23-Y 17-N) 2/13/2020 House: Referred to Committee on Public Safety 2/21/2020 House: Reported from Public Safety with substitute (13-Y 9-N) 2/26/2020 House: Passed House with substitute (54-Y 46-N) 3/2/2020 Senate: House substitute rejected by Senate (0-Y 40-N) 3/3/2020 House: House insisted on substitute 3/3/2020 House: House requested conference committee 3/4/2020 Senate: Senate acceded to request (27-Y 13-N) 3/4/2020 Senate: Conferees appointed by Senate: Senators: Lucas, Petersen, Obenshain 3/5/2020 House: Conferees appointed by House: Delegates: Plum, Hope, Fariss 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (54-Y 46-N) 3/7/2020 Senate: Conference report agreed to by Senate (23-Y 17-N)</p>	<p>1/28/2020</p>
<p>Support (20105589D-S1) - Support the comprehensive approach to requiring universal background checks as envisioned in HB 2.</p> <p>Summary: Firearm sales; criminal history record information checks; penalty. Requires a background check for any firearm sale and directs the Department of State Police (the Department) to establish a process for transferors to obtain such a check from licensed firearms dealers. A person who sells a firearm to another person without obtaining the required background check is guilty of a Class 1 misdemeanor. The bill also provides that a purchaser who receives a firearm from another person without obtaining the required background check is guilty of a Class 1 misdemeanor. The bill removes the provision that makes background checks of prospective purchasers or transferees at firearms shows voluntary. The bill also provides that the Department shall have three business days to complete a criminal history record information check before a firearm may be transferred. This bill incorporates SB 12.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 94</u> - Favola (31) Virginia Energy Plan; climate change pressing challenge.</p>	<p>12/2/2019 Senate: Referred to Committee on Commerce and Labor 1/20/2020 Senate: Reported from Commerce and Labor with substitute (12-Y 2-N 1-A) 1/24/2020 Senate: Read third time and passed Senate (21-Y 18-N) 2/13/2020 House: Referred to Committee on Labor and Commerce 2/27/2020 House: Reported from Labor and Commerce with substitute (12-Y 10-N) 2/27/2020 House: Referred to Committee on Appropriations 2/28/2020 House: Reported from Appropriations with substitute (13-Y 9-N) 2/28/2020 House: Reported from Appropriations (13-Y 9-N) 3/4/2020 House: Passed House with substitute (53-Y 45-N) 3/5/2020 Senate: House substitute rejected by Senate (2-Y 38-N) 3/5/2020 House: House insisted on substitute 3/5/2020 House: House requested conference committee 3/5/2020 Senate: Senate acceded to request (23-Y 17-N) 3/5/2020 Senate: Conferees appointed by Senate: Senators: Favola, Morrissey, Chafin, Bell 3/5/2020 House: Conferees appointed by House: Delegates: Keam, Lopez, Runion 3/7/2020 Conference: Amended by conference committee 3/7/2020 Senate: Conference report agreed to by Senate (23-Y 16-N) 3/8/2020 House: Conference report agreed to by House (52-Y 44-N)</p>	<p>2/11/2020</p>

Support (20105660D-S1)

Summary: Virginia Energy Plan; Commonwealth Energy Policy. States that the Commonwealth Energy Policy shall include (i) ensure the adequate supply of natural gas necessary to ensure the reliability of the electricity supply and the needs of businesses during the transition to renewable energy; (ii) establish greenhouse gas emissions reduction standards across all sectors of Virginia's economy that target net-zero emissions carbon by 2045; (iii) enact mandatory clean energy standards and overall strategies for reaching net-zero carbon in the electric power sector by 2040; (iv) equitably incorporate requirements for technical, policy, and economic analyses and assessments that recognize the unique attributes of different energy resources and delivery systems to identify pathways to net-zero carbon that maximize Virginia's energy reliability and resilience, economic development, and jobs; and (v) minimize the negative impacts of climate change and the energy transition on economically disadvantaged or minority communities and prioritize investment in these areas. The measure also requires that the Virginia Energy Plan identify actions consistent with the goals of achieving a net-zero carbon economy by 2045 and include an inventory of all greenhouse gas emissions for the four years preceding the issuance of the Plan.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 111</u> - Howell (32) Absentee voting; no excuse required.</p>	<p>12/12/2019 Senate: Referred to Committee on Privileges and Elections (SPE) 1/14/2020 Senate: Incorporates SB 45 (Spruill) 1/14/2020 Senate: Incorporates SB 137 (Stuart) 1/14/2020 Senate: Reported from SPE with substitute (11-Y 4-N) 1/15/2020 Senate: Incorporates SB 696 (Mason) 1/15/2020 Senate: Incorporates SB 879 (Locke) 1/20/2020 Senate: Read third time and passed Senate (31-Y 9-N) 2/13/2020 House: Referred to Committee on Privileges and Elections 2/18/2020 House: Subcommittee recommends reporting with amendment (5-Y 1-N) 2/21/2020 House: Reported from Privileges and Elections with amendment (13-Y 7-N) 2/26/2020 House: Passed House with amendment (62-Y 38-N) 2/28/2020 Senate: House amendment agreed to by Senate (24-Y 14-N) 3/5/2020 Senate: Enrolled 3/6/2020 House: Signed by Speaker 3/7/2020 Senate: Signed by President</p>	<p>1/28/2020</p>
<p>Support (20105793D-S1) - Collaborate with stakeholders to ensure bill can be successfully implemented. Summary: 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. This bill incorporates SB 45, SB 137, SB 696, and SB 879.</p>		
<p><u>SB 114</u> - Marsden (37) Comprehensive animal care; enforceable under Virginia Consumer Protection Act.</p>	<p>12/13/2019 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/21/2020 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (12-Y 0-N) 1/27/2020 Senate: Read third time and passed Senate (39-Y 0-N) 2/13/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/19/2020 House: Subcommittee recommends reporting (6-Y 2-N) 2/26/2020 House: Reported from Agriculture, Chesapeake and Natural Resources (15-Y 7-N) 3/2/2020 House: Passed House (62-Y 37-N) 3/6/2020 Senate: Enrolled 3/6/2020 Senate: Signed by President 3/6/2020 House: Signed by Speaker</p>	<p>[2/28/2020]</p>
<p>[Support] (20105940D-S1) Summary: Subjects certain animal care statutes to enforcement under the Virginia Consumer Protection Act (§ 59.1-196 et seq.). These statutes relate to the posting of information about dogs and to written notice of consumer remedies required to be provided by pet shops, pet dealers, and animal boarding establishments.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 124 - Locke (2) Food stamps and TANF; eligibility, drug-related felonies.	12/16/2019 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/10/2020 Senate: Incorporates SB 155 (Favola) 1/10/2020 Senate: Reported from SRSS with substitute (9-Y 6-N) 1/10/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 1/22/2020 Senate: Reported from SFIN (13-Y 2-N) 1/27/2020 Senate: Read third time and passed Senate (22-Y 17-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/18/2020 House: Reported from HHWI (13-Y 9-N) 2/21/2020 House: Passed House (53-Y 43-N) 2/25/2020 Senate: Enrolled 2/25/2020 House: Signed by Speaker 2/26/2020 Senate: Signed by President 3/3/2020 Senate: Enrolled Bill Communicated to Governor on February 3, 2020 3/3/2020 Governor: Governor's Action Deadline 11:59 p.m., April 6, 2020	1/28/2020

Support (20105548D-S1) - Board has historically supported. See also HB 566 (Guzman).

Summary: Eligibility for food stamps and TANF; drug-related felonies. 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 in violation of § 18.2-250, 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 meets any other obligations as determined by the Department of Social Services. The bill also provides that a person who is otherwise eligible to receive TANF benefits shall not be denied such assistance solely because he has been convicted of a drug-related felony. This bill is identical to HB 566.

SB 149 - Howell (32) Courthouse and courtroom security; assessment.	12/18/2019 Senate: Referred to Committee on the Judiciary 1/13/2020 Senate: Re-referred to Finance and Appropriations 1/30/2020 Senate: Reported from Finance and Appropriations (14-Y 2-N) 2/5/2020 Senate: Read third time and passed Senate (31-Y 9-N) 2/13/2020 House: Referred to Committee on Public Safety 2/18/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/21/2020 House: Reported from Public Safety (19-Y 2-N) 2/26/2020 House: Passed House (81-Y 18-N) 3/3/2020 Senate: Enrolled 3/3/2020 House: Signed by Speaker 3/4/2020 Senate: Signed by President	1/28/2020
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Support (20101599D) - Board has historically supported.

Summary: Increases from \$10 to \$20 the maximum amount a local governing body may assess against a convicted defendant as part of the costs in a criminal or traffic case in district or circuit court to fund courthouse and courtroom security.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 182</u> - Saslaw (35) Public works contracts; definitions, authorization of project labor agreements.</p>	<p>12/24/2019 Senate: Referred to Committee on General Laws and Technology 1/22/2020 Senate: Re-referred to Commerce and Labor (SCL) 2/3/2020 Senate: Reported from SCL with substitute (12-Y 2-N) 2/3/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations (12-Y 4-N) 2/11/2020 Senate: SCL substitute rejected 2/11/2020 Senate: Substitute by Senator Barker agreed to 2/11/2020 Senate: Passed Senate (21-Y 19-N) 2/18/2020 House: Referred to Committee on Labor and Commerce 2/25/2020 House: Reported from Labor and Commerce with substitute (13-Y 9-N) 2/28/2020 House: Passed House with substitute (55-Y 45-N) 3/2/2020 Senate: House substitute agreed to by Senate (21-Y 19-N) 3/6/2020 Senate: Enrolled 3/6/2020 Senate: Signed by President 3/6/2020 House: Signed by Speaker</p>	<p>2/25/2020 1/28/2020</p>
<p>Support with Amendment (20108119D-S2) - Support with amendment to eliminate restrictions on localities' use of project labor agreements. Support (20102362D) Summary: Project labor agreements; public procurement. Authorizes any public body, including any state or local government, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, to require bidders to enter into or adhere to project labor agreements on the public works projects.</p>		
<p><u>SB 209</u> - Petersen (34) Judges; increases maximum number in judicial district.</p>	<p>12/30/2019 Senate: Referred to Committee on the Judiciary 1/15/2020 Senate: Reported from Judiciary (14-Y 0-N) 1/15/2020 Senate: Re-referred to Finance and Appropriations 1/30/2020 Senate: Reported from Finance and Appropriations (13-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/21/2020 House: Referred to Committee for Courts of Justice 2/24/2020 House: Reported from Courts of Justice (20-Y 2-N) 2/27/2020 House: Passed House (91-Y 8-N) 3/4/2020 Senate: Enrolled 3/5/2020 Senate: Signed by President 3/5/2020 House: Signed by Speaker</p>	<p>1/28/2020</p>
<p>Support (20102142D) - Board has historically supported. See also HB 275 (Sullivan). Summary: Maximum number of judges in each judicial district. Increases from 11 to 12 the maximum number of authorized general district court judgeships in the nineteenth judicial district. The Committee on District Courts recommended the additional judgeship in 2018. This bill is identical to HB 275.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>SB 212</u> - Favola (31) Alcoholic beverage control; creates annual mixed beverage performing arts facility license.	12/30/2019 Senate: Referred to Committee on Rehabilitation and Social Services 1/10/2020 Senate: Reported from Rehabilitation and Social Services with amendments (12-Y 0-N 3-A) 1/15/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on General Laws 2/13/2020 House: Reported from General Laws (20-Y 2-N) 2/18/2020 House: Passed House (93-Y 6-N) 2/20/2020 Senate: Enrolled 2/20/2020 House: Signed by Speaker 2/21/2020 Senate: Signed by President 2/25/2020 Senate: Enrolled Bill Communicated to Governor 2/25/2020 Governor: Governor's Action Deadline 11:59 p.m., March 3, 2020 3/2/2020 Governor: Approved by Governor-Chapter 32 (effective 7/1/20)	2/11/2020

Support (20102017D-E) - See also HB 598 (Murphy).

Summary: Alcoholic beverage control; annual mixed beverage performing arts facility license. Creates an annual mixed beverage performing arts facility license that (i) may be granted to persons operating food concessions at any corporate and performing arts facility located in Fairfax County, provided that the corporate and performing arts facility (a) is occupied under a bona fide long-term lease, management, or concession agreement, the original term of which was more than one year and (b) has a total capacity in excess of 1,400 patrons and (ii) authorizes the licensee to sell, on the dates of performances or events, alcoholic beverages for on-premises consumption. This bill is identical to HB 598.

<u>SB 240</u> - Barker (39) Firearms; removal from persons posing substantial risk of injury to himself, etc., penalties.	1/2/2020 Senate: Referred to Committee on the Judiciary (SJUD) 1/13/2020 Senate: Reported from SJUD with substitute (9-Y 5-N) 1/21/2020 Senate: Engrossed by Senate - floor substitute with amendments SB240ES3 1/22/2020 Senate: Read third time and passed Senate (21-Y 19-N) 2/13/2020 House: Referred to Committee on Public Safety (HPS) 2/21/2020 House: Reported from HPS with substitute (12-Y 8-N) 2/26/2020 House: Passed House with substitute (53-Y 47-N) 2/28/2020 Senate: House substitute agreed to by Senate (21-Y 17-N) 3/5/2020 Senate: Enrolled 3/6/2020 House: Signed by Speaker 3/7/2020 Senate: Signed by President	2/11/2020
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Support (20105922D-ES3) - See also HB 674 (Sullivan).

Summary: Firearms; removal from persons posing substantial risk; penalties. Creates a procedure by which any attorney for the Commonwealth or law-enforcement officer may apply to a general district court, circuit court, or juvenile and domestic relations district court judge or magistrate for an emergency substantial risk order to prohibit a person who poses a substantial risk of injury to himself or others from purchasing, possessing, or transporting a firearm. Upon service of an emergency substantial risk order, the person who is subject to the order shall be given the opportunity to voluntarily relinquish any firearm. An emergency substantial risk order shall expire on the fourteenth day following issuance of the order. The bill requires a court hearing in the circuit court for the

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<p>jurisdiction where the order was issued within 14 days from issuance of an emergency substantial risk order to determine whether a substantial risk order should be issued. Seized firearms shall be retained by a law-enforcement agency for the duration of an emergency substantial risk order or a substantial risk order or, for a substantial risk order and with court approval, may be transferred to a third party 21 years of age or older chosen by the person from whom they were seized. The bill allows the complainant of the original warrant to file a motion for a hearing to extend the substantial risk order prior to its expiration. The court may extend the substantial risk order for a period not longer than 180 days. The bill provides that persons who are subject to a substantial risk order, until such order has been dissolved by a court, are guilty of a Class 1 misdemeanor for purchasing, possessing, or transporting a firearm; are disqualified from having a concealed handgun permit; and may not be employed by a licensed firearms dealer. The bill also provides that a person who transfers a firearm to a person he knows has been served with a warrant or who is the subject of a substantial risk order is guilty of a Class 4 felony. The bill creates a computerized substantial risk order registry for the entry of orders issued pursuant to provisions in the bill. This bill is identical to HB 674.</p>		
<p><u>SB 272</u> - Bell (13) Tethering animals; adequate shelter and space.</p>	<p>1/3/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 2/4/2020 Senate: Reported from SACNR with amendments (7-Y 6-N 2-A) 2/10/2020 Senate: Read third time and passed Senate (19-Y 19-N 1-A) 2/10/2020 Senate: Chair votes Yes 2/13/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 2/26/2020 House: Reported from HAG with substitute (14-Y 8-N) 3/2/2020 House: Passed House with substitute (66-Y 32-N) 3/5/2020 Senate: House substitute rejected by Senate (0-Y 39-N 1-A) 3/5/2020 House: House insisted on substitute 3/5/2020 House: House requested conference committee 3/5/2020 Senate: Senate acceded to request (29-Y 10-N) 3/5/2020 Senate: Conferees appointed by Senate: Senators: Bell, Favola, Pillion 3/5/2020 House: Conferees appointed by House: Delegates: Levine, Gooditis, Fariss 3/5/2020 Conference: Amended by conference committee 3/7/2020 House: Conference report agreed to by House (54-Y 41-N) 3/7/2020 Senate: Conference report rejected by Senate (3-Y 36-N) 3/7/2020 Senate: Senate requested second conference committee (27-Y 11-N 1-A) 3/7/2020 House: House acceded to request for second conference committee 3/7/2020 House: Second conferees appointed by House: Delegates: Levine, Gooditis, Fariss 3/7/2020 Senate: Second conferees appointed by Senate: Senators: Bell, Favola, Pillion 3/8/2020 House: Conference report agreed to by House (51-Y 44-N) 3/8/2020 Senate: Conference report agreed to by Senate (26-Y 13-N)</p>	<p>1/28/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20103262D) - The County supports the expanded authority for the care of companion animals but does not support the tethering provisions. See also HB 1552 (Levine).</p> <p>Summary: Provides that the outdoor tethering of an animal does not meet the requirement of adequate shelter during a hurricane warning or tropical storm warning or if the animal is not safe from predators or well suited or equipped to tolerate its environment. The bill provides that unless an animal control officer has inspected an animal's individual circumstances and determined it to be safe from predators and well suited and equipped to tolerate its environment, no such outdoor tethering during a heat advisory, a severe weather warning, or a period when the temperature is 85 degrees Fahrenheit or higher or 32 degrees Fahrenheit or lower shall constitute the provision of adequate shelter. The measure increases the minimum tether length required to constitute adequate space to 15 feet in length or four times the length of the animal, whichever is greater. Current law requires the tether to be at least 10 feet in length or three times the length of the animal, whichever is greater. The bill provides an exception for a case in which an animal control officer, having inspected an animal's individual circumstances, determines that a shorter tether of at least 10 feet or three times the length of the animal makes the animal safer, more suited, and better equipped to tolerate its environment than a longer tether would. This bill is identical to HB 1552.</p>		
<p><u>SB 277</u> - Barker (39) Income tax, state and corporate; deduction for commuter benefits provided by an employer.</p>	<p>1/3/2020 Senate: Referred to Committee on Finance and Appropriations (SFIN) 1/30/2020 Senate: Reported from SFIN with amendments (12-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (28-Y 12-N) 2/12/2020 House: Referred to Committee on Finance (HFIN) 2/17/2020 House: Subcommittee recommends reporting with amendment (5-Y 4-N) 2/17/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/19/2020 House: Reported from HFIN with amendment (13-Y 9-N) 2/19/2020 House: Referred to Committee on Appropriations (HAPP) 2/21/2020 House: Reported from HAPP with amendments (13-Y 9-N) 2/26/2020 House: Passed House with amendments (52-Y 46-N) 2/26/2020 House: House insisted on amendments 2/26/2020 House: House requested conference committee 2/26/2020 Senate: Senate acceded to request (40-Y 0-N) 2/26/2020 Senate: House amendments rejected by Senate (0-Y 40-N) 2/27/2020 Senate: Conferees appointed by Senate: Senators: Barker, Marsden, Ebbin 2/27/2020 House: Conferees appointed by House: Delegates: Watts, Keam, Campbell, J.L. 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (55-Y 44-N) 3/7/2020 Senate: Conference report agreed to by Senate (27-Y 13-N)</p>	<p>1/28/2020</p>
<p>Support (20103304D)</p> <p>Summary: Income tax deduction for commuter benefits provided by an employer. Establishes, for taxable years 2020 through 2024, an individual and corporate income tax deduction for commuter benefits, defined in the bill, provided by an employer to its employees. The deduction is available only to the employer and is limited to \$265 per employee. The provisions of the bill are contingent on funding in a general appropriation act.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>SB 297</u> - Favola (31) Virginia Sexual and Domestic Violence Prevention Fund; created, report.	1/3/2020 Senate: Referred to Committee on the Judiciary 1/13/2020 Senate: Re-referred to Rehabilitation and Social Services 1/17/2020 Senate: Reported from Rehabilitation and Social Services with amendment (14-Y 0-N) 1/17/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/4/2020 Senate: Reported from SFIN with amendments (16-Y 0-N) 2/6/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/18/2020 House: Reported from HHWI with amendments (22-Y 0-N) 2/21/2020 House: Passed House with amendments (98-Y 0-N) 2/25/2020 Senate: House amendments rejected by Senate (0-Y 40-N) 2/26/2020 House: House insisted on amendments 2/26/2020 House: House requested conference committee 2/28/2020 Senate: Senate acceded to request (37-Y 0-N) 2/28/2020 Senate: Conferees appointed by Senate: Senators: Favola, McClellan, Chafin 3/2/2020 House: Conferees appointed by House: Delegates: Herring, Guzman, Brewer 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (98-Y 1-N) 3/7/2020 Senate: Conference report agreed to by Senate (40-Y 0-N)	1/28/2020

Support (20103455D)

Summary: Virginia Sexual and Domestic Violence Prevention Fund; report. Creates the Virginia Sexual and Domestic Violence Prevention Fund, which shall be administered by the Department of Social Services, in coordination with the Department of Health and the Virginia Sexual and Domestic Violence Action Alliance, and used to develop, support, and evaluate programs that prevent sexual and domestic violence through strategies that (i) promote healthy practices related to relationships, sexuality, and social-emotional development and (ii) counteract the factors associated with the initial perpetration of sexual and domestic violence.

<u>SB 303</u> - Stanley, Jr. (20) Dogs; import and sale from certain breeders, penalty.	1/5/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 1/21/2020 Senate: Reported from SACNR (12-Y 0-N) 1/27/2020 Senate: Read third time and passed Senate (39-Y 0-N) 2/13/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 2/19/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/26/2020 House: Reported from HAG (22-Y 0-N) 3/2/2020 House: Passed House BLOCK VOTE (99--Y 0-N) 3/6/2020 Senate: Enrolled 3/6/2020 Senate: Signed by President 3/6/2020 House: Signed by Speaker	[2/28/2020]
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[Support] (20100785D)

Summary: Import and sale of dogs from certain breeders; penalty. Prohibits any dealer or commercial dog breeder from importing for sale, selling, or offering for sale any dog bred by a person who has received certain citations pursuant to enforcement of the federal Animal Welfare Act. A violation is a Class 1 misdemeanor.

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Bills	General Assembly Actions	Date of BOS Position
SB 316 - Kiggans (7) Elections; date of June primary election.	1/5/2020 Senate: Referred to Committee on Privileges and Elections 1/21/2020 Senate: Reported from Privileges and Elections (14-Y 1-N) 1/28/2020 Senate: Read third time and passed Senate (24-Y 16-N) 2/3/2020 House: Referred to Committee on Privileges and Elections 2/19/2020 House: Subcommittee recommends reporting (5-Y 1-N) 2/21/2020 House: Reported from Privileges and Elections (15-Y 5-N) 2/25/2020 House: Re-referred to Privileges and Elections 2/28/2020 House: Reported from Privileges and Elections (15-Y 7-N) 3/4/2020 House: Passed House (72-Y 24-N) 3/7/2020 Senate: Enrolled	1/28/2020
Support (20103661D) - Board has historically supported. See also HB 57 (Fowler). Summary: 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.		
SB 391 - McPike (29) Adult abuse; financial exploitation, required report by financial institution.	1/6/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/17/2020 Senate: Reported from SRSS (7-Y 6-N 1-A) 1/31/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/20/2020 House: Subcommittee recommends reporting (4-Y 0-N) 2/25/2020 House: Reported from HHWI (22-Y 0-N) 2/28/2020 House: Passed House BLOCK VOTE (100-Y 0-N) 3/5/2020 Senate: Enrolled 3/6/2020 House: Signed by Speaker 3/7/2020 Senate: Signed by President	2/25/2020
Support (20107209D-S1) Summary: Adult abuse; financial exploitation; required report by financial institution. Requires financial institutions to report to the local department of social services or the adult protective services hotline within five business days any refusal to execute a transaction, delay of a transaction, or refusal to disburse funds based on a good faith belief that such transaction or disbursement may involve financial exploitation of an adult.		
SB 412 - Marsden (37) Family assessments; increases timeline for completion.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/17/2020 Senate: Reported from SRSS (13-Y 0-N) 1/22/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/18/2020 House: Reported from HHWI (22-Y 0-N) 2/21/2020 House: Passed House BLOCK VOTE (98-Y 0-N) 2/26/2020 Senate: Enrolled 2/27/2020 Senate: Signed by President 2/27/2020 House: Signed by Speaker 3/4/2020 Senate: Enrolled Bill Communicated to Governor 3/4/2020 Governor: Governor's Action Deadline 11:59 p.m., April 6, 2020	1/28/2020

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20100615D) - See also HB 778 (Jones).</p> <p>Summary: Family assessments; timeline. Increases from 45 days to 60 days the allowable time for completing a family assessment by a local department of social services and removes the local department's opportunity to request a 15-day extension. This bill is identical to HB 778.</p>		
<p><u>SB 435</u> - Surovell (36) Waterfowl blinds; blinds in locality where certain hunting prohibited.</p>	<p>1/7/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 1/14/2020 Senate: Reported from SACNR with substitute (14-Y 0-N) 1/20/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 2/19/2020 House: Reported from HAG (12-Y 9-N) 2/24/2020 House: Passed House (56-Y 41-N 1-A) 2/27/2020 Senate: Enrolled 2/27/2020 Senate: Signed by President 2/27/2020 House: Signed by Speaker</p>	<p>1/28/2020</p>
<p>Support (20105779D-S1) Summary: Waterfowl blinds in locality where certain hunting prohibited. Directs the Department of Game and Inland Fisheries not to license any stationary waterfowl blind in any area of Hunting Creek, Little Hunting Creek, or Dogue Creek in which the local governing body prohibits by ordinance the hunting of birds with a firearm. This bill is identical to HB 173.</p>		
<p><u>SB 479</u> - Howell (32) Protective orders; possession of firearms, surrender or transfer of firearms, penalty.</p>	<p>1/7/2020 Senate: Referred to Committee on the Judiciary (SJUD) 1/22/2020 Senate: Incorporates SB 372 (Saslaw) 1/22/2020 Senate: Reported from SJUD with substitute (10-Y 4-N) 1/28/2020 Senate: Read third time and passed Senate (23-Y 17-N) 2/18/2020 House: Referred to Committee on Public Safety (HPS) 2/21/2020 House: Reported from HPS with amendment (15-Y 6-N) 2/26/2020 House: HPS amendment rejected 2/26/2020 House: Passed House with substitute (56-Y 41-N) 2/26/2020 House: Substitute by Delegate Mullin agreed to 3/6/2020 Senate: Enrolled 3/6/2020 Senate: Signed by President 3/6/2020 House: Signed by Speaker</p>	<p>2/11/2020</p>
<p>Support (20106476D-S1) - Board has historically supported. See also HB 1004 (Mullin).</p> <p>Summary: Protective orders; possession of firearms; surrender or transfer of firearms; penalty. Prohibits any person subject to a permanent protective order (i.e., a protective order with a maximum duration of two years) from knowingly possessing a firearm while the order is in effect, provided that for a period of 24 hours after being served with a protective order such person may continue to possess such firearm for the purposes of selling or transferring it to any person who is not otherwise prohibited by law from possessing such firearm. A violation of this provision is a Class 6 felony. The bill also provides that a court shall order a person subject to a permanent protective order to (i) within 24 hours, surrender any firearm possessed by such person to a designated local law-enforcement agency or sell or transfer any firearm possessed by such person to a dealer or to any person who is not otherwise prohibited by law from possessing such firearm and (ii) certify in writing that such person does not possess any firearms or that all firearms possessed by such person have been</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>surrendered, sold, or transferred 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 any person who willfully fails to certify in writing in accordance with this section that all firearms possessed by such person have been surrendered, 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 makes it a Class 4 felony for any person to sell, barter, give, or furnish any firearm to any person he knows is prohibited from possessing or transporting a firearm who is subject to a permanent protective order. This bill incorporates SB 372 and is identical to HB 1004.</p>		
<p><u>SB 561</u> - Vogel (27) Workers' compensation; post-traumatic stress disorder, law-enforcement officers and firefighters.</p>	<p>1/7/2020 Senate: Referred to Committee on Commerce and Labor (SCL) 1/13/2020 Senate: Incorporates SB 924 (Cosgrove) 1/13/2020 Senate: Reported from SCL with substitute (12-Y 3-N) 1/13/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/4/2020 Senate: Incorporates SB 741 (McPike) 2/4/2020 Senate: Reported from SFIN with substitute (14-Y 1-N) 2/6/2020 Senate: SCL substitute rejected 2/6/2020 Senate: SFIN substitute agreed to 2/10/2020 Senate: Read third time and passed Senate (37-Y 2-N) 2/13/2020 House: Referred to Committee on Labor and Commerce 2/18/2020 House: Reported from Labor and Commerce (21-Y 0-N) 2/21/2020 House: Passed House BLOCK VOTE (98-Y 0-N) 2/26/2020 Senate: Enrolled 2/27/2020 House: Signed by Speaker 2/27/2020 Senate: Signed by President 3/4/2020 Senate: Enrolled Bill Communicated to Governor 3/4/2020 Governor: Governor's Action Deadline 11:59 p.m., April 6, 2020</p>	<p>1/28/2020</p>
<p>Support (20105715D-S1) Summary: Workers' compensation; post-traumatic stress disorder; law-enforcement officers and firefighters. Provides that post-traumatic stress disorder incurred by a law-enforcement officer or firefighter is compensable under the Virginia Workers' Compensation Act if a mental health professional examines a law-enforcement officer or firefighter and diagnoses the individual as suffering from post-traumatic stress disorder as a result of the individual's undergoing a qualifying event, defined as an incident or exposure occurring in the line of duty on or after July 1, 2020, (i) resulting in serious bodily injury or death to any person or persons; (ii) involving a minor who has been injured, killed, abused, or exploited; (iii) involving an immediate threat to life of the claimant or another individual; (iv) involving mass casualties; or (v) responding to crime scenes for investigation. Other conditions for compensability include (a) if the post-traumatic stress disorder resulted from the law-enforcement officer or firefighter acting in the line of duty and, in the case of a firefighter, such firefighter complied with certain federal Occupational Safety and Health Act standards; (b) if the law-enforcement officer's or firefighter's undergoing of a qualifying event was a substantial factor in causing his post-traumatic stress disorder; (c) if such qualifying event, and not another event or source of stress, was the primary cause of the post-traumatic stress disorder; and (d) if the post-traumatic stress disorder did not result from any disciplinary action, work evaluation, job transfer, layoff, demotion, promotion, termination, retirement, or similar action of the officer or firefighter. The measure also establishes requirements for resilience and self-care technique training. The bill incorporates SB 741 and SB 924 and is identical to HB 438.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 566</u> - Edwards (21) Naloxone or other opioid antagonist; possession and administration.</p>	<p>1/7/2020 Senate: Referred to Committee on Education and Health (SEH) 2/6/2020 Senate: Reported from SEH with amendment (15-Y 0-N) 2/10/2020 Senate: Passed Senate (39-Y 0-N) 2/18/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/25/2020 House: Reported from HHWI (22-Y 0-N) 2/28/2020 House: Passed House BLOCK VOTE (100-Y 0-N) 3/5/2020 Senate: Enrolled 3/6/2020 House: Signed by Speaker 3/7/2020 Senate: Signed by President</p>	<p>2/11/2020</p>
<p>Support (20104900D) - See also HB 650 (Hope). Summary: Naloxone; possession and administration. Provides that a person who is not otherwise authorized to administer naloxone or other opioid antagonist used for overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose, provided that the administration is in good faith and absent gross negligence or willful and wanton misconduct.</p>		
<p><u>SB 588</u> - Hanger, Jr. (24) Localities; authority to levy taxes.</p>	<p>1/7/2020 Senate: Referred to Committee on Local Government 1/13/2020 Senate: Reported from Local Government (11-Y 0-N 1-A) 1/13/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/5/2020 Senate: Incorporates SB 484 (Favola) 2/5/2020 Senate: Incorporates SB 682 (Mason) 2/5/2020 Senate: Incorporates SB 799 (Lewis) 2/5/2020 Senate: Incorporates SB 921 (Locke) 2/5/2020 Senate: Reported from SFIN with substitute (14-Y 2-N) 2/10/2020 Senate: Passed Senate (24-Y 15-N) 2/13/2020 House: Referred to Committee on Finance 2/17/2020 House: Subcommittee recommends reporting with substitute (6-Y 4-N) 2/19/2020 House: Reported from Finance with substitute (13-Y 9-N) 2/24/2020 House: Passed House with substitute (58-Y 40-N 1-A) 2/26/2020 Senate: House substitute rejected by Senate (0-Y 40-N) 2/27/2020 House: House insisted on substitute 2/27/2020 House: House requested conference committee 3/2/2020 Senate: Senate acceded to request (31-Y 9-N) 3/2/2020 Senate: Conferees appointed by Senate: Senators: Hanger, Favola, McClellan 3/3/2020 House: Conferees appointed by House: Delegates: Watts, Hudson, Kilgore 3/7/2020 Conference: Amended by conference committee 3/7/2020 Senate: Conference report rejected by Senate (0-Y 39-N) 3/7/2020 House: House requested second conference committee 3/7/2020 Senate: Senate acceded to request for second conference committee (26-Y 12-N) 3/7/2020 House: Second conferees appointed by House: Delegates: Watts, Hudson, Kilgore 3/8/2020 Senate: Second conferees appointed by Senate: Senators: Hanger, Favola, McClellan</p>	<p>2/25/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
	3/8/2020 House: Conference report agreed to by House (57-Y 38-N 1-A) 3/8/2020 Senate: Conference report agreed to by Senate (26-Y 12-N)	
<p>Support with Amendment (20108310D-H1) - Support with amendments to eliminate restrictions on local revenue authority. Board has historically supported equal taxing authority for counties and cities.</p> <p>Summary: Local tax authority. Modifies the restrictions that currently apply to county admission, cigarette, food and beverage, and transient occupancy taxes. The bill authorizes all counties to tax cigarettes at up to 40 cents per pack. The bill limits the cigarette tax rate of cities and towns to 40 cents per pack or the rate in effect on January 1, 2020, whichever is greater. Under current law, there is no limit on the cigarette tax rate that may be imposed by a city or town.</p>		
<p><u>SB 593</u> - Hanger, Jr. (24) Family day homes, licensed, etc.; storage of unloaded firearms in a locked container, cabinet, etc.</p>	<p>1/7/2020 Senate: Referred to Committee on the Judiciary 1/22/2020 Senate: Re-referred to Rehabilitation and Social Services 1/31/2020 Senate: Reported from Rehabilitation and Social Services (14-Y 0-N 1-A) 2/5/2020 Senate: Read third time and passed Senate (30-Y 10-N) 2/13/2020 House: Referred to Committee on Public Safety 2/14/2020 House: Reported from Public Safety with substitute (13-Y 9-N) 2/19/2020 House: Passed House with substitute (54-Y 46-N) 2/21/2020 Senate: House substitute rejected by Senate (2-Y 37-N) 2/24/2020 House: House insisted on substitute 2/24/2020 House: House requested conference committee 2/26/2020 Senate: Senate acceded to request (32-Y 8-N) 2/26/2020 Senate: Conferees appointed by Senate: Senators: Hanger, McClellan, Stuart 2/27/2020 House: Conferees appointed by House: Delegates: Hope, Bourne, Coyner 3/5/2020 Conference: Amended by conference committee 3/7/2020 Senate: Conference report agreed to by Senate (24-Y 16-N) 3/8/2020 House: Conference report agreed to by House (53-Y 43-N)</p>	<p>2/11/2020</p>
<p>Support (20101435D) Summary: Family day homes; storage of firearms. Requires that all firearms in a licensed family day home be stored unloaded in a locked container, compartment, or cabinet. The bill also requires that, during the family day home's hours of operation, ammunition be stored separate from all firearms in a locked container, compartment, or cabinet.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 631</u> - Surovell (36) Abandoned and stolen shopping carts; local regulation.</p>	<p>1/7/2020 Senate: Referred to Committee on Local Government (SLG) 1/20/2020 Senate: Reported from SLG with amendments (8-Y 7-N) 1/23/2020 Senate: Read third time and defeated by Senate (20-Y 20-N) 1/23/2020 Senate: Chair votes No 1/23/2020 Senate: Reconsideration of defeated action agreed to by Senate (40-Y 0-N) 1/27/2020 Senate: Read third time and passed Senate (20-Y 19-N) 2/25/2020 House: Referred to Committee on Counties, Cities and Towns 2/28/2020 House: Reported from Counties, Cities and Towns with amendment (14-Y 7-N) 3/4/2020 House: Defeated by House (43-Y 51-N) 3/4/2020 House: Reconsideration of defeated action agreed to by House 3/5/2020 House: Passed House with amendments (50-Y 47-N) 3/5/2020 Senate: House amendments agreed to by Senate (20-Y 19-N) 3/5/2020 Senate: Reconsideration of House amendments agreed to by Senate (29-Y 9-N) 3/5/2020 Senate: House amendments agreed to by Senate (22-Y 17-N)</p>	<p>1/28/2020</p>
<p>Support (20104457D) - The County supports expanded local authority but has concerns about its ability to implement this authority, and the fine on individuals. Summary: Provides that any locality with a County Manager Plan or Urban County Executive form of government may, by ordinance, provide that it is unlawful for any person to place, leave, or abandon on any real property in the locality, or within specified districts within the locality, any shopping cart. The bill requires such ordinance to provide that any such shopping cart that remains on the real property at least 15 days after a notice of violation is given to the owner of such shopping cart shall be presumed to be abandoned and subject to removal from the real property by the county or its agents without further notice. In the event that any such shopping cart is so removed, the cost of removal, including the cost of disposal, but not to exceed \$300 per cart, shall be charged to the owner of the shopping cart. The bill also authorizes such ordinance to prohibit possession of a shopping cart outside of the designated premises when the owner has posted notice of such prohibition. Such ordinance may provide for a civil penalty of not more than \$500.</p>		
<p><u>SB 649</u> - Boysko (33) Town taxes; collection by county.</p>	<p>1/7/2020 Senate: Referred to Committee on Local Government 1/13/2020 Senate: Reported from Local Government (13-Y 0-N) 1/17/2020 Senate: Read third time and passed Senate (38-Y 0-N) 2/13/2020 House: Referred to Committee on Counties, Cities and Towns (HCCT) 2/20/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/21/2020 House: Reported from HCCT (22-Y 0-N) 2/26/2020 House: Passed House BLOCK VOTE (100-Y 0-N) 3/3/2020 Senate: Enrolled 3/3/2020 House: Signed by Speaker 3/4/2020 Senate: Signed by President</p>	<p>1/28/2020</p>
<p>Support (20105082D) - See also HB 1534 (Samirah). Summary: Collection of town taxes by county. Authorizes the board of supervisors of any county that has adopted the urban county executive form of government to enter into agreements with towns located partially or wholly within such county for the collection and enforcement of real or personal property taxes by the county official responsible for assessment or collection of taxes. The authority granted to such counties is similar to authority granted to Loudoun County under existing law. This bill is identical to HB 1534.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>SB 668</u> - Boysko (33) Child care providers; out-of-state background checks.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/31/2020 Senate: Reported from SRSS (15-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/18/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/20/2020 House: Subcommittee recommends reporting (5-Y 0-N) 2/25/2020 House: Reported from HHWI (22-Y 0-N) 2/28/2020 House: Passed House BLOCK VOTE (100-Y 0-N) 3/5/2020 Senate: Enrolled 3/6/2020 House: Signed by Speaker 3/7/2020 Senate: Signed by President	2/25/2020
Support (20102503D) Summary: Requires certain child care providers and employees or volunteers thereof to submit to background checks that include a criminal history record information check and sex offender registry check in any state in which the applicant has resided in the preceding five years.		
<u>SB 678</u> - Mason (1) Central registry; electronic requests and responses.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/31/2020 Senate: Reported from SRSS (15-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/18/2020 House: Reported from HHWI (22-Y 0-N) 2/21/2020 House: Passed House BLOCK VOTE (98-Y 0-N) 2/26/2020 Senate: Enrolled 2/27/2020 House: Signed by Speaker 2/27/2020 Senate: Signed by President 3/4/2020 Senate: Enrolled Bill Communicated to Governor 3/4/2020 Governor: Governor's Action Deadline 11:59 p.m., 4/6/2020	2/11/2020
Support (20103026D) Summary: Department of Social Services; central registry; electronic requests and responses. Allows requests for and responses to searches of the central registry of founded complaints of child abuse and neglect maintained by the Department of Social Services to be sent electronically.		
<u>SB 706</u> - Obenshain (26) Human trafficking; assessments by local departments.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 1/31/2020 Senate: Reported from SRSS (15-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/18/2020 House: Reported from HHWI (22-Y 0-N) 2/21/2020 House: Passed House BLOCK VOTE (98-Y 0-N) 2/26/2020 Senate: Enrolled 2/27/2020 House: Signed by Speaker 2/27/2020 Senate: Signed by President 3/4/2020 Senate: Enrolled Bill Communicated to Governor 3/4/2020 Governor: Governor's Action Deadline 11:59 p.m., 4/6/2020	2/11/2020

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20105034D) - See also HB 1006 (Herring).</p> <p>Summary: Human trafficking assessments by local departments. Changes the name of sex trafficking assessments to human trafficking assessments and allows local departments of social services conducting such human trafficking assessments to interview the alleged child victim or his siblings without the consent and outside the presence of such child's or siblings' parent, guardian, legal custodian, or other person standing in loco parentis, or school personnel. This bill is a recommendation of the Virginia State Crime Commission. This bill is identical to HB 1006.</p>		
<p><u>SB 710</u> - McClellan (9) Distributed solar & other renewable energy; sales of electricity under third-party agreements.</p>	<p>1/7/2020 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Reported from Commerce and Labor (12-Y 3-N) 2/11/2020 Senate: Substitute by Senator McClellan agreed to 2/11/2020 Senate: Passed Senate (22-Y 18-N) 2/14/2020 House: Referred to Committee on Labor and Commerce 2/25/2020 House: Reported from Labor and Commerce with substitute (12-Y 7-N) 2/28/2020 House: Passed House with substitute (64-Y 34-N 1-A) 3/2/2020 Senate: House substitute rejected by Senate (1-Y 39-N) 3/3/2020 House: House insisted on substitute 3/3/2020 House: House requested conference committee 3/4/2020 Senate: Senate acceded to request (26-Y 14-N) 3/4/2020 Senate: Conferees appointed by Senate: Senators: McClellan, Spruill, Vogel 3/5/2020 House: Conferees appointed by House: Delegates: Keam, Lopez, Runion 3/7/2020 Conference: Amended by conference committee 3/8/2020 House: Conference report agreed to by House (61-Y 32-N 1-A) 3/8/2020 House: Reconsideration of conference report agreed to by House 3/8/2020 House: Conference report agreed to by House (60-Y 31-N 1-A) 3/8/2020 Senate: Conference report agreed to by Senate (27-Y 12-N)</p>	<p>1/28/2020</p>
<p>Support (20104871D) - Board has historically supported.</p> <p>Summary: Distributed renewable energy. Promotes the establishment of distributed renewable solar and other renewable energy. The measure (i) increases from one percent to six percent the systemwide 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 customers of investor-owned utilities, (iii) removes the restriction on customers installing a net-metered generation facility larger than that required to meet their previous 12 months' demand, (iv) raises the cap for net-metered nonresidential generation facilities from one megawatt to three megawatts, and (vi) removes the ability of a Phase I Utility to assess standby charges. The measure also amends the Commonwealth Energy Policy to include provisions supporting distributed generation of renewable energy.</p>		

Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 739</u> - Deeds (25) Acute psychiatric bed registry; DBHDS shall establish work group to evaluate, etc.</p>	<p>1/8/2020 Senate: Referred to Committee on Education and Health 1/30/2020 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/4/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/18/2020 House: Reported from HHWI (22-Y 0-N) 2/21/2020 House: Passed House BLOCK VOTE (98-Y 0-N) 2/26/2020 Senate: Enrolled 2/27/2020 House: Signed by Speaker 2/27/2020 Senate: Signed by President 3/4/2020 Senate: Enrolled Bill Communicated to Governor 3/4/2020 Governor: Governor's Action Deadline 11:59 p.m., April 6, 2020</p>	<p>2/25/2020</p>
<p>Support (20106120D-S1) - See also HB 1453 (Hope). Summary: Acute psychiatric bed registry; information required to be reported. Directs the Department of Behavioral Health and Developmental Services to establish a work group to evaluate the role of, and make recommendations related to improving the structure and effectiveness of, the psychiatric bed registry in collecting and disseminating information about the availability of acute psychiatric beds in the Commonwealth. The work group shall report its findings, conclusions, and recommendations to the Governor and the Chairmen of the Senate Committee on Education and Health, the House Committee on Health, Welfare and Institutions, and the Joint Subcommittee to Study Mental Health Services in the Commonwealth in the Twenty-First Century by November 1, 2020. This bill is identical to HB 1453.</p>		
<p><u>SB 742</u> - McPike (29) Dogs or cats; rental or lease prohibited, civil penalty, exception.</p>	<p>1/8/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 1/28/2020 Senate: Reported from SACNR with amendments (10-Y 4-N) 2/3/2020 Senate: Read third time and passed Senate (27-Y 13-N) 2/13/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 2/26/2020 House: Reported from HAG with amendments (13-Y 9-N) 3/2/2020 House: Passed House with amendments (53-Y 45-N) 3/3/2020 Senate: House amendments agreed to by Senate (24-Y 16-N) 3/6/2020 Senate: Enrolled</p>	<p>[2/28/2020]</p>
<p>[Support] (20103159D-E) Summary: Rental or lease of dog or cat prohibited; civil penalty. Prohibits the rental or lease of a dog or cat to a consumer, including by a purported sale of the animal in a manner that vests less than full equity in the consumer at the time of the purported sale. The bill prohibits the sale of a dog or cat in which the animal is subject to repossession upon default of the agreement and prohibits any financial institution from offering a loan for which the animal is subject to repossession upon default of the loan. The bill provides that a violation of the provisions of the bill is a violation of the Consumer Protection Act and a business that violates the provisions of the bill may also have its retail license suspended or revoked. The bill exempts certain animals from its prohibitions, including purebred dogs leased for breeding; dogs or cats used in spectator events, motion pictures, racing, or other entertainment; and service dogs, guide or leader dogs, security dogs, law-enforcement dogs, military working dogs, and certified facility dogs. The bill has a delayed effective date of January 1, 2021.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 746</u> - Bell (13) Comprehensive plan; adoption or disapproval by governing body.</p>	<p>1/8/2020 Senate: Referred to Committee on Local Government 1/20/2020 Senate: Reported from Local Government with amendments (12-Y 3-N) 1/23/2020 Senate: Read third time and passed Senate (35-Y 5-N) 2/13/2020 House: Referred to Committee on Counties, Cities and Towns 2/20/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/21/2020 House: Reported from Counties, Cities and Towns (22-Y 0-N) 2/26/2020 House: Passed House BLOCK VOTE (100-Y 0-N) 3/4/2020 Senate: Enrolled 3/5/2020 Senate: Signed by President 3/6/2020 House: Signed by Speaker</p>	<p>1/28/2020</p>
<p>Support (20105016D) - See also HB 726 (Reid). Summary: Comprehensive plan. Extends the time by which a governing body is required to approve or disapprove a locality-initiated comprehensive plan amendment for more than 25 parcels from 90 to 150 days. This bill is identical to HB 726.</p>		
<p><u>SB 848</u> - Ebbin (30) Northern Virginia Transportation Commission; changes report date.</p>	<p>1/8/2020 Senate: Referred to Committee on Rules 2/7/2020 Senate: Reported from Rules (13-Y 0-N 1-A) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/14/2020 House: Referred to Committee on Transportation 2/18/2020 House: Subcommittee recommends reporting (10-Y 0-N) 2/20/2020 House: Reported from Transportation (22-Y 0-N) 2/25/2020 House: Passed House BLOCK VOTE (100-Y 0-N) 3/2/2020 Senate: Enrolled 3/2/2020 House: Signed by Speaker 3/3/2020 Senate: Signed by President</p>	<p>1/28/2020</p>
<p>Support (20102147D) Summary: Northern Virginia Transportation Commission; report date. Changes from November 1 to December 15 the annual reporting date of the Northern Virginia Transportation Commission to the Governor and the General Assembly regarding the performance of the Washington Metropolitan Area Transit Authority.</p>		

Bills	General Assembly Actions	Date of BOS Position
SB 851 - McClellan (9) Electric utility regulation; environmental goals.	1/8/2020 Senate: Referred to Committee on Commerce and Labor 2/9/2020 Senate: Incorporates SB 532 (Edwards) 2/9/2020 Senate: Incorporates SB 876 (Marsden) 2/9/2020 Senate: Reported from Commerce and Labor with substitute (12-Y 3-N) 2/11/2020 Senate: Passed Senate (21-Y 19-N) 2/18/2020 House: Referred to Committee on Labor and Commerce 2/25/2020 House: Reported from Labor and Commerce with substitute (13-Y 9-N) 3/5/2020 House: Committee substitute rejected 3/5/2020 House: Substitute by Delegate Sullivan agreed to 3/5/2020 House: Passed House with substitute (51-Y 45-N 1-A) 3/5/2020 Senate: House substitute agreed to by Senate (22-Y 17-N)	2/11/2020

Support (20105040D) - See also HB 1526 (Sullivan).

Summary: Replaces the existing voluntary renewable energy portfolio system (RPS) program with a mandatory RPS that applies to electric utilities and licensed competitive suppliers. Among other things, the measure also adopts a 2,400 megawatt energy storage deployment target for the Commonwealth, requires the State Corporation Commission to adopt regulations for implementation of the energy storage deployment target of 2,400 megawatts by 2035, establishes an energy efficiency standard under which each investor-owned incumbent electric utility is required to achieve incremental annual energy efficiency savings that start in 2021 at 0.35 percent of the average annual energy retail sales by that utility in the three preceding calendar years and increase annually until 2027 and thereafter when energy efficiency savings of at least two percent of the average annual energy retail sales by that utility in the three preceding calendar years are required, amends the net energy metering program by increasing the maximum capacity of renewable generation facilities of participating nonresidential eligible customer-generators from one to three megawatts, increases the cap on the capacity of generation from facilities from the customer's expected annual energy consumption to 150 percent of such amount, increases each utility's systemwide cap from one percent of its adjusted Virginia peak-load forecast for the previous year to 10 percent of such amount, eliminates the ability of a utility to assess standby charges, establishes the right to finance electrical generating facilities via leases and power purchase agreements, directs the State Air Pollution Control Board to report to the General Assembly by January 1, 2021, on how to achieve 100 percent carbon free electric energy generation by 2050 and whether the General Assembly should permanently repeal the ability to obtain a certificate of public convenience and necessity for electric generating units that emit carbon as a byproduct of combusting fuel to generate electricity, directs the Board to adopt regulations establishing a carbon dioxide cap and trade program to limit and reduce the total carbon dioxide emissions released by electric generation facilities, which regulations shall comply with the Regional Greenhouse Gas Initiative model rule; (xviii) directs the Board to adopt a regulation to reduce, for the period of 2031 to 2050, and establishes a shared solar program that allows customers to purchase electric power through a subscription in a shared solar facility.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 864</u> - Pillion (40) Comprehensive harm reduction programs; public health emergency, repeal sunset provision.</p>	<p>1/8/2020 Senate: Referred to Committee on Education and Health 1/30/2020 Senate: Reported from Education and Health (15-Y 0-N) 2/4/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions 2/18/2020 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/21/2020 House: Passed House (92-Y 5-N) 2/26/2020 Senate: Enrolled 2/27/2020 Senate: Signed by President 2/27/2020 House: Signed by Speaker 3/4/2020 Senate: Enrolled Bill Communicated to Governor 3/4/2020 Governor: Governor's Action Deadline 11:59 p.m., April 6, 2020</p>	<p>1/28/2020</p>
<p>Support (20104765D) - See also HB 378 (Rasoul). Summary: Comprehensive harm reduction programs; public health emergency; repeal sunset. Repeals the sunset on the program established in 2017 that allows the Commissioner of Health to establish and operate local or regional comprehensive harm reduction programs during a declared public health emergency that include a provision for the distribution of sterile hypodermic needles and syringes and the disposal of used hypodermic needles and syringes. This bill is identical to HB 378.</p>		
<p><u>SB 903</u> - Vogel (27) Hospitals; screening emergency department patients, etc.</p>	<p>1/8/2020 Senate: Referred to Committee on Education and Health 1/23/2020 Senate: Reported from Education and Health with substitute (15-Y 0-N) 1/28/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/18/2020 House: Subcommittee recommends reporting (7-Y 1-N) 2/25/2020 House: Reported from HHWI (21-Y 1-N) 2/28/2020 House: Passed House (99-Y 0-N) 3/5/2020 Senate: Enrolled 3/6/2020 House: Signed by Speaker 3/7/2020 Senate: Signed by President</p>	<p>2/25/2020</p>
<p>Support (20106163D-S1) Summary: Hospitals; emergency treatment for substance use-related emergencies; services. Requires the Board of Health to amend regulations governing hospitals to require each hospital with an emergency department to establish a protocol for treatment of individuals experiencing a substance use-related emergency to include the completion of appropriate assessments or screenings to identify medical interventions necessary for the treatment of the individual in the emergency department. The protocol may also include a process for patients that are discharged directly from the emergency department for the recommendation of follow-up care following discharge for any identified substance use disorder, depression, or mental health disorder, as appropriate, which may include instructions for distribution of naloxone, referrals to peer recovery specialists and community-based providers of behavioral health services, or referrals for pharmacotherapy for treatment of drug or alcohol dependence or mental health diagnoses.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 939</u> - Saslaw (35) Employees of local governments; collective bargaining.</p>	<p>1/13/2020 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Incorporates SB 1022 (Boysko) 2/3/2020 Senate: Reported from Commerce and Labor with substitute (11-Y 3-N) 2/3/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/6/2020 Senate: Reported from SFIN (11-Y 5-N) 2/11/2020 Senate: Passed Senate (21-Y 19-N) 2/18/2020 House: Referred to Committee on Labor and Commerce 2/25/2020 House: Reported from Labor and Commerce with substitute (13-Y 9-N) 2/28/2020 House: Passed House with substitute (54-Y 46-N) 3/2/2020 Senate: House substitute rejected by Senate (0-Y 40-N) 3/3/2020 House: House insisted on substitute 3/3/2020 House: House requested conference committee 3/4/2020 Senate: Senate acceded to request (21-Y 19-N) 3/4/2020 Senate: Conferees appointed by Senate: Senators: Saslaw, Barker, Norment 3/5/2020 House: Conferees appointed by House: Delegates: Guzman, Krizek, Knight 3/7/2020 Conference: Amended by conference committee 3/8/2020 House: Conference report agreed to by House (51-Y 44-N) 3/8/2020 Senate: Conference report agreed to by Senate (20-Y 19-N) 3/8/2020 Senate: Reconsideration of conference report agreed to by Senate (38-Y 0-N) 3/8/2020 Senate: Conference report agreed to by Senate (21-Y 18-N)</p>	<p>2/25/2020</p>
<p>Support (20107464D-S1) Summary: Labor and employment; collective bargaining; employees of counties, cities, and towns. Permits counties, cities, and towns to adopt local ordinances authorizing them to (i) recognize any labor union or other employee association as a bargaining agent of any public officers or employees, except for Constitutional officers and their employees, and including public school employees and (ii) collectively bargain or enter into any collective bargaining contract with any such union or association or its agents with respect to any matter relating to them or their employment. The bill provides that prohibition against striking for public employees applies irrespective of any such local ordinance.</p>		
<p><u>SB 1018</u> - Stanley, Jr. (20) Sentence reductions; substantial assistance in furtherance of investigation, etc.</p>	<p>1/16/2020 Senate: Referred to Committee on the Judiciary 2/10/2020 Senate: Reported from Judiciary (12-Y 0-N 1-A) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/14/2020 House: Referred to Committee for Courts of Justice 2/17/2020 House: Subcommittee recommends reporting (6-Y 1-N) 2/19/2020 House: Reported from Courts of Justice (19-Y 1-N) 2/24/2020 House: Amendment by Delegate Scott agreed to 2/24/2020 House: Passed House with amendment (87-Y 11-N) 2/26/2020 Senate: House amendment agreed to by Senate (39-Y 0-N) 3/4/2020 Senate: Enrolled 3/5/2020 Senate: Signed by President 3/6/2020 House: Signed by Speaker</p>	<p>2/11/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20105189D)</p> <p>Summary: Sentence reductions; substantial assistance to prosecution. Allows a convicted person's sentence to be reduced by the sentencing court if the court determines such person provided substantial assistance in the furtherance of the investigation or prosecution of another person engaged in an act of grand larceny of a firearm. Consideration of sentence reduction can occur only upon motion of the attorney for the Commonwealth.</p>		
<p><u>SB 1027</u> - Lewis, Jr. (6) Clean Energy and Community Flood Preparedness Act; definitions, funds, report.</p>	<p>1/16/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 2/4/2020 Senate: Reported from SACNR with substitute (8-Y 7-N) 2/4/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/6/2020 Senate: Reported from SFIN (12-Y 4-N) 2/11/2020 Senate: Passed Senate (22-Y 18-N) 2/14/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 2/19/2020 House: Referred from HAG by voice vote 2/19/2020 House: Referred to Committee on Labor and Commerce 2/20/2020 House: Reported from Labor and Commerce with substitute (13-Y 9-N) 2/20/2020 House: Referred to Committee on Appropriations 2/21/2020 House: Reported from Appropriations (13-Y 9-N) 2/26/2020 House: Passed House with substitute (51-Y 47-N) 2/26/2020 Senate: House substitute agreed to by Senate (23-Y 17-N) 3/4/2020 Senate: Enrolled 3/5/2020 Senate: Signed by President 3/6/2020 House: Signed by Speaker</p>	<p>2/11/2020</p>
<p>Support (20105571D)</p> <p>Summary: Clean Energy and Community Flood Preparedness Act; fund. Directs the Department of Environmental Quality to incorporate into regulations previously adopted by the State Air Pollution Control Board certain provisions establishing a carbon dioxide cap and trade program to reduce emissions released by electric generation facilities. Such provisions are required to comply with the Regional Greenhouse Gas Initiative model rule. The bill authorizes the Director of the Department of Environmental Quality to establish, implement, and manage an auction program to sell allowances into a market-based trading program. The bill requires revenues from the sale of carbon allowances, to the extent permitted by Article X, Section 7 of the Constitution of Virginia, to be deposited in an interest-bearing account and to be distributed without further appropriation (i) to the Virginia Community Flood Preparedness Fund; (ii) to the Department of Housing and Community Development for low-income energy efficiency programs; (iii) for administrative expenses; and (iv) to the Department of Housing and Community Development in partnership with the Department of Mines, Minerals and Energy to administer and implement low-income energy efficiency programs. The bill authorizes any locality using moneys in the Fund to provide a loan for a project in a low-income geographic area to forgive the principal of such loan, with the obligation of the locality to repay the loan remaining in effect. The bill also provides that if the Governor seeks to include the Commonwealth as a full participant in the Regional Greenhouse Gas Initiative, the regulations shall require that certain purchasers be responsible for obtaining allowances under certain agreements. The bill authorizes the costs of allowances to be recovered by Phase I and Phase II Utilities from ratepayers and continues the Virginia Shoreline Resiliency Fund as the Virginia Community Flood Preparedness Fund for the purpose of creating a low-interest loan program to help inland and coastal communities that are subject to recurrent or repetitive flooding. This bill is identical to HB 981.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>SJ 1</u> - McClellan (9) United States Constitution; ratifies and affirms Equal Rights Amendment.	11/18/2019 Senate: Referred to Committee on Privileges and Elections 1/9/2020 Senate: Incorporates SJ 5 (Saslaw) 1/9/2020 Senate: Reported from Privileges and Elections with substitute (10-Y 5-N) 1/15/2020 Senate: Agreed to by Senate (28-Y 12-N) 1/16/2020 House: Referred to Committee on Privileges and Elections 1/17/2020 House: Reported from Privileges and Elections (13-Y 9-N) 1/27/2020 House: Agreed to by House (58-Y 40-N)	1/28/2020
Support (20105431D-S1) - Board has historically supported. See also HJ 1 (Carroll Foy). Summary: Constitution of the United States; Equal Rights Amendment. Ratifies the Equal Rights Amendment to the Constitution of the United States that was proposed by Congress in 1972.		
<u>SJ 67</u> - McClellan (9) Marijuana; JLARC to study legalization of growth, sale, and possession.	1/8/2020 Senate: Referred to Committee on Rules 1/31/2020 Senate: Reported from Rules by voice vote 2/5/2020 Senate: Amendment by Senator McClellan agreed to 2/6/2020 Senate: Read third time and agreed to by Senate by voice vote 2/13/2020 House: Referred to Committee on Rules 2/19/2020 House: Reported from Rules with substitute (12-Y 5-N) 2/24/2020 House: Agreed to by House with substitute (63-Y 36-N) 2/26/2020 Senate: House substitute rejected by Senate 2/27/2020 House: House insisted on substitute 2/27/2020 House: House requested conference committee 3/2/2020 Senate: Senate acceded to request (31-Y 9-N) 3/2/2020 Senate: Conferees appointed by Senate: Senators: McClellan, Ebbin, Pillion 3/3/2020 House: Conferees appointed by House: Delegates: Heretick, Herring, Collins 3/7/2020 Conference: Amended by conference committee 3/8/2020 Senate: Conference report agreed to by Senate by voice vote 3/8/2020 House: Conference report agreed to by House (61-Y 32-N)	2/11/2020
Support (20105391D) Summary: Study; JLARC; legalization and regulation of growth, sale and possession of marijuana; report. Directs the Joint Legislative Audit and Review Commission to study and make recommendations for how Virginia should go about legalizing and regulating the growth, sale, and possession of marijuana by July 1, 2022, and address the impacts of marijuana prohibition.		

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Fairfax County Positions
(Monitor)

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 9</u> - Bourne (71) Firearms; reporting those lost or stolen, civil penalty.	11/18/2019 House: Referred to Committee on Public Safety 1/24/2020 House: Reported from Public Safety (15-Y 7-N) 1/30/2020 House: Read third time and passed House (55-Y 44-N) 1/31/2020 Senate: Referred to Committee on the Judiciary 2/24/2020 Senate: Reported from Judiciary (8-Y 7-N) 2/26/2020 Senate: Passed Senate with amendment (20-Y 20-N) 2/26/2020 Senate: Chair votes Yes 2/28/2020 House: Senate amendment agreed to by House (55-Y 44-N) 3/5/2020 House: Enrolled 3/6/2020 House: Signed by Speaker 3/6/2020 Senate: Signed by President	1/28/2020

Monitor (20100298D) - See also SB 67 (McClellan).

Summary: Reporting lost or stolen firearms; civil penalty. Requires that, if a firearm is lost or stolen from a person who lawfully possessed it, such person shall report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 48 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. The bill requires the relevant law-enforcement agency to enter the report information into the National Crime Information Center. A violation is punishable by a civil penalty of not more than \$250. The bill provides that a person who, in good faith, reports the loss or theft is immune from criminal or civil liability for acts or omissions that result from the loss or theft. The immunity does not apply to a person who knowingly gives a false report. The bill does not apply to the loss or theft of an antique firearm.

<u>HB 655</u> - Heretick (79) Solar photovoltaic projects; special exceptions for any project.	1/6/2020 House: Referred to Committee on Counties, Cities and Towns (HCCT) 1/31/2020 House: Reported from HCCT with substitute (22-Y 0-N) 2/6/2020 House: Read third time and passed House (99-Y 0-N) 2/7/2020 Senate: Referred to Committee on Local Government 2/17/2020 Senate: Reported from Local Government with substitute (13-Y 0-N 1-A) 2/20/2020 Senate: Passed Senate with substitute (39-Y 1-N) 2/24/2020 House: Senate substitute agreed to by House (98-Y 0-N) 2/27/2020 House: Enrolled 2/27/2020 House: Signed by Speaker 2/27/2020 Senate: Signed by President 3/6/2020 House: Enrolled Bill communicated to Governor 3/6/2020 Governor: Governor's Action Deadline 11:59 p.m., April 6, 2020	1/28/2020
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Monitor (20102659D) - See also SB 870 (Marsden).

Summary: Special exception for solar photovoltaic projects. Authorizes a locality to include reasonable regulations and provisions in its zoning ordinance for a special exception for any solar photovoltaic (electric energy) project. The bill authorizes the governing body of such locality to grant a condition that includes (i) dedication of real property of substantial value or (ii) substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the granting of a conditional use permit, so long as such proffered conditions are reasonably related to the project. This bill is identical to SB 870.

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Bills	General Assembly Actions	Date of BOS Position
<p><u>HB 657</u> - Heretick (79) Comprehensive plan; solar facilities review.</p>	<p>1/6/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/15/2020 House: Referred from HAG by voice vote 1/15/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends reporting with substitute (10-Y 0-N) 2/4/2020 House: Reported from Labor and Commerce with substitute (18-Y 4-N) 2/7/2020 House: Read third time and passed House (59-Y 41-N) 2/10/2020 Senate: Referred to Committee on Local Government 2/24/2020 Senate: Reported from Local Government with substitute (10-Y 2-N) 3/4/2020 Senate: Passed Senate with substitute (26-Y 13-N 1-A) 3/5/2020 House: Senate substitute agreed to by House (65-Y 32-N 1-A)</p>	<p>[2/28/2020] 1/28/2020</p>
<p>[Monitor] (20108882D-S1) - Bill has been amended to address the County's concerns. Oppose (20102662D) – See also SB 893 (Marsden). Summary: Provides that certain solar facilities shall be deemed to be substantially in accord with a locality's comprehensive plan if the locality waives the requirement that solar facilities be reviewed for substantial accord with the comprehensive plan.</p>		
<p><u>HB 860</u> - Bell (58) Inhaled asthma medications; school nurse, etc., may administer to a student.</p>	<p>1/7/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/16/2020 House: Subcommittee recommends reporting with substitute (6-Y 0-N) 1/21/2020 House: Reported from HHWI with substitute (22-Y 0-N) 1/27/2020 House: Read third time and passed House (99-Y 0-N) 1/28/2020 Senate: Referred to Committee on Education and Health 2/20/2020 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/24/2020 Senate: Passed Senate with substitute (40-Y 0-N) 2/26/2020 House: Senate substitute agreed to by House 20108267D-S1 (97-Y 0-N) 3/2/2020 House: Enrolled 3/2/2020 House: Signed by Speaker 3/3/2020 Senate: Signed by President</p>	<p>2/11/2020</p>
<p>Monitor (20105551D-H1) Summary: Professional use by practitioners; administration of albuterol inhalers or nebulized albuterol. Provides that, pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, school board employee, employee of a local governing body, employee of a local health department, employee of a school for students with disabilities, or employee of an accredited private school who is authorized by a prescriber and trained in the administration of albuterol inhalers or nebulized albuterol may possess or administer an albuterol inhaler or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis. The bill also provides that a school nurse, employee of a school board, employee of a local governing body, or employee of a local health department who is</p>		

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Bills	General Assembly Actions	Date of BOS Position
authorized by a prescriber and trained in the administration of albuterol inhalers or nebulized albuterol who provides, administers, or assists in the administration of an albuterol inhaler or nebulized albuterol for a student believed in good faith to be in need of such medication, or is the prescriber of such medication, is not liable for civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. This bill is identical to HB 1174.		
HB 902 - Sickles (43) Long-term care services and supports; preadmission screenings.	1/7/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/28/2020 House: Subcommittee recommends reporting with substitute (6-Y 0-N) and referring to Committee on Appropriations 1/30/2020 House: Reported from HHWI with substitute (22-Y 0-N) 1/30/2020 House: Referred to Committee on Appropriations 2/5/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/5/2020 House: Reported from Appropriations (21-Y 0-N) 2/10/2020 House: Read third time and passed House (99-Y 0-N) 2/11/2020 Senate: Referred to Committee on Education and Health 2/20/2020 Senate: Reported from Education and Health (13-Y 0-N) 2/24/2020 Senate: Passed Senate (40-Y 0-N) 2/28/2020 House: Enrolled 2/28/2020 House: Signed by Speaker 3/2/2020 Senate: Signed by President	2/11/2020
<p>Monitor (20104848D) - See also SB 902 (Barker).</p> <p>Summary: Provides that every individual who applies for or requests community or institutional long-term services and supports, as defined in the state plan for medical assistance services, may choose to receive services in a community or institutional setting and may choose the setting and provider of long-term care services and supports from a list of approved providers. The bill also clarifies requirements related to the performance of such long-term care services and supports screenings. The bill removes the definition of and references to Pre-PACE. The bill directs the Department of Medical Assistance Services to consider alternative assessment tools for long-term services and supports screenings completed on or after July 1, 2021, and to report its findings and conclusions to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by December 1, 2020. The provisions of the bill shall not become effective if they conflict with any provision of federal law or regulations or guidance issued by the Centers for Medicare and Medicaid Services. This bill is identical to SB 902.</p>		

Bills	General Assembly Actions	Date of BOS Position
<u>HB 1137</u> - Lopez (49) TANF & Va. Initiative for Education & Work; hardship exception.	1/7/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 1/16/2020 House: Subcommittee recommends reporting (6-Y 0-N) 1/21/2020 House: Reported from HHWI (22-Y 0-N) 1/27/2020 House: Read third time and passed House (99-Y 0-N) 1/28/2020 Senate: Referred to Committee on Rehabilitation and Social Services (SRSS) 2/7/2020 Senate: Reported from SRSS (15-Y 0-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/11/2020 Senate: Reconsideration of Senate passage agreed to by Senate (33-Y 6-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/13/2020 House: Enrolled 2/13/2020 House: Signed by Speaker 2/13/2020 Senate: Signed by President 2/17/2020 House: Enrolled Bill communicated to Governor 2/17/2020 Governor: Governor's Action Deadline, 2/24/2020 2/24/2020 Governor: Approved by Governor-Chapter 7 (effective 7/1/20)	1/28/2020

Monitor (20101649D)

Summary: Temporary Assistance for Needy Families and Virginia Initiative for Education and Work; hardship exception. Requires the Department of Social Services to (i) keep records of the number of Virginia Initiative for Education and Work participants who receive an exception to the time limitations on Temporary Assistance for Needy Families benefits due to hardship and the specific circumstances relied upon to grant such exceptions and (ii) annually publish nonidentifying statistics regarding such information.

<u>HB 1147</u> - Keam (35) Epinephrine; every public place may make available for administration.	1/7/2020 House: Referred to Committee for Courts of Justice 1/22/2020 House: Re-referred to Committee on Health, Welfare and Institutions (HHWI) 1/29/2020 House: Subcommittee recommends reporting with amendment (5-Y 0-N) 2/4/2020 House: Reported from HHWI with amendment (22-Y 0-N) 2/7/2020 House: Read third time and passed House (100-Y 0-N) 2/10/2020 Senate: Referred to Committee on Education and Health 2/27/2020 Senate: Reported from Education and Health with amendments (15-Y 0-N) 3/4/2020 Senate: Passed Senate with amendments (40-Y 0-N) 3/5/2020 House: Senate amendments agreed to by House (97-Y 0-N)	2/25/2020 1/28/2020
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Monitor (20103677D-E) - The bill as amended is permissive. ~~**Oppose** (20103677D)~~

Summary: Allows public places to make epinephrine available for administration. The bill allows employees of such public places who are authorized by a prescriber and trained in the administration of epinephrine to possess and administer epinephrine to a person present in such public place believed in good faith to be having an anaphylactic reaction. The bill also provides that an employee of such public place who is authorized by a prescriber and trained in the administration of epinephrine and who administers or assists in the administration of epinephrine to a person present in the public place believed in good faith to be having an anaphylactic reaction, or is the prescriber of the epinephrine, shall not be liable for any civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. The bill directs the Department of Health, in conjunction with the Department of Health Professions, to develop policies and guidelines for the recognition and treatment of anaphylaxis in public places. Such policies and guidelines shall be provided to the Commissioner of Health no later than July 1, 2021.

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<u>HB 1174</u> - Lopez (49) Inhaled asthma medications; school nurse, etc., may administer to a student.	1/7/2020 House: Referred to Committee on Education 1/27/2020 House: Subcommittee recommends reporting with substitute (5-Y 0-N) 1/29/2020 House: Reported from Education with substitute (22-Y 0-N) 2/4/2020 House: Read third time and passed House (99-Y 0-N) 2/5/2020 Senate: Referred to Committee on Education and Health 2/20/2020 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/24/2020 Senate: Passed Senate with substitute (40-Y 0-N) 2/26/2020 House: Senate substitute agreed to by House 20108269D-S1 (94-Y 0-N) 3/3/2020 House: Enrolled 3/3/2020 House: Signed by Speaker 3/4/2020 Senate: Signed by President	2/25/2020 1/28/2020

Monitor (20106883D-H1) - The bill as amended is permissive. **Oppose** (20103635D)

Summary: Professional use by practitioners; administration of inhaled asthma medication. Provides that, pursuant to an order or standing protocol issued by the prescriber within the course of his professional practice, any school nurse, school board employee, employee of a local governing body, employee of a local health department, employee of a school for students with disabilities, or employee of an accredited private school who is authorized by a prescriber and trained in the administration of albuterol inhalers or nebulized albuterol may possess or administer an albuterol inhaler or nebulized albuterol to a student diagnosed with a condition requiring an albuterol inhaler or nebulized albuterol when the student is believed to be experiencing or about to experience an asthmatic crisis. The bill also provides that a school nurse, employee of a school board, employee of a local governing body, or employee of a local health department who is authorized by a prescriber and trained in the administration of albuterol inhalers or nebulized albuterol who provides, administers, or assists in the administration of an albuterol inhaler or nebulized albuterol for a student believed in good faith to be in need of such medication, or is the prescriber of such medication, is not liable for civil damages for ordinary negligence in acts or omissions resulting from the rendering of such treatment. This bill is identical to HB 860.

<u>HB 1511</u> - McQuinn (70) Towing fees; raises to \$30 additional fee that can be charged for towing a vehicle at night, etc.	1/8/2020 House: Referred to Committee on Transportation 1/27/2020 House: Subcommittee recommends reporting (4-Y 2-N) 1/30/2020 House: Reported from Transportation (12-Y 10-N) 2/6/2020 House: Read third time and passed House (50-Y 48-N) 2/7/2020 Senate: Referred to Committee on Transportation 2/13/2020 Senate: Reported from Transportation (13-Y 2-N) 2/18/2020 Senate: Passed Senate (22-Y 15-N) 2/20/2020 House: Enrolled 2/20/2020 House: Signed by Speaker 2/21/2020 Senate: Signed by President 2/25/2020 House: Enrolled Bill communicated to Governor 2/25/2020 Governor: Governor's Action Deadline 11:59 p.m., March 3, 2020 3/2/2020 Governor: Approved by Governor-Chapter 31 (effective 7/1/20)	1/28/2020
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Monitor (20104626D) - See also SB 916 (Marsden).

Summary: Towing fees. The bill raises from \$25 to \$30 the additional fee that can be charged for towing a vehicle at night, on weekends, or on a holiday. The bill requires localities in Planning District 8 and Planning District 16 to set such additional fee at between \$25 and \$30. Current law requires such localities to set such additional fee at \$25.

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1586</u> - Watts (39) Washington Metropolitan Area Transit Authority; allocation of funds.	1/14/2020 House: Referred to Committee on Appropriations (HAPP) 1/27/2020 House: Subcommittee recommends reporting with amendment (7-Y 0-N) 1/29/2020 House: Reported from HAPP with amendment (16-Y 3-N) 2/4/2020 House: Read third time and passed House (74-Y 23-N) 2/5/2020 Senate: Referred to Committee on Transportation 2/27/2020 Senate: Reported from Transportation (6-Y 5-N) 3/3/2020 Senate: Passed Senate (21-Y 19-N) 3/6/2020 House: Enrolled 3/6/2020 House: Signed by Speaker 3/6/2020 Senate: Signed by President	1/28/2020
Monitor (20105593D) Summary: Provides that increases in service approved by the Washington Metropolitan Area Transit Authority Board shall not be included in the calculation of the annual increase in total operating expenses included in an approved WMATA budget.		
<u>HB 1699</u> - Aird (63) Temporary detention; DBHDS shall study who may evaluate.	1/17/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends reporting with substitute (5-Y 0-N) 2/7/2020 House: Reported from Rules with substitute (17-Y 0-N) 2/11/2020 House: Read third time and passed House (99-Y 0-N) 2/12/2020 Senate: Referred to Committee on Rules 2/21/2020 Senate: Reported from Rules with amendments (15-Y 0-N) 2/25/2020 Senate: Passed Senate with amendments (40-Y 0-N) 2/27/2020 House: Senate amendments agreed to by House (98-Y 1-N) 3/4/2020 House: Enrolled 3/5/2020 House: Signed by Speaker 3/5/2020 Senate: Signed by President	2/25/2020 1/28/2020
Monitor (20107508D-H1) - Bill has been amended to address many of the County's concerns. Amend (20106028D) – Amend to include input from local CSB practitioners and analysis of processes used in other states. See also SB 768 (Barker). Summary: DBHDS; work group to study expanding the individuals who may conduct evaluations for temporary detention; report. Directs the Commissioner of the Department of Behavioral Health and Developmental Services to establish a work group to (i) review the current process for conducting evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention, including any challenges or barriers to timely completion of such evaluations and factors giving rise to delays in completion of such evaluations, and (ii) develop a comprehensive plan to expand the individuals who may conduct effective evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention. The work group shall report its findings and conclusions and the comprehensive plan to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions, Senate Committee on Education and Health, and Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by December 1, 2020. This bill is identical to SB 768.		

Bills	General Assembly Actions	Date of BOS Position
<u>SB 31</u> - Petersen (34) Eminent domain; costs for petition for distribution of funds, interest rate.	11/18/2019 Senate: Referred to Committee on the Judiciary (SJUD) 1/29/2020 Senate: Reported from SJUD with amendments (14-Y 0-N) 1/29/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/6/2020 Senate: Reported from SFIN (16-Y 0-N) 2/11/2020 Senate: Passed Senate (39-Y 0-N) 2/11/2020 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/21/2020 House: Referred to Committee for Courts of Justice 2/28/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/28/2020 House: Reported from Courts of Justice (21-Y 0-N) 3/4/2020 House: Passed House BLOCK VOTE (98-Y 0-N) 3/7/2020 Senate: Enrolled	1/28/2020

Monitor (20100604D)

Summary: Eminent domain; costs for petition for distribution of funds; interest rate; recordation of certificate. 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. The bill provides that its provisions apply only to condemnation actions filed on or after July 1, 2020.

<u>SB 585</u> - Dunnavant (12) Guardianship; special education transition materials, etc.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services 1/17/2020 Senate: Re-referred to Judiciary (SJUD) 2/5/2020 Senate: Reported from SJUD with substitute (15-Y 0-N) 2/10/2020 Senate: Passed Senate (39-Y 0-N) 2/13/2020 House: Referred to Committee for Courts of Justice 2/14/2020 House: Referred from Courts of Justice by voice vote 2/14/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/17/2020 House: Subcommittee recommends reporting with amendments (6-Y 0-N) 2/25/2020 House: Reported from HHWI with amendments (21-Y 0-N) 2/28/2020 House: Passed House with amendments (100-Y 0-N) 3/2/2020 Senate: House amendments agreed to by Senate (40-Y 0-N) 3/6/2020 Senate: Enrolled 3/6/2020 Senate: Signed by President 3/6/2020 House: Signed by Speaker	2/11/2020
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Monitor (20103126D)

Summary: Guardianship for incapacitated persons. Provides that if the respondent to a guardianship or conservatorship petition is between 17 and a half and 21 years of age and has an Individualized Education Plan (IEP), the guardian ad litem appointed to represent the respondent shall review the IEP and include the results of his review in the report required to be submitted to the court and requires the Superintendent of Public Instruction to make available transitional materials prepared by the Department of Education that include information about powers of attorney and guardianship to be provided to students and parents during the student's annual IEP meeting.

Bold – Indicates BOS formal action

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 589</u> - Hanger, Jr. (24) Zoning administrators; notice of decisions and determinations.</p>	<p>1/7/2020 Senate: Referred to Committee on Local Government 1/27/2020 Senate: Reported from Local Government with substitute (15-Y 0-N) 1/30/2020 Senate: Read third time and passed Senate (39-Y 0-N) 2/3/2020 House: Referred to Committee on Counties, Cities and Towns (HCCT) 2/20/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/21/2020 House: Reported from HCCT (21-Y 1-N) 2/26/2020 House: Passed House (99-Y 1-N) 3/3/2020 Senate: Enrolled 3/3/2020 House: Signed by Speaker 3/4/2020 Senate: Signed by President</p>	<p>2/11/2020 1/28/2020</p>
<p>Monitor (20106468D-S1) - Bill has been amended to narrow its application and address the County's concerns. Oppose (20100255D) Summary: Requires a zoning administrator to provide notice to an adjacent property owner of any decision or determination by the zoning administrator that could impair the ability of such adjacent property owner to satisfy the minimum storage capacity and yield requirements for a residential drinking well.</p>		
<p><u>SB 617</u> - Deeds (25) Absentee voting; voter satellite offices for absentee voting in person.</p>	<p>1/7/2020 Senate: Referred to Committee on Privileges and Elections (SPE) 1/14/2020 Senate: Reported from SPE with amendment (15-Y 0-N) 1/20/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Privileges and Elections (HPE) 2/18/2020 House: Subcommittee recommends reporting (6-Y 0-N) 2/21/2020 House: Reported from HPE (19-Y 1-N) 2/26/2020 House: Passed House (92-Y 8-N) 3/3/2020 Senate: Enrolled 3/3/2020 House: Signed by Speaker 3/4/2020 Senate: Signed by President</p>	<p>1/28/2020</p>
<p>Monitor (20102713D-E) Summary: Authorizes the establishment of voter satellite offices by governing bodies of counties and cities for purposes of absentee voting in person. No change in any voter satellite office, including the creation of a new voter satellite office or abolishment of an existing voter satellite office, may be enacted within the 60 days immediately preceding a general election. The bill requires general registrars to post notice of the locations of all voter satellite offices within the locality, and their days and hours of operation, not later than 55 days prior to any election. Requirements for polling places, including accessibility for persons with disabilities, changes of location due to emergency circumstances, and funding, apply to voter satellite offices. The provisions of the bill are applicable to elections beginning with the general election on November 3, 2020.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>SB 735</u> - Newman (23) Peer-to-peer vehicle sharing platforms; definitions, establishes requirements.	1/8/2020 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Reported from Commerce and Labor (SCL) with substitute (12-Y 2-N 1-A) 2/3/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 2/10/2020 Senate: Incorporates SB 749 (Cosgrove) 2/10/2020 Senate: Incorporates SB 750 (Cosgrove) 2/10/2020 Senate: Reported from SFIN with substitute (14-Y 1-N 1-A) 2/11/2020 Senate: SCL substitute rejected 2/11/2020 Senate: SFIN substitute agreed to 2/11/2020 Senate: Amendment by Senator Newman agreed to 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/14/2020 House: Referred to Committee on Finance 2/17/2020 House: Subcommittee recommends reporting (9-Y 0-N) and referring to Committee on Appropriations 2/19/2020 House: Reported from Finance with substitute (22-Y 0-N) 2/19/2020 House: Referred to Committee on Appropriations 2/21/2020 House: Reported from Appropriations (22-Y 0-N) 2/26/2020 House: Passed House with substitute (95-Y 4-N) 2/26/2020 Senate: House substitute agreed to by Senate (40-Y 0-N) 3/4/2020 Senate: Enrolled 3/5/2020 Senate: Signed by President 3/6/2020 House: Signed by Speaker	2/25/2020

Monitor (20108534D-H1)

Summary: Peer-to-peer vehicle sharing platforms. Establishes insurance, taxation, recordkeeping, disclosure, and safety recall requirements for peer-to-peer vehicle sharing platforms, defined in the bill.

<u>SB 747</u> - Hanger, Jr. (24) Nutrient and sediment credit generation and transfer; limits certain transfers to private sector.	1/8/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources (SACNR) 2/4/2020 Senate: Reported from SACNR with substitute (15-Y 0-N) 2/7/2020 Senate: Passed Senate (39-Y 0-N) 2/13/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 2/17/2020 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/19/2020 House: Reported from HAG with substitute (20-Y 2-N) 2/24/2020 House: Passed House with substitute (93-Y 7-N) 2/26/2020 Senate: House substitute agreed to by Senate (40-Y 0-N) 3/4/2020 Senate: Enrolled 3/5/2020 Senate: Signed by President 3/6/2020 House: Signed by Speaker	2/11/2020
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Monitor (20103284D)

Summary: Nutrient and sediment credit generation and transfer; limit certain transfers to private sector. Limits certain transfers of nonpoint nutrient credits to those credits generated by the private sector. The bill provides that while any locality may, without the involvement of a third party, generate its own nutrient or sediment credits and request that such credits be certified by the Department of Environmental Quality, such certifications shall only be used for the purpose of determining whether the project complies with certain credit generation requirements. The bill authorizes any publicly owned water treatment works that is constructing or expanding a treatment facility to permanently retire a portion of its wasteload allocation under certain circumstances. This bill is identical to HB 1609.

Bills	General Assembly Actions	Date of BOS Position
<u>SB 768</u> - Barker (39) Temporary detention; DBHDS shall study who may evaluate.	1/8/2020 Senate: Referred to Committee on Rules 1/31/2020 Senate: Reported from Rules with substitute (15-Y 0-N) 2/5/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Rules 2/19/2020 House: Reported from Rules with substitute (17-Y 0-N) 2/24/2020 House: Passed House with substitute BLOCK VOTE (100-Y 0-N) 2/26/2020 Senate: House substitute rejected by Senate (0-Y 40-N) 2/27/2020 House: House insisted on substitute 2/27/2020 House: House requested conference committee 3/2/2020 Senate: Senate acceded to request (39-Y 0-N) 3/2/2020 Senate: Conferees appointed by Senate: Senators: Barker, Deeds, Hanger 3/3/2020 House: Conferees appointed by House: Delegates: Aird, Hope, Austin 3/5/2020 Conference: Amended by conference committee 3/5/2020 House: Conference report agreed to by House (98-Y 1-N) 3/7/2020 Senate: Conference report agreed to by Senate (40-Y 0-N)	2/25/2020 1/28/2020
<p>Monitor (20108575D-H1) - Bill has been amended to address many of the County's concerns. Amend (20103578D) - Amend to include input from local CSB practitioners and analysis of processes used in other states. See also HB 1699 (Aird).</p> <p>Summary: DBHDS; work group to study expanding the individuals who may conduct evaluations for temporary detention; report. Directs the Commissioner of the Department of Behavioral Health and Developmental Services to establish a work group to (i) review the current process for conducting evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention, including any challenges or barriers to timely completion of such evaluations and factors giving rise to delays in completion of such evaluations, and (ii) develop a comprehensive plan to expand the individuals who may conduct effective evaluations of persons who are subject to emergency custody orders to determine whether they meet the criteria for temporary detention. The work group shall report its findings and conclusions and the comprehensive plan to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions, Senate Committee on Education and Health, and Joint Subcommittee to Study Mental Health Services in the Commonwealth in the 21st Century by December 1, 2020. This bill is identical to HB 1699.</p>		
<u>SB 870</u> - Marsden (37) Solar photovoltaic projects; special exceptions for any project.	1/8/2020 Senate: Referred to Committee on Local Government 2/3/2020 Senate: Reported from Local Government with substitute (14-Y 0-N) 2/6/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/18/2020 House: Referred to Committee on Counties, Cities and Towns (HCCT) 2/20/2020 House: Subcommittee recommends reporting with substitute (8-Y 0-N) 2/21/2020 House: Reported from HCCT with substitute (21-Y 1-N) 2/26/2020 House: Passed House with substitute (97-Y 1-N) 2/28/2020 Senate: House substitute agreed to by Senate (38-Y 0-N) 3/5/2020 Senate: Enrolled 3/6/2020 House: Signed by Speaker 3/7/2020 Senate: Signed by President	1/28/2020

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Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (20102704D) - See also HB 655 (Heretick).</p> <p>Summary: Special exceptions for solar photovoltaic projects. Authorizes a locality to include reasonable regulations and provisions in its zoning ordinance for a special exception for any solar photovoltaic (electric energy) project. The bill authorizes the governing body of such locality to grant a condition that includes (i) dedication of real property of substantial value or (ii) substantial cash payments for or construction of substantial public improvements, the need for which is not generated solely by the granting of a conditional use permit, so long as such proffered conditions are reasonably related to the project. This bill is identical to HB 655.</p>		
<p><u>SB 902</u> - Barker (39) Long-term care services and supports; preadmission screenings.</p>	<p>1/8/2020 Senate: Referred to Committee on Education and Health 2/6/2020 Senate: Reported from Education and Health with substitute (15-Y 0-N) 2/6/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations with amendment (16-Y 0-N) 2/11/2020 Senate: Passed Senate (39-Y 0-N) 2/11/2020 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/14/2020 House: Referred to Committee on Health, Welfare and Institutions 2/18/2020 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/21/2020 House: Passed House BLOCK VOTE (98-Y 0-N) 2/26/2020 Senate: Enrolled 2/27/2020 Senate: Signed by President 2/27/2020 House: Signed by Speaker 3/4/2020 Senate: Enrolled Bill Communicated to Governor on March 4, 2020 3/4/2020 Governor: Governor's Action Deadline 11:59 p.m., April 6, 2020</p>	<p>2/11/2020</p>
<p>Monitor (20104850D) - See also HB 902 (Sickles).</p> <p>Summary: Provides that every individual who applies for or requests community or institutional long-term services and supports, as defined in the state plan for medical assistance services, may choose to receive services in a community or institutional setting and may choose the setting and provider of long-term care services and supports from a list of approved providers. The bill also clarifies requirements related to the performance of such long-term care services and supports screenings. The bill removes the definition of and references to Pre-PACE. The bill directs the Department of Medical Assistance Services to consider alternative assessment tools for long-term services and supports screenings completed on or after July 1, 2021, and to report its findings and conclusions to the Governor and the Chairmen of the House Committee on Health, Welfare and Institutions and the Senate Committee on Education and Health by December 1, 2020. The provisions of the bill shall not become effective if they conflict with any provision of federal law or regulations or guidance issued by the Centers for Medicare and Medicaid Services. This bill is identical to HB 902.</p>		

Bold – Indicates BOS formal action

[] Indicates BOS Legislative Committee Action

Bills	General Assembly Actions	Date of BOS Position
<u>SB 977</u> - Suetterlein (19) Local governing body meetings; public comment, during a regular meeting at least quarterly.	1/15/2020 Senate: Referred to Committee on Local Government 1/20/2020 Senate: Reported from Local Government (15-Y 0-N) 1/23/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Counties, Cities and Towns 2/20/2020 House: Subcommittee recommends reporting with amendments (8-Y 0-N) 2/21/2020 House: Reported from Counties, Cities and Towns with amendments (22-Y 0-N) 2/26/2020 House: Passed House with amendments BLOCK VOTE (100-Y 0-N) 2/28/2020 Senate: House amendments agreed to by Senate (38-Y 0-N) 3/5/2020 Senate: Enrolled 3/6/2020 House: Signed by Speaker 3/7/2020 Senate: Signed by President	2/25/2020 1/28/2020

Monitor (SB977ER) - Bill has been amended to limit impact on County. **Oppose** (20105104D)
Summary: Local governing body meetings; public comment. Requires a governing body to provide members of the general public with the opportunity for public comment during a regular meeting at least quarterly.

<u>SB 1046</u> - Deeds (25) Clinical social workers; patient records, involuntary detention orders.	1/17/2020 Senate: Referred to Committee on Education and Health 1/30/2020 Senate: Reported from Education and Health (15-Y 0-N) 2/4/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions 2/21/2020 House: Subcommittee recommends reporting (6-Y 0-N) 2/25/2020 House: Reported from Health, Welfare and Institutions (22-Y 0-N) 2/28/2020 House: Passed House BLOCK VOTE (100-Y 0-N) 3/5/2020 Senate: Enrolled 3/6/2020 House: Signed by Speaker 3/7/2020 Senate: Signed by President	2/11/2020
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Monitor (20104401D)
Summary: Clinical social workers; patient records; involuntary detention orders. Adds clinical social workers to the list of eligible providers that includes treating physicians and clinical psychologists who can disclose or recommend the withholding of patient records, face a malpractice review panel, and provide recommendations on involuntary temporary detention orders.

Fairfax County Positions

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***Legislation
No Longer Under Consideration
(Continued to 2021)***

Bills	General Assembly Actions	Date of BOS Position
HB 93 - Kory (38) Flavored tobacco products; sale or distribution prohibited, civil penalty.	12/11/2019 House: Referred to Committee on Finance 1/31/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/5/2020 House: Continued to 2021 in Finance by voice vote	1/28/2020
Support (20100213D) - Support efforts to reduce smoking and vaping while ensuring cultural traditions can legally continue. Summary: Sale or distribution of flavored tobacco products prohibited; civil penalty. Prohibits the sale or distribution of flavored tobacco products, defined in the bill, and creates a civil penalty of \$1,000 for a first offense and \$5,000 for a second or subsequent offense.		
HB 221 - Mugler (91) Tree conservation ordinance; Chesapeake Bay Preservation Act locality, designated trees.	12/27/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/3/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/5/2020 House: Continued to 2021 with substitute in Agriculture, Chesapeake and Natural Resources by voice vote	1/28/2020
Support (20102313D) - See also SB 184 (Locke). Summary: Tree conservation ordinance; Chesapeake Bay Preservation Act locality; designated trees. Adds "Chesapeake Bay watershed tree," as defined in the bill, to the types of tree that a locality with a tree conservation ordinance is authorized to designate individually for preservation. Current law allows individual designation of heritage, memorial, specimen, and street trees. The bill contains technical amendments.		
HB 869 - Bourne (71) Public defender or any deputies or employees; proportionally supplementing compensation.	1/7/2020 House: Referred to Committee for Courts of Justice 2/3/2020 House: Subcommittee recommends reporting with amendments (4-Y 3-N) 2/5/2020 House: Reported from Courts of Justice with amendments (12-Y 10-N) 2/10/2020 House: Read third time and passed House (50-Y 48-N) 2/11/2020 Senate: Referred to Committee on the Judiciary 2/19/2020 Senate: Continued to 2021 in Judiciary (9-Y 5-N)	1/28/2020
Oppose (20100539D) - Funding court personnel is a critical state responsibility. Summary: Supplementing compensation of public defender. Requires the governing body of any county or city that elects to supplement the compensation of the attorney for the Commonwealth, or any of their deputies or employees, above the salary of any such officer, deputy, or employee, to supplement the compensation of the public defender, or any of his deputies or employees, in the same amount as the supplement to the compensation of the attorney for the Commonwealth, or any of his deputies or employees.		
HB 892 - Sickles (43) Peer-to-peer vehicle sharing platforms; definition, taxation.	1/7/2020 House: Referred to Committee on Finance 2/3/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/5/2020 House: Continued to 2021 in Finance by voice vote	1/28/2020
Support (20102554D) - Support efforts to provide taxation parity with existing vehicle rental services. See also SB 750 (Cosgrove). Summary: Peer-to-peer vehicle sharing platforms; taxation. Provides that peer-to-peer vehicle sharing platforms, as defined in the bill, are rentors for the purposes of taxation.		

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Bills	General Assembly Actions	Date of BOS Position
HB 1119 - Hope (47) Flavored tobacco products; sale prohibited, civil penalty.	1/7/2020 House: Referred to Committee for Courts of Justice 1/22/2020 House: Subcommittee recommends referring to Finance by voice vote 1/27/2020 House: Referred from Courts of Justice by voice vote 1/27/2020 House: Referred to Committee on Finance 1/31/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/5/2020 House: Continued to 2021 in Finance by voice vote	1/28/2020
<p>Support (20104960D) - Support efforts to reduce smoking and vaping while ensuring cultural traditions can legally continue.</p> <p>Summary: Flavored tobacco products; sale prohibited; civil penalty. Prohibits the sale, distribution, offering for sale or distribution, or causing the sale or distribution of flavored tobacco products, as that term is defined in the bill, and imposes a civil penalty not to exceed \$500 for the first violation, \$1000 for a second violation, \$1,500 for a third violation, and \$2,000 for the fourth or subsequent violation. The bill also provides that, in addition to the civil penalties, a third violation is punishable by suspension of a permit as a stamping agent for a period of 15 days, and a fourth or subsequent violation is punishable by revocation of a permit as a stamping agent and a prohibition on reapplication for a permit to act as a stamping agent for a period of three years.</p>		
HB 1120 - Hope (47) Tobacco products; tax on all tobacco products, penalties.	1/7/2020 House: Referred to Committee on Finance 1/31/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/5/2020 House: Continued to 2021 in Finance by voice vote	1/28/2020
<p>Support (20104565D) - See also SB 852 (Ebbin).</p> <p>Summary: Taxes on tobacco products; penalties. Provides that tobacco products, defined in the bill, would be subject to tax at rates of \$1.80 per pack of cigarettes or 39 percent of the wholesale price for all other tobacco products. Current law imposes taxes of \$0.30 per pack of cigarettes, 10 percent of the wholesale price of certain tobacco products, and various weight-based rates that apply to moist snuff and loose leaf tobacco. The bill broadens the definition of "tobacco product" to include electronic smoking devices, which are not taxed under current law.</p>		
HB 1192 - Lopez (49) Hazardous Substance Aboveground Storage Tank Fund; created.	1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/22/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/22/2020 House: Referred to Committee for Courts of Justice 2/6/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/7/2020 House: Continued to 2021 in Courts of Justice by voice vote	2/11/2020
<p>Oppose (20105199D) - See also SB 626 (Surovell).</p> <p>Summary: Aboveground storage tanks; Hazardous Substance Aboveground Storage Tank Fund; civil and criminal penalties. Directs the State Water Control Board to regulate aboveground storage tanks that measure more than 1,320 gallons in capacity and are used to contain hazardous substances other than oil. The bill directs the Board to adopt regulations that establish requirements for registration, certification, and inspection, and other requirements of tank owners, and that establish a schedule of fees. The bill authorizes the Board to</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p>undertake corrective action, or to require the owner to undertake corrective action, in the event of a discharge of a hazardous substance. The bill requires tank owners to register their tanks, pay certain registration fees, develop release response plans, upgrade certain older tanks, install containment infrastructure for certain aboveground storage tanks, notify certain parties in the event of a release of a regulated substance, and demonstrate their financial responsibility. The bill also creates the Hazardous Substance Aboveground Storage Tank Fund for the administration of the bill and provides for civil and criminal penalties for violations of requirements of the bill, with the moneys received to be deposited into the existing Virginia Environmental Emergency Response Fund.</p>		
<p><u>HB 1279</u> - O'Quinn (5) Animal shelters; confinement and disposition of animals.</p>	<p>1/8/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/29/2020 House: Subcommittee recommends reporting (7-Y 1-N) 2/5/2020 House: Continued to 2021 in Agriculture, Chesapeake and Natural Resources by voice vote</p>	<p>2/11/2020</p>
<p>Oppose (20101926D) Summary: Increases from five to 10 the number of days an animal confined by a public or private animal shelter or releasing agency shall be kept prior to disposal of the animal unless sooner claimed by the rightful owner. The bill also increases from five to 10 the number of additional days such animal shall be held if the owner or custodian of the shelter determines that the animal has a collar, tag, license, tattoo, or other form of identification.</p>		
<p><u>HB 1288</u> - Murphy (34) Firearms; purchase, possession, etc., following certain convictions, penalty.</p>	<p>1/8/2020 House: Referred to Committee on Public Safety 2/4/2020 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 2/7/2020 House: Incorporates HB 78 (Kory) 2/7/2020 House: Incorporates HB 900 (Levine) 2/7/2020 House: Incorporates HB 459 (Sullivan) 2/7/2020 House: Reported from Public Safety with substitute (11-Y 9-N) 2/11/2020 House: Read third time and passed House (52-Y 47-N) 2/12/2020 Senate: Referred to Committee on the Judiciary 2/24/2020 Senate: Continued to 2021 in Judiciary (12-Y 3-N)</p>	<p>2/25/2020</p>
<p>Support (20107549D-H1) Summary: Purchase, possession, or transportation of firearms following conviction for assault and battery of a family or household member; permit to restore rights; penalties. Prohibits a person who has been convicted of stalking, sexual battery, assault and battery of a family or household member, or assault and battery when the person intentionally selects the person against whom a simple assault is committed because of his race, religious conviction, color, or national origin from purchasing, possessing, or transporting a firearm. A person who violates this provision is guilty of a Class 1 misdemeanor. The bill provides for a process by which a person convicted of such crime may petition the circuit court for a reinstatement of his right to possess or transport a firearm and the factors a court shall consider in determining such reinstatement. This bill incorporated HB 78, HB 900, and HB 459.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1293</u> - Helmer (40) Shirley Gate Road; extension in Fairfax County, funding.	1/8/2020 House: Referred to Committee on Transportation 1/23/2020 House: Subcommittee recommends reporting (6-Y 4-N) 1/23/2020 House: Subcommittee recommends referring to Committee on Appropriations 1/28/2020 House: Stricken from docket by Transportation (22-Y 0-N) 1/30/2020 House: Continued to 2021 in Transportation by voice vote	1/28/2020
Oppose (20101490D) Summary: Extension of Shirley Gate Road; funding. Prohibits the use of state funds for the extension of Shirley Gate Road in Fairfax County until the intersection at Popes Head Road and Fairfax County Parkway has been redesigned and the traffic light removed.		
<u>HB 1351</u> - Watts (39) Temporary detention; expands category of individuals who may evaluate a person.	1/8/2020 House: Referred to Committee on Health, Welfare and Institutions 2/3/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/4/2020 House: Continued to 2021 in Health, Welfare and Institutions by voice vote	1/28/2020
Oppose (20103049D) Summary: Temporary detention; evaluation; who may perform. Expands the category of individuals who may evaluate a person who is the subject of an emergency custody order to determine whether the person meets the criteria for temporary detention to include any person described in the definition of "mental health professional" in § 54.1-2400.1 who (i) is skilled in the diagnosis and treatment of mental illness, (ii) has completed a certification program approved by the Department of Behavioral Health and Developmental Services, and (iii) complies with regulations of the Board of Behavioral Health and Developmental Services related to performance of such evaluations.		
<u>HB 1464</u> - Gooditis (10) Restrict nutrient credit usage; local authority.	1/8/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/27/2020 House: Subcommittee recommends continuing to 2021 by voice vote 1/29/2020 House: Continued to 2021 in Agriculture, Chesapeake and Natural Resources by voice vote	1/28/2020
Support (20105223D) Summary: Local authority to restrict nutrient credit usage. Authorizes the governing body of any locality, by ordinance, to restrict the total nutrient credits that are generated in the locality and used in an adjacent eight-digit hydrologic unit code or fourth order subbasin to comply with stormwater nonpoint nutrient runoff water quality criteria.		
<u>HB 1480</u> - Gooditis (10) Pet shops; local regulation on sale of animals.	1/8/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/29/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/5/2020 House: Continued to 2021 in HAG by voice vote	1/28/2020

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20102872D)</p> <p>Summary: Local regulation of pet shops. Authorizes a locality to regulate or restrict by ordinance the acquisition, marketing, and sale of animals in a pet shop. Such ordinance may distinguish between certain types of pet shops and include provisions for special licensing, inspections, reporting, or restrictions on the sale of certain types of animals. The bill also includes various existing statewide provisions related to pet shops in the list of sections for which a locality may adopt parallel or more stringent ordinances.</p>		
<p><u>SB 253</u> - Chafin (38) Deeds of trust; fiduciary duties.</p>	<p>1/2/2020 Senate: Referred to Committee on the Judiciary 1/29/2020 Senate: Reported from Judiciary with substitute (8-Y 5-N 1-A) 2/11/2020 Senate: Read third time and passed Senate (26-Y 13-N) 2/11/2020 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/11/2020 Senate: Passed Senate (27-Y 12-N) 2/14/2020 House: Referred to Committee for Courts of Justice 2/28/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/28/2020 House: Continued to 2021 in Courts of Justice by voice vote</p>	<p>2/11/2020 4/28/2020</p>
<p>Support (20106654D-S1) - Bill has been amended to include language that would protect the County's affordable dwelling unit program. See also HB 1391 (Leftwich). Oppose (20102906D) - See also HB 1391 (Leftwich).</p> <p>Summary: Specifies that a trustee under a deed of trust has only the duties, rights, and obligations imposed and conferred on it by the deed of trust or by statute. The bill further requires that a trustee shall comply with all restrictive covenants regarding the affordability of the property and that a trustee under a deed of trust is a fiduciary for both the debtor and the creditor. This bill is in response to Crosby v. ALG Trustee, LLC, 296 Va. 561 (2018).</p>		
<p><u>SB 626</u> - Surovell (36) Hazardous Substance Aboveground Storage Tank Fund; created.</p>	<p>1/7/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2020 Senate: Continued to 2021 in Agriculture, Conservation and Natural Resources (15-Y 0-N)</p>	<p>2/11/2020</p>
<p>Oppose (20104897D) - See also HB 1192 (Lopez).</p> <p>Summary: Aboveground storage tanks; Hazardous Substance Aboveground Storage Tank Fund; civil and criminal penalties. Directs the State Water Control Board to regulate aboveground storage tanks that measure more than 1,320 gallons in capacity and are used to contain hazardous substances other than oil. The bill directs the Board to adopt regulations that establish requirements for registration, certification, and inspection, and other requirements of tank owners, and that establish a schedule of fees. The bill authorizes the Board to undertake corrective action, or to require the owner to undertake corrective action, in the event of a discharge of a hazardous substance. The bill requires tank owners to register their tanks, pay certain registration fees, develop release response plans, upgrade certain older tanks, install containment infrastructure for certain aboveground storage tanks, notify certain parties in the event of a release of a regulated substance, and demonstrate their financial responsibility. The bill also creates the Hazardous Substance Aboveground Storage Tank Fund for the administration of the bill and provides for civil and criminal penalties for violations of requirements of the bill, with the moneys received to be deposited into the existing Virginia Environmental Emergency Response Fund.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 826 - McDougale (4) Water and sewer service charges; tenant or lessee.	1/8/2020 Senate: Referred to Committee on Local Government 1/20/2020 Senate: Reported from Local Government with amendment (14-Y 1-N) 1/23/2020 Senate: Read third time and passed Senate (38-Y 2-N) 2/13/2020 House: Referred to Committee on Counties, Cities and Towns 2/20/2020 House: Subcommittee recommends reporting with amendment (8-Y 0-N) 2/21/2020 House: Reported from Counties, Cities and Towns with amendment (19-Y 3-N) 2/26/2020 House: Referred to Committee on General Laws 2/27/2020 House: Continued to 2021 in General Laws by voice vote	1/28/2020

Monitor (20103958D-E)

Summary: Reduces the maximum potential responsibility of a property owner for a tenant's unpaid water and sewer charges by capping the dollar amount of such property owner's responsibility at \$300.

SB 1049 - Deeds (25) Involuntary commitment; notice and participation, discharge plans.	1/17/2020 Senate: Referred to Committee on Education and Health 2/6/2020 Senate: Reported from Education and Health with substitute (12-Y 0-N 3-A) 2/11/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/14/2020 House: Referred to Committee on Health, Welfare and Institutions 2/17/2020 House: Subcommittee recommends continuing to 2021 by voice vote 2/25/2020 House: Continued to 2021 in Health, Welfare and Institutions by voice vote	2/11/2020
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Monitor (20105346D)

Summary: Involuntary commitment; notice and participation. Clarifies the role of individuals identified and requested by a person in the involuntary commitment process to assist him in the process. The bill sets out such authorized individuals' right to receive medical records, notice of hearings, and copies of orders and to participate in hearings and the discharge planning process.

Fairfax County Positions

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Legislation

No Longer Under Consideration

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

Bills	General Assembly Actions	Date of BOS Position
HB 3 - McQuinn (70) Va. Fair Housing Law; unlawful discriminatory housing practices, sexual orientation and gender, etc.	11/18/2019 House: Referred to Committee on General Laws 1/23/2020 House: Subcommittee recommends incorporating (HB 1663-Sickles) by voice vote 1/28/2020 House: Incorporated by General Laws (HB 1663-Sickles) by voice vote	1/28/2020
<p>Support (20100744D) - Board has historically supported.</p> <p>Summary: Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. 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." This bill was incorporated into HB 1663.</p>		
HB 16 - Krizek (44) Safety belt system; all occupants of motor vehicles to utilize.	11/19/2019 House: Referred to Committee on Transportation 1/27/2020 House: Subcommittee recommends incorporating (HB 1414-Filler-Corn) by voice vote 2/13/2020 House: Left in Transportation	1/28/2020
<p>Support (20100628D)</p> <p>Summary: Safety belt system use in motor vehicles. Requires all occupants of motor vehicles to utilize a safety belt system. Current law requires the use of safety belts only by (i) occupants under the age of 18, (ii) drivers, and (iii) passengers 18 years of age or older occupying the front seat. The bill changes a violation of safety belt system requirements by a person occupying a front seat from a secondary offense to a primary offense. This bill was incorporated into HB 1414.</p>		
HB 17 - Foy (2) Driver's license; suspension for nonpayment of fines or costs.	11/19/2019 House: Referred to Committee for Courts of Justice 1/29/2020 House: Subcommittee recommends incorporating (HB 1196-Lopez) by voice vote 1/31/2020 House: Incorporated by Courts of Justice (HB 1196-Lopez) by voice vote	1/28/2020
<p>Support (20101115D) - Board has historically supported concept of alternatives to driver's license suspension to address non-payment of court fines and costs.</p> <p>Summary: Suspension of driver's license for nonpayment of fines or costs. 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 also removes a provision allowing the court to require a defendant to present a summary prepared by the Department of Motor Vehicles of the other courts in which the defendant also owes fines and costs. The bill requires the Commissioner of the Department of Motor Vehicles to return or reinstate any person's driver's license that was suspended prior to July 1, 2020, solely for nonpayment of fines or costs. Such person does not have to pay a reinstatement fee. This bill was incorporated into HB 1196.</p>		

Bills	General Assembly Actions	Date of BOS Position
<u>HB 20</u> - Lindsey (90) Va. Alternative Energy & Coastal Protection Act; DEQ to implement final carbon trading regulation.	11/19/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/22/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/22/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends incorporating (HB 981-Herring) by voice vote 2/4/2020 House: Incorporated by Labor and Commerce (HB 981-Herring) by voice vote	1/28/2020

Support (20100461D)

Summary: Virginia Alternative Energy and Coastal Protection Act. Directs the Department of Environmental Quality to implement the final carbon trading regulation as approved by the State Air Pollution Control Board in order to establish a carbon dioxide cap and trade program that limits and reduces the total carbon dioxide emissions released by electric generation facilities and that complies with the Regional Greenhouse Gas Initiative model rule. The measure authorizes the Director of the Department of Environmental Quality to establish, implement, and manage an auction program to sell allowances into a market-based trading program. The measure requires revenues from the sale of carbon allowances, to the extent permitted by Article X, Section 7 of the Constitution of Virginia, to be deposited in an interest-bearing account and to be distributed without further appropriation (i) to assist counties, cities, towns, residents, and businesses affected by recurrent flooding, sea-level rise, and flooding from severe weather events; (ii) to support energy efficiency programs; (iii) to support renewable energy programs; (iv) to provide economic development, education, and workforce training programs for families and businesses in Southwest Virginia for the purpose of revitalizing communities negatively affected by the decline of fossil fuel production; (v) to the Virginia Natural Resources Commitment Fund to fund the Virginia Agricultural Best Management Practices Cost-Share Program and (vi) for administrative expenses. The measure states that development of new utility-owned and utility-operated generating facilities utilizing energy derived from sunlight, or from onshore or offshore wind, to achieve the reduction in carbon dioxide emissions is in the public interest and directs Dominion Virginia Power and Appalachian Power to achieve a minimum of 50 percent of the reduction in carbon dioxide emissions through the development of such utility-owned and utility-operated generating facilities utilizing energy derived from sunlight, or from onshore or offshore wind. The measure provides that any retail customer that purchases electric energy from a supplier other than the incumbent electric utility serving the exclusive service territory in which such retail customer is located shall pay a non-bypassable surcharge. The measure also requires the Department to establish an allowance set-aside for any electric generation facility subject to a cap and trade program that operates according to a long-term contract as of January 1, 2020, that prohibits the recovery of allowance costs. This bill was incorporated into HB 981.

<u>HB 25</u> - Lindsey (90) Absentee voting; no excuse required.	11/19/2019 House: Referred to Committee on Privileges and Elections 1/21/2020 House: Subcommittee recommends incorporating (HB 1-Herring) by voice vote 1/24/2020 House: Incorporated by Privileges and Elections (HB 1-Herring) by voice vote	1/28/2020
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Support (20100509D) - Collaborate with stakeholders to ensure bill can be successfully implemented. See also HB 1 (Herring) and HB 209 (Murphy).

Summary: 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. This bill was incorporated into HB 1.

Bills	General Assembly Actions	Date of BOS Position
HB 57 - Fowler, Jr. (55) Elections; date of June primary election.	12/2/2019 House: Referred to Committee on Privileges and Elections 1/22/2020 House: Subcommittee recommends reporting (5-Y 1-N) 1/24/2020 House: Reported from Privileges and Elections (19-Y 2-N) 1/30/2020 House: Read third time and passed House (90-Y 10-N) 1/31/2020 Senate: Referred to Committee on Privileges and Elections 2/18/2020 Senate: Reported from Privileges and Elections (10-Y 2-N) 2/21/2020 Senate: Defeated by Senate (18-Y 19-N)	1/28/2020
Support (20101716D) - Board has historically supported. See also SB 316 (Kiggans). Summary: 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.		
HB 110 - Ware (65) Regional Greenhouse Gas Initiative; trading allowance reserve account, etc.	12/13/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/22/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/22/2020 House: Referred to Committee on Labor and Commerce 2/11/2020 House: Left in Labor and Commerce	2/11/2020
Support (20101945D) Summary: Regional Greenhouse Gas Initiative; trading allowance reserve account; facilities with long-term contracts. Provides that if the Commonwealth becomes a participant in the Regional Greenhouse Gas Initiative or another carbon dioxide cap and trade program with an open auction of allowances, the Department of Environmental Quality shall establish an allowance reserve account for any electric generation facility that operates according to a long-term contract that was executed prior to May 16, 2017, and prohibits the recovery of allowance costs. The bill provides that such a facility shall be allocated free allowances from the reserve account sufficient to cover its annual compliance obligation for the duration of the long-term contract.		
HB 151 - Samirah (86) Accessory dwelling units; development and use.	12/18/2019 House: Referred to Committee on Counties, Cities and Towns 1/23/2020 House: Subcommittee recommends laying on the table (6-Y 1-N) 2/11/2020 House: Left in Counties, Cities and Towns	1/28/2020
Oppose (20104473D) Summary: Development and use of accessory dwelling units. Provides that all localities shall allow for the development and use of one accessory dwelling unit (ADU) per single-family dwelling (SFD), notwithstanding any contrary provision of a zoning ordinance. The bill defines "accessory dwelling unit" or "ADU" as an independent dwelling unit on a single-family lot with its own living, bathroom, and kitchen space that may be within or attached to SFDs or in detached structures on lots containing SFDs. ADUs may include basements, attics, flats, guest houses, cottages, and converted structures such as garages and sheds. The bill requires localities to regulate the size and design of ADUs through an approval process, as well as regulate fees, parking, and other requirements, provided that the regulations (i) are not so arbitrary, excessive, or burdensome, individually or cumulatively, as to unreasonably restrict the ability of property owners to utilize or create ADUs and (ii) do not require the property owner to occupy the ADU or SFD as his primary residence.		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 152</u> - Samirah (86) Single-family residential use; middle housing allowed on lots zoned for units.	12/18/2019 House: Referred to Committee on Counties, Cities and Towns 1/23/2020 House: Subcommittee recommends laying on the table (6-Y 0-N) 2/11/2020 House: Left in Counties, Cities and Towns	1/28/2020
<p>Oppose (20104474D)</p> <p>Summary: Middle housing allowed on lots zoned for single-family use. Requires all localities to allow development or redevelopment of "middle housing" residential units upon each lot zoned for single-family residential use. Middle housing is defined as two-family residential units, including duplexes, townhouses, cottages, and any similar structure. Such structures shall not require a special use permit or be subjected to any other local requirements beyond those imposed upon other authorized residential uses. Localities may regulate the siting, design, and environmental standards of middle housing residential units, including setback requirements, provided that the regulations do not, individually or cumulatively, discourage the development of all two-family housing types permitted through unreasonable costs or delay.</p>		
<u>HB 209</u> - Murphy (34) Absentee voting; no excuse required.	12/27/2019 House: Referred to Committee on Privileges and Elections 1/21/2020 House: Subcommittee recommends incorporating (HB 1-Herring) by voice vote 1/24/2020 House: Incorporated by Privileges and Elections (HB 1-Herring) by voice vote	1/28/2020
<p>Support (20101232D) - Collaborate with stakeholders to ensure bill can be successfully implemented. See also HB 1 (Herring) and HB 25 (Lindsey).</p> <p>Summary: 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. This bill was incorporated into HB 1.</p>		
<u>HB 217</u> - Convirs-Fowler (21) Va. Fair Housing Law; unlawful discriminatory housing practices, sexual orientation and gender, etc.	12/27/2019 House: Referred to Committee on General Laws 1/23/2020 House: Subcommittee recommends incorporating (HB 1663-Sickles) by voice vote 1/28/2020 House: Incorporated by General Laws (HB 1663-Sickles) by voice vote	1/28/2020
<p>Support (20101469D) - Board has historically supported.</p> <p>Summary: Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. 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." This bill was incorporated into HB 1663.</p>		
<u>HB 283</u> – Cole, J. (28) Highway construction and maintenance; time limitations.	12/30/2019 House: Referred to Committee on Transportation 1/23/2020 House: Subcommittee recommends striking from docket (10-Y 0-N) 2/11/2020 House: Left in Transportation	1/28/2020
<p>Monitor (20101687D)</p> <p>Summary: Time limitations for highway construction and maintenance. Prohibits construction or maintenance that blocks a lane of travel on a primary or interstate highway between 6:00 a.m. and 6:00 p.m.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 302 - McNamara (8) Litter tax; repeals annual tax.	12/31/2019 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/15/2020 House: Referred from HAG by voice vote 1/15/2020 House: Referred to Committee on Finance 1/31/2020 House: Subcommittee recommends laying on the table (7-Y 1-N) 2/11/2020 House: Left in Finance	1/28/2020
Oppose (20101216D) Summary: Litter tax. Repeals the annual litter tax. The bill does not affect any litter tax levied prior to July 1, 2020.		
HB 311 - Gooditis (10) Unmanned aerial systems; local regulation.	12/31/2019 House: Referred to Committee on Communications, Technology and Innovation (HTECH) 1/22/2020 House: Subcommittee recommends incorporating (HB 742-Bulova) by voice vote 2/11/2020 House: Left in HTECH	1/28/2020
Support (20101775D) - Support concept of providing authority for political subdivisions to adopt restrictions regarding takeoff and landing of unmanned aerial systems on their property. Collaborate with stakeholders to ensure language of bill accomplishes this goal. See also HB 742 (Bulova). Summary: Local regulation of unmanned aerial systems. Authorizes a political subdivision to adopt time, place, or manner restrictions regarding the takeoff or landing of unmanned aerial systems on property owned by the political subdivision.		
HB 357 - Lopez (49) Virginia Fair Housing Law; unlawful discriminatory housing practices.	1/1/2020 House: Referred to Committee on General Laws 1/30/2020 House: Subcommittee recommends incorporating (HB 6-Bourne) by voice vote 2/4/2020 House: Incorporated by General Laws (HB 6-Bourne) by voice vote	1/28/2020
Support (20101644D) - Board has historically supported. Summary: 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. This bill was incorporated into HB 6.		
HB 364 – Cole, M. (88) Statewide prioritization process; project selection.	1/2/2020 House: Referred to Committee on Transportation 2/11/2020 House: Left in Transportation	1/28/2020
Oppose (20103873D) - See also HB 620 (Cole, J.). Summary: Requires the Commonwealth Transportation Board, when evaluating projects under the statewide prioritization process known as SMART SCALE, to evaluate (i) congestion mitigation on the basis of total traffic volumes, not just traffic volumes during weekdays, and (ii) accessibility on the basis of the area of influence of a project for a radius of 55 miles.		

Bills	General Assembly Actions	Date of BOS Position
HB 381 – Cole, M. (88) Redistricting; Virginia Redistricting Commission, local redistricting commissions.	1/2/2020 House: Referred to Committee on Privileges and Elections 2/11/2020 House: Left in Privileges and Elections	2/11/2020
<p>Amend (20100230D) - Amend to remove provisions pertaining to the local redistricting commission.</p> <p>Summary: Redistricting; Virginia Redistricting Commission; local redistricting commissions. Establishes the Virginia Redistricting Commission (the Commission) pursuant to Article II, Sections 6 and 6-A of the Constitution of Virginia. The Commission, tasked with establishing districts for the United States House of Representatives and for the Senate and the House of Delegates of the General Assembly, will consist of eight legislative commissioners and eight citizen commissioners. The legislative commissioners consist of four members of the Senate of Virginia and four members of the House of Delegates, with equal representation given to the political parties having the highest and next highest number of members in their respective houses. The citizen commissioners are chosen by a selection committee consisting of five retired judges of the circuit courts of Virginia, from lists submitted to the selection committee by the Speaker of the House of Delegates, the leader in the House of Delegates of the political party having the next highest number of members in the House of Delegates, the President pro tempore of the Senate of Virginia, and the leader in the Senate of the political party having the next highest number of members in the Senate. The bill contains eligibility requirements for the citizen commissioners, including restrictions on holding or having held partisan national or state public office. As part of the application process for service on the Commission, the Division of Legislative Services acts as a repository for applications submitted by interested persons and is tasked with screening out applicants who are ineligible or submit incomplete applications. The applications of the citizen candidates selected by political leadership and submitted for consideration to the selection committee are public records.</p>		
HB 382 - Convirs-Fowler (21) Virginia Shoreline Resiliency Fund; grant program.	1/2/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/27/2020 House: Subcommittee recommends striking from docket (8-Y 0-N) 2/11/2020 House: Left in HAG	1/28/2020
<p>Support (20101699D) - See also HB 22 (Lindsey).</p> <p>Summary: Changes the Virginia Shoreline Resiliency Fund (the Fund) from a lending program to a grant program. The bill directs the Fund to grant money to localities to enable them to offer cost-sharing programs to help residents and businesses that are subject to recurrent flooding.</p>		
HB 508 - Willett (73) Animal care; cruelty, dangerous dogs.	1/4/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/29/2020 House: Subcommittee recommends striking from docket (8-Y 0-N) 2/11/2020 House: Left in HAG	1/28/2020
<p>Oppose (20103962D)</p> <p>Summary: Animal care; cruelty; dangerous dogs. Extensively reorganizes, clarifies, and makes substantive changes to provisions related to dangerous dogs. Substantive changes include (i) requiring a law-enforcement officer or animal control officer who has reason to believe that a dog within his jurisdiction is a dangerous dog to apply for a district court summons, a requirement that is discretionary under current law; (ii) a prohibition on disposing of a dog prior to a dangerous dog adjudication; (iii) additional requirements for owners during and after a dangerous dog adjudication, including notice upon transfer, signage, fencing, muzzling, and registration; (iv) court discretion on prohibiting ownership of or residence with a dog following a dangerous dog adjudication; and (v) additional recordkeeping for officers in certain situations.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 589 - Guzman (31) Community services boards; funding formula, population and need.	1/6/2020 House: Referred to Committee on Health, Welfare and Institutions 1/27/2020 House: Subcommittee recommends striking from docket (6-Y 0-N) 2/11/2020 House: Left in Health, Welfare and Institutions	1/28/2020
Monitor (20102117D) Summary: Community services boards; funding formula; population and need. Adds the total population of the area served by each community services board and the level of need for services provided by a community services board among the population of the area served to the list of criteria the Department of Behavioral Health and Developmental Services must consider when allocating state-controlled funds to community services boards.		
HB 608 - Miyares (82) Health Enterprise Zone Program and Fund; established, report.	1/6/2020 House: Referred to Committee on Health, Welfare and Institutions 1/28/2020 House: Subcommittee recommends reporting with substitute (8-Y 0-N) and referring to Committee on Appropriations 1/30/2020 House: Reported from Health, Welfare and Institutions with substitute (21-Y 1-N) 1/30/2020 House: Referred to Committee on Appropriations 2/5/2020 House: Subcommittee recommends laying on the table (7-Y 1-N) 2/11/2020 House: Left in Appropriations	1/28/2020
Support (20101235D) Summary: Health Enterprise Zone Program and Fund. Establishes the Health Enterprise Zone Program and Fund to target state resources to (i) reduce racial, ethnic, and geographic health disparities; (ii) improve access to health care in underserved communities; (iii) reduce hospital admission and readmission rates; and (iv) reduce health care costs in the Commonwealth. The bill establishes eligibility criteria for localities seeking designation as health enterprise zones and provides for the payment of funds from the Health Enterprise Zone Fund to designated localities for (i) implementation of strategies and interventions proposed in the application for designation as a health enterprise zone and (ii) provision of education loan repayment assistance or financial assistance to defray the cost of capital improvements or equipment purchase by health care providers in the health enterprise zone, as described in the application for designation as a health enterprise zone. The bill requires the State Department of Health to report annually by December 1 to the Governor and the Chairmen of the House Committees on Appropriations and Health, Welfare and Institutions and the Senate Committees on Finance and Education and Health on the status of the Program. The bill has an expiration date of July 1, 2025.		
HB 619 – Cole, J. (28) Commonwealth Mass Transit Fund; allocation to Fredericksburg Regional Transit.	1/6/2020 House: Referred to Committee on Transportation 1/30/2020 House: Subcommittee recommends striking from docket (10-Y 0-N) 2/11/2020 House: Left in Transportation	1/28/2020
Oppose (20101564D) Summary: Requires that a minimum of \$1 million annually be allocated to Fredericksburg Regional Transit from the Commonwealth Mass Transit Fund. The funding is contingent on localities served by Fredericksburg Regional Transit continuing to support Fredericksburg Regional Transit by at least the amount of funding provided in the fiscal year beginning July 1, 2019.		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 620</u> – Cole, J. (28) Statewide prioritization process; project selection.	1/6/2020 House: Referred to Committee on Transportation 1/23/2020 House: Subcommittee recommends incorporating (HB 364-Cole, M.) by voice vote 2/13/2020 House: Left in Transportation	1/28/2020
<p>Oppose (20103914D) - See also HB 364 (Cole, M.).</p> <p>Summary: Requires the Commonwealth Transportation Board, when evaluating projects under the statewide prioritization process known as SMART SCALE, to evaluate (i) congestion mitigation on the basis of total traffic volumes, not just traffic volumes during weekdays, and (ii) accessibility on the basis of the area of influence of a project for a radius of 55 miles.</p>		
<u>HB 621</u> - Willett (73) Speed monitoring systems; local ordinances.	1/6/2020 House: Referred to Committee on Labor and Commerce 1/16/2020 House: Referred from Labor and Commerce by voice vote 1/16/2020 House: Referred to Committee on Transportation 1/27/2020 House: Subcommittee recommends reporting with amendments (5-Y 2-N) 1/30/2020 House: Incorporated by Transportation (HB 1442-Jones) by voice vote	1/28/2020
<p>Support (20104317D)</p> <p>Summary: Provides that a locality may, by ordinance, establish a speed enforcement program utilizing an automated speed monitoring system that creates recorded images of vehicles traveling at least 10 miles per hour in excess of the maximum applicable speed limit. The penalty imposed for violating applicable speed limits where such violation is established by recorded images produced by a speed monitoring system cannot exceed \$50. The bill provides that a locality may install and operate a speed monitoring system only at residence districts, school crossing zones, and highway work zones. The procedures for operating a speed monitoring system and issuing summonses to violators and the rights of such violators, including the right to appeal to circuit court, parallel those currently in place for red light violations recorded by photo-monitoring systems at traffic lights. This bill was incorporated into HB 1442.</p>		
<u>HB 636</u> - LaRock (33) Town residents; provision of county services.	1/6/2020 House: Referred to Committee on Counties, Cities and Towns 2/6/2020 House: Subcommittee recommends laying on the table (5-Y 1-N) 2/11/2020 House: Left in Counties, Cities and Towns	1/28/2020
<p>Oppose (20100847D)</p> <p>Summary: Provision of county services to town residents. Requires a county to provide the same and equal services to residents of incorporated towns within the county as are provided to other residents of the county. However, if the local governing body of a town adopts a resolution that provides that the town shall provide a specific service and sends a copy of the resolution to the local governing body of the county, a county shall not be required to provide that service to town residents.</p>		
<u>HB 642</u> - LaRock (33) Transportation funding; statewide prioritization process.	1/6/2020 House: Referred to Committee on Transportation 1/30/2020 House: Subcommittee recommends laying on the table (8-Y 2-N) 2/13/2020 House: Left in Transportation	1/28/2020
<p>Monitor (20104059D)</p> <p>Summary: Requires the Commonwealth Transportation Board, when administering SMART SCALE, to ensure that projects are evaluated for district grant program funds and high-priority funds separately, and that the projects selected in one program do not impact the other program. The bill requires the Board to weight congestion mitigation at at least 55 percent in the Northern Virginia and Hampton Roads highway construction districts. The bill requires that projects eligible for district grant program funds receive a district-specific score and an overall score.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 650 - Hope (47) Naloxone or other opioid antagonist; possession and administration.	1/6/2020 House: Referred to Committee on Health, Welfare and Institutions 1/30/2020 House: Subcommittee recommends incorporating (HB 908-Hayes) by voice vote 2/4/2020 House: Incorporated by Health, Welfare and Institutions (HB 908-Hayes) by voice vote	2/11/2020
<p>Support (20104901D) - See also SB 566 (Edwards).</p> <p>Summary: Naloxone; possession and administration. Provides that a person who is not otherwise authorized to administer naloxone or other opioid antagonist used for overdose reversal may administer naloxone or other opioid antagonist used for overdose reversal to a person who is believed to be experiencing or about to experience a life-threatening opioid overdose, provided the administration is in good faith and absent gross negligence or willful and wanton misconduct. This bill was incorporated into HB 908.</p>		
HB 662 - Mullin (93) Local grievance procedure; incorporates certain provisions.	1/6/2020 House: Referred to Committee on Counties, Cities and Towns 2/11/2020 House: Left in Counties, Cities and Towns	1/28/2020
<p>Oppose (20101301D)</p> <p>Summary: Local grievance procedure. Incorporates into the local grievance procedure certain provisions in the state grievance procedure related to appeal of final decisions to the circuit court.</p>		
HB 677 - LaRock (33) Interstate 66; reverse tolling, toll revenue on Interstate 66 and Interstate 395.	1/6/2020 House: Referred to Committee on Transportation 1/23/2020 House: Subcommittee recommends passing by indefinitely (10-Y 0-N) 2/11/2020 House: Left in Transportation	1/28/2020
<p>Oppose (20102275D)</p> <p>Summary: Reverse tolling on Interstate 66; toll revenue on Interstate 66 and Interstate 395. Requires the Department of Transportation, upon completion of the Interstate 66 widening project, to activate reverse tolling on Interstate 66. The bill requires all such tolls and all toll revenue collected on Interstate 66 inside the beltway and the high-occupancy toll lanes on Interstate 395 to be directed to the Northern Virginia Transportation Authority.</p>		
HB 679 - LaRock (33) Real and personal property tax exemptions; repeals exemptions.	1/6/2020 House: Referred to Committee on Finance 1/27/2020 House: Subcommittee recommends laying on the table (10-Y 0-N) 2/11/2020 House: Left in Finance	1/28/2020
<p>Oppose (20102616D)</p> <p>Summary: Real and personal property tax exemptions. Repeals the property tax exemptions for all nonprofit entities that were granted by the General Assembly by designation, effective July 1, 2025. Any locality may grant property tax exemptions to any such organizations to become effective on or after that date.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 713 - Hope (47) Mandatory outpatient treatment orders; judicial review conferences.	1/6/2020 House: Referred to Committee on Health, Welfare and Institutions (HHWI) 2/3/2020 House: Subcommittee recommends reporting (5-Y 0-N) 2/3/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/4/2020 House: Reported from HHWI (21-Y 1-N) 2/4/2020 House: Referred to Committee on Appropriations 2/5/2020 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/11/2020 House: Left in Appropriations	1/28/2020
<p>Support (20104681D)</p> <p>Summary: Extends from 90 days to 180 days the maximum time period a court may order mandatory outpatient treatment for adults and juveniles. The bill provides that any order for mandatory outpatient treatment may include provisions for periodic reviews to monitor the person's (i) access to and satisfaction with services and supports provided under the treatment plan and (ii) compliance with the mandatory outpatient order. The district court judge or special justice may require attendance at such conferences by the person, the community services board staff member responsible for monitoring the person's compliance with the order, and such other persons as deemed appropriate. If agreed upon by the person and monitoring community services board, the judge or special justice may (a) allow such review conferences to be conducted through an electronic video and audio or telephonic communication system and (b) make adjustments to the treatment plan.</p>		
HB 761 - VanValkenburg (72) Elections; preclearance of certain covered practices required, definitions.	1/7/2020 House: Referred to Committee on Privileges and Elections 1/27/2020 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 1/31/2020 House: Reported from Privileges and Elections with substitute (14-Y 8-N) 1/31/2020 House: Referred to Committee on Appropriations 2/3/2020 House: Subcommittee recommends reporting (5-Y 3-N) 2/3/2020 House: Reported from Appropriations (10-Y 8-N) 2/7/2020 House: Read third time and passed House (59-Y 40-N) 2/10/2020 Senate: Referred to Committee on Privileges and Elections 2/25/2020 Senate: Reported from Privileges and Elections with substitute (10-Y 5-N) 2/25/2020 Senate: Re-referred to Finance and Appropriations (SFIN) 3/2/2020 Senate: Reported from SFIN with amendment (11-Y 2-N 1-A) 3/5/2020 Senate: Passed Senate with substitute with amendments (21-Y 19-N) 3/5/2020 House: Senate substitute agreed to by House (64-Y 32-N) 3/5/2020 House: Senate amendment #1 from Finance and Appropriations rejected by House (0-Y 99-N) 3/5/2020 House: Senate floor amendment by Senate Petersen agreed to by House (58-Y 40-N) 3/5/2020 Senate: Senate insisted on amendment (24-Y 15-N) 3/5/2020 Senate: Senate requested conference committee 3/5/2020 House: House acceded to request 3/5/2020 Senate: Conferees appointed by Senate: Senators: Deeds, Petersen, McDougale 3/5/2020 House: Conferees appointed by House: Delegates: VanValkenburg, Simon, Price 3/12/2020 House: No further action taken; failed to pass in House	2/25/2020

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Bills	General Assembly Actions	Date of BOS Position
<p>Monitor (20106652D-H1)</p> <p>Summary: Elections; preclearance of certain covered practices required. Requires the governing body of a covered jurisdiction, prior to enacting or seeking to administer any voting qualification or prerequisite to voting, or any standard, practice, or procedure with respect to voting, that is a covered practice, to either (i) institute an action in the circuit court for the jurisdiction for a declaratory judgment that the covered practice neither has the purpose or effect of denying or abridging the right to vote on account of race or color or membership in a language minority group nor will it result in the retrogression in the position of members of a racial or ethnic group with respect to their effective exercise of the electoral franchise or (ii) submit such covered practice to the Office of the Attorney General for issuance of a certification that no objection exists to the enactment or administration by the covered jurisdiction of the covered practice. A covered practice cannot be given effect until the circuit court has entered such judgement or the Attorney General has issued such certification. The bill provides to a covered jurisdiction the right to appeal an objection by the Attorney General and to an aggrieved citizen the right to appeal the Attorney General's issuance of a certification of no objection. A "covered jurisdiction" is defined to mean any county, city, or town that is determined by the Attorney General to have a voting age population that contains two or more racial or ethnic groups, each constituting at least 20 percent of its voting age population. The bill also defines "covered practice."</p>		
<p>HB 774 - LaRock (33) Commonwealth Transportation Board; increases revenue- sharing funds.</p>	<p>1/7/2020 House: Referred to Committee on Finance 1/29/2020 House: Referred from Finance by voice vote 1/29/2020 House: Referred to Committee on Transportation 2/4/2020 House: Subcommittee recommends reporting (8-Y 0-N) 2/6/2020 House: Reported from Transportation (15-Y 7-N) 2/10/2020 House: Engrossment refused by House (41-Y 51-N)</p>	<p>1/28/2020</p>
<p>Support (20103803D)</p> <p>Summary: Commonwealth Transportation Board; revenue-sharing funds. Increases the maximum matching allocation that the Commonwealth Transportation Board may make to a locality from \$5 million to \$10 million and increases the portion of such funds that such locality may use for the maintenance of highway systems from \$2.5 million to \$5 million.</p>		
<p>HB 891 - Sickles (43) Peer-to-peer vehicle sharing platforms; establishes sale of insurance, etc., for platforms.</p>	<p>1/7/2020 House: Referred to Committee on Communications, Technology and Innovation 1/27/2020 House: Referred from Communications, Technology and Innovation by voice vote 1/27/2020 House: Referred to Committee on Finance 2/3/2020 House: Subcommittee failed to recommend reporting (4-Y 6-N) 2/11/2020 House: Left in Finance</p>	<p>1/28/2020</p>
<p>Support (20105150D) - Support efforts to provide taxation parity with existing rental vehicles services. See also SB 749 (Cosgrove).</p> <p>Summary: Peer-to-peer vehicle sharing platforms; regulation; insurance; taxation. Establishes taxation, insurance coverage, sale of insurance, disclosure, safety recall, airport operation, and recordkeeping requirements for peer-to-peer vehicle sharing platforms, as defined in the bill.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 912</u> - Simon (53) Distributed renewable energy; promotes establishment of solar and other renewable energy.	1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 1/15/2020 House: Referred from Agriculture, Chesapeake and Natural Resources by voice vote 1/15/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends incorporating (HB 572-Keam) by voice vote 2/4/2020 House: Incorporated by Labor and Commerce (HB 572-Keam) by voice vote	1/28/2020
<p>Support (20103986D) - Board has historically supported.</p> <p>Summary: Distributed renewable energy. 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 multifamily 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.</p>		
<u>HB 948</u> - Webert (18) License taxes; prohibition on rate increases, prohibition on new taxes.	1/7/2020 House: Referred to Committee on Finance 1/20/2020 House: Subcommittee recommends laying on the table (8-Y 0-N) 2/11/2020 House: Left in Finance	1/28/2020
<p>Oppose (20104260D)</p> <p>Summary: License taxes; prohibition on rate increases; prohibition on new taxes. Provides that any locality that levies license taxes shall be prohibited from increasing the rate of those taxes above the rate imposed as of January 1, 2020. The bill also prohibits any locality that does not levy license taxes from levying such a tax in the future.</p>		
<u>HB 977</u> - Krizek (44) County food and beverage tax; allowable tax rate, removal of referendum requirement.	1/7/2020 House: Referred to Committee on Finance 2/5/2020 House: Incorporated by Finance (HB 729-Watts) by voice vote	1/28/2020
<p>Support (20105088D)</p> <p>Summary: County food and beverage tax; allowable tax rate; removal of referendum requirement. Removes the four percent limit on the tax rate that counties may impose on food and beverages. The bill also removes the requirement that a county hold a referendum before imposing such a tax. The bill was incorporated into H.B. 729.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HB 983 - Delaney (67) Traffic incident management vehicles; equipped with certain lights.	1/7/2020 House: Referred to Committee on Transportation 1/16/2020 House: Subcommittee recommends reporting (10-Y 0-N) 1/21/2020 House: Incorporates HB 635 (LaRock) 1/21/2020 House: Reported from Transportation with substitute (22-Y 0-N) 1/29/2020 House: Committee on Transportation substitute rejected 1/29/2020 House: Substitute by Delegate Delaney agreed to 1/30/2020 House: Read third time and passed House (97-Y 1-N) 1/31/2020 Senate: Referred to Committee on Transportation 2/27/2020 Senate: Failed to report (defeated) in Transportation (7-Y 7-N)	1/28/2020
Monitor (20104763D) Summary: Traffic incident management vehicles. Authorizes traffic incident management vehicles, defined in the bill, operated by persons who meet certain training requirements to be equipped with flashing red or red and white secondary warning lights and to be exempt from certain traffic regulations at or en route to the scene of a traffic accident or similar incident. This bill incorporates HB 635.		
HB 1151 - Lopez (49) Plastic bag tax; use of revenues.	1/7/2020 House: Referred to Committee on Finance 1/31/2020 House: Subcommittee recommends reporting with substitute (6-Y 2-N) 2/5/2020 House: Incorporates HB 1673 (Ware) 2/5/2020 House: Reported from Finance with substitute (12-Y 10-N) 2/10/2020 House: Read third time and passed House (50-Y 46-N) 2/12/2020 Senate: Referred to Committee on Finance and Appropriations 2/25/2020 Senate: Reported from Finance and Appropriations with substitute (14-Y 2-N) 2/26/2020 Senate: Requires 21 affirmative votes for passage 2/26/2020 Senate: Defeated by Senate (20-Y 20-N)	1/28/2020
Support (20101671D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management. Summary: Allows localities to impose a five-cent (\$0.05) per bag tax on plastic bags provided to customers by retailers in grocery stores, convenience stores, restaurants, or drugstores. Certain products are exempt from the tax. The bill directs revenue from the local tax to be deposited into the Virginia Water Quality Improvement Fund and the Virginia Natural Resources Commitment Fund. The bill allows every restaurant or retailer that collects the tax to retain one cent of the five-cent tax if the tax is paid in a timely manner. The bill incorporates HB 1673.		
HB 1152 - Lopez (49) Carbon dioxide cap and trade program; establishes program, etc.	1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources (HAG) 1/22/2020 House: Referred from HAG by voice vote 1/22/2020 House: Referred to Committee on Labor and Commerce 1/30/2020 House: Subcommittee recommends incorporating (HB 981-Herring) by voice vote 2/4/2020 House: Incorporated by Labor and Commerce (HB 981-Herring) by voice vote	2/11/2020

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20101672D)</p> <p>Summary: Regional Greenhouse Gas Initiative; Energy Efficiency Fund. Directs the Department of Environmental Quality (DEQ) to implement the final carbon trading regulation as approved by the Air Pollution Control Board providing for the establishment of a carbon dioxide cap and trade program. The measure directs the Commonwealth to become a member of the Regional Greenhouse Gas Initiative (RGGI). Pursuant to the Commonwealth's participation in the RGGI program, the Department shall seek to sell 100 percent of all allowances issued each year through the allowance auction. The measure authorizes the Director of the DEQ to establish, implement, and manage an auction program to sell allowances into a market-based trading program consistent with the RGGI program. The measure establishes the Energy Efficiency Fund and requires that all proceeds received from the sale of allowances conducted through the RGGI program be paid into the state treasury and credited to the Fund. Not less than 50 percent of the proceeds received from the sale of allowances shall be credited to an account to support energy efficiency programs, with at least 20 percent of the proceeds being directed to low-income energy efficiency programs. Not more than three percent of the proceeds shall be used to cover reasonable administrative expenses. The remaining funds will revert to the general fund. This bill was incorporated into HB 981.</p>		
<p><u>HB 1170</u> - Poindexter (9) Regional electric utility programs; participation by Commonwealth.</p>	<p>1/7/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/5/2020 House: Subcommittee recommends laying on the table (5-Y 3-N) 2/11/2020 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>1/28/2020</p>
<p>Oppose (20103356D)</p> <p>Summary: Regional electric utility or transportation sector emissions programs; participation by Commonwealth. Prohibits the Governor or any state agency or political subdivision from adopting any regulation, rule, or guidance document that establishes or authorizes the Commonwealth to join or participate in a regional program addressing emissions from the electric utility sector or transportation sector unless the program requires that all of the proceeds from the sale of emissions allowances be returned to customers in the Commonwealth.</p>		
<p><u>HB 1202</u> - Tran (42) Project labor agreements; public procurement by local governments.</p>	<p>1/7/2020 House: Referred to Committee on General Laws 1/28/2020 House: Subcommittee recommends incorporating (HB 358-Lopez) by voice vote 1/30/2020 House: Incorporated by General Laws (HB 358-Lopez) by voice vote</p>	<p>1/28/2020</p>
<p>Support (20104446D)</p> <p>Summary: Authorizes any local government, when engaged in procuring products or services or letting contracts for construction, manufacture, maintenance, or operation of public works, to require bidders to enter into or adhere to project labor agreements on the public works projects. This bill was incorporated into HB 358.</p>		
<p><u>HB 1203</u> - Tran (42) Prevailing wage; public works contracts with localities, penalty.</p>	<p>1/7/2020 House: Referred to Committee on Labor and Commerce 1/28/2020 House: Subcommittee recommends reporting with substitute (4-Y 3-N) 1/30/2020 House: Failed to report (defeated) in Labor and Commerce (9-Y 9-N)</p>	<p>1/28/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20104359D) - Support as a local option.</p> <p>Summary: Prevailing wage; public works contracts with localities; penalty. Requires contractors and subcontractors under any public contract with a locality for public works to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract at the prevailing wage rate. The Commissioner of Labor and Industry is required to determine the prevailing wage rate for such public contracts on the basis of applicable prevailing wage rate determinations made by the U.S. Secretary of Labor under the provisions of the federal Davis-Bacon Act. A contractor or subcontractor who knowingly or willfully employs any mechanic, laborer, or worker to perform work contracted to be done under the public contract at a rate that is less than the prevailing wage rate is guilty of a Class 1 misdemeanor. In addition, such a contractor or subcontractor shall be liable to such individuals for the payment of all wages due plus interest and shall be disqualified from bidding on public contracts until full restitution has been paid to the individuals.</p>		
<p>HB 1204 - Tran (42) Fall cankerworm; spraying prohibited except through opt-in program.</p>	<p>1/7/2020 House: Referred to Committee on Counties, Cities and Towns 1/30/2020 House: Subcommittee recommends reporting (3-Y 2-N) 2/7/2020 House: Failed to report (defeated) in Counties, Cities and Towns (9-Y 11-N)</p>	<p>1/28/2020</p>
<p>Oppose (20103495D)</p> <p>Summary: Prohibits localities from spraying pesticides intended to suppress an infestation of the fall cankerworm on any property unless the owner of the property requests such spraying through an opt-in program operated by the locality.</p>		
<p>HB 1214 - Simonds (94) Family day homes; licensure threshold.</p>	<p>1/7/2020 House: Referred to Committee on Education 1/15/2020 House: Referred from Education by voice vote 1/15/2020 House: Referred to Committee on Health, Welfare and Institutions 1/30/2020 House: Subcommittee recommends reporting with substitute (3-Y 1-N) 1/30/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/6/2020 House: Failed to report (defeated) in Health, Welfare and Institutions (9-Y 11-N)</p>	<p>1/28/2020</p>
<p>Amend (20102193D) - Amend to allow Fairfax County to maintain its current local permitting program. See also SB 117 (Favola).</p> <p>Summary: Reduces from five to three the number of children for whom a family day home must obtain a license to provide child care services.</p>		
<p>HB 1216 - Tran (42) State of good repair funds; bridges subject to repeated flooding.</p>	<p>1/7/2020 House: Referred to Committee on Transportation 1/30/2020 House: Subcommittee recommends laying on the table (10-Y 0-N) 2/11/2020 House: Left in Transportation</p>	<p>1/28/2020</p>
<p>Support (20100138D)</p> <p>Summary: Makes bridges that are subject to repeated flooding eligible for state of good repair funding. Under current law, structurally deficient bridges and highways with deficient pavement conditions are eligible for state of good repair funds.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1227</u> - LaRock (33) Unmanned aerial systems; local regulation.	1/7/2020 House: Referred to Committee on Communications, Technology and Innovation 1/22/2020 House: Subcommittee recommends incorporating (HB 742-Bulova) by voice vote 2/11/2020 House: Left in Communications, Technology and Innovation	1/28/2020
<p>Support (20105013D) - Support concept of providing authority for political subdivisions to adopt restrictions regarding takeoff and landing of unmanned aerial systems on their property. Collaborate with stakeholders to ensure language of bill accomplishes this goal.</p> <p>Summary: Local regulation of unmanned aerial systems. Authorizes a political subdivision to adopt time, place, or manner regulations regarding the takeoff or landing of unmanned aerial systems on property owned by the political subdivision, provided such regulations are narrowly tailored to protect the health, safety, and welfare of the public. Takeoff and landing regulations adopted by a political subdivision shall not apply to persons authorized by federal regulations to operate an unmanned aircraft system provided such system is operated in an otherwise lawful manner and consistent with federal regulations. A political subdivision shall annually report to the Department of Aviation any regulations adopted pursuant to this section.</p>		
<u>HB 1308</u> - Walker (23) Stormwater management; grandfathered land-disturbing activities.	1/8/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/3/2020 House: Subcommittee recommends laying on the table (6-Y 2-N) 2/11/2020 House: Left in Agriculture, Chesapeake and Natural Resources	1/28/2020
<p>Oppose (20104024D) - Board has historically opposed.</p> <p>Summary: Authorizes any land-disturbing activity that was eligible to take place pursuant to technical criteria that were adopted by the State Water Control Board prior to July 1, 2014, to be governed by such criteria until July 1, 2024. Current regulations grandfathered such activities until July 1, 2019.</p>		
<u>HB 1312</u> - Kory (38) Dangerous weapons; prohibits possessing or transporting in local government buildings.	1/8/2020 House: Referred to Committee on Public Safety 2/11/2020 House: Left in Public Safety	1/28/2020
<p>Monitor (20100166D)</p> <p>Summary: Local government buildings; dangerous weapons; penalty. Prohibits the possession or transport of (i) guns or other weapons designed or intended to propel a missile or projectile of any kind; (ii) frames, receivers, mufflers, silencers, missiles, projectiles, or ammunition designed for use with a dangerous weapon; or (iii) certain other dangerous weapons in any building owned or used by a locality for governmental purposes in the Commonwealth. A violation is punishable as a Class 1 misdemeanor. Currently, the possession or transport of such weapons is prohibited in any courthouse.</p>		
<u>HB 1389</u> - LaRock (33) Transportation funds; use of funds for projects.	1/8/2020 House: Referred to Committee on Transportation 1/28/2020 House: Subcommittee recommends striking from docket (8-Y 0-N) 2/11/2020 House: Left in Transportation	1/28/2020

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Bills	General Assembly Actions	Date of BOS Position
<p>Oppose (20104309D) Summary: Use of transportation funds in the Commonwealth. Requires affirmative authorization by the General Assembly in an appropriation act for any funds in the Commonwealth, including local and regional funds and toll revenues, to be used for a transportation project physically located outside of the Commonwealth.</p>		
<p>HB 1391 - Leftwich (78) Deeds of trust; fiduciary duties.</p>	<p>1/8/2020 House: Referred to Committee for Courts of Justice 1/29/2020 House: Subcommittee recommends reporting with substitute (7-Y 1-N) 2/5/2020 House: Reported from Courts of Justice with substitute (17-Y 5-N) 2/10/2020 House: Read third time and passed House (79-Y 20-N) 2/11/2020 Senate: Referred to Committee on the Judiciary 2/24/2020 Senate: Passed by indefinitely in Judiciary (13-Y 2-N)</p>	<p>2/11/2020 1/28/2020</p>
<p>Support (20106945D) - Bill has been amended to include language that would protect the County's affordable dwelling unit program. See also SB 253 (Chafin). Oppose (20102582D) - See also SB 253 (Chafin). Summary: Specifies that a trustee under a deed of trust has only the duties, rights, and obligations imposed and conferred on it by the deed of trust or by statute. The bill further requires that a trustee shall comply with all restrictive covenants regarding the affordability of the property and that a trustee under a deed of trust is a fiduciary for both the debtor and the creditor. This bill is in response to Crosby v. ALG Trustee, LLC, 296 Va. 561 (2018).</p>		
<p>HB 1439 - Jones (89) Transportation safety; adopting several initiatives.</p>	<p>1/8/2020 House: Referred to Committee on Transportation (HTRAN) 1/27/2020 House: Subcommittee recommends reporting with substitute (5-Y 2-N) and referring to Committee on Appropriations (HAPP) 1/30/2020 House: Reported from HTRAN with substitute (12-Y 10-N) 1/30/2020 House: Referred to HAPP 2/7/2020 House: Subcommittee recommends reporting with substitute (5-Y 2-N) 2/7/2020 House: Reported from HAPP with substitute (12-Y 9-N) 2/10/2020 House: HTRAN substitute rejected 2/10/2020 House: HAPP substitute agreed to 2/11/2020 House: Read third time and passed House (52-Y 48-N) 2/12/2020 Senate: Referred to Committee on Transportation (STRAN) 2/20/2020 Senate: Reported from STRAN with substitute (10-Y 5-N) 2/20/2020 Senate: Re-referred to Finance and Appropriations 2/25/2020 Senate: Reported from Finance and Appropriations (14-Y 1-N) 2/26/2020 Senate: Passed Senate with substitute (23-Y 17-N) 2/26/2020 House: Senate substitute rejected by House (0-Y 92-N) 2/26/2020 Senate: Senate insisted on amendments (40-Y 0-N) 2/26/2020 Senate: Senate requested conference committee 2/27/2020 House: House acceded to request 2/27/2020 House: Conferees appointed by House: Delegates: McQuinn, Jones, Knight 2/27/2020 Senate: Conferees appointed by Senate: Senators: Lucas, Marsden, Suetterlein 3/5/2020 Conference: Amended by conference committee 3/7/2020 House: Conference report agreed to by House (54-Y 42-N) 3/7/2020 Senate: Conference report rejected by Senate (11-Y 29-N)</p>	<p>2/25/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20107985D-H2)</p> <p>Summary: Transportation safety. Adopts several initiatives related to transportation and safety, including (i) making it illegal to possess an open container of alcohol in a motor vehicle; (ii) requiring all passengers in a vehicle to wear safety belts and making failure to wear a safety belt a primary offense; (iii) prohibiting the use of handheld personal communication devices; (iv) establishing a speed monitoring program in highway safety corridors that uses a vehicle sensor to take a picture of a vehicle traveling more than 10 miles over the speed limit, subjecting the driver to a monetary fine; and (v) allowing localities to lower the speed limit below 25 miles per hour in business and residential districts. The bill directs the Commissioner of the Department of Motor Vehicles to establish an advisory committee to oversee education and training materials and implementation and enforcement of policies such as the bill's safety belt and handheld personal communications device provisions. The bill decreases the frequency of vehicle inspections from every 12 months to every 24 months. The bill contains numerous technical amendments.</p>		
<p><u>HB 1510</u> - McQuinn (70)</p> <p>Weapons; carrying into building owned or used by the Commonwealth or political subdivision thereof.</p>	<p>1/8/2020 House: Referred to Committee on Public Safety 2/11/2020 House: Left in Public Safety</p>	<p>1/28/2020</p>
<p>Monitor (20104479D)</p> <p>Summary: Carrying weapon into building owned or used by the Commonwealth or political subdivision thereof; penalty. Makes it a Class 1 misdemeanor for a first or second offense for a person to transport any (i) gun or other weapon designed or intended to propel a missile or projectile of any kind; (ii) frame, receiver, muffler, silencer, missile, projectile, or ammunition designed for use with a dangerous weapon; or (iii) other dangerous weapon into a building owned or used by the Commonwealth or any agency or political subdivision thereof for governmental purposes. The bill provides exceptions for law-enforcement officers, conservators of the peace, magistrates, court officers, judges, city or county treasurers, commissioners or deputy commissioners of the Virginia Workers' Compensation Commission, authorized security personnel, and active military personnel while in the conduct of such individuals' official duties. The bill requires that notice of the provisions prohibiting the carrying of such weapons be posted at each public entrance to all buildings owned or leased by the Commonwealth or any agency or political subdivision thereof. A third or subsequent offense of this or certain other firearms offenses is punishable as a Class 6 felony.</p>		
<p><u>HB 1644</u> - Plum (36)</p> <p>Vehicles stopped at crosswalks; prohibition on passing.</p>	<p>1/16/2020 House: Referred to Committee on Transportation 2/3/2020 House: Subcommittee recommends reporting (9-Y 0-N) 2/6/2020 House: Reported from Transportation (22-Y 0-N) 2/11/2020 House: Read third time and passed House BLOCK VOTE (99-Y 0-N) 2/12/2020 Senate: Referred to Committee on Transportation 2/27/2020 Senate: Passed by indefinitely in Transportation (14-Y 0-N)</p>	<p>1/28/2020</p>
<p>Support (20101622D) - Board has historically supported.</p> <p>Summary: 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.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>HB 1673</u> - Ware (65) Plastic bag tax; use of revenues.	1/17/2020 House: Referred to Committee on Finance 1/31/2020 House: Subcommittee recommends incorporating (HB 1151-Lopez) by voice vote 2/5/2020 House: Incorporated by Finance (HB 1151-Lopez) by voice vote	1/28/2020
<p>Support (20104420D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management.</p> <p>Summary: Allows localities to impose a five-cent (\$0.05) per bag tax on plastic bags provided to customers by retailers in grocery stores, convenience stores, or drugstores in the Commonwealth. The bill also (i) requires every retailer to provide recycling receptacles at its place of business for such disposable plastic bags and (ii) allows every retailer that collects the tax to retain one cent (\$0.01) of every five cents (\$0.05) collected. The tax is to be administered in the same manner as the retail sales and use tax, and all revenues from the tax shall be deposited in equal sums into the Virginia Water Quality Improvement Fund and the Virginia Natural Resources Commitment Fund. The bill was incorporated into HB 1151.</p>		
<u>HJ 31</u> - Lopez (49) Commonwealth-wide housing needs; Department of Housing and Community Development to study.	1/1/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (5-Y 0-N) 2/11/2020 House: Left in Rules	1/28/2020
<p>Support with Amendment (20101786D) - Support with amendment to include the Virginia Housing Development Authority in the study.</p> <p>Summary: Study; Department of Housing and Community Development; Commonwealth-wide housing needs. Directs the Department of Housing and Community Development to (i) determine the quantity and quality of affordable housing across the Commonwealth, (ii) conduct a review of current programs and policies to determine the effectiveness of current housing policy efforts, (iii) develop an informed projection of future housing needs in the Commonwealth and determine the order of priority of those needs, and (iv) make recommendations for the improvement of housing policy in the Commonwealth.</p>		
<u>HJ 57</u> - Subramanyam (87) Route 50; Department of Transportation to study traffic congestion.	1/6/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (5-Y 0-N) 2/11/2020 House: Left in Rules	1/28/2020
<p>Amend (20103600D) - Amend to provide local input and include transit in study.</p> <p>Summary: Study; Department of Transportation; U.S. Route 50; report. Requests that the Department of Transportation study traffic congestion on that portion of U.S. Route 50 between the intersections of Interstate 66 in Fairfax County and U.S. Route 15 in Loudoun County and the feasibility of implementing improvements to such portion of the highway.</p>		

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Bills	General Assembly Actions	Date of BOS Position
HJ 63 - Rush (7) Blockchain technology; joint subcommittee to study emergence & integration in the economy.	1/6/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (3-Y 0-N) 2/11/2020 House: Left in Rules	1/28/2020
Support with Amendment (20102833D) - Support with amendment to include analysis of opportunities to deploy blockchain technology at the local level, and local government representation on the joint subcommittee. Summary: Study; joint subcommittee to study the emergence and integration of blockchain technology in the economy of the Commonwealth; report. Establishes a 19-member, two-year joint subcommittee to identify research and economic development opportunities to inform a statewide, comprehensive, and coordinated strategy relating to blockchain technology.		
HJ 82 - Ayala (51) Blockchain technology; VEDPA to study the emergence, etc., in the economy.	1/7/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (5-Y 0-N) 2/11/2020 House: Left in Rules	1/28/2020
Support with Amendment (20104566D) - Support with amendment to include collaboration with local government representatives to analyze opportunities to deploy blockchain technology at the local level. Summary: Study; Virginia Economic Development Partnership Authority to study the emergence and integration of blockchain technology in the economy of the Commonwealth; report. Requests the Virginia Economic Development Partnership Authority to identify blockchain technology research and economic development opportunities with the goal of creating a statewide, comprehensive, and coordinated strategy relating to blockchain technology. In conducting its study, the Virginia Economic Development Partnership Authority shall analyze and consider (i) economic development opportunities in the Commonwealth available through the utilization of blockchain technology; (ii) different types of blockchain technology and the feasibility of economic development for each type; (iii) the creation of a statewide, comprehensive, and coordinated strategy to encourage commercial activity in the blockchain technology sector; (iv) opportunities for deployment of blockchain technology in state government; and (v) strategies to incentivize the development of blockchain companies in the Commonwealth. The Virginia Economic Development Partnership Authority shall submit its report to the Governor and the 2021 and 2022 Regular Sessions of the General Assembly.		
HJ 105 - Subramanyam (87) Blockchain technology; joint subcommittee to study emergence & integration in the economy.	1/8/2020 House: Referred to Committee on Rules 1/29/2020 House: Subcommittee recommends laying on the table (6-Y 0-N) 2/11/2020 House: Left in Rules	1/28/2020
Support with Amendment (20103700D) - Support with amendment to include analysis of opportunities to deploy blockchain technology at the local level, and local government representation on the joint subcommittee. Summary: Study; joint subcommittee to study the emergence and integration of blockchain technology in the economy of the Commonwealth; report. Establishes a 19-member, two-year joint subcommittee to identify research and economic development opportunities to inform a statewide, comprehensive, and coordinated strategy relating to blockchain technology.		

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Bills	General Assembly Actions	Date of BOS Position
HJ 132 - Herring (46) Cannabis and medical cannabis; joint subcommittee to study development of framework for regulation.	1/10/2020 House: Referred to Committee on Rules 2/3/2020 House: Subcommittee recommends laying on the table (5-Y 0-N) 2/11/2020 House: Left in Rules	2/11/2020
Support (20105549D) - See also HJ 130 (Heretick) and SJ 66 (Ebbin). Summary: Study; Joint Subcommittee to Study the Development of a Framework for Regulated Adult-Use of Cannabis and Medical Cannabis; report.		
SB 26 - Petersen (34) Plastic bags; tax in the Chesapeake Bay Watershed.	11/18/2019 Senate: Referred to Committee on Finance 1/30/2020 Senate: Incorporated by Finance and Appropriations (SB 11-Ebbin) (16-Y 0-N)	1/28/2020
Support (20100599D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management. Summary: Plastic bag tax in the Chesapeake Bay Watershed. Imposes a five-cent per bag tax on plastic bags provided to customers by certain retailers in localities located wholly within the Chesapeake Bay Watershed and directs revenues to be used to support the Chesapeake Bay Watershed Implementation Plan. The bill also allows every retailer that collects the tax to retain one cent of every five cents collected.		
SB 66 - McClellan (9) Va. Fair Housing Law; unlawful discriminatory housing practices, sexual orientation and gender, etc.	11/22/2019 Senate: Referred to Committee on General Laws and Technology 1/29/2020 Senate: Incorporated by General Laws and Technology (SB 868-Ebbin) (14-Y 0-N)	1/28/2020
Support (20101054D) - Board has historically supported. Summary: Virginia Fair Housing Law; unlawful discriminatory housing practices; sexual orientation and gender identity. 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." This bill was incorporated into SB 868.		
SB 67 - McClellan (9) Firearms; reporting those lost or stolen, civil penalty.	11/22/2019 Senate: Referred to Committee on the Judiciary 2/5/2020 Senate: Reported from Judiciary (7-Y 6-N) 2/11/2020 Senate: Read third time and defeated by Senate (18-Y 21-N) 2/11/2020 Senate: Reconsideration of defeated action agreed to by Senate (39-Y 0-N) 2/11/2020 Senate: Defeated by Senate (19-Y 21-N)	1/28/2020
Monitor (20101053D) - See also HB 9 (Bourne). Summary: Reporting lost or stolen firearms; civil penalty. Requires that, if a firearm is lost or stolen from a person who lawfully possessed it, such person shall report the loss or theft of the firearm to any local law-enforcement agency or the Department of State Police within 24 hours after such person discovers the loss or theft or is informed by a person with personal knowledge of the loss or theft. The bill requires the relevant law-		

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Bills	General Assembly Actions	Date of BOS Position
enforcement agency to enter the report information into the National Crime Information Center. A violation is punishable by a civil penalty of not more than \$250. The bill provides that a person who, in good faith, reports the loss or theft is immune from criminal or civil liability for acts or omissions that result from the loss or theft. The immunity does not apply to a person who knowingly gives a false report. The bill does not apply to the loss or theft of an antique firearm.		
SB 117 - Favola (31) Family day homes; licensure threshold.	12/15/2019 Senate: Referred to Committee on Rehabilitation and Social Services 1/17/2020 Stricken at request of Patron in Rehabilitation and Social Services (12-Y 0-N)	1/28/2020
Amend (20102365D) - Amend to allow Fairfax County to maintain its current local permitting program. See also HB 1214 (Simonds). Summary: Reduces from five to three the number of children for whom a family day home must obtain a license to provide child care services.		
SB 151 - Stuart (28) School personnel; staffing ratios, school nurses.	12/18/2019 Senate: Referred to Committee on Education and Health 1/30/2020 Senate: Passed by indefinitely in Education and Health (14-Y 0-N)	1/28/2020
Oppose (20101419D) - Potential fiscal impact to Fairfax County is \$16.3 million to achieve the goal of one full-time equivalent nurse in every school, and \$22.6 million to achieve the goal of one full-time equivalent nurse per 550 students, based on the current staffing model. Summary: School personnel; staffing ratios; school nurses. Excludes school nurse positions from requirements for student support positions and instead requires each local school board to employ at least one full-time equivalent school nurse position in each elementary school, middle school, and high school in the local school division or at least one full-time equivalent school nurse position per 550 students in grades kindergarten through 12.		
SB 159 - Boysko (33) Public employment; prohibits discrimination on basis of sexual orientation or gender identity.	12/18/2019 Senate: Referred to Committee on General Laws and Technology 1/29/2020 Senate: Incorporated by General Laws and Technology (SB 868-Ebbin) (14-Y 0-N)	1/28/2020
Support (20102892D) - Board has historically supported. Summary: Nondiscrimination in public employment. 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. This bill was incorporated into SB 868.		
SB 180 - Favola (31) Prevailing wage; public works contracts, penalty.	12/21/2019 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Stricken at request of Patron in Commerce and Labor (15-Y 0-N)	1/28/2020
Support (20101737D)		

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Bills	General Assembly Actions	Date of BOS Position
<p>Summary: Prevailing wage; public works contracts; penalty. Requires contractors and subcontractors under any public contract with a state agency for public works to pay wages, salaries, benefits, and other remuneration to any mechanic, laborer, or worker employed, retained, or otherwise hired to perform services in connection with the public contract for public works at the prevailing wage rate. The Commissioner of Labor and Industry is required to determine the prevailing wage rate for such public contracts on the basis of applicable prevailing wage rate determinations made by the U.S. Secretary of Labor under the provisions of the federal Davis-Bacon Act. A contractor or subcontractor who knowingly or willfully employs any mechanic, laborer, or worker to perform work contracted to be done under the public contract at a rate that is less than the prevailing wage rate is guilty of a Class 1 misdemeanor. In addition, such a contractor or subcontractor shall be liable to such individuals for the payment of all wages due plus interest and shall be disqualified from bidding on public contracts with any public body until full restitution has been paid to the individuals.</p>		
<p>SB 184 - Locke (2) Tree conservation ordinance; Chesapeake Bay Preservation Act locality, designated trees.</p>	<p>12/26/2019 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 1/28/2020 Senate: Failed to report (defeated) in Agriculture, Conservation and Natural Resources (7-Y 7-N)</p>	<p>2/11/2020 1/28/2020</p>
<p>Monitor (20106930D-S1) - Bill has been amended and no longer applies to the County. Support (20102410D) - See also HB 221 (Mugler). Summary: Tree conservation ordinance; Chesapeake Bay Preservation Act locality; designated trees. Adds "Chesapeake Bay watershed tree," as defined in the bill, to the types of tree that a locality with a tree conservation ordinance is authorized to designate individually for preservation. Current law allows individual designation of heritage, memorial, specimen, and street trees. The bill contains technical amendments.</p>		
<p>SB 193 - Favola (31) Single-use plastic and expanded polystyrene products; local prohibition, local tax.</p>	<p>12/29/2019 Senate: Referred to Committee on Local Government 1/20/2020 Senate: Re-referred to Finance and Appropriations 1/30/2020 Senate: Stricken at request of Patron in Finance and Appropriations (11-Y 0-N)</p>	<p>1/28/2020</p>
<p>Support (20101425D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management. Summary: Single-use plastic and expanded polystyrene products; local prohibition; local tax. Authorizes a locality to prohibit by ordinance the purchase, sale, or provision, whether free or for a cost, of certain single-use products that are not recyclable or compostable and for which there is a suitable and cost-effective compostable or recyclable alternative product available, with certain exceptions. The bill also authorizes any locality to impose a five-cent per item tax on single-use plastics and polystyrene products provided to customers by certain retailers, with certain products being exempt from the tax. The bill directs revenue from the local tax to be used by the locality imposing the tax for cleanup or education programs designed to reduce waste. The bill allows every restaurant or retailer that collects the tax to retain one cent of the five-cent tax if the tax is paid in a timely manner.</p>		
<p>SB 198 - Locke (2) Disposable plastic shopping bags; local option.</p>	<p>12/29/2019 Senate: Referred to Committee on Local Government 1/20/2020 Senate: Re-referred to Finance and Appropriations 1/30/2020 Senate: Incorporated by Finance and Appropriations (SB 11-Ebbin) (16-Y 0-N)</p>	<p>1/28/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20101662D) - Support effort to reduce waste from plastic bags, but revenue generated should be directed to localities as they are responsible for solid waste management.</p> <p>Summary: Allows any locality by ordinance to prohibit the distribution, sale, or offer for sale of disposable plastic shopping bags to consumers. The bill exempts from any such prohibition reusable bags of a certain thickness, bags that are used to carry certain products, such as ice cream or newspapers, and garbage bags that are sold in multiples. This bill was incorporated into SB 11.</p>		
<p><u>SB 276</u> - Barker (39) Safety belt system; use in motor vehicles.</p>	<p>1/3/2020 Senate: Referred to Committee on Transportation 2/6/2020 Senate: Incorporated by Transportation (SB 907-Lucas) (15-Y 0-N)</p>	<p>1/28/2020</p>
<p>Support (20103297D)</p> <p>Summary: Safety belt system use in motor vehicles. Requires all occupants of motor vehicles to utilize a safety belt system. Current law requires the use of safety belts only by (i) occupants under the age of 18, (ii) drivers, and (iii) passengers 18 years of age or older occupying the front seat. The bill changes a violation of safety belt system requirements from a secondary offense to a primary offense.</p>		
<p><u>SB 310</u> - Stanley, Jr. (20) Public animal shelters; notice to euthanize.</p>	<p>1/5/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2020 Senate: Reported from Agriculture, Conservation and Natural Resources with substitute (15-Y 0-N) 2/4/2020 Senate: Re-referred to Finance and Appropriations 2/6/2020 Senate: Reported from Finance and Appropriations with amendment (14-Y 0-N) 2/11/2020 Senate: Passed Senate (39-Y 0-N) 2/11/2020 Senate: Reconsideration of passage agreed to by Senate (40-Y 0-N) 2/11/2020 Senate: Passed Senate (40-Y 0-N) 2/14/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/19/2020 House: Subcommittee recommends laying on the table (7-Y 1-N) 3/3/2020 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>1/28/2020</p>
<p>Monitor (20101026D)</p> <p>Summary: Requires each public animal shelter to adopt a policy under which it waits a certain number of days before euthanizing a dog or cat when a person has notified the shelter of his intent to adopt or take custody of the animal. The shelter must make reasonable efforts to accomplish the release of the animal but is not required hold the animal if it has reason to believe that the animal has seriously injured a human or the animal meets certain other specified conditions for euthanasia. The provisions of the bill are contingent on funding in a general appropriation act.</p>		
<p><u>SB 475</u> - Bell (13) Virginia Public Procurement Act; use of best value contracting.</p>	<p>1/7/2020 Senate: Referred to Committee on General Laws and Technology 1/29/2020 Senate: Passed by indefinitely in General Laws and Technology (15-Y 0-N)</p>	<p>1/28/2020</p>

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20102619D)</p> <p>Summary: Virginia Public Procurement Act; use of best value contracting; construction and professional services. Authorizes any public body to procure construction on a best value procurement basis using a numerical scoring system consisting of the following: (i) technical solution, 30 percent; (ii) past performance, 30 percent, including (a) price history of cost overruns, (b) schedule history of on-time delivery, and (c) contractor performance ratings from the immediately preceding five-year period; and (iii) price, 40 percent. The Request for Proposal shall contain a notice to potential offerors that the procurement decision will be made on a best value procurement basis. The Request for Proposal shall describe (1) the criteria that will be considered in evaluating the proposals and (2) the numerical scoring system that will be used in evaluating the proposals, including identification of the factors and weight values set forth in the bill.</p>		
<p><u>SB 484</u> - Favola (31) Local taxing authority; equalizes city and county taxing authorities.</p>	<p>1/7/2020 Senate: Referred to Committee on Finance and Appropriations 2/5/2020 Senate: Incorporated by Finance and Appropriations (SB 588-Hanger) (16-Y 0-N)</p>	<p>1/28/2020</p>
<p>Support (20104703D) - Board has historically supported.</p> <p>Summary: Local taxing authority. Equalizes city taxing authority and county taxing authority by granting a county the same authority available to impose excise taxes on cigarettes, admissions, transient room rentals, meals, and travel campgrounds without limitation on the rate that may be imposed. The bill retains a restriction that applies to counties under current law and requires that any transient occupancy tax revenue attributable to a rate of between two and five percent must be used for tourism marketing.</p>		
<p><u>SB 485</u> - DeSteph (8) Eminent domain; remnants and remainders.</p>	<p>1/7/2020 Senate: Referred to Committee on the Judiciary 1/29/2020 Senate: Reported from Judiciary with substitute (15-Y 0-N) 1/29/2020 Senate: Re-referred to Finance and Appropriations 2/5/2020 Senate: Reported from Finance and Appropriations (15-Y 0-N) 2/7/2020 Senate: Passed Senate (39-Y 0-N) 2/12/2020 House: Referred to Committee for Courts of Justice 2/17/2020 House: Subcommittee recommends laying on the table (5-Y 2-N) 3/3/2020 House: Left in Courts of Justice</p>	<p>1/28/2020</p>
<p>Oppose (20104245D)</p> <p>Summary: Repeals the provision of the Code of Virginia declaring that the acquisition of residual parcels when acquiring land for highway rights-of-way is in the public interest and is a public use. The bill provides that, upon petition of either party, the court may determine whether property remaining after a partial taking is an uneconomic remnant prior to the trial on just compensation. The bill further provides that if the court rules in favor of the owner, it may award costs and fees to be paid by the condemnor.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>SB 532</u> - Edwards (21) Third-party power purchase agreements; regulation of retail sales of electricity under agreements.	1/7/2020 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Incorporated by Commerce and Labor (SB 851-McClellan) (13-Y 0-N)	1/28/2020

Support (20102819D)

Summary: Third-party power purchase agreements. Exempts sellers under third-party power purchase agreements from being defined as a public utility, public service corporation, public service company, or electric utility solely because of the sale of electricity or ownership or operation of a distributed generation facility. The measure provides that the sale of electricity generated at a distributed energy facility by a person that is not a public utility, public service corporation, or public service company to a customer that is purchasing or leasing the distributed energy facility under the terms of a third-party power purchase agreement does not constitute the retail sale of electricity. The measure proscribes State Corporation Commission regulation of the sale of electric energy that is generated on site by a distributed generation facility pursuant to a third-party power purchase agreement. The measure also repeals the pilot program initially enacted in 2013 that authorized Dominion Energy to enter into certain third-party power purchase agreements providing financing of certain renewable generation facilities.

<u>SB 570</u> - Mason (1) State-Funded Kinship Guardianship Assistance program; created.	1/7/2020 Senate: Referred to Committee on Rehabilitation and Social Services 1/17/2020 Senate: Reported from Rehabilitation and Social Services with substitute (14-Y 0-N) 1/17/2020 Senate: Re-referred to Finance and Appropriations 2/4/2020 Senate: Reported from Finance and Appropriations with amendment (15-Y 0-N) 2/6/2020 Senate: Read third time and passed Senate (40-Y 0-N) 2/13/2020 House: Referred to Committee on Health, Welfare and Institutions 2/20/2020 House: Subcommittee recommends reporting with amendments (4-Y 0-N) 2/20/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/25/2020 House: Reported from Health, Welfare and Institutions with amendments (22-Y 0-N) 2/25/2020 House: Referred to Committee on Appropriations 3/3/2020 House: Left in Appropriations	2/11/2020
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Support (20105861D-S1)

Summary: State-Funded Kinship Guardianship Assistance program. Creates the State-Funded Kinship Guardianship Assistance program (the program) to facilitate child placements with relatives, including fictive kin, and ensure permanency for children in foster care. The bill sets forth eligibility criteria for the program, payment allowances to kinship guardians, and requirements for kinship guardianship assistance agreements. The bill also expands eligibility for the Federal-Funded Kinship Guardianship Assistance program by allowing payments to be made to fictive kin who receive custody of a child of whom they have been the foster parent. The provisions of the bill are contingent on funding in a general appropriation act.

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Bills	General Assembly Actions	Date of BOS Position
SB 581 - Howell (32) Minors; allowing access to firearms, Class 6 felony.	1/7/2020 Senate: Referred to Committee on the Judiciary 2/3/2020 Senate: Failed to report (defeated) in Judiciary (7-Y 8-N)	1/28/2020
<p>Support (20102952D) - See also HB 1083 (Hayes). Summary: Allowing access to firearms by minors; penalty. Provides that any person who recklessly leaves a loaded, unsecured firearm in such a manner as to endanger the life or limb of any person under the age of 18 is guilty of a Class 6 felony. Current law provides that any person who recklessly leaves a loaded, unsecured firearm in such a manner as to endanger the life or limb of any child under the age of 14 is guilty of a Class 3 misdemeanor.</p>		
SB 638 - Surovell (36) Affordable housing; location near Metrorail station.	1/7/2020 Senate: Referred to Committee on Local Government 1/27/2020 Senate: Passed by indefinitely in Local Government with letter (15-Y 0-N)	1/28/2020
<p>Oppose (20101041D) Summary: Affordable housing near Metrorail station. Provides that in any locality with an existing or planned Metrorail station, such locality shall require that at least 10 percent of new residential dwelling units in any building that is at least six stories in height be affordable dwelling units, defined in the bill, if the proposed project is within one-half mile of an existing or planned Metrorail station.</p>		
SB 643 - Boysko (33) Motor Vehicles, Department of; issuance of certain documents.	1/7/2020 Senate: Referred to Committee on Transportation 1/30/2020 Senate: Incorporated by Transportation (SB 34-Surovell) (8-Y 7-N)	1/28/2020
<p>Support (20102087D) Summary: Department of Motor Vehicles; issuance of certain documents; citizenship requirement. Removes the citizenship and legal presence requirements for obtaining a driver's license or special identification card. The bill requires the Department of Motor Vehicles to cancel any (i) REAL ID-compliant driver's license or special identification card and (ii) commercial driver's license or commercial learner's permit if the Department is notified by a federal agency that the individual to whom such document was issued is not in compliance with the citizenship and lawful residency requirements for such license, card, or permit. The bill has a delayed effective date of October 2, 2020, and contains technical amendments. This bill was incorporated into SB 34.</p>		
SB 644 - Boysko (33) Traffic incident management vehicles; exempt from certain regulations.	1/7/2020 Senate: Referred to Committee on Transportation 1/23/2020 Senate: Failed to report (defeated) in Transportation (6-Y 9-N)	1/28/2020
<p>Monitor (20102092D) Summary: Traffic incident management vehicles. Adds traffic incident management vehicles, defined in the bill, operated by persons who meet certain training requirements to a list of vehicles exempt from certain traffic regulations at or en route to the scene of a traffic accident or similar incident. The bill also allows such vehicles to be equipped with sirens and flashing red or red and white secondary warning lights.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 682 - Mason (1) Food and beverage tax; county imposing a tax greater than four percent.	1/7/2020 Senate: Referred to Committee on Finance and Appropriations 2/5/2020 Senate: Incorporated by Finance and Appropriations (SB 588-Hanger) (16-Y 0-N)	1/28/2020
<p>Support (20103944D) - Board has historically supported.</p> <p>Summary: County food and beverage tax. Eliminates the limit that restricts a county from imposing a food and beverage tax (commonly referred to as the meals tax) at a rate greater than four percent. The bill also removes the requirement that a county hold a referendum before imposing a meals tax. Under current law, the tax limit and referendum requirement apply to counties but not cities. This bill was incorporated into SB 588.</p>		
SB 687 - Vogel (27) Bicycles; signage, effective clause.	1/7/2020 Senate: Referred to Committee on Transportation 1/16/2020 Senate: Reported from Transportation with substitute (15-Y 0-N) 1/16/2020 Senate: Re-referred to Finance and Appropriations 1/22/2020 Senate: Reported from Finance and Appropriations with amendment (16-Y 0-N) 1/27/2020 Senate: Read third time and passed Senate (39-Y 0-N) 2/13/2020 House: Referred to Committee on Transportation 2/18/2020 House: Subcommittee recommends reporting with amendment (8-Y 1-N) 2/18/2020 House: Subcommittee recommends referring to Committee on Appropriations 2/20/2020 House: Reported from Transportation with amendment (20-Y 2-N) 2/20/2020 House: Referred to Committee on Appropriations 3/3/2020 House: Left in Appropriations	1/28/2020
<p>Monitor (20105989D-S1)</p> <p>Summary: Bicycles; signage and road markings. Requires the Department of Transportation to erect and maintain signs in high pedestrian, Segway, bicycle, moped, animal, and animal-drawn vehicle traffic volume areas signs that say "Share the Road" and that note existing law requiring passing motor vehicles to pass at least three feet to the left of such vehicles. The provisions of the bill are contingent on funding in a general appropriation act.</p>		
SB 749 - Cosgrove, Jr. (14) Peer-to-peer vehicle sharing platforms; establishes sale of insurance, etc., for platforms.	1/8/2020 Senate: Referred to Committee on Commerce and Labor 2/3/2020 Senate: Reported from Commerce and Labor with substitute (9-Y 3-N 3-A) 2/3/2020 Senate: Re-referred to Finance and Appropriations 2/10/2020 Senate: Incorporated by Finance and Appropriations (SB 735-Newman) (16-Y 0-N)	1/28/2020
<p>Support (20105235D) - Support efforts to provide taxation parity with existing vehicle rental services. See also HB 891 (Sickles).</p> <p>Summary: Peer-to-peer vehicle sharing platforms; regulation; insurance; taxation. Establishes taxation, insurance coverage, sale of insurance, disclosure, safety recall, airport operation, and recordkeeping requirements for peer-to-peer vehicle sharing platforms, as defined in the bill.</p>		

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Bills	General Assembly Actions	Date of BOS Position
SB 750 - Cosgrove, Jr. (14) Peer-to-peer vehicle sharing platforms; definition, taxation.	1/8/2020 Senate: Referred to Committee on Finance and Appropriations 2/10/2020 Senate: Incorporated by Finance and Appropriations (SB 735-Newman) (16-Y 0-N)	1/28/2020
<p>Support (20102741D) - Support efforts to provide taxation parity with existing vehicle rental services. See also HB 892 (Sickles).</p> <p>Summary: Peer-to-peer vehicle sharing platforms; taxation. Provides that peer-to-peer vehicle sharing platforms, as defined in the bill, are renters for the purposes of taxation.</p>		
SB 759 - Marsden (37) Photo speed monitoring devices; civil penalty.	1/8/2020 Senate: Referred to Committee on Transportation 2/6/2020 Senate: Failed to report (defeated) in Transportation (6-Y 9-N)	1/28/2020
<p>Support (20105147D)</p> <p>Summary: Speed monitoring devices; civil penalty. Authorizes law-enforcement officers to operate photo speed monitoring devices, defined in the bill, in or around school crossing zones and highway work zones for the purpose of recording images of vehicles that are traveling at speeds of at least 10 miles per hour above the posted school crossing zone or highway work zone speed limit within such school crossing zone or highway work zone when such highway work zone is indicated by conspicuously placed signs displaying the maximum speed limit and the use of such photo speed monitoring device. The bill provides that the operator of a vehicle shall be liable for a monetary civil penalty, not to exceed \$125, if such vehicle is found to be traveling at speeds of at least 10 miles per hour above the posted highway work zone or school crossing zone speed limit by the photo speed monitoring device. The bill provides that if the summons for a violation is issued by mail the violation shall not be reported on the driver's operating record or to the driver's insurance agency, but if the violation is personally issued by an officer at the time of the violation, such violation shall be part of the driver's record and used for insurance purposes. The bill provides that the civil penalty will be paid to the locality in which the violation occurred.</p>		
SB 839 - Ebbin (30) Zoning; permitted provisions in ordinance, worker protection.	1/8/2020 Senate: Referred to Committee on Local Government 2/3/2020 Senate: Passed by indefinitely in Local Government with letter (12-Y 3-N)	1/28/2020
<p>Support (20103585D)</p> <p>Summary: Permitted provisions in the zoning ordinance; worker protection. Authorizes a locality to include in its zoning ordinance certain conditions as part of the grant of a special exception that permits development at a floor area ratio (FAR) greater than 1.0 or 25 units per acre, or requires the construction of or improvements to public facilities, public roads, or other publicly owned or managed areas. Such conditions may require a developer, directly or through its contractors, to enter into binding contractual commitments that provide certain protections for the skilled and unskilled workers hired to build the development project.</p>		
SB 852 - Ebbin (30) Tobacco products; tax on all tobacco products, penalties.	1/8/2020 Senate: Referred to Committee on Finance and Appropriations 1/30/2020 Senate: Passed by indefinitely in Finance and Appropriations (12-Y 1-N)	1/28/2020

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Bills	General Assembly Actions	Date of BOS Position
<p>Support (20104343D) - See also HB 1120 (Hope). Summary: Taxes on tobacco products; penalties. Provides that tobacco products, defined in the bill, would be subject to tax at rates of \$1.80 per pack of cigarettes or 39 percent of the wholesale price for all other tobacco products. Current law imposes taxes of \$0.30 per pack of cigarettes, 10 percent of the wholesale price of certain tobacco products, and various weight-based rates that apply to moist snuff and loose leaf tobacco. The bill broadens the definition of "tobacco product" to include electronic smoking devices, which are not taxed under current law.</p>		
<p>SB 893 - Marsden (37) Comprehensive plan; solar facilities review.</p>	<p>1/8/2020 Senate: Referred to Committee on Local Government 2/3/2020 Senate: Passed by indefinitely in Local Government (15-Y 0-N)</p>	<p>1/28/2020</p>
<p>Oppose (20102707D) - See also HB 657 (Heretick). Summary: Exempts a solar facility that is 150 megawatts or less from the requirement that it be reviewed for substantial accord with a locality's comprehensive plan.</p>		
<p>SB 907 - Lucas (18) Transportation safety; occupants of motor vehicles not equipped with seat belts.</p>	<p>1/8/2020 Senate: Referred to Committee on Transportation 2/10/2020 Senate: Incorporates SB 276 (Barker) 2/10/2020 Senate: Incorporates SB 370 (Bell) 2/10/2020 Senate: Reported from Transportation with substitute (8-Y 5-N) 2/11/2020 Senate: Passed Senate (24-Y 15-N 1-A) 2/11/2020 Senate: Reconsideration of passage agreed to by Senate (38-Y 2-N) 2/11/2020 Senate: Passed Senate (26-Y 14-N) 2/14/2020 House: Referred to Committee on Transportation 2/17/2020 House: Subcommittee recommends reporting with substitute (5-Y 3-N) 2/20/2020 House: Reported from Transportation with substitute (13-Y 9-N) 2/25/2020 House: Passed House with substitute (52-Y 48-N) 2/26/2020 Senate: House substitute rejected by Senate (0-Y 40-N) 2/26/2020 House: House insisted on substitute 2/26/2020 House: House requested conference committee 2/26/2020 Senate: Senate acceded to request (40-Y 0-N) 2/27/2020 Senate: Conferees appointed by Senate: Senators: Lucas, Marsden, Suetterlein 2/27/2020 House: Conferees appointed by House: Delegates: McQuinn, Jones, Knight 3/5/2020 Conference: Amended by conference committee 3/8/2020 House: Conference report agreed to by House (49-Y 44-N) 3/8/2020 Senate: Conference report rejected by Senate (11-Y 28-N)</p>	<p>2/25/2020</p>
<p>Support (20108056D-S1) Summary: Transportation safety. Requires all passengers in a vehicle to wear safety belts and allows localities to lower the speed limit below 25, but not less than 15, miles per hour in business and residential districts.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<p><u>SB 916</u> - Marsden (37) Towing fees; raises to \$30 additional fee that can be charged for towing a vehicle at night, etc.</p>	<p>1/8/2020 Senate: Referred to Committee on Transportation 1/23/2020 Senate: Reported from Transportation (11-Y 2-N) 1/29/2020 Senate: Read third time and passed Senate (26-Y 13-N) 2/3/2020 House: Referred to Committee on Transportation 2/18/2020 House: Reported from Transportation (12-Y 9-N) 2/21/2020 House: Defeated by House (42-Y 55-N) 2/21/2020 House: Reconsideration of defeated action agreed to by House (59-Y 34-N) 2/25/2020 House: Re-referred to Transportation 2/25/2020 House: Motion to re-refer to committee agreed to 2/27/2020 House: Left in Transportation</p>	<p>1/28/2020</p>
<p>Monitor (20104641D) - See also HB 1511 (McQuinn). Summary: Towing fees. The bill raises from \$25 to \$30 the additional fee that can be charged for towing a vehicle at night, on weekends, or on a holiday. The bill requires localities in Planning District 8 and Planning District 16 to set such additional fee at between \$25 and \$30. Current law requires such localities to set such additional fee at \$25.</p>		
<p><u>SB 921</u> - Locke (2) Cigarette tax, local; authorizes all counties to impose without rate limit.</p>	<p>1/9/2020 Senate: Referred to Committee on Finance and Appropriations 2/5/2020 Senate: Incorporated by Finance and Appropriations (SB 588-Hanger) (16-Y 0-N)</p>	<p>1/28/2020</p>
<p>Support (20104542D) - Board has historically supported. Summary: Local cigarette tax; authorize all counties to impose without rate limit. Permits any county to impose a cigarette tax. Under current law, only the Counties of Arlington and Fairfax have such authority. The bill provides that there shall be no limitation on the cigarette tax rate imposed by counties. Under current law, cities and towns may impose the tax without limitation on the rate, but the Counties of Arlington and Fairfax may impose the tax at a rate not to exceed the amount levied under state law (\$0.30 per pack). This bill was incorporated into SB 588.</p>		
<p><u>SB 1007</u> - Reeves (17) Stormwater management; inspections.</p>	<p>1/16/2020 Senate: Referred to Committee on Agriculture, Conservation and Natural Resources 2/4/2020 Senate: Reported from Agriculture, Conservation and Natural Resources with amendments (13-Y 2-N) 2/10/2020 Senate: Read third time and passed Senate (37-Y 1-N) 2/13/2020 House: Referred to Committee on Agriculture, Chesapeake and Natural Resources 2/17/2020 House: Subcommittee recommends laying on the table (5-Y 3-N) 3/3/2020 House: Left in Agriculture, Chesapeake and Natural Resources</p>	<p>2/11/2020</p>
<p>Oppose (20105334D) Summary: Directs the Water Control Board to adopt regulations that require that a long-term maintenance agreement for any best management practice that is a wet pond provide for inspections no more frequently than every three years.</p>		

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Bills	General Assembly Actions	Date of BOS Position
<u>SJ 32</u> - Bell (13) Electric vehicles; DEQ to study the impact of and develop Clean Transportation Plan, report.	1/6/2020 Senate: Referred to Committee on Rules 1/24/2020 Senate: Passed by indefinitely in Rules with letter by voice vote	1/28/2020
Support with Amendment (20104293D) - Support with amendment to encourage consideration of the impact on transportation revenue resulting from the increase in use of electric vehicles. Summary: Study; Department of Environmental Quality; Clean Transportation Plan; report. Requests the Department of Environmental Quality to study the impact of electric vehicles and develop a Clean Transportation Plan.		
<u>SJ 57</u> - Lewis, Jr. (6) JLARC; costs of education, report.	1/8/2020 Senate: Referred to Committee on Rules 1/31/2020 Senate: Stricken at request of Patron in Rules by voice vote	1/28/2020
Support (20103928D) - Board has historically supported. Fairfax County's Legislative Program includes support for adequate K-12 education funding. Summary: Study; JLARC; costs of education; report. 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.		
<u>SJ 66</u> - Ebbin (30) Cannabis and medical cannabis; joint subcommittee to study development of framework for regulation.	1/8/2020 Senate: Referred to Committee on Rules 1/31/2020 Senate: Reported from Rules by voice vote 2/5/2020 Senate: Amendment by Senator Ebbin agreed to 2/6/2020 Senate: Read third time and agreed to by Senate by voice vote 2/19/2020 House: Referred to Committee on Rules 2/27/2020 House: Tabled in Rules (15-Y 3-N)	2/11/2020
Support (20105313D) - See also HJ 130 (Heretick) and HJ 132 (Herring). Summary: Study; Joint Subcommittee to Study the Development of a Framework for Regulated Adult-Use of Cannabis and Medical Cannabis; report. Establishes the Joint Subcommittee to Study the Development of a Framework for Regulated Adult-Use of Cannabis and Medical Cannabis (Joint Subcommittee). The bill requires the Joint Subcommittee to (i) study and provide guidance on the potential creation of a Cannabis Control Commission to oversee licensing and regulation of industrial hemp, medical cannabis, and adult-use of cannabis; (ii) provide regulatory guidance on potential tax rates and revenue forecasts for retail and wholesale products; (iii) study and make recommendations regarding the issuance of initial cultivation and retail licenses; (iv) develop and recommend a fee structure and grandfathering process for current pharmaceutical processors; (v) study and recommend potential marijuana advertising regulations; (vi) study and determine appropriate public consumption venues and personal cultivation allowances; (vii) study funding and processing requirements for expungement of criminal records and rights restoration related to marijuana decriminalization; (viii) study and recommend methods for diversifying ownership of the marijuana market; (ix) assess the California, Massachusetts, and Illinois marijuana programs and their effectiveness in transferring economic prosperity to disproportionately affected areas; (x) study the potential development of a community reinvestment fund; and (xi) review and analyze National Highway Traffic Safety Administration studies on marijuana-related impairment. The joint subcommittee shall also review studies conducted by JLARC considering the legalization and regulation of the growth, sale, and possession of marijuana and any recommended best practices and policies to address the impact of marijuana prohibition on marginalized members of the community.		

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